



# Agenda

## City Council Regular Meeting

Folsom City Hall | City Council Chambers, First Floor  
50 Natoma Street, Folsom, CA 95630  
July 09, 2024, 6:30 PM

## Welcome to Your City Council Meeting

We welcome your interest and involvement in the city's legislative process. This agenda includes information about topics coming before the City Council and the action recommended by city staff. You can read about each topic in the staff reports, which are available on the city website and in the Office of the City Clerk. The City Clerk is also available to answer any questions you have about City Council meeting procedures.

### Participation

If you would like to provide comments to the City Council, please:




- Fill out a blue speaker request form, located at the back table.
- Submit the form to the City Clerk before the item begins.
- When it's your turn, the City Clerk will call your name and invite you to the podium.
- Speakers generally have three minutes, unless the presiding officer (usually the mayor) changes that time.

### Reasonable Accommodations

In compliance with the Americans with Disabilities Act, if you are a person with a disability and you need a disability-related modification or accommodation to participate in this meeting, please contact the City Clerk's Office at (916) 461-6035, (916) 355-7328 (fax) or [CityClerkDept@folsom.ca.us](mailto:CityClerkDept@folsom.ca.us). Requests must be made as early as possible and at least two full business days before the start of the meeting.

### How to Watch

The City of Folsom provides three ways to watch a City Council meeting:

In Person	Online	On TV
		
City Council meetings take place at City Hall, 50 Natoma Street	Watch the livestream and replay past meetings on the city website, <a href="http://www.folsom.ca.us">www.folsom.ca.us</a>	Watch live and replays of meetings on Sac Metro Cable TV, Channel 14

More information about City Council meetings is available at the end of this agenda



CITY OF  
**FOLSOM**  
DISTINCTIVE BY NATURE

**City Council Regular Meeting**  
**Folsom City Hall | City Council Chambers, First Floor**  
**50 Natoma Street, Folsom, CA 95630**

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

**Tuesday, July 09, 2024 6:30 PM**

*Sarah Aquino, Vice Mayor*

*Mike Kozlowski, Mayor*

*YK Chalamcherla, Councilmember*

*Rosario Rodriguez, Councilmember*

*Anna Rohrbough, Councilmember*

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**AGENDA**

**CALL TO ORDER**

**ROLL CALL:**

**Councilmembers:** Aquino, Chalamcherla, Rodriguez, Rohrbough, Kozlowski

The City Council has adopted a policy that no new item will begin after 10:30 p.m. Therefore, if you are here for an item that has not been heard by 10:30 p.m., you may leave, as the item will be continued to a future Council meeting.

**PLEDGE OF ALLEGIANCE**

**BUSINESS FROM THE FLOOR:**

Members of the public are entitled to address the City Council concerning any item within the Folsom City Council's subject matter jurisdiction. Public comments are generally limited to no more than three minutes. Except for certain specific exceptions, the City Council is prohibited from discussing or taking action on any item not appearing on the posted agenda.

**AGENDA UPDATE**

**SCHEDULED PRESENTATIONS:**

1. Proclamation of the Mayor of the City of Folsom Proclaiming July 21-27, 2024 as National Zookeeper Week in the City of Folsom
2. Proclamation of the Mayor of the City of Folsom Proclaiming July 2024 as "Parks Make Life Better" Month

## **CONSENT CALENDAR:**

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

- [3.](#) Approval of June 25, 2024 Special and Regular/Joint Meeting Minutes
- [4.](#) Resolution No. 11218 – A Resolution to Declassify Five Landmark Trees Within the Joint Powers Authority Landmark Grove to Allow for Removal as Part of the Sacramento Regional Transit Light Rail Modernization 15 Minutes to Folsom Project
- [5.](#) Resolution No. 11220 - A Resolution Authorizing the City Manager to Execute Amendment No. 7 to the Memorandum of Agreement (Contract No. 174-21 18-087) Regarding Sharing of Costs for Legislative Advocacy Services Between San Juan Water District and the City of Folsom
- [6.](#) Resolution No. 11221 - A Resolution Authorizing the City Manager to Execute a Renewal of the Service Agreement with Dropcountr, Inc. for Use of the Dropcountr Base Platform, Dropcountr Business and the HOME+ Irrigation Module for Two Years
- [7.](#) Resolution No. 11224 - A Resolution Authorizing the City Manager to Execute an Agreement with Water Systems Consulting, Inc. for Consulting Services for the Water Conservation Needs Assessment
- [8.](#) Resolution No. 11226 – A Resolution Authorizing the City Manager to Execute an Agreement with NTU Technologies, Inc. for the Purchase of Chemicals for the Water Treatment Plant
- [9.](#) Resolution No. 11228 – A Resolution Authorizing the City Manager to Execute Amendment No. 4 to the Contract with Kimley-Horn and Associates, Inc. for Additional National Environmental Policy Act (NEPA) Environmental Studies for the Folsom Placerville Rail Trail Project (Contract No. 173-21 17-013) and Appropriation of Funds
- [10.](#) Resolution No. 11229 - A Resolution Authorizing the City Manager to Execute Amendment No. 1 to the Contract with Kimley-Horn and Associates, Inc. for Mangini Ranch Trails Project Design and Engineering (Contract No. 173-21 17-054)
- [11.](#) Resolution No. 11230 - A Resolution Authorizing the City Manager to Execute a Communications Site License Agreement with Dish Wireless, LLC at B.T. Collins Park
- [12.](#) Receive Annual Report regarding Police Use of Military Type Equipment and Approve Resolution No. 11231 - A Resolution Renewing Ordinance No. 1326 and Determining That Specified “Military Equipment” Used by the Folsom Police Department has Complied with Standards for Approval Set Forth in State Law

## **PUBLIC HEARING:**

- [13.](#) Ordinance No. 1346 - An Uncodified Ordinance to Amend the Zoning District for a 2.47-acre parcel (Lot 1) from R-1-ML and A-1-A to R-1-ML and to Amend the Zoning District for a 2.14-acre parcel (Lot 2) from A-1-A to R-1-ML for the 1000 East Natoma Rezone to Residential project (Introduction and First Reading)

## **OLD BUSINESS:**

- [14.](#) Resolution No. 11227 - A Resolution Accepting a Progress Report to Date from the First River District Master Plan Citizens Advisory Committee and Authorizing the Formation of a Second River District Master Plan Citizens Advisory Committee

## **COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS**

## **CITY MANAGER REPORTS**

## **COUNCIL COMMENTS**

### **ADJOURNMENT**

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**NOTICE:** *Members of the public are entitled to directly address the City Council concerning any item that is described in the notice of this meeting, before or during consideration of that item. If you wish to address Council on an issue, which is on this agenda, please complete a blue speaker request card, and deliver it to a staff member at the table on the left side of the Council Chambers prior to discussion of the item. When your name is called, stand to be recognized by the Mayor and then proceed to the podium. If you wish to address the City Council on any other item of interest to the public, when the Mayor asks if there is any "Business from the Floor," follow the same procedure described above. Please limit your comments to three minutes or less.*

**NOTICE REGARDING CHALLENGES TO DECISIONS:** *Pursuant to all applicable laws and regulations, including without limitation, California Government Code Section 65009 and or California Public Resources Code Section 21177, if you wish to challenge in court any of the above decisions (regarding planning, zoning and/or environmental decisions), you may be limited to raising only those issues you or someone else raised at the public hearing(s) described in this notice/agenda, or in written correspondence delivered to the City at, or prior to, the public hearing.*

*As presiding officer, the Mayor has the authority to preserve order at all City Council meetings, to remove or cause the removal of any person from any such meeting for disorderly conduct, or for making personal, impertinent, or slanderous remarks, using profanity, or becoming boisterous, threatening or personally abusive while addressing said Council, and to enforce the rules of the Council.*

**PERSONS INTERESTED IN PROPOSING AN ITEM FOR THE CITY COUNCIL AGENDA SHOULD CONTACT A MEMBER OF THE CITY COUNCIL.**

*The meeting of the Folsom City Council is being telecast on Metro Cable TV, Channel 14, the Government Affairs Channel, and will be shown in its entirety on the Friday and Saturday following the meeting, both at 9 a.m. The City does not control scheduling of this telecast and persons interested in watching the televised meeting should confirm this schedule with Metro Cable TV, Channel 14. The City of Folsom provides live and archived webcasts of regular City Council meetings. The webcasts can be found on the online services page of the City's website [www.folsom.ca.us](http://www.folsom.ca.us).*

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*Any documents produced by the City and distributed to the City Council regarding any item on this agenda will be made available at the City Clerk's Counter at City Hall located at 50 Natoma Street, Folsom, California and at the Folsom Public Library located at 411 Stafford Street, Folsom, California during normal business hours.*

**PROCLAMATION  
OF THE MAYOR OF THE CITY OF FOLSOM  
PROCLAIMING JULY 21-27, 2024  
AS  
“NATIONAL ZOOKEEPER WEEK” IN THE CITY OF FOLSOM**

- WHEREAS,** the Folsom City Zoo Sanctuary plays a key role in the City of Folsom’s goals to increase tourism, increase the quality of life of our residents, build community, and contribute to the City’s Distinctive by Nature attributes; and
- WHEREAS,** zookeepers significantly contribute to the zoo sanctuary’s mission statement of “Teaching Responsible Behavior Toward All Animals;” and
- WHEREAS,** zookeepers meet and exceed the rigorous requirements of the California Department of Fish and Wildlife and the United States Department of Agriculture; and
- WHEREAS,** zookeepers diligently care for the zoo sanctuary’s many rescued animals, comprised of 40 different species, all of which are animals who could not survive in the wild; and
- WHEREAS,** zookeepers possess unique and exceptional skills, enabling them to create behavioral enrichment items for the animals and use positive reinforcement training so that the animals may participate in their own vet care; and
- WHEREAS,** zookeepers work tirelessly to provide outstanding veterinary care, staying late and coming in early when animals are ill and require additional treatment; and
- WHEREAS,** zookeepers continuously demonstrate their unwavering dedication, including working weekends and holidays because even during the worst winter storms, the animals still need to be fed and cared for; and
- WHEREAS,** zookeepers educate and inspire youth about conservation, native wildlife and guide them into careers in the animal welfare field.

**NOW THEREFORE BE IT RESOLVED** that, I, Michael D. Kozlowski, Mayor of the City of Folsom, do hereby proclaim July 21-27, 2024 as “*National Zookeeper Week*” in the City of *Folsom*.

**PROCLAIMED** this 9<sup>th</sup> day of July 2024.

\_\_\_\_\_  
Michael D. Kozlowski, MAYOR

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to facilitate double-sided printing  
and minimize paper use.*



CITY OF  
**FOLSOM**  
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**PROCLAMATION  
OF THE MAYOR OF THE CITY OF FOLSOM  
PROCLAIMING JULY 2024**

**AS  
“PARKS MAKE LIFE BETTER” MONTH**

**WHEREAS,** Parks and Recreation is vitally important in providing physical and mental health and wellness through organized and self-directed activities, play, and fitness; and

**WHEREAS,** Parks and Recreation encourages physical activities by providing space for sports, walking trails, swimming pools and many other activities designed to promote active lifestyles and community connections; and

**WHEREAS,** Parks and Recreation increases a community’s economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses; and

**WHEREAS,** Parks and Recreation fosters social cohesiveness in communities by providing spaces for all individuals to come together peacefully and ensuring all have access to park and recreational benefits; and

**WHEREAS,** Parks and Recreation supports human development and endless learning opportunities that foster social, intellectual, physical, and emotional growth in people of all ages and abilities; and

**WHEREAS,** Parks and Recreation sustains and preserves our natural resources by protecting habitats and open space, connecting people to nature through our extensive trail network, and promoting the ecological awareness and sustainability; and

**NOW THEREFORE BE IT RESOLVED** that, I Michael D. Kozlowski, Mayor of the City of Folsom, do hereby proclaim July 2024 as “*Parks Make Life Better*” month.

**PROCLAIMED** this 9<sup>th</sup> day of July 2024.

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Michael D. Kozlowski, MAYOR

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CITY OF  
**FOLSOM**  
DISTINCTIVE BY NATURE



# City Council Special Meeting

## MINUTES

Tuesday, June 25, 2024 5:30 PM

### CALL TO ORDER

The special City Council meeting was called to order at 5:30 pm with Vice Mayor Sarah Aquino presiding.

### ROLL CALL:

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

Councilmembers Absent: Mike Kozlowski, Mayor

### CONSENT CALENDAR:

1. Resolution No. 11225 – A Resolution Authorizing Public Fireworks Displays During the Annual Folsom Pro Rodeo and Sacramento County Sheriff’s Rodeo Activities

**Motion by Councilmember Chalamcherla, second by Councilmember Rodriguez to approve the consent calendar. Motion passed by the following roll-call vote:**

**AYES:** Chalamcherla, Rodriguez, Rohrbough, Aquino  
**NOES:** None  
**ABSENT:** Kozlowski  
**ABSTAIN:** None

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

2. Conference with Legal Counsel - Existing Litigation - Pursuant to Government Code Section 54956.9(d)(1): Scott Geist v. City of Folsom, Sacramento County Superior Court Case No. 24CV008472
3. Conference with Legal Counsel - Existing Litigation - Pursuant to Government Code Section 54956.9(d)(1): Laura Knudsen v. City of Folsom, Sacramento County Superior Court Case No. 24CV011111

4. Conference with Legal Counsel - Existing Litigation - Pursuant to Government Code Section 54956.9(d)(1): Kimberly Lim-Watson v. City of Folsom, Sacramento County Superior Court Case No. 24CV011212

5. Conference with Legal Counsel - Existing Litigation - Pursuant to Government Code Section 54956.9(d)(1): Homer Limon v. City of Folsom, Sacramento County Superior Court Case No. 24CH000958

**Motion by Councilmember Rodriguez, second by Councilmember Chalamcherla to adjourn to closed session for the above referenced items. Motion passed by the following roll-call vote:**

**AYES: Chalamcherla, Rodriguez, Rohrbough, Aquino**  
**NOES: None**  
**ABSENT: Kozlowski**  
**ABSTAIN: None**

**RECONVENE**

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

**ADJOURNMENT**

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

SUBMITTED BY:

\_\_\_\_\_  
Christa Freemantle, City Clerk

ATTEST:

\_\_\_\_\_  
Sarah Aquino, Vice Mayor

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

**MINUTES**

**Tuesday, June 25, 2024 6:30 PM**

**CALL TO ORDER**

The regular City Council meeting was called to order at 6:30 pm with Vice Mayor Sarah Aquino presiding.

**ROLL CALL:**

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

Councilmembers Absent: Mike Kozlowski, Mayor

**PLEDGE OF ALLEGIANCE**

The pledge of allegiance was recited.

**BUSINESS FROM THE FLOOR:**

The following speakers addressed the City Council:

Margie Donovan, regarding homeless and website accessibility  
Shelby Love, regarding Folsom Zoo Sanctuary  
Michael Harris, regarding Juneteenth celebration  
Shannon Dillon, regarding homeless

**AGENDA UPDATE**

City Attorney Steven Wang noted that staff is requesting that item 3 be continued to the next meeting.

**SCHEDULED PRESENTATIONS:**

1. Proclamation of the Mayor of the City of Folsom Proclaiming July 3 - 5, 2024 as Western Rodeo Days in the City of Folsom

Vice Mayor Sarah Aquino presented the proclamation to Rodeo Grand Marshall Brian Martell.

**CONSENT CALENDAR:**

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

2. Approval of June 11, 2024 Regular Meeting Minutes
3. Resolution No. 11218 – A Resolution to Declassify Four Landmark Trees Within the Joint Powers Authority Landmark Grove to Allow for Removal as Part of the Sacramento Regional Transit Light Rail Modernization 15 Minutes to Folsom Project (***continued to next meeting***)
4. Resolution No. 11219 – A Resolution Amending Resolution No. 11110 and Enacting the Annual Inflationary Adjustment for City User Fees for Selected City Services (***pulled for comment below***)
5. Resolution No. 11222 - A Resolution of the City Council Approving an Acquisition and Shortfall Agreement for the Community Facilities District No. 23 Improvement Area No. 6 (CMB Improvement Company, LLC)
6. Resolution No. 11223 – A Resolution Authorizing the City Manager to Authorize an Amendment to the Existing LEED Mechanical Agreement and Appropriation of Funds in the Form of a Five-year Loan with 4% Simple Interest from the Equipment Replacement Fund (Fund 602) to the General Fund (Fund 010) for an amount up to \$1,200,000 for the Replacement Folsom Community Center HVAC System

**Motion by Councilmember Rodriguez, second by Councilmember Chalamcherla to approve consent calendar items 2, 5, and 6. Motion passed by the following roll-call vote:**

**AYES:** Chalamcherla, Rodriguez, Rohrbough, Aquino  
**NOES:** None  
**ABSENT:** Kozlowski  
**ABSTAIN:** None

**CONSENT CALENDAR ITEM PULLED FOR COMMENT**

4. Resolution No. 11219 – A Resolution Amending Resolution No. 11110 and Enacting the Annual Inflationary Adjustment for City User Fees for Selected City Services (***pulled for comment below***)

The speaker indicated they did not intend to speak on this item.

**Motion by Councilmember Rodriguez, second by Councilmember Chalamcherla to approve Resolution No. 11219. Motion passed by the following roll-call vote:**

**AYES:** Chalamcherla, Rodriguez, Rohrbough, Aquino  
**NOES:** None  
**ABSENT:** Kozlowski  
**ABSTAIN:** None

**OLD BUSINESS:**

- 7. Resolution No. 11210 - A Resolution Adopting the Fiscal Year 2024-25 Operating and Capital Budgets for the City of Folsom, the Successor Agency, the Folsom Public Financing Authority, and the Folsom Ranch Public Financing Authority (Continued from June 11, 2024)

City Manager Elaine Andersen introduced the item and gave a brief review of what has been previously presented.

City Councilmembers offered their comments and Finance Director Stacey Tamagni responded to questions from the City Council.

The following speakers addressed the City Council regarding the budget:

- Jason Jared
- Bruce Cline
- Mike Sellitti
- Jackie Sellitti
- Dean Williams
- Robert Goss

The City Council discussed potential changes to the proposed budget.

The following speakers addressed the City Council regarding the budget:

- Brian Wallace, Parks and Recreation Commission Chair
- Lorraine Poggione

**Motion by Councilmember Rodriguez, second by Vice Mayor Aquino to approve Resolution No. 11210, with changes to increase the City Council’s travel and meeting budget to \$35,000 (by reducing the contingency budget) and instead of funding \$1,100,000 for Kids Play Park, fund \$800,000 towards the park and allocate \$300,000 for landscape maintenance.**

**Motion passed by the following roll-call vote:**

- AYES:** Rodriguez, Rohrbough, Aquino
- NOES:** Chalamcherla
- ABSENT:** Kozlowski
- ABSTAIN:** None

**CONVENE JOINT MEETING**

**JOINT CITY COUNCIL AGENDA**

**ROLL CALL:**

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

Councilmembers Absent: Mike Kozlowski, Mayor

**CONSENT CALENDAR:**

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

- 8. 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 March 2024

**Motion by Councilmember Rodriguez, second by Councilmember Chalamcherla to approve the consent calendar. Motion passed by the following roll-call vote:**

**AYES:** Chalamcherla, Rodriguez, Rohrbough, Aquino  
**NOES:** None  
**ABSENT:** Kozlowski  
**ABSTAIN:** None

The joint meeting was adjourned back to the regular meeting.

**COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS**

Councilmember Rodriguez inquired when the economic development consultant’s report would be presented to the Council.

**CITY MANAGER REPORTS**

The City Manager spoke about waste and recycling division services; impact, user and processing fee updates; illegal firework enforcement; and Friday concerts in the park.

**COUNCIL COMMENTS**

The City Council thanked staff for their work on the budget.

Vice Mayor Aquino congratulated FCUSD Superintendent Sarah Koligian on her retirement and thanked her for her service.

**ADJOURNMENT**

There being no further business to come before the City Council, the meeting was adjourned at 8:59 p.m.

SUBMITTED BY:

\_\_\_\_\_  
Christa Freemantle, City Clerk

ATTEST:

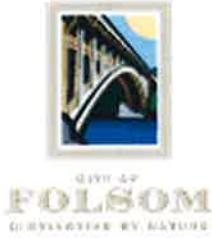
\_\_\_\_\_  
Sarah Aquino, Vice Mayor

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CITY OF  
**FOLSOM**  
DISTINCTIVE BY NATURE





# Folsom City Council Staff Report



<b>MEETING DATE:</b>	7/9/2024
<b>AGENDA SECTION:</b>	Consent Calendar
<b>SUBJECT:</b>	Resolution No. 11218 – A Resolution to Declassify Five Landmark Trees within the Joint Powers Authority Landmark Grove to Allow for Removal as Part of the Sacramento Regional Transit Light Rail Modernization 15 Minutes to Folsom Project
<b>FROM:</b>	Community Development Department

**RECOMMENDATION / CITY COUNCIL ACTION**

Adopt Resolution No. 11218- A Resolution to Declassify Five Landmark Trees within the Joint Powers Authority Landmark Grove to Allow for Removal as Part of the Sacramento Regional Transit Light Rail Modernization 15 Minutes to Folsom Project.

**BACKGROUND / ISSUE**

Longstanding trees contribute to the City of Folsom’s character and “Distinctive by Nature” adage. One of the ways in which the City of Folsom shows recognition for particularly noteworthy specimens is through a Landmark Tree Registry. Landmark trees are trees that have been designated by the City Council as exceptional due to outstanding characteristics, special ecological contributions, or historical importance.

On March 9, 1999, the City Council adopted Resolution No. 5911 – *A Resolution Establishing Landmark Tree Designation at the JPA Right-of-Way on Folsom Boulevard Between Bidwell Street and Blue Ravine Road* to underscore the historical and ecological value of the native trees along the Folsom Boulevard scenic corridor. The associated staff report called attention to the possibility that the Joint Powers Authority (JPA), as the property owner, may potentially need to declassify one or more Landmark Trees for light rail improvements in the future. By designating the trees along the Folsom Blvd JPA corridor as Landmark Trees, the City Council became the decision-making body for any future requests for declassification for the purposes of any tree removals that might be necessary for light rail improvements.



*Aerial image illustrating the location and span of the Joint Powers Authority (JPA) Landmark Grove, which traverses along the east edge of Folsom Blvd between Blue Ravine Rd and Bidwell St.*

On January 23, 2024, City Council adopted Resolution No. 11159 – *A Resolution to Declassify Five Landmark Trees within the Joint Powers Authority Landmark Grove to Allow for Removal as Part of the Sacramento Regional Transit Light Rail Modernization 15 Minutes to Folsom Project* to allow for construction of a passing track, an additional loading platform at the Glenn station, and the adaptation of the existing platform at this station to accommodate modernized rail vehicles. Collectively, the improvements are anticipated to increase the operation of light rail trains from the Sunrise Station (Rancho Cordova) to the Historic Folsom Station reducing train headway capacity from every 30 minutes to 15 minutes.

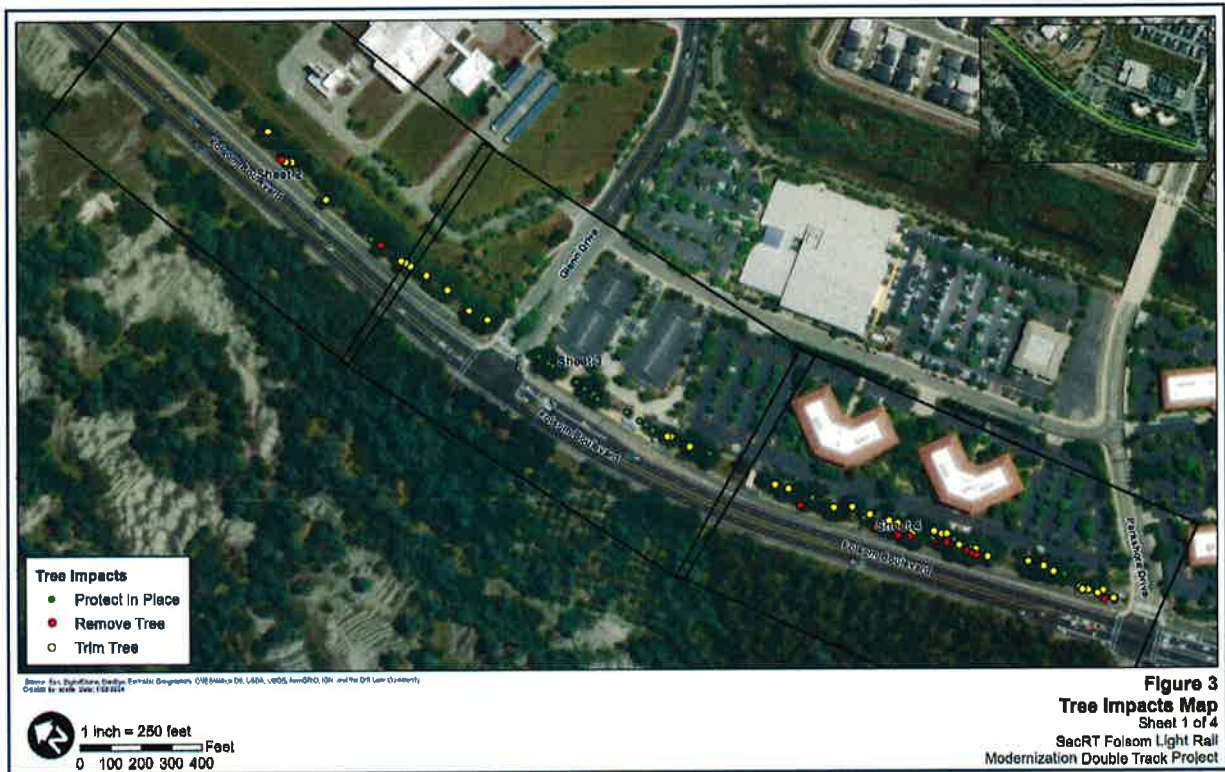
Unfortunately, as the light rail improvements progressed, Sacramento Regional Transit (SacRT) discovered additional tree removals needed to occur as a result of their project. Consequently, a second application to declassify thirteen more Landmark Trees within the Folsom Blvd JPA Grove was submitted to the Community Development Department to bring forward for Council consideration. On February 13, 2024, City Council adopted Resolution No. 11164 – *A Resolution to Declassify Thirteen Landmark Trees within the Joint Powers*

*Authority Landmark Grove to Allow for Removal as Part of the Sacramento Regional Transit Light Rail Modernization 15 Minutes to Folsom Project.*

The initial Landmark Tree declassification application submitted by SacRT (and subsequent adopted resolution) identified five trees requiring removal. However, because SacRT did not have the trees within the Folsom Blvd JPA Grove surveyed and mapped in conformance with requirements set forth in Folsom Municipal Code 12.16.140 as part of their project design, additional tree impacts continue to emerge as their project progresses.

A third application to declassify trees within the Landmark Grove has now been submitted to the Community Development Department. This application identifies four additional native oak trees that will require removal and eight others that will need to be pruned to accommodate the lightrail overhead powerlines, which were not accurately accounted for in previous reports.

A June 24, 2024 update to SacRT’s current application also identifies a fifth tree (tag #4879) for removal due to the recent redesign of a segment of slope adjacent to the track, which requires the relocation of the existing bike path. Information of this redesign can be found within the RFI from Aldridge Electric, Inc for the Relocation of the Existing Bike Path, included herein as Attachment #6.



*Excerpt from the arborist report prepared by Dokken Engineering showing proposed tree work prescriptions within the JPA Landmark Grove to accommodate the planned light rail improvements*

**POLICY / RULE**

Native oak species measuring six inches in diameter at standard height (54" above grade) and greater are protected under Chapter 12.16 as Native Oak Trees, requiring a staff level discretionary tree permit prior to removal. In accordance with Section 12.16.170 of the Folsom Municipal Code, the Landmark Tree designation established under Resolution No. 5911 adds protections to all trees within the JPA corridor, inclusive of oak trees smaller than six inches in diameter at standard height and non-oak species that would not otherwise be protected. Additionally, the Landmark Tree status escalates the review body for declassification/removal from City staff to the City Council.

Section 12.16.170(D) of the Folsom Municipal Code allows a property owner to submit an application to the Community Development Department, requesting that the City Council declassify by resolution a tree or group of trees previously designated as a Landmark Tree(s). In order to remove the landmark designation of a tree, the City Council must find that the tree is no longer a significant community benefit because it meets one or more of the following factors:

- 1) The tree(s) has significantly deteriorated in health or appearance.
- 2) The tree(s) no longer possesses habitat value.
- 3) The tree(s) prevents reasonable use of the property.

If the City Council declassifies a tree or group of trees previously designated as a Landmark Tree, a copy of the resolution is provided to the property owner and the city's Urban Forester will remove the tree(s) from the Landmark Tree Registry. Subsequently, the owner/applicant may submit a tree removal permit application to the Community Development Department and mitigate for the removals in accordance with Folsom Municipal Code 12.16.150.

## **ANALYSIS**

The species distribution of tree resources within the project area of the JPA Landmark Grove is comprised primarily of interior live oak (*Quercus wislizeni*), with a small number of blue (*Q. douglasii*) and valley (*Q. lobata*) oaks interspersed throughout; along with a handful of California black walnut (*Juglans hindsii*). An updated survey of all the trees located in proximity to the project area can be found within the arborist report, included herein as Attachment 3. Of the Landmark Trees surveyed, 39 will require pruning to accommodate the proposed permanent features of the project or the necessary clearance for access during construction. Said pruning will require a tree work permit from the Community Development Department, must be performed by an arborist certified with the International Society of Arboriculture, and must conform with all applicable City standards and policies.

During the ongoing construction, the project proponent has established a tree protection zone (TPZ) by enclosing all Landmark Trees to be retained in high-visibility exclusionary fencing affixed with weatherproof warning signs. Said fencing encompasses as much of the critical

root zone as possible in order to allow for the work and shall remain in place for the duration of the project.

Twenty-three (23) trees total (including the trees listed in the current application) within the project area are located within the footprint of the proposed project improvements or are otherwise in such close proximity that the necessary pruning for required clearances would constitute a critical impact resulting in the likely death of the tree. If the SacRT Light Rail Modernization Double Track Project is to move forward, five additional Landmark Trees will need to be removed. All 23 trees are delineated in Table 1 below with the five newest additions emphasized in bold text. Following the table is staff's assessment of applicability for each of the three findings in Section 12.16.170(D)(2) in consideration for declassification from Landmark status.

**Table 1  
Oaks Proposed for Removal**

Tag #	Common Name	Botanical Name	Condition	DSH
<b>4829</b>	<b>Interior live oak</b>	<i>Quercus wislizeni</i>	<b>good</b>	<b>20"</b>
<b>4830</b>	<b>Valley oak</b>	<i>Quercus lobata</i>	<b>good</b>	<b>11"</b>
4831	Valley oak	<i>Quercus lobata</i>	Removed under Reso No. 11164	14"
4834	Interior live oak	<i>Quercus wislizeni</i>	Removed under Reso No. 11164	11"
<b>4835A</b>	<b>Interior live oak</b>	<i>Quercus wislizeni</i>	<b>good</b>	<b>1"</b>
4837	Black walnut	<i>Juglans hindsii</i>	Removed under Reso No. 11164	8"
4839	Interior live oak	<i>Quercus wislizeni</i>	Removed under Reso No. 11164	7"
4842	Valley oak	<i>Quercus lobata</i>	Removed under Reso No. 11164	5"
4845	Black walnut	<i>Juglans hindsii</i>	Removed under Reso No. 11164	4"
4878	Interior live oak	<i>Quercus wislizeni</i>	Removed under Reso No. 11164	16"
<b>4879</b>	<b>Interior live oak</b>	<i>Quercus wislizeni</i>	<b>good</b>	<b>8"</b>
4880	Blue oak	<i>Quercus douglasii</i>	Removed under Reso No. 11159	21"
4882	Interior live oak	<i>Quercus wislizeni</i>	Removed under Reso No. 11159	7"
4885	Interior live oak	<i>Quercus wislizeni</i>	Removed under Reso No. 11159	1"
4893	Interior live oak	<i>Quercus wislizeni</i>	Removed under Reso No. 11159	1"
4894	Valley oak	<i>Quercus lobata</i>	Removed under Reso No. 11159	2"
4939	Interior live oak	<i>Quercus wislizeni</i>	Removed under Reso No. 11164	5"
<b>4940A</b>	<b>Valley oak</b>	<i>Quercus lobata</i>	<b>good</b>	<b>3"</b>
4941	Interior live oak	<i>Quercus wislizeni</i>	Removed under Reso No. 11164	2"
4942	Interior live oak	<i>Quercus wislizeni</i>	Removed under Reso No. 11164	2"
4943	Black walnut	<i>Juglans hindsii</i>	Removed under Reso No. 11164	1"
4947	Valley oak	<i>Quercus lobata</i>	Removed under Reso No. 11164	1"
4948	Valley oak	<i>Quercus lobata</i>	Removed under Reso No. 11164	1"
<b>TOTAL NEW</b>				<b>43"</b>
<b>TOTAL ALL</b>				<b>152"</b>

*The trees have significantly deteriorated in health or appearance*

Based on the information provided in the arborist report, which has been verified by the Urban Forester, the subject trees are in good condition. Therefore, this finding would not apply in consideration for declassification of the Landmark Tree designation.

*The trees no longer have habitat value*

Native oaks (genus *Quercus*) are keystone species, supporting more life-forms than any other tree genus in North America. Additionally, the California black walnut tree furnishes a substantial food source for many small mammals and birds. As such, this finding would not apply in consideration for declassification of the Landmark Tree designation.

*The trees prevent reasonable use of the property*

As described in the paragraphs above and illustrated in the supplemental documents attached to this report, SacRT contends that the additional four subject trees cannot feasibly be retained concurrently with their project as presently designed. Staff have reviewed the application documents and confirmed that the Light Rail Modernization project as designed is not compatible with the retention of the trees enumerated above in Table 1.

## **CONCLUSION**

The Urban Forester has confirmed the SacRT Light Rail Modernization endeavor cannot proceed congruently with retention of the Landmark Trees listed within this report as the project is currently designed. Thus, staff agree that a finding may reasonably be made for declassification under Folsom Municipal Code 12.16.170(D)(2)(3): *The tree(s) prevents reasonable use of the property.*

As such, staff forwards for City Council consideration Resolution No. 11218 – *A Resolution to Declassify Five Landmark Trees within the Joint Powers Authority Landmark Grove to Allow for Removal as Part of the Sacramento Regional Transit Light Rail Modernization 15 Minutes to Folsom Project* with the expectation that the project proponent will remove and mitigate the subject trees in accordance with the Chapter 12.16 of the Folsom Municipal Code.

## **FINANCIAL IMPACT**

The applicant has supplied the \$287 application fee for declassifying a Landmark Tree designation. If approved by City Council, the resolution to declassify the subject trees will allow the applicant to submit a tree removal permit and mitigate for the five subject trees in conformance with Folsom Municipal Code 12.16.150. If payment of in-lieu fees is the chosen mitigation option, the estimated fee total would be \$10,750.

Pursuant to Section 12.16.160 of the Folsom Municipal Code, the anticipated mitigation fees will be deposited into the City's Tree Planting and Replacement Fund, which is utilized for tree planting projects, administration of supplemental tree programs, and maintenance of Landmark Trees.

## **ENVIRONMENTAL REVIEW**

In consideration of environmental impacts, SacRT prepared an Initial Study and Mitigated Negative Declaration (IS/MND) for the project in January of 2020 in accordance with the California Environmental Quality Act (CEQA). The study found that a less-than significant impact on air quality and biological resources is expected from the project as a result of tree removals contingent upon the preparation of an arborist survey and mitigation for the tree removals through either a tree replacement plan or payment of in-lieu fees in conformance with local jurisdictional policies.

In keeping with the findings of the IS/MND, SacRT has acquired an arborist survey and is currently exploring potential mitigation strategies involving the planting of replacement trees elsewhere in the city. As detailed under Folsom Municipal Code 12.16.150(A)(1)(a), the mitigation planting equivalent for this third round of tree removals by SacRT will be either 43 oak trees from a 15-gallon container, or 21 oak trees from a 24" box container and a single oak from a 15-gallon container. Staff will work with SacRT on a reasonable timeline for developing their mitigation plan and vetting potential planting locations. If SacRT is unable to produce a viable mitigation planting plan, they will mitigate for the removal of the five subject trees through payment of the associated in-lieu fees as outlined in Section 12.16.150 of the Folsom Municipal Code.

The full IS/MND document can be accessed by visiting: [https://www.sacrt.com/apps/wp-content/uploads/Folsom-Gold-Line-Double-Track-Final-IS-MND\\_Jan-2020.pdf](https://www.sacrt.com/apps/wp-content/uploads/Folsom-Gold-Line-Double-Track-Final-IS-MND_Jan-2020.pdf)

## **ATTACHMENTS**

1. Resolution No. 11218 - A Resolution to Declassify Five Landmark Trees within the Joint Powers Authority Landmark Grove to Allow for Removal as Part of the Sacramento Regional Transit Light Rail Modernization 15 Minutes to Folsom Project.
2. Original SacRT Letter of Justification
3. Arborist Report Addendum (Dated May 2024)
4. Arborist Report
5. Light Rail Modernization Improvement Plan Excerpt
6. RFI from Aldridge Electric, Inc for the Relocation of the Existing Bike Path
7. Resolution No. 5911 – A Resolution Establishing Landmark Tree Designation at the JPA Right-of-Way on Folsom Boulevard Between Bidwell Street and Blue Ravine Road

8. Resolution No. 11159 - A Resolution to Declassify Five Landmark Trees within the Joint Powers Authority Landmark Grove to Allow for Removal as Part of the Sacramento Regional Transit Light Rail Modernization 15 Minutes to Folsom Project
9. Resolution No. 11164 - A Resolution to Declassify Thirteen Landmark Trees within the Joint Powers Authority Landmark Grove to Allow for Removal as Part of the Sacramento Regional Transit Light Rail Modernization 15 Minutes to Folsom Project
10. Current Map of Landmark Trees

Submitted,



---

PAM JOHNS  
Community Development Director



# ATTACHMENT 1

**RESOLUTION NO. 11218 - A RESOLUTION TO DECLASSIFY  
FIVE LANDMARK TREES WITHIN THE JOINT POWERS  
AUTHORITY LANDMARK GROVE TO ALLOW FOR REMOVAL  
AS PART OF THE SACRAMENTO REGIONAL TRANSIT LIGHT  
RAIL MODERNIZATION 15 MINUTES TO FOLSOM PROJECT**

**RESOLUTION NO. 11218**

**A RESOLUTION TO DECLASSIFY FIVE LANDMARK TREES WITHIN THE JOINT POWERS AUTHORITY LANDMARK GROVE TO ALLOW FOR REMOVAL AS PART OF THE SACRAMENTO REGIONAL TRANSIT LIGHT RAIL MODERNIZATION 15 MINUTES TO FOLSOM PROJECT**

**WHEREAS**, Section 12.16.020 of the Folsom Municipal Code defines Landmark Trees as a tree or group of trees determined by the City Council to confer a significant community benefit to the general public due to the size, age, location, historic association or ecological value; and

**WHEREAS**, Resolution No. 5911 – *A Resolution Establishing Landmark Tree Designation at the JPA Right-of-Way on Folsom Boulevard Between Bidwell Street and Blue Ravine Road* was adopted on March 9, 1999, to underscore the historical and habitat contribution of the native grove along Folsom Boulevard JPA scenic corridor. The associated staff report also called attention to the possibility that the Joint Powers Authority (JPA), as the property owner, may potentially need to declassify one or more Landmark Trees for light rail improvements in the future; and

**WHEREAS**, the City of Folsom Urban Forester has conducted a review of an application to declassify five trees within the abovementioned Landmark grove in anticipation of removal for the SacRT Light Rail Modernization 15 Minutes to Folsom Project and confirmed retention of the subject trees conflicts with the project as designed; and

**WHEREAS**, the Community Development Department has confirmed that the trees affixed with tag numbers 4829, 4830, 4835A, 4879 and 4940A qualify for declassification of Landmark Tree status for the reason that they prevent reasonable use of the property; and

**WHEREAS**, notice has been given in the manner required by City Code; and

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Folsom hereby finds the SacRT Light Rail Modernization 15 Minutes to Folsom project cannot move forward unless the Landmark Trees affixed with tag numbers 4829, 4830, 4835A, 4879 and 4940A are removed and there are no reasonable alternative measures to construct the project as designed and retain the trees; and

**BE IT FURTHER RESOLVED** that following declassification of the trees affixed with tag numbers 4829, 4830, 4835A, 4879 and 4940A, the SacRT Light Rail Modernization 15 Minutes to Folsom project proponent will obtain a tree removal permit and mitigate the subject trees pursuant to Section 12.16.150 of the Folsom Municipal Code; and

**BE IT FURTHER RESOLVED** that all other trees within the JPA Landmark Grove shall be protected and managed consistent with ANSI A300 Standards, the International Society of Arboriculture's most recent *Best Management Practices* publications, and all applicable City of

Folsom standards and policies for the duration of the SacRT Light Rail Modernization 15 Minutes to Folsom project; and

**BE IT FURTHER RESOLVED** that the oaks affixed with tag numbers 4829, 4830, 4835A, 4879 and 4940A as shown on Exhibit A, are hereby declassified from Landmark Tree status under Chapter 12.16 of the Folsom Municipal Code.

**PASSED AND ADOPTED** this 9<sup>th</sup> day of July 2024, by the following roll-call vote:

- AYES:** Councilmember(s):
- NOES:** Councilmember(s):
- ABSENT:** Councilmember(s):
- ABSTAIN:** Councilmember(s):

\_\_\_\_\_  
Michael D. Kozlowski, MAYOR

ATTEST:

\_\_\_\_\_  
Christa Freemantle, CITY CLERK



**ATTACHMENT 2**

**ORIGINAL SACRT LETTER OF JUSTIFICATION**



**Sacramento Regional  
Transit District**  
A Public Transit Agency  
and Equal Opportunity Employer

**Administrative Offices**  
1400 29th Street  
Sacramento, CA 95816  
916-321-2800

**Mailing Address**  
P.O. Box 2110  
Sacramento, CA 95812-2110

**Human Resources**  
2810 O Street  
Sacramento, CA 95816  
916-556-0299

**Customer Service &  
Sales Center**  
1225 R Street  
Sacramento, CA 95811

**Route, Schedule & Fare  
Information**  
916-321-BUSS (2877)  
TDD 916-483-HEAR (4327)  
sacrt.com

Public Transit Since 1973

VIA EMAIL TRANSMISSION ONLY

December 11, 2023

Atte: Bryan Holm  
City Hall  
50 Natoma Street  
Folsom CA, 95630

Re: Rail Modernization – 15 Minute Service to Folsom Project

Subject: Tree Removal Justification Memo

There are four trees that require removal to construct Track Work as part of the SacRT 15 Minute Service to Folsom Project as shown on the attached plan sheet C-011. The Mitigation Monitoring and Reporting Plan approved 10/13/2021 requires a tree removal permit from the City of Folsom.

The Folsom City Arborist has informed us that these trees are part of a Landmark Grove that was designated by the City Council approximately 30 years ago; and that these trees cannot be removed from a Landmark Grove without first having them “declassified” by the City Council. In order for the Council to make this declassification, they need to determine one of the following:

1. The tree is dead or dying with no reasonable alternative measures available to improve tree condition (i.e., mulching, irrigating, pruning, cabling, etc.); or
2. The tree no longer has habitat value; or
3. The tree prevents reasonable use of the property, and no feasible alternative measures exist to retain the subject tree concurrently with a specified reasonable use.

Unfortunately, per Item 3 above, there are no feasible alternatives that exist to retain the trees and deliver the project as planned due to the site constraints of adjacent roadways, dynamic train envelope, overhead catenary system, and sight distance.

Please accept this letter as justification to remove the trees shown on Plans sheet C-011. Your timely consideration is appreciated as our contractor, Aldridge Electric Inc., did coordinate with the City well in advance, but we understand that our contractor was not provided the above requirements.

Sincerely,

**DALIA SIDAHMED**

*Resident Engineer  
Engineering and Construction*

**SACRAMENTO REGIONAL TRANSIT DISTRICT**

c: (279) 234-6730

e: [dsidahmed@sacrt.com](mailto:dsidahmed@sacrt.com)

2811 O Street, Sacramento, CA 95816

# **ATTACHMENT 3**

## **ARBORIST REPORT ADDENDUM DATED MAY 2024**

# Arborist Report

## SacRT Folsom Light Rail Modernization Double Track Project (v4) – Addendum 1



**Prepared for:**  
The City of Folsom  
50 Natoma Street  
Folsom, California 95630

**Prepared by:**  
Dokken Engineering  
110 Blue Ravine Road, Suite 200  
Folsom, California 95630

**May 2024**



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## **Chapter 1. Introduction**

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The Sacramento Regional Transit District (SacRT) proposes to construct the SacRT Folsom Light Rail Modernization Double Track Project (Project) along Folsom Boulevard at the Glenn Station between Glenn Drive and Parkshore Drive within the City of Folsom. An arborist survey was completed in the fall of 2023 to inventory the trees within the project footprint. An Arborist Report was prepared in January 2024 to quantify tree impacts and SacRT subsequently obtained the necessary tree permits and landmark tree declassifications to complete the tree work as described in the arborist report.

Tree trimming and removals described in the Arborist Report were completed on May 21, 2024; however, additional tree work is required to meet minimum clearance requirements for the light rail overhead powerlines. The purpose of this addendum is to document the additional trees that will either need to be trimmed for the first time, trimmed again, or removed to meet the minimum clearance requirements.

### **1.1. Survey Methodology**

After tree trimming and removals were completed in accordance with the Arborist Report on May 21, 2024, the project area was inspected by International Society of Arboriculture (ISA) certified arborist Scott Salembier (WE-12418A) and Katelynn Mosier, the Project Manager for the contractor completing the double track project on May 22, 2024.

Using field survey stakes and project plan sheets, it was determined which of the remaining trees would still conflict with the new overhead lines and need additional trimming. The percentage of the canopy that must still be removed was visually estimated. If the required trimming would remove too much of the canopy, disfigure the tree, or otherwise significantly damage the tree, it was recommended for removal.

## Chapter 2. Additional Tree Impacts

A total of 13 trees must still be either trimmed, trimmed again, or removed. These trees are summarized in Table 1 below and impacts are discussed in greater detail in the following section.

**Table 1. Additional Tree Impacts Summary Table**

Tag #	Species	Combined DSH	Extrapolated DSH	Health Rank	Heritage Status	Previous Impact	Additional Impact
4829	Interior live oak	24	20	Good		Trim	Remove
4830	Valley oak	11	11	Good		Trim	Remove
4835A	Interior live oak	1	1	Good		None	Remove
4836	Valley oak	31	31	Good	Yes	Trim	2 <sup>nd</sup> Trim
4841	Interior live oak	28	28	Good		None	Trim
4849	Interior live oak	61	35	Good	Yes	Trim	2 <sup>nd</sup> Trim
4850	Interior live oak	121	47	Good	Yes	None	Trim
4872A	Crepe Myrtle	5	5	Good		None	Remove
4873	Interior live oak	37	37	Good	Yes	Trim	2 <sup>nd</sup> Trim
4876	Interior live oak	23	23	Good		Trim	2 <sup>nd</sup> Trim
4881	Interior live oak	19	10	Good		Trim	2 <sup>nd</sup> Trim
4888	Interior live oak	38	38	Good	Yes	Trim	2 <sup>nd</sup> Trim
4940A	Valley oak	3	3	Good		None	Remove

### 2.1. Description & Justification for Additional Tree Work

#### 2.1.1. Tree 4829, 24-inch Interior Live Oak (Removal)

Lower branches of this tree were previously trimmed as described in the arborist report; however, In order to meet the increased vertical clearance for the light rail overhead power lines, approximately 50% of the remaining canopy would need be removed including one of the tree’s main leaders. Trimming to this level would have a similar effect as topping and would leave a disfigured tree more prone to erratic growth and premature failure. In addition, the remaining canopy would closely overhang the new high-voltage lines and pose a potential fire and public safety risk. It is therefore recommended for removal.

#### 2.1.2. Tree 4830, 11-inch Valley Oak (Removal)

Lower branches of this tree were previously trimmed as described in the arborist report. The entire tree canopy is leaning out over the planned power lines and in order to meet the increased vertical clearance for the light rail overhead power lines, more than 80% of the canopy would need to be removed including all of the main leaders. This would effectively top the tree and leave a disfigured trunk with almost no canopy to support it. The tree is therefore recommended for removal.

#### 2.1.3. Tree 4835A, 1-inch Interior Live Oak (Removal)

This small tree was not picked up during the previous arborist surveys and was only noticed after surrounding underbrush was cleared out. The tree is within the footprint of compacted fill for the new track and must be removed.

**2.1.4. Tree 4836, 31-inch Valley Oak (2<sup>nd</sup> Round of Trimming)**

Low hanging branches of this tree were previously trimmed as described in the Arborist Report. Two additional branches making up about 10 percent of the remaining canopy must now be removed to meet the increased clearance requirements.

**2.1.5. Tree 4841, 28-inch Interior Live Oak (1<sup>st</sup> Round of Trimming)**

This tree has not been pruned; however, with the increased vertical clearance minor trimming of outer branches will be necessary to keep the branches out of the power lines. Heading cuts may be necessary to slow the rate of future growth towards the lines. Less than 5 percent of the canopy will need to be removed.

**2.1.6. Tree 4849, 61-inch Interior Live Oak (2<sup>nd</sup> Round of Trimming)**

Low hanging branches of this tree were previously trimmed as described in the Arborist Report. Two additional limbs must either be removed or reduced with heading cuts to maintain clearance from the power lines. Less than 5% of the remaining canopy must be removed.

**2.1.7. Tree 4850, 121-inch Interior Live Oak (1<sup>st</sup> Round of Trimming)**

The tree was not trimmed during previous tree work. Reducing cuts are required on two outer branches to maintain clearance from the power lines. Less than 5% of the canopy must be removed.

**2.1.8. Tree 4872A, 5-inch Crepe Myrtle (Removal)**

This tree is not part of the Landmark Grove along Folsom Boulevard but is a protected street tree in the center median of Glenn Road. Relocated crossing guards on Glenn Road require the removal of the tree.

**2.1.9. Tree 4873, 37-inch Interior Live Oak (2<sup>nd</sup> Round of Trimming)**

Low hanging branches of this tree were previously trimmed as described in the Arborist Report. Minor/incidental additional trimming is needed for clearance from the power lines. Less than 5% of the canopy must be removed.

**2.1.10. Tree 4876, 23-inch Interior Live Oak (2<sup>nd</sup> Round of Trimming)**

Low hanging branches of this tree were previously trimmed as described in the Arborist Report. With the increased vertical clearance requirement, more of the canopy is now in conflict with the power lines and approximately 30% of the remaining canopy would need to be removed which exceeds ANSI standards. The tree is in good health and while removing this much of the canopy is not ideal, the main leaders will not be removed and the tree has a good chance of recovering.

**2.1.11. Tree 4881, 19-inch Interior Live Oak (2<sup>nd</sup> Round of Trimming)**

Low hanging branches of this tree were previously trimmed as described in the Arborist Report. One additional reduction cut must be made on a large branch to maintain clearance to the power lines. This will remove approximately 10% of the remaining canopy.

**2.1.12. Tree 4888, 38-inch Interior Live Oak (2<sup>nd</sup> Round of Trimming)**

Low hanging branches of this tree were previously trimmed as described in the Arborist Report. Additional trimming is required to maintain clearance between the tree and power lines. This would remove approximately 5% of the remaining canopy.

**2.1.13. Tree 4940A, 3-inch Valley Oak (Removal)**

This small tree was not picked up during the previous arborist surveys and was only noticed after surrounding underbrush was cleared out. The tree is within the footprint of compacted fill for the new track and must be removed.

**2.2. Tree Declassification & Mitigation**

Five additional trees need to be removed to complete the project. These trees are either rooted within the grading limits of the project or so much of the tree canopy would need to be trimmed that the tree is unlikely to survive or thrive after construction. Four of these trees are part of the Designated Landmark Grove and must first be declassified before they can be removed. The 5<sup>th</sup> tree is not part of the Landmark Grove and does not need to be declassified but does need to be permitted and mitigated as a City Street Tree.

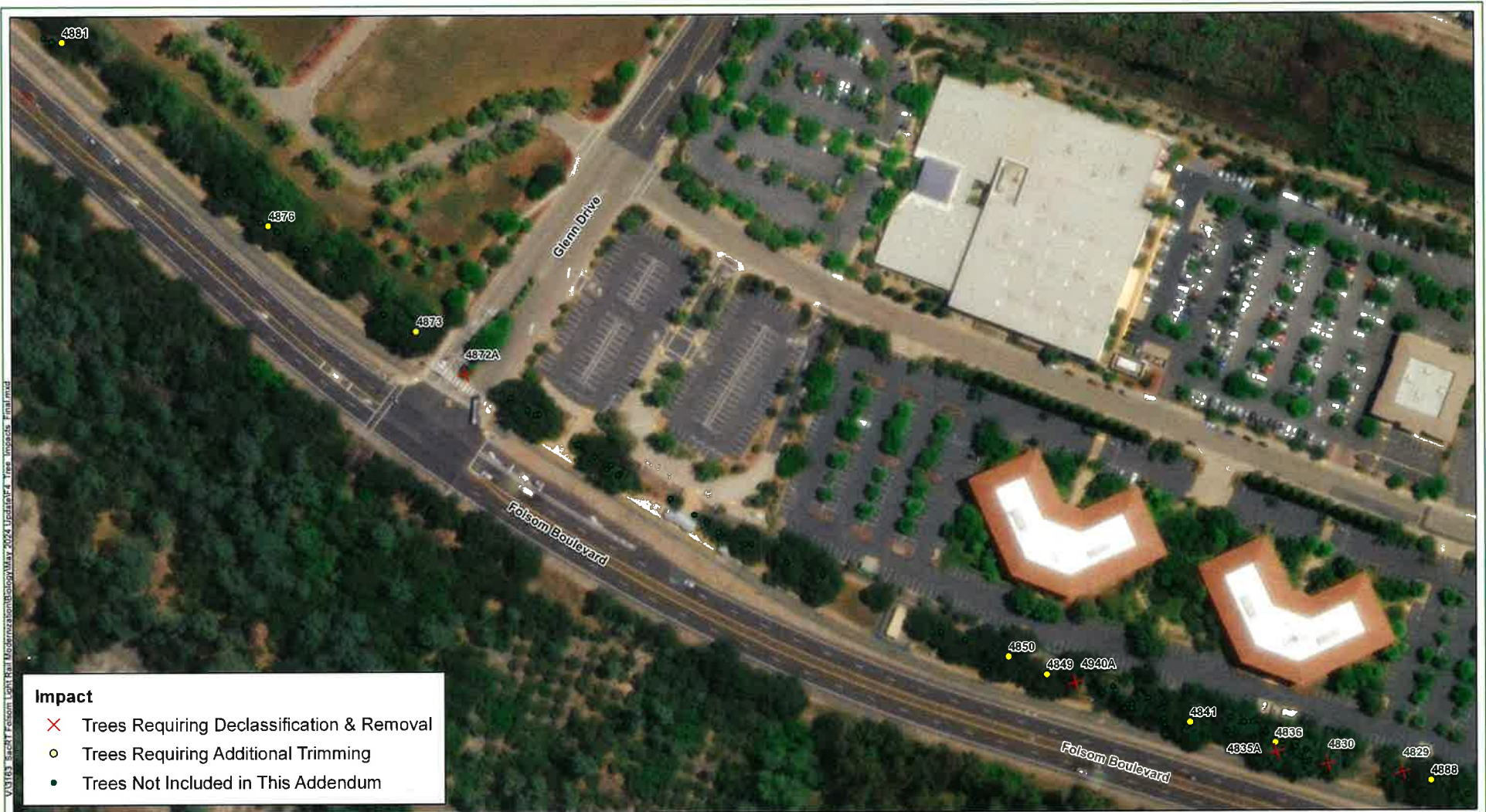
Compensatory mitigation for the 5 additional trees that must be removed will be required on an inch per inch basis before construction may proceed. Per the City ordinance, the extrapolated DSH is used to determine the mitigation needed for each tree. Table 6 below lists the trees that must be removed and the DSH replacement mitigation requirement.

**Table 2. Mitigation Requirement**

Tag #	Species	Extrapolated DSH	Health Rank	Replacement Ratio	DSH Replacement Requirement
4829	Interior live oak	20	Good	1:1	20
4830	Valley oak	11	Good	1:1	11
4835A	Interior live oak	1	Good	1:1	1
4872A	Crepe Myrtle	5	Good	1:1	5
4940A	Valley oak	3	Good	1:1	3

Under the City’s tree ordinance, mitigation may take the form of on-site planting, payment of in-lieu fees, or preservation of existing protected trees measuring one-inch DSH or greater.

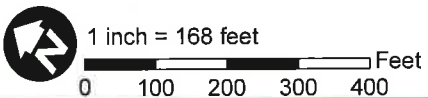
SacRT is electing to mitigate for the removal of 40 additional DSH inches by paying the in-lieu fee. Current in-lieu fees are \$250/inch. In-lieu fee payment is estimated to be \$10,000.



**Impact**

- ✗ Trees Requiring Declassification & Removal
- Trees Requiring Additional Trimming
- Trees Not Included in This Addendum

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community  
 Created by: scotts, Date: 5/23/2024



**Figure 1**  
**Additional Tree Impacts Map**  
 SacRT Folsom Light Rail  
 Modernization Double Track Project

# **ATTACHMENT 4**

## **ARBORIST REPORT**

# Arborist Report

## SacRT Folsom Light Rail Modernization Double Track Project (v4)



**Prepared for:**  
The City of Folsom  
50 Natoma Street  
Folsom, California 95630

**Prepared by:**  
Dokken Engineering  
110 Blue Ravine Road, Suite 200  
Folsom, California 95630

**January 2024**



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## Chapter 1. Introduction

The Sacramento Regional Transit District (SacRT) proposes to construct the SacRT Folsom Light Rail Modernization Double Track Project (Project) along Folsom Boulevard at the Glenn/Robert G. Holderness Station between Glenn Drive and Parkshore Drive within the City of Folsom, California. This report presents the results of an arborist survey conducted to quantify tree resources present within the project footprint. In addition to relaying current size and health of each tree within the project area, this report also presents an assessment of the effects of the proposed project on each tree.

### 1.1. Project Description

SacRT proposes to improve its light rail service to Folsom along its Gold Line. The improvements would allow light rail trains to operate every 15 minutes from the Sunrise Station to the Historic Folsom Station, rather than the current 30 minutes. The improvements are part of the "Folsom Light Rail Modernization Project" that collectively includes new low-floor light rail vehicles, modification to station platforms to accommodate the new vehicles, and addition of new passing tracks and signalization. Current service between the Sunrise Station and the eastern terminus of the Gold Line at the Historic Folsom Station (at Leidesdorff Street and Folsom Boulevard) is impeded because only a single track provides service between these stations. To remedy this operational constraint, the proposed project includes "double tracking" (or installing a passing track) in two locations; updating the signal system that controls train movements so that trains will be able to operate inbound and outbound between the Sunrise and Historic Folsom Stations with little or no delay; adding a second loading platform at the Glenn and Hazel Stations; and modifying the existing platforms at these stations to accommodate the new low-floor light rail vehicles.

### 1.2. City of Folsom Tree Ordinance

The City regulates the removal, pruning, and impacts to Protected Trees under the Tree Preservation and Protection Ordinance (Chapter 12.16 of the Municipal Code). The ordinance defines Protected Trees as including Native Oak Trees, Heritage Trees, Landmark Trees, and Regulated Trees.

**Native Oak Trees** include: valley oak (*Quercus lobata*), blue oak (*Quercus douglasii*), interior live oak (*Quercus wislizeni*), and coast live oak (*Quercus agrifolia*) with a single trunk diameter at standard height (DSH) of 6 inches or greater or a combined DSH of 20 inches or greater for multi-stem trees.

**Heritage trees** include any tree on the City's Master Tree List with a DSH over 30 for single stemmed trees or over 50 for multi-stemmed trees.

**Landmark trees** include any tree or group of trees that have been determined by the City Council to confer a significant community benefit to the general public.

**Regulated trees** include trees required by City zoning code such as parking lot shade, street trees, or trees required as conditions of a development project.

Chapter 2. Tree Survey Results

Mitigation ratios for Protected Trees varies depending on the ASCA Tree Rating System and the size of replacement trees. Protected trees rated 3, 4 or 5 in the ASCA Tree Rating System (**Table 1. ASCA Tree Rating System**) shall be replaced at a ratio of one-inch equivalent for every one-inch of DSH removed as shown in Table 2 (**Table 2. Tree Replacement Equivalency Table**). Protected Trees rated 2 shall be replaced at a ratio of 0.5-inch equivalent for every one-inch removed. Protected Trees rated 0 or 1 require no replacement or any other mitigation unless a Parking Lot Shading Tree or Street Tree replacement is required under the Zoning Code.

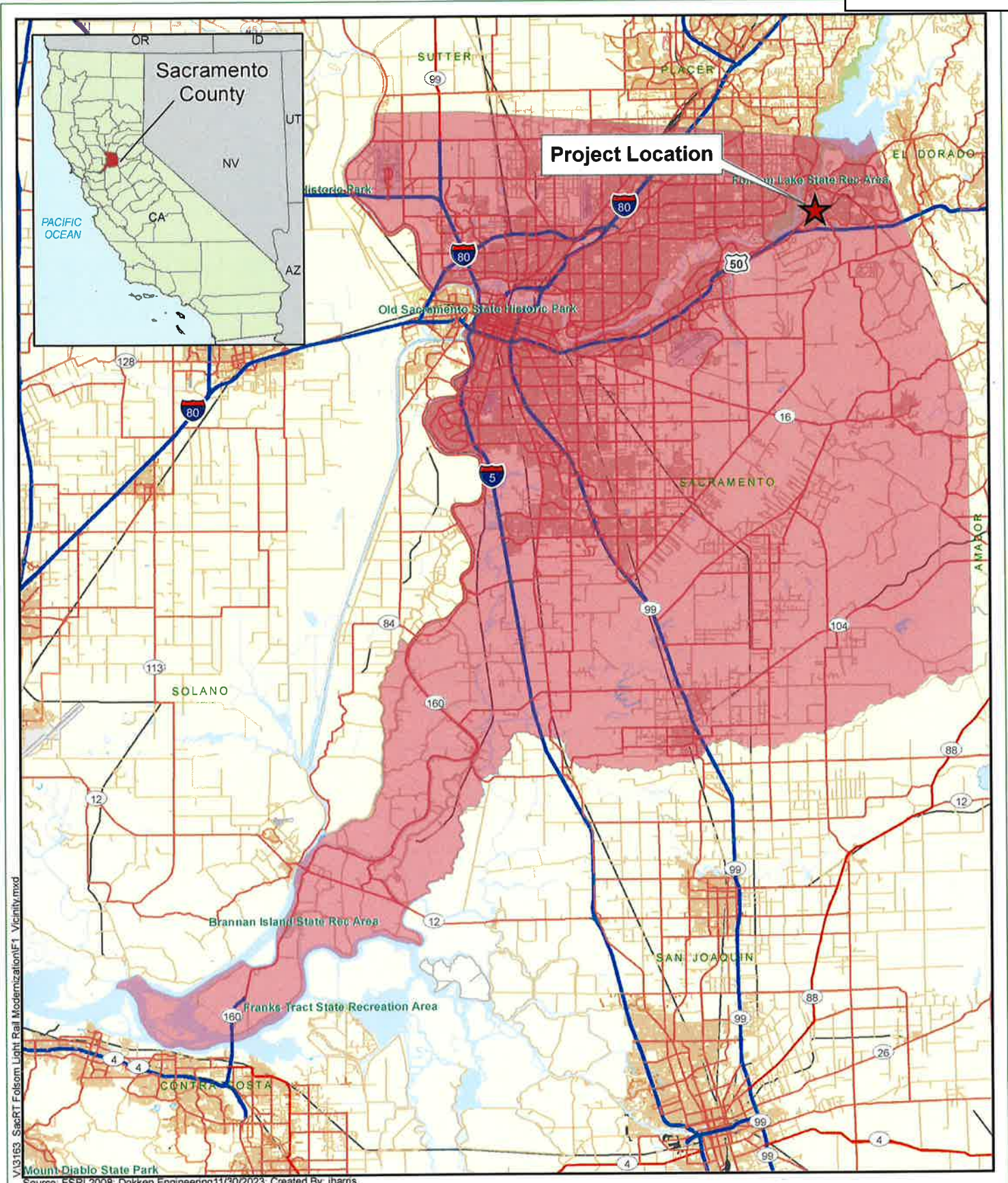
Mitigation may take the form of on-site planting, payment of in-lieu fees, or preservation of existing protected trees measuring one-inch DSH or greater. A combination of on-site replacement planting and payment of in-lieu fees may be used where the number of replacement trees cannot be accommodated on-site. The in-lieu payment shall be reduced based on the number of DSH inches of the replacement trees planted onsite. Mitigation may be waived if the City Arborist determines a tree proposed for removal poses a significant risk to health and safety.

**Table 1. ASCA Tree Rating System**

Rating	Rating No.	Rating Description
Excellent	5	No problem(s)
Good	4	No apparent problem(s)
Fair	3	Minor problem(s)
Poor	2	Major problem(s)
Hazardous or Non-correctable	1	Extreme problem(s)
Dead	0	Dead

**Table 2. Tree Replacement Equivalency Table**

Replacement Tree Size	DSH Equivalency
A sapling tree; or	0.5-inch DSH
Tree in container less than 15 gallons	0.5-inch DSH
15-gallon container tree	1-inch DSH
24-inch box tree	2-inch DSH
36-inch box tree	3-inch DSH



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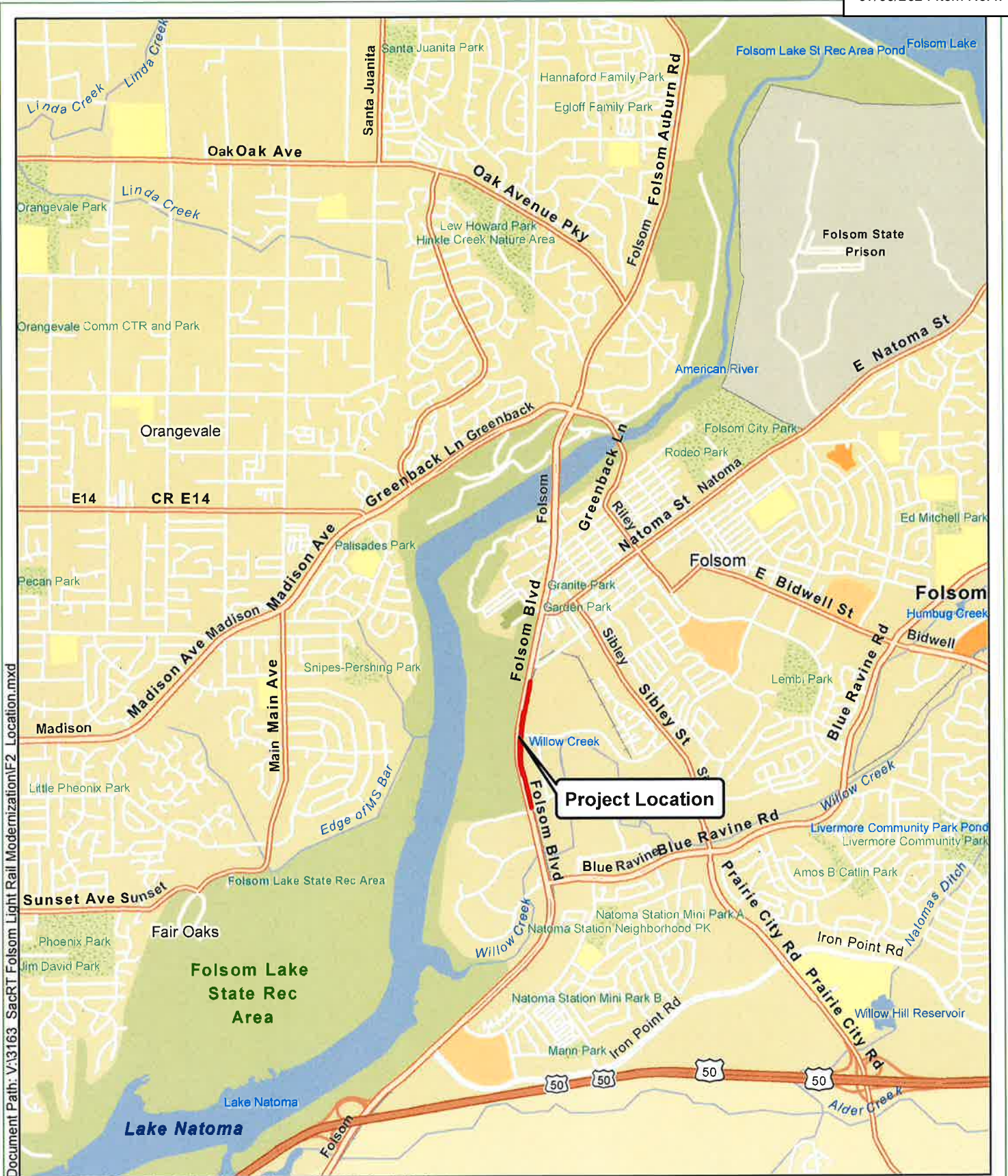
Source: ESRI 2008, Dokken Engineering 11/30/2023; Created By: jharris



0 5 10 15 Miles

**FIGURE 1**  
**Project Vicinity**

SacRT Folsom Light Rail  
Modernization Project  
Folsom, Sacramento County, California



Document Path: V:\3163 SacRT Folsom Light Rail Modernization\F2 Location.mxd

Source: ESRI World Street Maps Online; Dokken Engineering 11/30/2023; Created By: jharris



0 0.25 0.5 0.75 1 Miles

**FIGURE 2**  
**Project Location**

SacRT Folsom Light Rail  
Modernization Double Track Project  
Folsom, Sacramento County, California

### 1.3. Survey Methodology

The project area was surveyed by International Society of Arboriculture (ISA) certified arborist Scott Salembier (WE-12418A) on November 28, 2023 and December 22, 2023. Following clarification of project description, the surveyed trees were revisited on January 3, 2024 and January 19, 2024 in order to evaluate potential effects to each tree. The results included in this report include all trees that meet the definition of a Protected Tree under the City Tree Ordinance that may be affected by the proposed project. The species of each tree was identified, and the location of each tree was mapped with GPS. The DSH of each stem was then measured with a diameter tape and recorded.

In accordance with the City tree ordinance, the DSH of multi-stem trees each stem was calculated by adding together the DSH of each stem. This combined DSH is used for determining if a tree qualifies as a heritage tree. In addition, for the purpose of calculating compensatory mitigation the extrapolated DSH was calculated by measuring the DSH of each stem and then taking the square root of the sum of each individual stem’s DSH squared. Both combined and extrapolated DSH values are provided in the survey results. Each tree was briefly inspected then rated according to the ASCA Tree Rating System for consistency with the City’s tree ordinance. Dead trees were not recorded. Table 3 below includes the ASCA Tree Health Ratings.

**Table 3. Tree Health and Structure Rating System**

ASCA Tree Health Ratings		
5	Excellent	No evidence of disease or decline. Tree is exhibiting excellent vigor and strong consistent growth. Wounds are well closed with little to no sign of decay. No evidence of stress, nutrient deficiency, or insect infestation.
4	Good	Average or below-average deadwood/dieback for the age and species. Leaf size, color, and density typical for the species. Buds are normal size, viable, abundant, and uniform. Current and past growth increments are generally average or better. Wounds are well closed with little to no sign of decay. Very little evidence of stress, disease, nutrient deficiency, and/or insect infestation.
3	Fair	Above-average deadwood/dieback for the age and species. Leaf size and density below what is typically expected for the species. Leaves may be discolored, stunted, or deformed. Buds are normal size and viable but may be sparse. Current and past growth increments may be below average. Some wounds not closed. Some decay may be present. Some to moderate level of stress, nutrient deficiency, disease, and/or infestation.
2	Poor	Abundant deadwood/dieback. Leaf size and density are well below what is typically expected for the species. Leaves may be discolored or deformed from nutrient deficiency or infection. Few viable buds are present throughout the canopy. Current and past grown increments indicate minimal growth. Wounds show minimal closure. Decay may be present. The tree is strongly exhibiting signs of stress, nutrient deficiency, disease, and/or infestation. Tree is in decline.
1	Hazardous	Major structural hazards and/or severe decline leading to an elevated risk of major branch failure or complete tree failure. Tree is recommended for immediate removal.

## Chapter 2. Tree Survey Results

A total of 85 trees were included in the survey results. Each tree was surveyed following the methods described in the previous chapter and was tagged with an aluminum tree tag. Table 4 lists each tree and that was found during the survey and identifies species, Combined DSH & Extrapolated DSH, ASCA Health Ranking, and Heritage Tree Status.

**Table 4. Tree Survey Results**

Tag #	Species	Combined DSH	Extrapolated DSH	Health Rank	Heritage Status
4824	Interior live oak	47	34	Good	
4823	Valley oak	4	4	Good	
4825	Valley oak	4	4	Good	
4826	Valley oak	7	7	Good	
4827	Valley oak	31	31	Good	Yes
4828	Interior live oak	15	15	Good	
4829	Interior live oak	24	20	Good	
4830	Valley oak	11	11	Good	
4831	Valley oak	14	14	Good	
4832	Valley oak	13	13	Good	
4833	Black Walnut	20	20	Good	
4834	Interior live oak	25	11	Good	
4835	Valley oak	21	21	Good	
4836	Valley oak	31	31	Good	Yes
4837	Black Walnut	8	8	Good	
4838	Interior live oak	17	17	Good	
4839	Interior live oak	7	7	Good	
4840	Black Walnut	6	6	Good	
4841	Interior live oak	28	28	Good	
4842	Valley oak	5	5	Good	
4843	Interior live oak	42	30	Good	
4844	Interior live oak	50	35	Good	Yes
4845	Black Walnut	4	4	Good	
4846	Interior live oak	5	5	Good	
4847	Interior live oak	27	19	Poor	
4848	Black Walnut	6	6	Good	
4849	Interior live oak	61	35	Good	Yes
4850	Interior live oak	121	47	Good	Yes
4851	Interior live oak	61	29	Good	Yes
4852	Interior live oak	124	48	Good	Yes
4853	Interior live oak	141	40	Poor	Yes
4854	Interior live oak	25	18	Good	
4855	Interior live oak	51	22	Good	Yes
4856	Interior live oak	44	17	Good	
4857	Interior live oak	25	15	Good	
4858	Interior live oak	13	13	Good	

Chapter 2. Tree Survey Results

Tag #	Species	Combined DSH	Extrapolated DSH	Health Rank	Heritage Status
4859	Interior live oak	7	7	Good	
4860	Interior live oak	10	10	Good	
4861	Interior live oak	13	13	Fair	
4862	Interior live oak	24	24	Fair	
4863	Interior live oak	10	10	Poor	
4864	Interior live oak	24	17	Good	
4865	Interior live oak	60	35	Good	Yes
4866	Interior live oak	11	7	Good	
4867	Interior live oak	20	10	Good	
4868	Interior live oak	59	30	Good	Yes
4869	Interior live oak	66	30	Good	Yes
4870	Interior live oak	44	22	Good	
4871	Interior live oak	35	25	Good	
4872	Interior live oak	45	27	Good	
4873	Interior live oak	37	37	Good	Yes
4874	Interior live oak	28	28	Good	
4875	Interior live oak	10	10	Good	
4876	Interior live oak	23	23	Good	
4877	Interior live oak	11	11	Good	
4878	Interior live oak	16	16	Good	
4879	Interior live oak	8	8	Good	
4880	Blue Oak	21	21	Good	
4881	Interior live oak	19	10	Good	
4882	Interior live oak	20	12	Good	
4883	Interior live oak	11	11	Good	
4884	Interior live oak	78	40	Good	Yes
4885	Interior live oak	2	1	Good	
4886	Interior live oak	34	24	Good	
4887	Interior live oak	23	16	Good	
4888	Interior live oak	38	38	Good	Yes
4889	Interior live oak	5	4	Good	
4890	Interior live oak	1	1	Good	
4891	Interior live oak	1	1	Good	
4892	Interior live oak	1	1	Good	
4893	Interior live oak	1	1	Good	
4894	Valley oak	4	2	Good	
4895	Interior live oak	3	3	Good	
4937	Interior live oak	4	3	Good	
4938	Interior live oak	27	19	Good	
4939	Interior live oak	9	5	Good	
4940	Interior live oak	44	33	Good	
4941	Interior live oak	2	2	Good	
4942	Interior live oak	2	2	Poor	
4943	Black Walnut	1	1	Good	
4944	Interior live oak	46	28	Good	



Chapter 2. Tree Survey Results

Tag #	Species	Combined DSH	Extrapolated DSH	Health Rank	Heritage Status
4945	Interior live oak	20	20	Good	
4946	Interior live oak	37	26	Good	
4947	Valley oak	1	1	Good	
4948	Valley oak	1	1	Good	

All trees found within the project area were in either good or fair health at the time of the survey except for three Interior Live Oaks (#4853, #4863 and #4992). The locations of all trees found within the project area are shown on Figure 3.

## 2.1. Protected Tree Status

### Native Oak Trees

The survey area included 1 Blue oak, 47 interior live oaks, and 7 valley oaks that meet the minimum 6-inch DSH size criteria to be Protected Native Oak Trees under the City Ordinance.

### Heritage Trees

The survey area included 2 valley oak and 13 interior live oaks that meet the minimum size criteria to Protected Heritage Trees under the City Ordinance.

### Landmark Trees

Per conversations with the City Arborist, it was discovered that all trees within the JPA right-of-way along Folsom Boulevard between Bidwell Street and Blue Ravine were designated as a Landmark Grove by the City Council. Landmark trees may not be removed without prior declassification by the City Council. This designation includes every tree in the survey: 6 Black Walnuts, 1 Blue Oak, 65 Interior Live Oaks, and 13 Valley Oaks (85 trees total).

## Chapter 3. Project Impacts & Discussion

### 3.1. Tree Impact Summary

Identification of the extent of project activities and footprint that will affect project area trees were gained through direction of the SacRT with additional clarification provided by the project contractor. On January 19, 2024 the City’s Urban Forester and representatives from SacRT, the Contractor, and the Contractor supplied arborist walked the project alignment to review impacts to each tree. To aid in this effort, the Contractor’s surveyor had marked the limits of trimming and ground disturbance. These are as follows:

- Trimming of all branches that overhang within 10 feet of the easternmost rail of the future tracks for the train envelope. If this action would remove most of a tree’s canopy, the tree will need to be removed.
- Removal of all trees rooted within the limits of future fill slopes and drainage ditches.

Of the 85 trees found within the Project Area, 18 must be removed and 39 must be trimmed. All 57 affected trees are in conflict with either permanent project features or access requirements during construction. The location of trees that will be impacted by the project are shown on Figure 4. Tree Impacts. The remaining trees are located far enough away from proposed improvements that they can be protected in place for the duration of construction and will not need to be trimmed or removed.

### 3.2. Tree Trimming

As discussed above, 39 trees will need to be trimmed to complete the project to provide the legally required minimum clearances around the train envelope. During the January 19<sup>th</sup> site walk, the City Urban Forester reviewed each tree that will be trimmed and worked with the contractor tree company to determine which limbs were to be cut to preserve the natural form of the tree, minimize the amount of canopy lost to meet the project requirements. To the extent feasible, trimming will follow the City of Folsom Tree Care and Maintenance Standards with two notable exceptions. For trees 4844 and 4841, there is no way to preserve major limbs and non-standard stub cuts will be made. Trees that will be pruned are listed on the following table and included in Figure 3.

**Table 5. Trees that will be Trimmed**

Tag #	Species	Combined DBH	Extrapolated DBH	Health	Heritage Status
4824	Interior live oak	47	34	Good	
4826	Valley oak	7	7	Good	
4828	Interior live oak	15	15	Good	
4829	Interior live oak	24	20	Good	
4830	Valley oak	11	11	Good	
4832	Valley oak	13	13	Good	
4836	Valley oak	31	31	Good	Yes
4843	Interior live oak	42	30	Good	

Chapter 3. Project Impacts and Discussion

Tag #	Species	Combined DBH	Extrapolated DBH	Health	Heritage Status
4846	Interior live oak	5	5	Good	
4847	Interior live oak	27	19	Poor	
4849	Interior live oak	61	35	Good	Yes
4851	Interior live oak	61	29	Good	Yes
4853	Interior live oak	141	40	Poor	Yes
4854	Interior live oak	25	18	Good	
4855	Interior live oak	51	22	Good	Yes
4873	Interior live oak	37	37	Good	Yes
4874	Interior live oak	28	28	Good	
4875	Interior live oak	10	10	Good	
4876	Interior live oak	23	23	Good	
4877	Interior live oak	11	11	Good	
4881	Interior live oak	19	10	Good	
4883	Interior live oak	11	11	Good	
4884	Interior live oak	78	40	Good	Yes
4886	Interior live oak	34	24	Good	
4887	Interior live oak	23	16	Good	
4888	Interior live oak	38	38	Good	Yes
4889	Interior live oak	5	4	Good	
4890	Interior live oak	1	1	Good	
4891	Interior live oak	1	1	Good	
4892	Interior live oak	1	1	Good	
4895	Interior live oak	3	3	Good	
4937	Interior live oak	4	3	Good	
4938	Interior live oak	27	19	Good	
4940	Interior live oak	44	33	Good	
4944	Interior live oak	46	28	Good	
4945	Interior live oak	20	20	Good	
4946	Interior live oak	37	26	Good	
4841	Interior live oak	28	28	Good	
4844	Interior live oak	50	35	Good	Yes

### 3.3. Tree Removal & Mitigation

A total of 18 trees need to be removed to complete the project. These trees are either rooted within the grading limits of the project or so much of the tree canopy would need to be trimmed that the tree is unlikely to survive or thrive after construction. During the January 19<sup>th</sup> sidewalk with the City Urban Forester, each of these trees was reviewed and found that they could not be saved. As part of a Designated Landmark Grove, each of these trees must first be declassified before it can be removed.

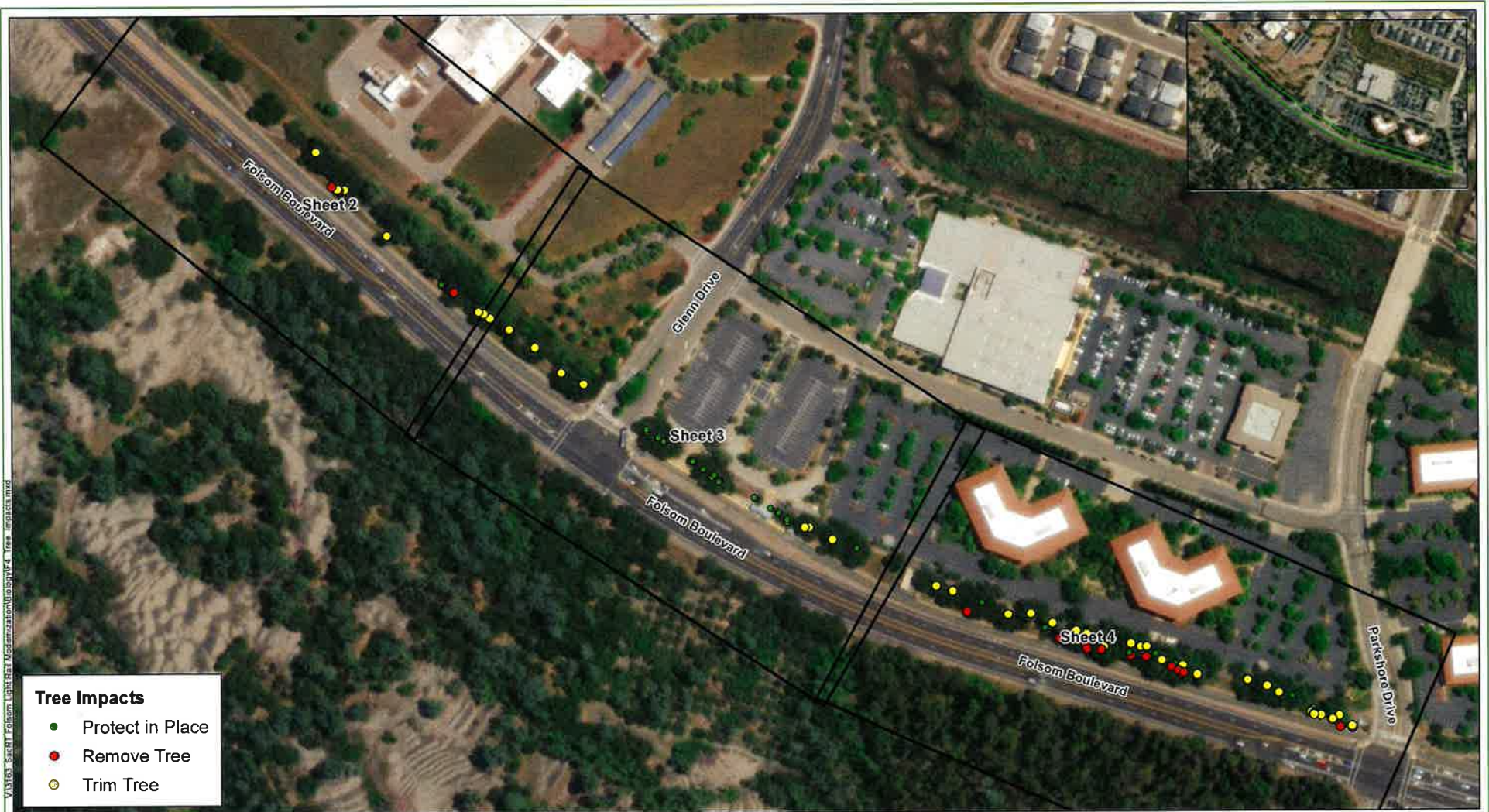
Compensatory mitigation for the 18 trees that must be removed will be required on an inch per inch basis before construction may proceed. Per the City ordinance, the extrapolated DSH is used to determine the mitigation needed for each tree. Table 6 below lists the trees that must be removed and the DSH replacement mitigation requirement.

**Table 6. Mitigation Requirement**

Tag #	Species	Extrapolated DSH	ASCA Health Ranking	Replacement Ratio	DSH Replacement Requirement
4831	Valley oak	14	Good	1:1	14
4834	Interior live oak	11	Good	1:1	11
4837	Black Walnut	8	Good	1:1	8
4839	Interior live oak	7	Good	1:1	7
4842	Valley oak	5	Good	1:1	5
4845	Black Walnut	4	Good	1:1	4
4878	Interior live oak	16	Good	1:1	16
4880	Blue Oak	21	Good	1:1	21
4882	Interior live oak	12	Good	1:1	12
4885	Interior live oak	1	Good	1:1	1
4893	Interior live oak	1	Good	1:1	1
4894	Valley oak	2	Good	1:1	2
4939	Interior live oak	5	Good	1:1	5
4941	Interior live oak	2	Good	1:1	2
4942	Interior live oak	2	Poor	1:1	2
4943	Black Walnut	1	Good	1:1	1
4947	Valley oak	1	Good	1:1	1
4948	Valley oak	1	Good	1:1	1
<b>Total DSH Replacement Requirement</b>					<b>115</b>

Under the City's tree ordinance, mitigation may take the form of on-site planting, payment of in-lieu fees, or preservation of existing protected trees measuring one-inch DSH or greater.

SacRT is electing to mitigate for the removal of 115 DSH inches by paying the in-lieu fee. Current in-lieu fees are \$250/inch. In-lieu fee payment is estimated to be \$28,750.



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**Tree Impacts**

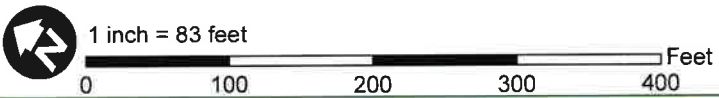
- Protect in Place
- Remove Tree
- Trim Tree

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community  
Created by: scotts, Date: 1/22/2024

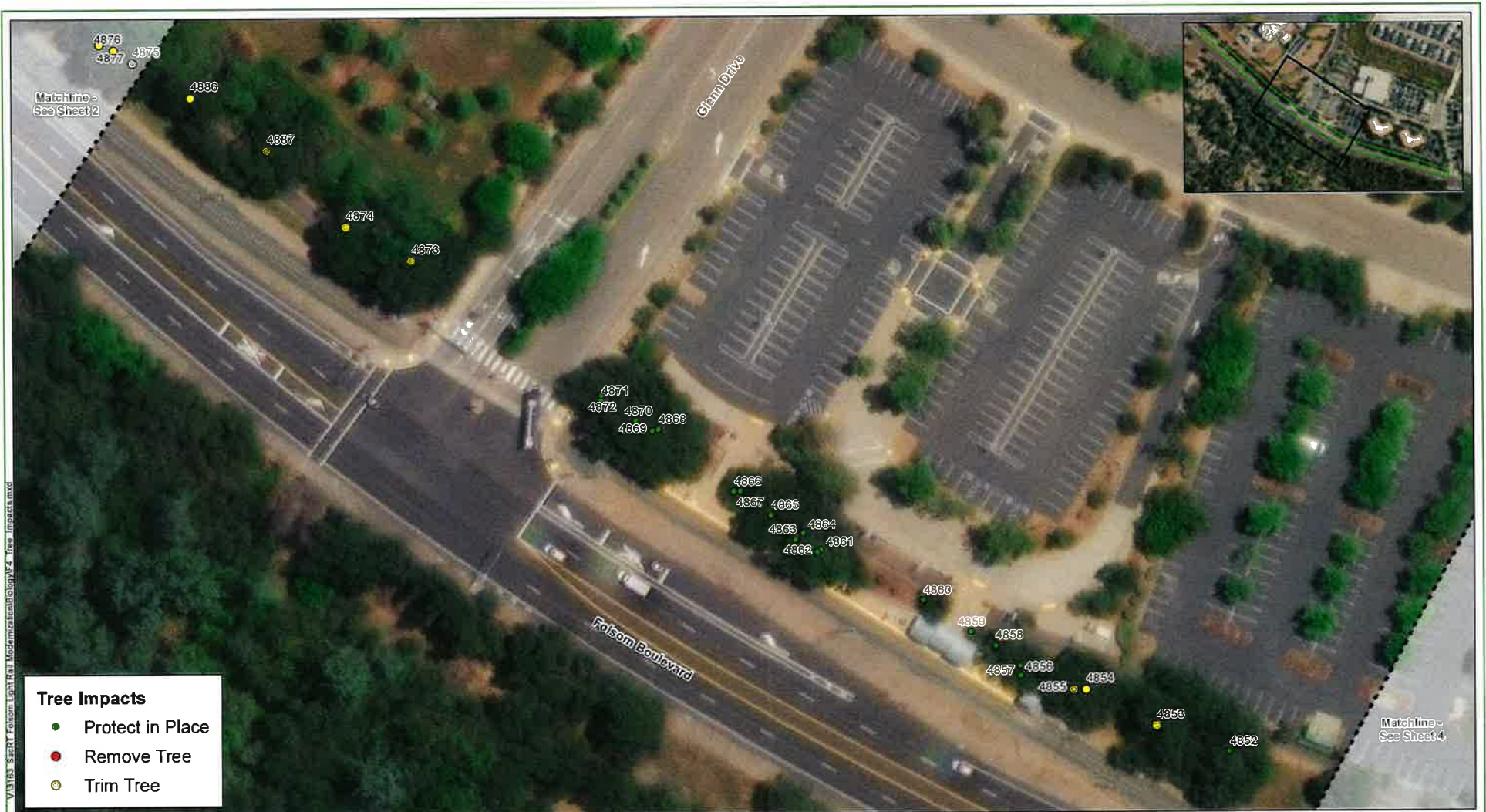
1 inch = 250 feet

Feet

**Figure 3**  
**Tree Impacts Map**  
 Sheet 1 of 4  
 SacRT Folsom Light Rail  
 Modernization Double Track Project



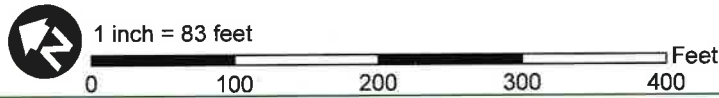
**Figure 3**  
**Tree Impacts Map**  
Sheet 2 of 4  
SacRT Folsom Light Rail  
Modernization Double Track Project



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- Tree Impacts**
- Protect in Place
  - Remove Tree
  - ⊙ Trim Tree

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community  
Created by: scotts, Date: 1/22/2024



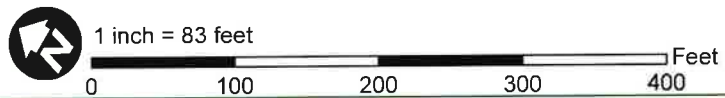
**Figure 3**  
**Tree Impacts Map**  
 Sheet 3 of 4  
 SacRT Folsom Light Rail  
 Modernization Double Track Project



**Tree Impacts**

- Protect in Place
- Remove Tree
- Trim Tree

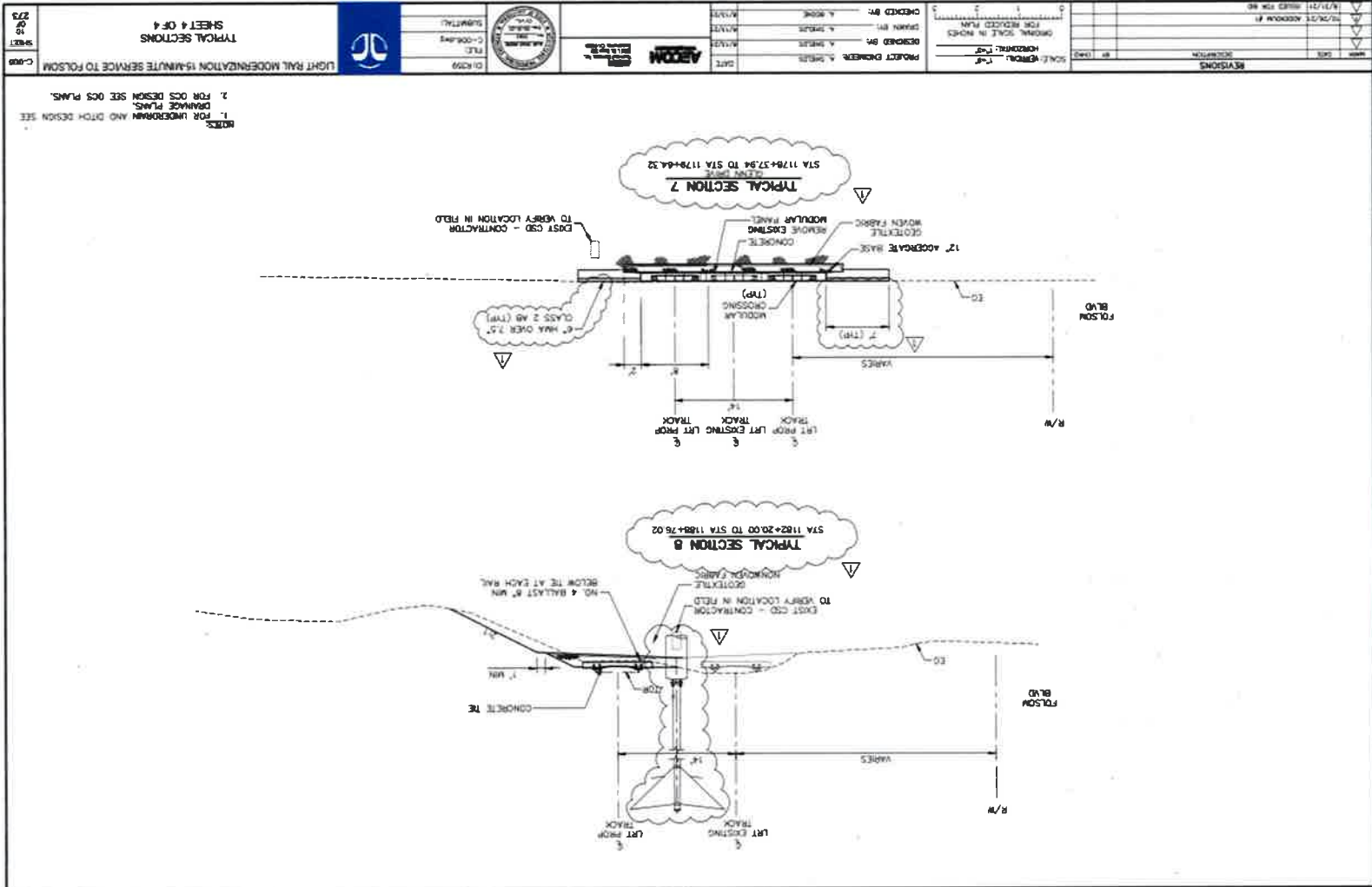
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community  
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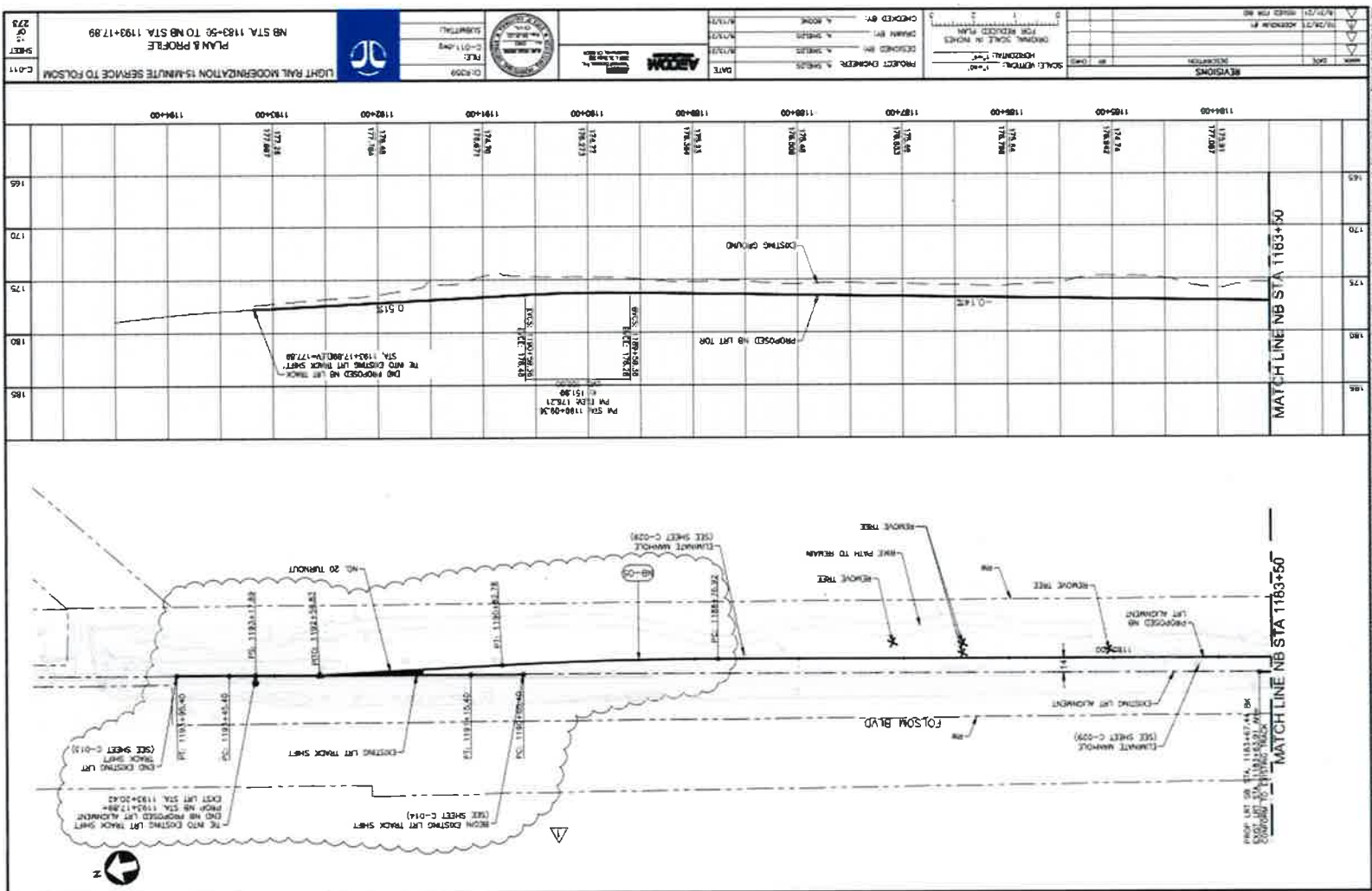


**Figure 3**  
**Tree Impacts Map**  
 Sheet 4 of 4  
 SacRT Folsom Light Rail  
 Modernization Double Track Project



**ATTACHMENT 5**  
**LIGHT RAIL MODERNIZATION IMPROVEMENT PLAN**  
**EXCERPT**





## **ATTACHMENT 6**

### **RFI FROM ALDRIDGE ELECTRIC, INC FOR THE RELOCATION OF THE EXISTING BIKE PATH**



**Aldridge Electric, Inc**  
844 East Rockland Road  
Libertyville, Illinois 60048  
P: +18476805200

**Project: 300927 SacRT-Service to Folsom**  
Glenn Drive & Folsom Blvd  
Folsom, California 95630

### RFI #0393: Bike path encroachment

<b>Status</b>	Open		
<b>To</b>	Katelynn Mosier (Aldridge Electric)	<b>From</b>	Katelynn Mosier (Aldridge Electric) 844 East Rockland Road Libertyville, Illinois 60048
<b>Date Initiated</b>	Jun 5, 2024	<b>Due Date</b>	Jun 8, 2024
<b>Location</b>		<b>Project Stage</b>	
<b>Cost Impact</b>		<b>Schedule Impact</b>	
<b>Spec Section</b>		<b>Cost Code</b>	
<b>Drawing Number</b>		<b>Reference</b>	
<b>Linked Drawings</b>			
<b>Received From</b>			
<b>Copies To</b>	Christopher Madden (Aldridge Electric), Thomas Moore (Aldridge Electric), Katelynn Mosier (Aldridge Electric), Ricardo Rodriguez (Aldridge Electric)		

#### Activity

##### Question

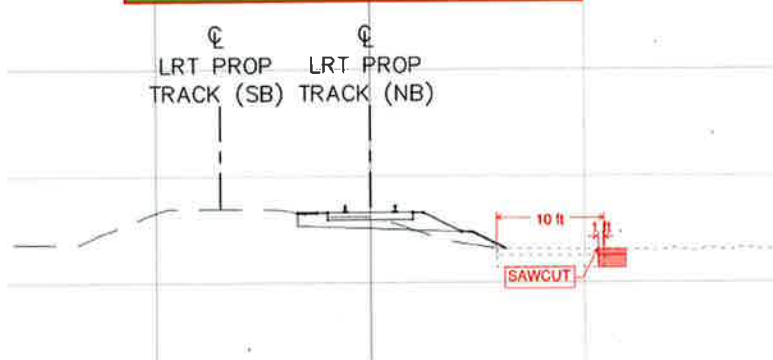
**Question from Katelynn Mosier Aldridge Electric on Wednesday, Jun 5, 2024 at 09:39 AM PDT**

Please note that the track shift east between 1183 and 1184 will impact the bike path due to the required slope, as illustrated on the attached drawing (DU-102) with embedded photos. AE needs an engineered review and redesign of this segment of the slope or relocation of the bike path. Please provide AE with updated engineered drawings reflecting the changes.

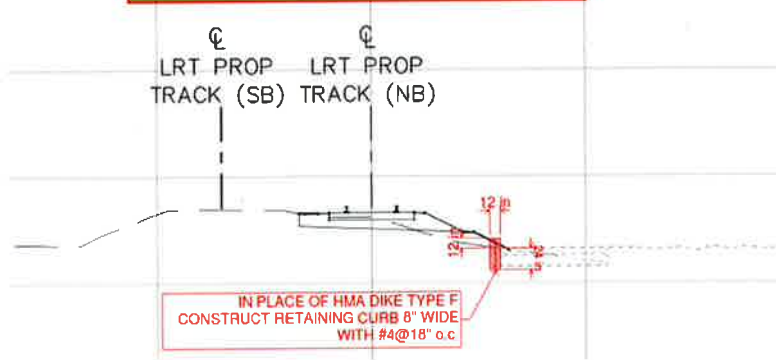
**Attachments**  
[BikePathShiftPic.pdf](#), [DU-102 Bike Path Shift between 1183 and 1184.pdf](#)



*Awaiting an Official Response*

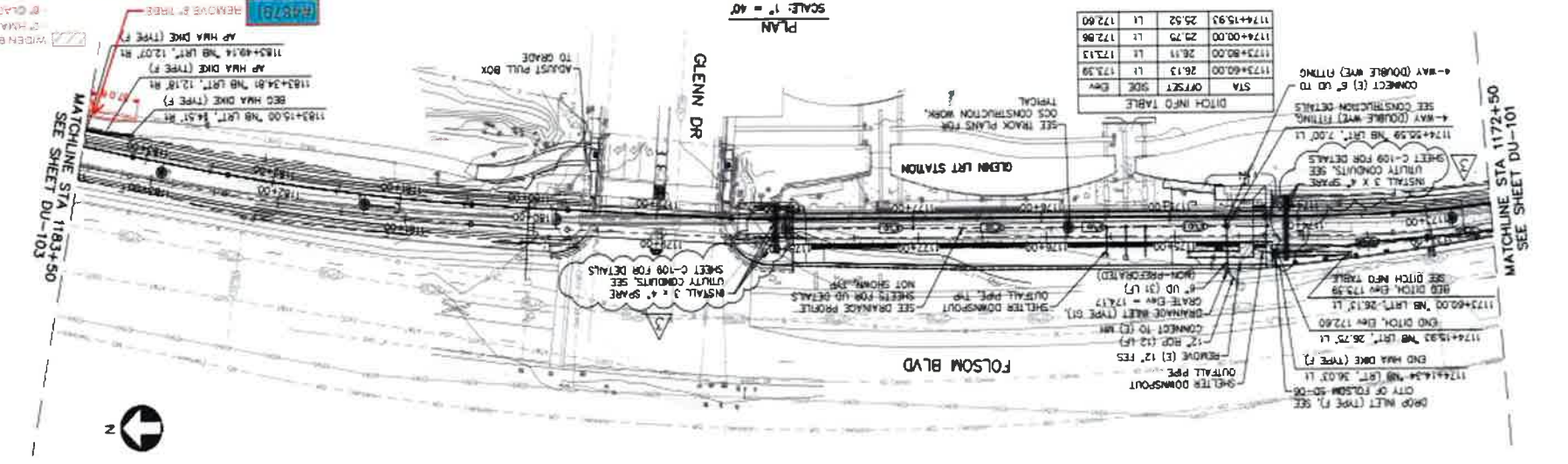
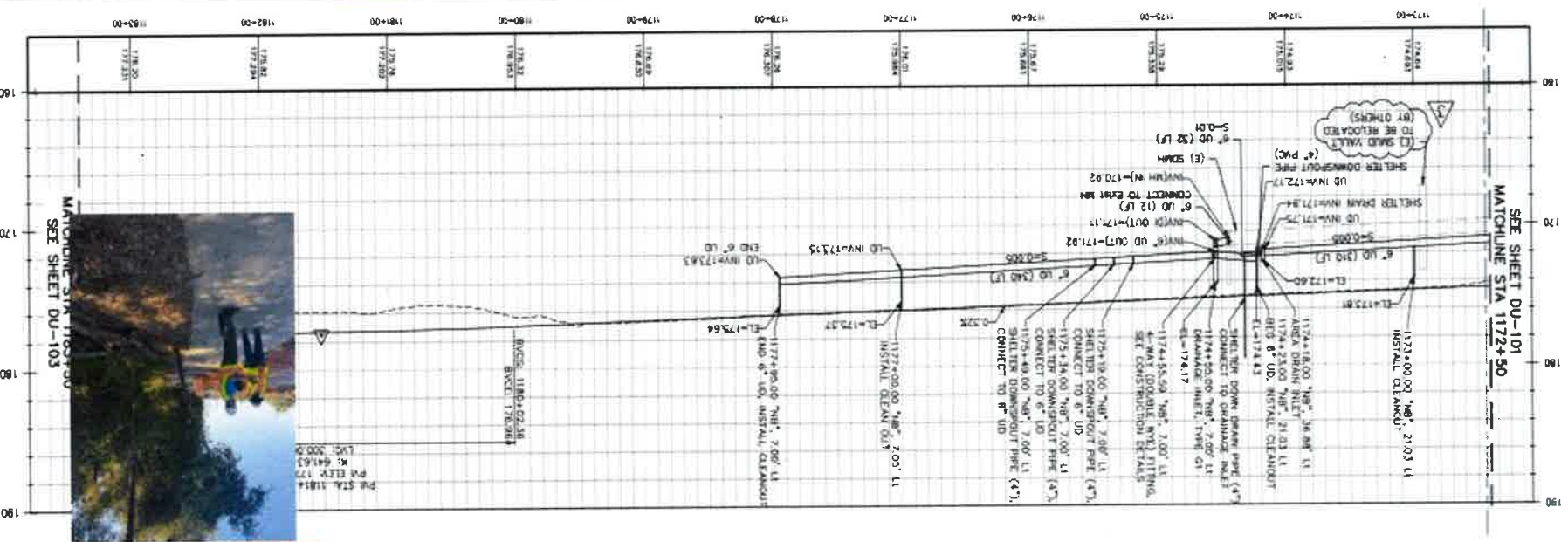
**OPTION 1**  
WIDEN BIKE PATH TO THE EAST BY 2.0' FOR APPROXIMATELY 50.0'  
- REMOVE 8" TREE IN CONFLICT  
- SAWCUT 6" INTO EXISTING BIKE PATH  
- EXCAVATE 9"  
- PLACE 6" CLASS 2 AB  
- PLACE 3" HMA

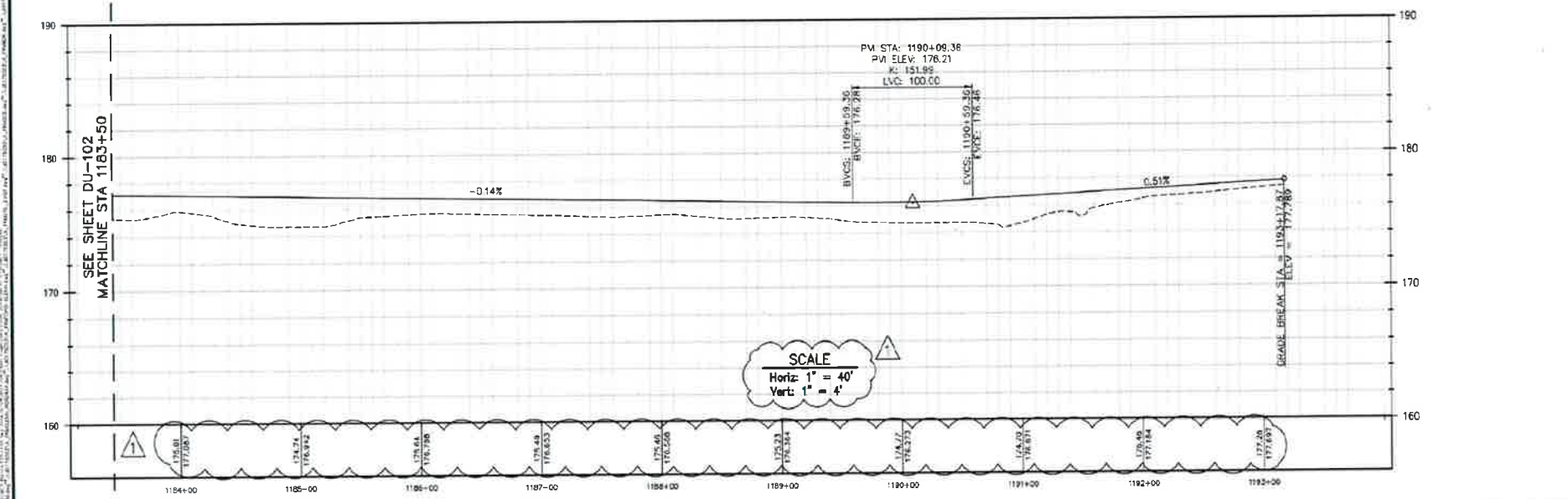
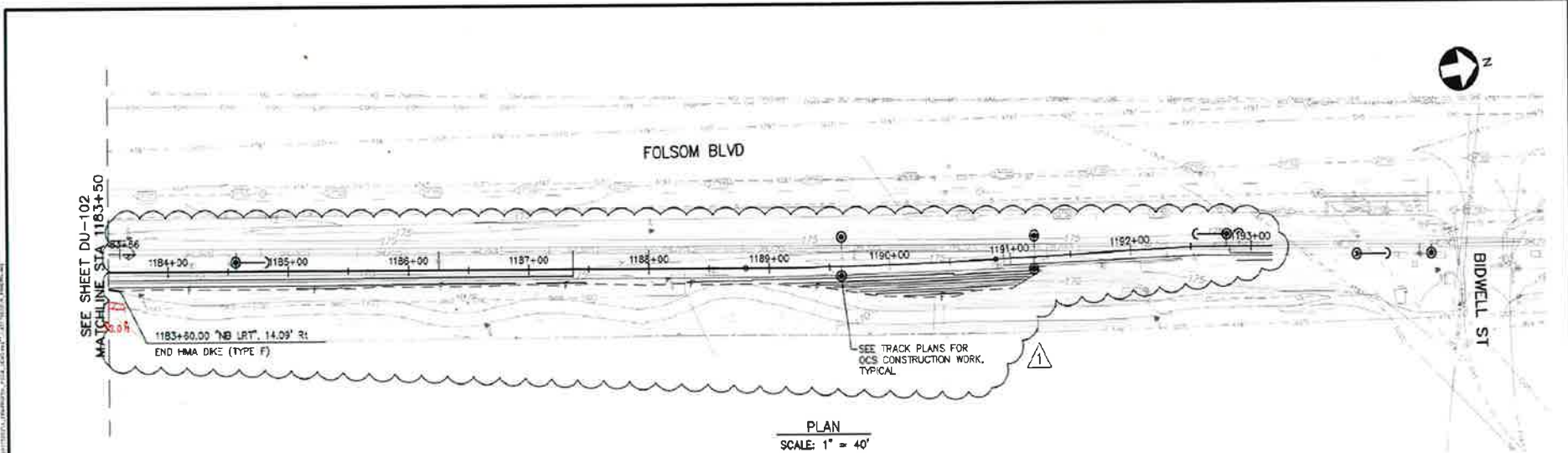


**OPTION 2**  
REPLACE TYPE F AC DIKE WITH RETAINING CURB



SHEET 225 OF 275	LIGHT RAIL MODERNIZATION 15-MINUTE SERVICE TO FOLSOM	 SUBMITTAL: FILE: CC#1399	 PMOS 225 Douglas Ridge Blvd, Suite 200 Folsom, CA 95630   916.263.8277	PROJECT ENGINEER: B. WRIGHT DESIGNED BY: C. BRADY DRAWN BY: L. SANDOZA CHECKED BY: L. HAYES	DATE: N/A SCALE: HORIZONTAL: 1" = 40' ORIGINAL SCALE: IN INCHES FOR REDUCED PLAN: 1" = 40'	REVISIONS NO. DATE DESCRIPTION 1 12/26/23 APPROVAL #1 2 01/21/24 REDESIGN FOR 20
						WORK DATE: N/A REVISIONS: 1, 2





REVISIONS				
MARK	DATE	DESCRIPTION	BY	CHKD
△	10/26/21	ADDENDUM #1 - DRAINAGE/GRADING		
△	8/31/21	ISSUED FOR BID		

SCALE VERTICAL:	N/A
HORIZONTAL:	1" = 40'
ORIGINAL SCALE IN INCHES FOR REDUCED PLAN	
PROJECT ENGINEER:	B. WRIGHT
DESIGNED BY:	C. BRAZIL
DRAWN BY:	J. SADORRA
CHECKED BY:	T. HAYES
DATE	8/13/21

**AECOM**  
1000 Lakeside Drive, Suite 200  
 Irvine, CA 92618

**PSOMAS**  
1075 Crestside Ridge Drive, Suite 200  
 Roseville, CA 95678 | 916.368-8122

**Professional Engineer**  
 T. HAYES  
 License No. 50828  
 State of California



C: R359  
 FILE: 24-043-1010C  
 SUBMITTAL:  
**LIGHT RAIL MODERNIZATION 15-MINUTE SERVICE TO FOLSOM**  
 DRAINAGE AND UTILITY PLAN  
 STA 1183+50 TO 1193+50

DU-103  
 SHEET 226 OF 273



## **ATTACHMENT 7**

### **RESOLUTION NO. 5911 – A RESOLUTION ESTABLISHING LANDMARK TREE DESIGNATION AT THE JPA RIGHT-OF-WAY ON FOLSOM BOULEVARD BETWEEN BIDWELL STREET AND BLUE RAVINE ROAD**

**RESOLUTION NO. 5911**

**A RESOLUTION ESTABLISHING LANDMARK TREE DESIGNATION AT THE JPA RIGHT-OF-WAY ON FOLSOM BOULEVARD BETWEEN BIDWELL STREET AND BLUE RAVINE ROAD**

**WHEREAS**, the City of Folsom's Tree Preservation Ordinance, Chapter 12.16 of the Folsom Municipal Code, establishes basic standards, measures and compliance to the preservation and protection of trees for the use and enjoyment of present and future generations; and

**WHEREAS**, the City of Folsom's Tree Preservation Ordinance, Section 12.16.090 of the Folsom Municipal Code, provides a means to designate Landmark Trees by Resolution of the City Council based upon one or more of the following attributes: 1) historical value; 2) excellent health rating; 3) outstanding habitat value; 4) unusual species; or 5) superior beauty; and

**WHEREAS**, the Planning, Inspections and Permitting Department has recommended that the City Council find that the grove of trees within the JPA right-of-way on Folsom Boulevard between Bidwell Street and Blue Ravine Road, based on the historical and habitat value along the Folsom Boulevard scenic corridor, be designated as Landmark Trees; and

**WHEREAS**, the Planning, Inspections and Permitting Department has recommended that the City Council find that an annual arborist evaluation of all the trees within the JPA right-of-way on Folsom Boulevard between Bidwell Street and Blue Ravine Road is not practical, and that staff determine when an arborist evaluation is warranted to monitor overall stand health; and

**WHEREAS**, notice has been given at the time and in the manner required by State Law and City Code; and

**WHEREAS**, this project is exempt from environmental review pursuant to Section 15307 of the California Environmental Quality Act (CEQA).

**NOW, THEREFORE, BE IT RESOLVED** by the Folsom City Council adopts this Resolution for the establishment of Landmark Trees located at the JPA right-of-way on Folsom Boulevard between Bidwell Street and Blue Ravine Road.

**APPROVED AND ADOPTED** this 9th day of March, 1999, by the following call vote:

- AYES:** Councilmembers: Aceituno, Dow, Drew, Howell, Miklos
- NOES:** Councilmembers: None
- ABSTAIN:** Councilmembers: None
- ABSENT:** Councilmembers: None

  
\_\_\_\_\_  
Mayor

**ATTEST:**

  
\_\_\_\_\_  
City Clerk

## **ATTACHMENT 8**

**RESOLUTION NO. 11159 – A RESOLUTION TO DECLASSIFY  
FIVE LANDMARK TREES WITHIN THE JOINT POWERS  
AUTHORITY LANDMARK GROVE TO ALLOW FOR REMOVAL  
AS PART OF THE SACRAMENTO REGIONAL TRANSIT LIGHT  
RAIL MODERNIZATION 15 MINUTES TO FOLSOM PROJECT**

**RESOLUTION NO. 11159**

**A RESOLUTION TO DECLASSIFY FIVE LANDMARK TREES WITHIN THE JOINT POWERS AUTHORITY LANDMARK GROVE TO ALLOW FOR REMOVAL AS PART OF THE SACRAMENTO REGIONAL TRANSIT LIGHT RAIL MODERNIZATION 15 MINUTES TO FOLSOM PROJECT**

**WHEREAS**, Section 12.16.020 of the Folsom Municipal Code defines Landmark Trees as a tree or group of trees determined by the City Council to confer a significant community benefit to the general public due to the size, age, location, historic association or ecological value; and

**WHEREAS**, Resolution No. 5911 – *A Resolution Establishing Landmark Tree Designation at the JPA Right-of-Way on Folsom Boulevard Between Bidwell Street and Blue Ravine Road* was adopted on March 9, 1999, to underscore the historical and habitat contribution of the native grove along Folsom Boulevard JPA scenic corridor. The associated staff report also called attention to the possibility that the Joint Powers Authority (JPA), as the property owner, may potentially need to declassify one or more Landmark Trees for light rail improvements in the future; and

**WHEREAS**, the City of Folsom Urban Forester has conducted a review of an application to declassify five oaks within the abovementioned Landmark grove in anticipation of removal for the SacRT Light Rail Modernization 15 Minutes to Folsom Project and confirmed retention of the subject trees conflicts with the project as designed; and

**WHEREAS**, the Community Development Department has recommended that the oaks with affixed tag numbers 4880, 4882, 4885, 4893, and 4894 qualify for declassification of Landmark Tree status for the reason that they prevent reasonable use of the property; and

**WHEREAS**, notice has been given in the manner required by City Code; and

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Folsom hereby finds the SacRT Light Rail Modernization 15 Minutes to Folsom project cannot move forward unless the Landmark oaks affixed with tag numbers 4880, 4882, 4885, 4893, and 4894 are removed and there are no reasonable alternative measures to construct the project as designed and retain the trees; and

**BE IT FURTHER RESOLVED** that following declassification of the oaks affixed with tag numbers 4880, 4882, 4885, 4893, and 4894, the SacRT Light Rail Modernization 15 Minutes to Folsom project proponent will obtain a tree removal permit and mitigate the subject oaks pursuant to Section 12.16.150 of the Folsom Municipal Code; and

**BE IT FURTHER RESOLVED** that all other trees within the JPA Landmark Grove shall be protected and managed consistent with ANSI A300 Standards, the International Society of Arboriculture’s most recent *Best Management Practices* publications, and all applicable City of


Folsom standards and policies for the duration of the SacRT Light Rail Modernization 15 Minutes to Folsom project; and

**BE IT FURTHER RESOLVED** that the oaks affixed with tag numbers 4880, 4882, 4885, 4893, and 4894 as shown on Exhibit A, are hereby declassified from Landmark Tree status under Chapter 12.16 of the Folsom Municipal Code.

**PASSED AND ADOPTED** this 23<sup>rd</sup> day of January, 2024, by the following roll-call vote:

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

DocuSigned by:  
  
33655450E3B44E6...  
 Michael D. Kozlowski, MAYOR

**ATTEST:**  
 DocuSigned by:  
  
DBE19EE309E3403...  
 Christa Freemantle, CITY CLERK

**Exhibit A**  
**Site Map**



*Annotated excerpt from the arborist report prepared by Dokken Engineering calling out the five oaks proposed for declassification*

## **ATTACHMENT 9**

**RESOLUTION NO. 11164 - A RESOLUTION TO DECLASSIFY THIRTEEN LANDMARK TREES WITHIN THE JOINT POWERS AUTHORITY LANDMARK GROVE TO ALLOW FOR REMOVAL AS PART OF THE SACRAMENTO REGIONAL TRANSIT LIGHT RAIL MODERNIZATION 15 MINUTES TO FOLSOM PROJECT**

**RESOLUTION NO. 11164****A RESOLUTION TO DECLASSIFY THIRTEEN LANDMARK TREES WITHIN THE JOINT POWERS AUTHORITY LANDMARK GROVE TO ALLOW FOR REMOVAL AS PART OF THE SACRAMENTO REGIONAL TRANSIT LIGHT RAIL MODERNIZATION 15 MINUTES TO FOLSOM PROJECT**

**WHEREAS**, Section 12.16.020 of the Folsom Municipal Code defines Landmark Trees as a tree or group of trees determined by the City Council to confer a significant community benefit to the general public due to the size, age, location, historic association or ecological value; and

**WHEREAS**, Resolution No. 5911 – *A Resolution Establishing Landmark Tree Designation at the JPA Right-of-Way on Folsom Boulevard Between Bidwell Street and Blue Ravine Road* was adopted on March 9, 1999, to underscore the historical and habitat contribution of the native grove along Folsom Boulevard JPA scenic corridor. The associated staff report also called attention to the possibility that the Joint Powers Authority (JPA), as the property owner, may potentially need to declassify one or more Landmark Trees for light rail improvements in the future; and

**WHEREAS**, the City of Folsom Urban Forester has conducted a review of an application to declassify thirteen trees within the abovementioned Landmark grove in anticipation of removal for the SacRT Light Rail Modernization 15 Minutes to Folsom Project and confirmed retention of the subject trees conflicts with the project as designed; and

**WHEREAS**, the Community Development Department has recommended that the trees affixed with tag numbers 4831, 4834, 4837, 4839, 4842, 4845, 4878, 4939, 4941, 4942, 4943, 4947, and 4948 qualify for declassification of Landmark Tree status for the reason that they prevent reasonable use of the property; and

**WHEREAS**, the Urban Forester has concluded the Landmark Tree affixed with tag number 4841 will incur a significant impact from the project and may potentially need to be removed pending assessment following the construction activities; and

**WHEREAS**, notice has been given in the manner required by City Code; and

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Folsom hereby finds the SacRT Light Rail Modernization 15 Minutes to Folsom project cannot move forward unless the Landmark Trees affixed with tag numbers 4831, 4834, 4837, 4839, 4842, 4845, 4878, 4939, 4941, 4942, 4943, 4947, and 4948 are removed and there are no reasonable alternative measures to construct the project as designed and retain the trees; and

**BE IT FURTHER RESOLVED** that following declassification of the trees affixed with tag numbers 4831, 4834, 4837, 4839, 4842, 4845, 4878, 4939, 4941, 4942, 4943, 4947, and 4948, the SacRT Light Rail Modernization 15 Minutes to Folsom project proponent will obtain a tree



removal permit and mitigate the subject trees pursuant to Section 12.16.150 of the Folsom Municipal Code; and

**BE IT FURTHER RESOLVED** that all other trees within the JPA Landmark Grove shall be protected and managed consistent with ANSI A300 Standards, the International Society of Arboriculture’s most recent *Best Management Practices* publications, and all applicable City of Folsom standards and policies for the duration of the SacRT Light Rail Modernization 15 Minutes to Folsom project; and


**BE IT FURTHER RESOLVED** that all efforts shall be made to preserve the Landmark Tree affixed with tag number 4841, which shall retain its Landmark Tree designation unless determined to be irreparably damaged by the Urban Forester following construction activities from the SacRT Light Rail Modernization 15 Minutes to Folsom project. If determined to be irreparably damaged from the project activities by the Urban Forester, tree #4841 shall be removed and mitigated in conformance with the City’s Tree Preservation Ordinance at SacRT’s expense; and

**BE IT FURTHER RESOLVED** that the oaks affixed with tag numbers 4831, 4834, 4837, 4839, 4842, 4845, 4878, 4939, 4941, 4942, 4943, 4947, and 4948 as shown on Exhibit A, are hereby declassified from Landmark Tree status under Chapter 12.16 of the Folsom Municipal Code.

**PASSED AND ADOPTED** this 13<sup>th</sup> day of February 2024, by the following roll-call vote:

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

DocuSigned by:  
  
A8D9378974B7447E...  
 Sarah Aquino, VICE MAYOR

**ATTEST:**  
 DocuSigned by:  
  
DBE19FF309F3403...  
 Christa Freemantle, CITY CLERK

**Exhibit A**  
**Site Map and Tree Removal Table**



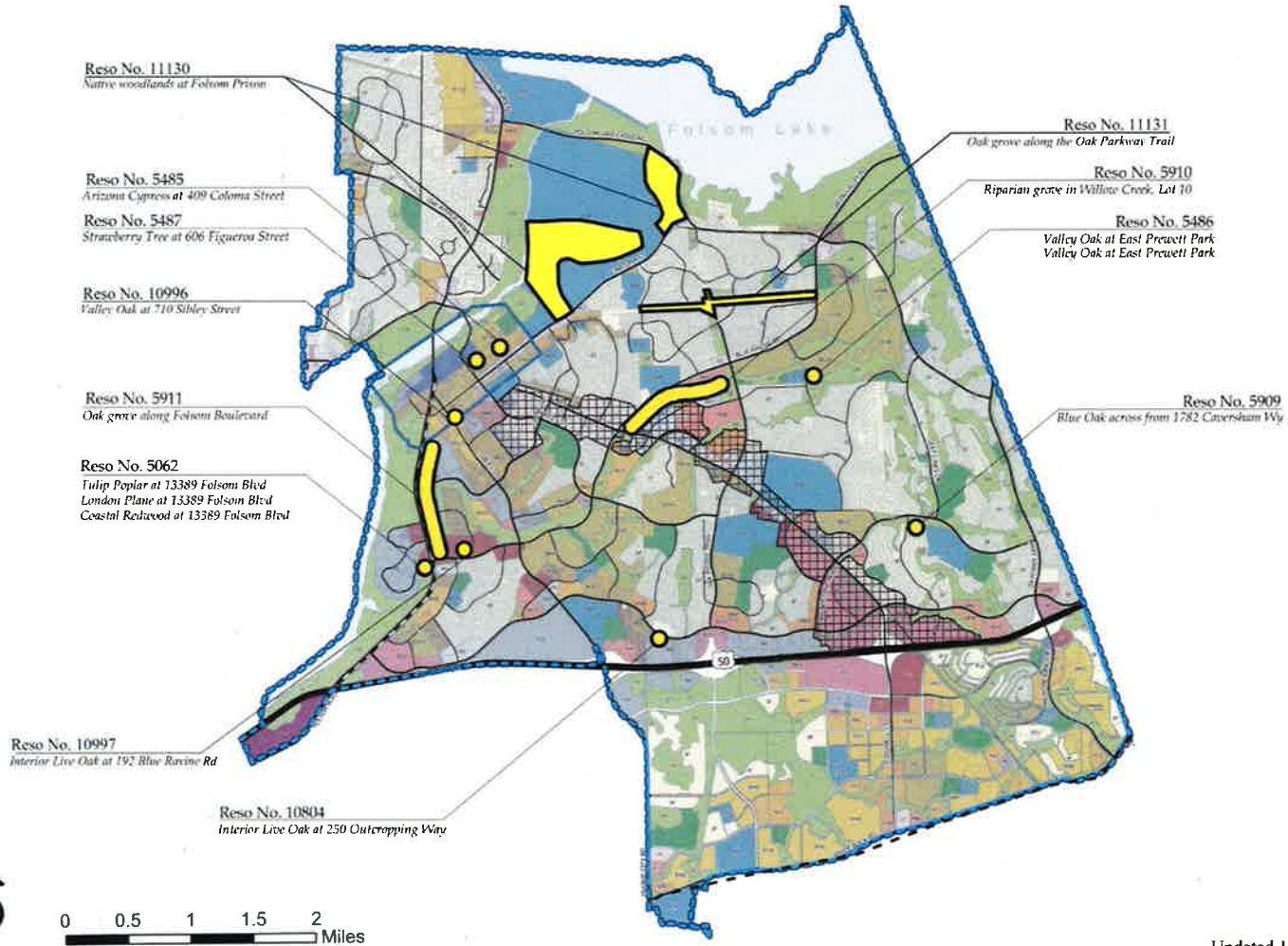
*Excerpt from the arborist report prepared by Dokken Engineering illustrating the locations of the thirteen trees proposed for declassification.*

Trees Declassified for Removal				
Tag #	Common Name	Botanical Name	Condition	DSH
4831	Valley oak	<i>Quercus lobata</i>	good	14"
4834	Interior live oak	<i>Quercus wislizeni</i>	good	11"
4837	Black walnut	<i>Juglans hindsii</i>	good	8"
4839	Interior live oak	<i>Quercus wislizeni</i>	good	7"
*4841*	Interior live oak	<i>Quercus wislizeni</i>	good	28"
4842	Valley oak	<i>Quercus lobata</i>	good	5"
4845	Black walnut	<i>Juglans hindsii</i>	good	4"
4878	Interior live oak	<i>Quercus wislizeni</i>	good	16"
4939	Interior live oak	<i>Quercus wislizeni</i>	good	5"
4941	Interior live oak	<i>Quercus wislizeni</i>	good	2"
4942	Interior live oak	<i>Quercus wislizeni</i>	good	2"
4943	Black walnut	<i>Juglans hindsii</i>	good	1"
4947	Valley oak	<i>Quercus lobata</i>	good	1"
4948	Valley oak	<i>Quercus lobata</i>	good	1"
<b>TOTAL</b>				<b>77"</b>

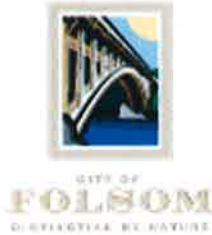
*\*Tree #4841 is planned for preservation but will incur substantial encroachment impacts from the project. The Urban Forester shall assess the potential for survival following the construction activities. Unless determined by the Urban Forester to warrant removal, this tree shall retain its Landmark Designation.*

**ATTACHMENT 10**  
**CURRENT MAP OF LANDMARK TREES**

# Folsom Landmark Tree Map



Updated 1/18/2024



# Folsom City Council Staff Report

<b>MEETING DATE:</b>	7/9/2024
<b>AGENDA SECTION:</b>	Consent Calendar
<b>SUBJECT:</b>	Resolution No. 11220 - A Resolution Authorizing the City Manager to Execute Amendment No. 7 to the Memorandum of Agreement (Contract No. 174-21 18-087) Regarding Sharing of Costs for Legislative Advocacy Services Between San Juan Water District and the City of Folsom
<b>FROM:</b>	Environmental and Water Resources Department

### RECOMMENDATION / CITY COUNCIL ACTION

The Environmental and Water Resources Department recommends the City Council pass and adopt Resolution No. 11220 - A Resolution Authorizing the City Manager to Execute Amendment No. 7 to the Memorandum of Agreement (Contract No. 174-21 18-087) Regarding Sharing of Costs for Legislative Advocacy Services Between San Juan Water District and the City of Folsom.

### BACKGROUND / ISSUE

The City has been working with San Juan Water District (SJWD) pertaining to federal water-related advocacy services. Our agencies continue to work together as direct diverters from Folsom Dam and Reservoir on federal legislative advocacy related to funding and water supply. As direct diverters from Folsom Dam and Reservoir, our agencies share many common federal legislative advocacy interests that can impact federal funding and local water supplies.

In November 2018, the City of Folsom entered into a memorandum of agreement (MOA) with San Juan Water District to engage The Ferguson Group (TFG) to continue lobbying efforts on behalf of the two partner agencies for a not to exceed fee of \$30,000. In August 2020, the City executed Amendment No. 3 to the MOA, bringing the total contract amount to \$36,000. The terms of the MOA have expired; however legislative advocacy is still necessary to address unforeseen Federal issues related to the Delta Plan, proposed Central Valley Project (CVP) re-

operational plans, and policy renewal processes with the U.S. Bureau of Reclamation Municipal and Industrial allocations. All these issues may impact the operations and water system allocations at Folsom Dam and Reservoir.

In May 2016, the partner agencies began a Request for Proposal (RFP) process for federal lobbying services for Fiscal Year 2017 through 2019. Three proposals were received and reviewed. Through the RFP process, the Water Purveyors selected The Ferguson Group, LLC as the most qualified and experienced federal lobbying group to perform these services. The Ferguson Groups remains the most qualified and experienced federal lobbying group to represent the City's federal water related interests. Amendment No. 7 to the MOA will allow the partner agencies to continue to share financial and staff resources in Fiscal Year 2024-25 for federal advocacy water issues important to Folsom and San Juan Water District.

### **POLICY / RULE**

In accordance with Chapter 2.36 of the Folsom Municipal Code, supplies, equipment, services, and construction with a value of \$70,952 or greater shall be awarded by City Council.

### **ANALYSIS**

During the past decade, City Council and staff have been continually involved in working with Federal elected officials and agencies on a number of issues of significant importance to the cities of Folsom and Roseville and the region. The Ferguson Group (TFG) has been under contract since 2002 with SJWD and the City of Folsom to represent issues related to water reliability projects at the Folsom Reservoir. This effort has been very successful in having our concerns heard at the Federal level. This amendment to the Memorandum of Agreement will provide water-related federal advocacy services through Fiscal Year 2024-25.

In January 2016, the City of Folsom and San Juan Water District began a Request for Proposal (RFP) process for federal lobbying services for Fiscal Year 2017. The RFP allowed the agencies to continue to share financial and staff resources for federal advocacy issues important to Folsom and its partners. As agencies who share a common interest in water supply from Folsom Reservoir, federal advocacy remains a critical component to having the City's issues related to water supply reliability heard at the federal level. Through the RFP process, the partner agencies selected The Ferguson Group, LLC as the most qualified and experienced federal lobbying group to perform these services.

The Ferguson Group interacts regularly with the U.S. Bureau of Reclamation, the U.S. Army Corps of Engineers, and a myriad of other federal departments, bureaus, and agencies on behalf of the City — both in Washington, D.C. and locally. The Ferguson Group's strong relationships with key officials and staff members in these agencies are critical to the success of the City's federal lobbying program.

The Environmental and Water Resources Department recommends that the City Council authorize the City Manager to execute Amendment No. 7 to the Memorandum of Agreement

(Contract No. 174-21 18-087) Regarding Sharing of Costs for Legislative Advocacy Services Between San Juan Water District and the City of Folsom.

### **FINANCIAL IMPACT**

The City's cost share for continuing support of the lobbying effort is for an amount not to exceed \$36,000 for Fiscal Year 2024-25. Funding for this work is budgeted and available in the 45 budget in the Water Operating Fund (Fund 520). Amendment No. 7 to the MOA will cover the City's share of services through June 30, 2025.

### **ENVIRONMENTAL REVIEW**

The California Environmental Quality Act (CEQA) does not apply to activities that will not result in a direct or reasonably foreseeable indirect physical change in the environment (CEQA Guidelines §15061(b)(3)). The Ferguson Group's contract work scope does not include the potential for a significant environmental effect, and therefore is not subject to CEQA.

### **ATTACHMENTS**

1. Resolution No. 11220 - A Resolution Authorizing the City Manager to Execute Amendment No. 7 to the Memorandum of Agreement (Contract No. 174-21 18-087) Regarding Sharing of Costs for Legislative Advocacy Services Between San Juan Water District and the City of Folsom
2. Amendment No. 7 to the Memorandum of Agreement Regarding Sharing of Costs for Legislative Advocacy Services Between San Juan Water District and the City of Folsom

Submitted,

---

Marcus Yasutake, Director  
ENVIRONMENTAL AND WATER RESOURCES DEPARTMENT

**ATTACHMENT 1**



**RESOLUTION NO. 11220**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO. 7 TO THE MEMORANDUM OF AGREEMENT (CONTRACT NO. 174-21 18-087) REGARDING SHARING OF COSTS FOR LEGISLATIVE ADVOCACY SERVICES BETWEEN SAN JUAN WATER DISTRICT AND THE CITY OF FOLSOM**

**WHEREAS**, the City has been working with San Juan Water District pertaining to federal water-related advocacy services; and

**WHEREAS**, San Juan Water District and the City of Folsom selected The Ferguson Group, LLC as the most qualified and experienced federal lobbying group through a competitive selection process and remain the most qualified and experienced with City related federal water issues; and

**WHEREAS**, Federal legislative advocacy services are still important and needed to address federal water issues; and

**WHEREAS**, the agreement with San Juan Water District will be for a not to exceed fee of \$36,000; and

**WHEREAS**, the funds have been budgeted in Fiscal Year 2024-25 and funds are available in the Water Operating Fund (Fund 520); and

**WHEREAS**, Amendment No. 7 to the Memorandum of Agreement will be in a form acceptable to the City Attorney;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Folsom Authorizes the City Manager to Execute Amendment No. 7 to the Memorandum of Agreement (Contract No. 174-21 18-087) Regarding Sharing of Costs for Legislative Advocacy Services Between San Juan Water District and the City of Folsom.

**PASSED AND ADOPTED** this 9<sup>th</sup> day of July 2024, by the following roll-call vote:

- AYES:** Councilmember(s):
- NOES:** Councilmember(s):
- ABSENT:** Councilmember(s):
- ABSTAIN:** Councilmember(s):

\_\_\_\_\_  
Michael D. Kozlowski, MAYOR

ATTEST:

\_\_\_\_\_  
Christa Freemantle, CITY CLERK

**ATTACHMENT 2**

**AMENDMENT No. 7 TO THE MEMORANDUM OF AGREEMENT  
REGARDING SHARING OF COSTS FOR LEGISLATIVE ADVOCACY SERVICES  
BETWEEN THE SAN JUAN WATER DISTRICT AND THE CITY OF FOLSOM**

This is Amendment No. 7 to the Memorandum of Agreement Regarding Sharing of Costs for Legislative Advocacy Services (“MOA”) made between the San Juan Water District (“District”) and the City of Folsom (“Party”) as of July 1, 2023. The District and the City of Folsom are hereinafter collectively referred to as the “Parties.”

**RECITALS**

**WHEREAS**, the Parties entered into the MOA dated September 1, 2018, for the cost sharing of federal legislative advocacy services, by The Ferguson Group.

**WHEREAS**, this amendment will extend the amended MOA to and through June 30, 2025, at the not to exceed expenditure of \$72,000 (inclusive of regular business expenses).

**NOW, THEREFORE**, the Parties hereto agree as follows:

**AGREEMENT**

1. Section 3 of the MOA is amended to read that it “shall remain in full force and effect through June 30, 2025,” instead of June 30, 2019, while retaining all other language in the Section.
2. The previously amended Section 4 of the MOA is amended again, retaining all language except the following, to read:
  4. Ceiling Price: In no event shall the total cost of lobbying and support services procured pursuant to this MOA over the fiscal year beginning July 1, 2024 and ending June 30, 2025, exceed seventy-two thousand dollars to be paid by the Parties....”
3. All other terms and conditions in the MOA shall remain in full force and effect to the extent they are not in conflict with this Amendment.
4. The signatures of the Parties to this Amendment may be executed and acknowledged on separate pages or in counterparts which, when attached to this Amendment, shall constitute one complete Amendment.

IN WITNESS WHEREOF, the Parties execute this Amendment, effective as of July 1, 2024.

**SAN JUAN WATER DISTRICT**  
A Community Services District

**CITY OF FOLSOM**  
a Municipal Corporation

BY: \_\_\_\_\_  
Paul Helliker, General Manager

BY: \_\_\_\_\_  
Elaine Andersen, City Manager

**Funding Available:**

BY: \_\_\_\_\_  
Stacey Tamagni, Finance Director

**ORIGINAL APPROVED AS TO CONTENT:**

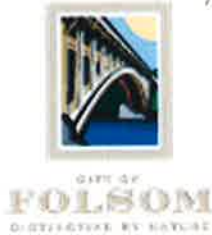
BY: \_\_\_\_\_  
Marcus Yasutake, Environmental &  
Water Resources Director

**ORIGINAL APPROVED AS TO FORM:**

BY: \_\_\_\_\_  
Steven Wang, City Attorney

**ATTEST:**

BY: \_\_\_\_\_  
Christa Freemantle, City Clerk



# Folsom City Council Staff Report

<b>MEETING DATE:</b>	7/9/2024
<b>AGENDA SECTION:</b>	Consent Calendar
<b>SUBJECT:</b>	Resolution No. 11221 - A Resolution Authorizing the City Manager to Execute a Renewal of the Service Agreement with Dropcountr, Inc. for Use of the Dropcountr Base Platform, Dropcountr Business and the HOME+ Irrigation Module for Two Years
<b>FROM:</b>	Environmental and Water Resources Department

### RECOMMENDATION / CITY COUNCIL ACTION

The Environmental and Water Resources Department recommends the City Council pass and adopt Resolution No. 11221 - A Resolution Authorizing the City Manager to Execute a Renewal of the Service Agreement with Dropcountr, Inc. for Use of the Dropcountr Base Platform, Dropcountr Business and the HOME+ Irrigation Module for Two Years.

### BACKGROUND / ISSUE

In April 2014, the City executed Agreement No. 173-21 14-075 to begin working with Dropcountr, Inc. to provide a digital platform to City of Folsom residents to support water management initiatives. The software allows users access to their water use data, provides notification of leaks, supports rebate programs and assists the City in its efforts in water conservation education. In June 2018, the City executed Agreement No. 173-21 18-030, extending the original service agreement for an additional three years through June 2021. In June 2020, the agreement was amended to include Dropcountr BUSINESS, a commercially friendly feature set, to support Folsom’s non-residential water customers.

In June 2021, through Resolution No. 10652, the City Council authorized execution of a one-year agreement with DropCountr, Inc. for use of the continued use of the platform plus the addition of the HOME+ Irrigation module to help monitor water use associated with irrigation.

In December 2022, through Resolution No. 10953, the City Council authorized renewal of the service agreement through June 2024.

More than 4,600 City of Folsom water customers are registered to use the Dropcountr platform and they have achieved an average 7% reduction in water use. The participation rate continues to increase as the City grows and State regulations for water use associated with drought mitigation and increased water use efficiency continue to be enforced.

Digital systems that support water management are part of a growing market, and new smart water applications offering more flexibility and different features are being developed. The Environmental and Water Resources Department wishes to continue providing the valuable services of the Dropcountr platform to Folsom water customers, but also wants the flexibility to take advantage of new technology in the future. The Department therefore recommends renewing the service agreement with Dropcountr, Inc. for two years.

### **POLICY / RULE**

In accordance with Chapter 2.36 of the Folsom Municipal Code, supplies, equipment, services, and construction with a value of \$73,209 or greater shall be awarded by City Council.

### **ANALYSIS**

The Dropcountr platform provides customers with convenient access to their specific water use data, either via an app or on the web. Dropcountr users are no longer limited to viewing monthly water usage on bills, but instead can view their daily and hourly use data. Information provided by Dropcountr enables customers to better understand data, monitor consumption and take action to save water and reduce their monthly bills. In addition to rebate information and water saving tips, users can receive notifications of sporadic or continuous flow leaks, enabling much faster leak identification and resolution. This product supports the customer service role of the Water Conservation division in its endeavors to assist customers conserve water.

The current service agreement with Dropcountr, Inc. expired on June 30, 2024. To continue providing service to the City of Folsom, Dropcountr, Inc. requires that a subscription agreement is signed. The proposed service agreement will support ongoing initiatives of the City of Folsom, Environmental and Water Resources Department during a period of increasing need for water management due to drought conditions and on-going State regulation. Two payments of \$66,000, one for Fiscal Year 2024-2025 and one for Fiscal Year 2025-2026) will ensure Folsom citizens have access to water use data, with enhanced features, for the remainder of this fiscal year.

### **FINANCIAL IMPACT**

Renewal of the current service agreement with Dropcountr, Inc. costs \$66,000 per year for the next two years, for a total of \$132,000. Sufficient funds have been budgeted in the Water

Operating Fund (Fund 520) for FY 2024-25 and will be included in the FY 2025-26 budget process.

**ENVIRONMENTAL REVIEW**

The customer information system is not considered a project and therefore, is exempt from environmental review under the California Environmental Quality Act as noted in Chapter 2.5 - Definitions, Section 21065 - Project.

**ATTACHMENT**

Resolution 11221 - A Resolution Authorizing the City Manager to Execute a Renewal of the Service Agreement with Dropcountr, Inc. for Use of the Dropcountr Base Platform, Dropcountr Business and the HOME+ Irrigation Module for Two Years.

Submitted,

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Marcus Yasutake, Director  
ENVIRONMENTAL AND WATER RESOURCES DEPARTMENT

**RESOLUTION NO. 11221**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A RENEWAL OF THE SERVICE AGREEMENT WITH DROPCOUNTR, INC. FOR USE OF THE DROPCOUNTR BASE PLATFORM, DROPCOUNTR BUSINESS AND THE HOME+ IRRIGATION MODULE FOR TWO YEARS**

**WHEREAS**, the Environmental and Water Resources Department currently utilizes Dropcountr software to support water conservation initiatives; and

**WHEREAS**, the current service agreement expired at the end of June 2024; and

**WHEREAS**, current drought conditions mean that there are ongoing State regulations associated with drought mitigation and increased water use efficiency; and

**WHEREAS**, the Environmental and Water Resources Department wishes to continue providing the Dropcountr platform to Folsom water customers at a two year cost of \$132,000; and

**WHEREAS**, sufficient funds are budgeted and available in the Water Operating Fund (Fund 520) in FY 2024-25 and will be included during the FY2025-26 budget process; and

**WHEREAS**, the agreement will be in a form acceptable to the City Attorney:

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Folsom authorizes the City Manager to execute a renewal of the Service Agreement with Dropcountr, Inc. for Use of the Dropcountr Base Platform, Dropcountr Business and the HOME+ Irrigation Module for Two Years.

**PASSED AND ADOPTED** this 9<sup>th</sup> day of July 2024, by the following roll-call vote:

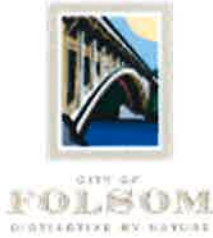
- AYES:** Councilmember(s):
- NOES:** Councilmember(s):
- ABSENT:** Councilmember(s):
- ABSTAIN:** Councilmember(s):

\_\_\_\_\_  
Michael D. Kozlowski, MAYOR

ATTEST:

\_\_\_\_\_  
Christa Freemantle, CITY CLERK





# Folsom City Council Staff Report

<b>MEETING DATE:</b>	7/9/2024
<b>AGENDA SECTION:</b>	Consent Calendar
<b>SUBJECT:</b>	Resolution No. 11224 - A Resolution Authorizing the City Manager to Execute an Agreement with Water Systems Consulting, Inc. for Consulting Services for the Water Conservation Needs Assessment
<b>FROM:</b>	Environmental and Water Resources Department

### RECOMMENDATION / CITY COUNCIL ACTION

The Environmental and Water Resources Department recommends that the City Council pass and adopt Resolution No. 11224 – A Resolution Authorizing the City Manager to Execute an Agreement with Water Systems Consulting, Inc. for Consulting Services for the Water Conservation Needs Assessment.

### BACKGROUND / ISSUE

Under California’s legislative enactments Assembly Bill 1668 (AB1668) and Senate Bill 606 (SB606) of 2018, the State Water Resources Control Board (SWRCB) adopted the Making Conservation a Way of Life Regulation (Conservation Regulation) to adopt long-term standards for the efficient use of water. The Conservation Regulation is a comprehensive order that outlines detailed objectives California water providers must implement and report on to achieve water savings over the next twenty years. The principal elements of the regulation include calculating an Urban Water Use Objective that identifies water use from indoor and outdoor residential consumption, commercial, industrial, and institutional consumption, water loss, and variances or bonus incentives, as well as implementing Best Management Practices.

In May 2024, the City issued a Request for Proposals (RFP) for consulting services to evaluate the City’s existing water consumption patterns, identifying inefficiencies, and proposing tailored strategies to align with the bill stipulations. Environmental and Water Resources (EWR) Department Staff recommend using Water Systems Consulting, Inc. because of their knowledge and experience with the regulatory framework as well as their understanding of the

development, implementation, and effectiveness of water use efficiency programs across the state.

This resolution will authorize the City Manager to execute an agreement with Water Systems Consulting, Inc. for consulting services for the Water Conservation Needs Assessment for a not-to-exceed amount of \$127,786.

**POLICY / RULE**

In accordance with Chapter 2.36 of the Folsom Municipal Code, supplies, equipment, services, and construction with a value of \$73,209 or greater shall be awarded by City Council.

In accordance with the State Bills AB606, SB1668, and the Conservation Regulation, the City must submit an Urban Water Use Objective report annually.

**ANALYSIS**

On May 3, 2024, the City issued an RFP to various engineering and consulting firms requesting proposals to provide services for complying with State conservation regulations which include the following:

- Calculating and reporting the City’s annual water deliveries, recognized in the State bills as an Urban Water Use Objective.
- Identifying and classifying Commercial, Industrial, and Institutional as well as mixed use meter connections, their irrigated areas and water consumption.
- Implementing Best Management Practices to incentivize top water users to decrease their consumption and offering programs that assist them in meeting those goals.
- Analyzing current City offered rebate programs and making recommendations for improvements.
- Estimating costs and staff time to meet the requirements in the State bills.
- Completing a water conservation needs assessment report that includes a plan to achieve water savings required by the state regulation.

On June 6, 2024, EWR received proposals from EKI Environmental & Water, Inc. and from Water Systems Consulting, Inc. The proposals were evaluated by three EWR staff members for technical evaluation prior to reviewing project costs. The proposals were reviewed and scored for project understanding, project team staffing, and recent relevant experience and qualifications. The technical evaluations were scored as shown in Table 1 based on a maximum technical score of 65.

*Table 1: Consultant Technical Scores without Costs*

<b>Consultant</b>	<b>EWR 1</b>	<b>EWR 2</b>	<b>EWR 3</b>	<b>Total</b>	<b>Average</b>
Water Systems Consulting, Inc.	63	57	58	178	59.33
EKI Environmental & Water, Inc.	55	62	62	179	59.67

After reviewing each proposal for project understanding, project team staffing, and recent relevant project experience and qualifications, the proposals were reviewed for project costs. The fee schedules for the scope of work outlined in the request for proposals from each consultant are shown in Table 2.

Table 2: Consultant Project Costs

Consultant	Fee Amount
Water Systems Consulting, Inc.	\$127,786
EKI Environmental & Water, Inc.	\$236,800

Water Systems Consulting, Inc. was determined to provide the best value to the City based on the fee amount, past project experience involving work of similar scope and complexity including staff coordination and technical knowledge and expertise for these types of projects. Water Systems Consulting, Inc. incorporated creative methodologies and additional elements beyond the expected requirements identified in the Request for Proposal, which included the option for alternative compliance methods provided for in the regulation as well as variances for water use. In addition, WSC’s previous work on the City’s 2020 Urban Water Management Plan and Water Shortage Contingency Plan provides for less labor hours needed to understand the City’s current and past water use trends and water conservation practices. Table 3 shows the overall total scores including project costs based on a maximum score of 100.

Table 3: Consultant Overall Scoring Including Project Costs

Consultant	Technical Score (Avg.)	Cost Score	Total Score
Water Systems Consulting, Inc.	59.33	35	94.33
EKI Environmental & Water, Inc.	59.67	18.9	78.57

The EWR Department recommends that the City Council authorize the City Manager to execute an agreement with Water Systems Consulting, Inc. for consulting services for the Water Conservation Needs Assessment for a not-to-exceed amount of \$127,786.

**FINANCIAL IMPACT**

Sufficient funds are budgeted and are available in the Water Operating Fund (Fund 520) in FY 2024-25 to provide for this agreement.

**ENVIRONMENTAL REVIEW**

This project is exempt from environmental review under the California Environmental Quality Act, Section 15301 “Existing Facilities”.

**ATTACHMENT**

Resolution No. 11224 – A Resolution Authorizing the City Manager to Execute an Agreement with Water Systems Consulting, Inc. for Consulting Services for the Water Conservation Needs Assessment

Submitted,

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Marcus Yasutake, Director  
ENVIRONMENTAL AND WATER RESOURCES DEPARTMENT

**RESOLUTION NO. 11224**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH WATER SYSTEMS CONSULTING, INC. FOR CONSULTING SERVICES FOR THE WATER CONSERVATION NEEDS ASSESSMENT**

**WHEREAS**, under California’s legislative enactments Assembly Bill 1668 (AB1668) and Senate Bill 606 (SB606) of 2018, the State Water Resources Control Board (SWRCB) adopted the Making Conservation a Way of Life Regulation (Conservation Regulation) to adopt long-term standards for the efficient use of water; and

**WHEREAS**, the Conservation Regulation is a comprehensive order that outlines detailed objectives California water providers must implement and report on to achieve water savings over the next twenty years; and

**WHEREAS**, Water Systems Consulting, Inc. by reason of their knowledge and experience with the regulatory framework has the qualifications and expertise to perform the City’s Water Conservation Needs Assessment; and

**WHEREAS**, sufficient funds are budgeted and available in the Water Operating Fund (Fund 520) for this agreement; and

**WHEREAS**, the agreement will be in a form acceptable to the City Attorney;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Folsom authorizes the City Manager to execute an agreement with Water Systems Consulting, Inc. for Consulting Services for the Water Conservation Needs Assessment for a not-to-exceed amount of \$127,786.

**PASSED AND ADOPTED** this 9<sup>th</sup> day of July, 2024, by the following roll-call vote:

- AYES:** Councilmember(s):
- NOES:** Councilmember(s):
- ABSENT:** Councilmember(s):
- ABSTAIN:** Councilmember(s):

\_\_\_\_\_  
Michael D. Kozlowski, MAYOR

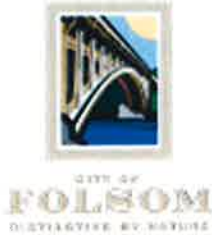
ATTEST:

\_\_\_\_\_  
Christa Freemantle, CITY CLERK

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to facilitate double-sided printing  
and minimize paper use.*



CITY OF  
**FOLSOM**  
DISTINCTIVE BY NATURE



# Folsom City Council Staff Report

<b>MEETING DATE:</b>	7/9/2024
<b>AGENDA SECTION:</b>	Consent Calendar
<b>SUBJECT:</b>	Resolution No. 11226 – A Resolution Authorizing the City Manager to Execute an Agreement with NTU Technologies, Inc. for the Purchase of Chemicals for the Water Treatment Plant
<b>FROM:</b>	Environmental and Water Resources Department

### RECOMMENDATION / CITY COUNCIL ACTION

The Environmental and Water Resources Department recommends the City Council pass and adopt Resolution No. 11226 – A Resolution Authorizing the City Manager to Execute an Agreement with NTU Technologies, Inc. for the Purchase of Chemicals for the Water Treatment Plant.

### BACKGROUND / ISSUE

The City of Folsom’s Water Treatment Plant (WTP) utilizes surface water from Folsom Lake for water supply. The WTP is designed to produce 50 million gallon per day (mgd) of potable water. The treatment processes include rapid mix, pretreatment with a conventional flocculation and sedimentation basin, and an Actiflo system for high rate clarification, a conventional sand/anthracite dual media filter, and solids handling facilities. In order to be consistent with State regulatory requirements and industry best management practices, the City uses a variety of chemicals to aid in the treatment process listed above. These chemicals are vital to these treatment processes.

Several of the chemicals used at the WTP have specific and proprietary properties that necessitate the City to contract directly with a company that can provide these chemicals to meet the City’s water treatment requirements. These chemicals include:

- Aluminum Chlorohydrate (ACH) Primary Coagulant
- Dry Anionic Polymer
- Dry Non-ionic Polymer
- Liquid Cationic Polymer
- Liquid Anionic Polymer

This resolution will authorize the City Manager to execute an agreement with NTU Technologies, Inc. for the purchase of chemicals for use at the Water Treatment Plant.

### **POLICY / RULE**

In accordance with Chapter 2.36 of the Folsom Municipal Code, supplies, equipment, services, and construction with a value of \$73,209 or greater shall be awarded by City Council.

### **ANALYSIS**

When using coagulants, raw water properties can have a significant effect on the type of coagulant to use in the treatment process. These properties include alkalinity, water temperature, turbidity and filterability. These raw water quality properties are very different depending on the time of year, weather events such as storms and snow melt, and Folsom Lake turnover. Changes in the incoming raw water quality will affect settling rates in filters, sludge production, required chemical dosages, and pretreatment turbidity which can all impact the water quality of the treated water. In addition, City staff operates a conventional flocculation and sedimentation basin, a high rate Actiflo flocculation system, and a solids handling system that require specific chemical additions to properly treat the water. Using a polymer that can handle the wide range of these water properties entering the WTP is important to the treatment operators to maintain consistent water quality.

The current chemicals used by the City in the treatment process are very successful in providing high water quality for the City's water customers. In order to maintain current water quality standards, any new chemicals must also meet these standards. In order to ensure any new chemicals would be able to meet these standards, the City would have to perform various analytical tests to confirm the new polymer's ability to perform in a variety of conditions. The process for testing in all seasons of the year, after storm events, during snow melt, and high alkalinity water would be at least a year long process.

In addition to the analytical testing, the City operators would need to inform and follow the State Water Resources Control Board, Division of Drinking Water (DDW) requirements to confirm that changing chemicals would not adversely affect the water quality produced. A year long trial period to confirm the polymer performance, as well as a contingency plan, would be required by DDW.

Furthermore, the City uses specific proprietary chemicals from NTU Technologies at the WTP and receives quality product and good customer service. During calendar year 2018, operators optimized the treatment process, which led to reduced polymer usage throughout the system. Part of this reduction was due to service and testing provided by NTU Technologies. NTU has a location in Davis, CA which allows for very quick response to any City problems and requests.

EWR staff contacted five water providers in the area, including San Juan Water District, Placer County Water Agency, El Dorado Irrigation District, City of Roseville and City of West Sacramento to discuss chemical purchasing and usage. Through these discussions with other water providers in the area, it became clear that treatment process, water supply, quantity of chemicals purchased, chemical equipment, storage available, and chemical dose all affected which polymer was used at a specific plant. There was no correlation to directly compare polymer usage and pricing.



The table below shows costs for chemicals that Environmental and Water Resource staff estimate will be used during fiscal year 2024-25:

<b>Chemical</b>	<b>\$/lb</b>	<b>Est. cost for FY24-25</b>
Aluminum Chlorohydrate, ACH (Primary)	\$0.64	\$300,000
Dry Anionic Polymer	\$3.56	\$55,000
Dry Non-Ionic Polymer	\$4.30	\$5,000
Liquid Cationic Polymer	\$2.33	\$5,000
Liquid Anionic Polymer	\$2.13	\$22,000
<b>Total</b>		<b>\$ 387,000</b>

The Environmental & Water Resources Department recommends a waiver of bid and requests that the City Council authorize the City Manager to execute an agreement with NTU Technologies, Inc. for the purchase of chemicals for the Water Treatment Plant in the amount not to exceed \$387,000.

**FINANCIAL IMPACT**

Sufficient funds for the purchase of Water Treatment Plant chemicals have been included in the FY 2024-25 Water Operating Fund (Fund 520) operating budget.

**ENVIRONMENTAL REVIEW**

This action is exempt from environmental review under the California Environmental Quality Act (CEQA).

**ATTACHMENT**

Resolution No. 11226 – A Resolution Authorizing the City Manager to Execute an Agreement with NTU Technologies, Inc. for the Purchase of Chemicals for the Water Treatment Plant

Submitted,

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Marcus Yasutake, Director  
ENVIRONMENTAL AND WATER RESOURCES DEPARTMENT

**RESOLUTION NO. 11226**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH NTU TECHNOLOGIES INC. FOR THE PURCHASE OF CHEMICALS FOR THE WATER TREATMENT PLANT**

**WHEREAS**, the City identifies that the purchase is critical to ensuring the treatment of high quality water to be delivered to all customers; and

**WHEREAS**, the City of Folsom has identified this purchase as a priority to maintain the integrity and operation of the water treatment system; and

**WHEREAS**, the chemicals have proven to provide high water quality with the City’s unique treatment process and variety of incoming water properties; and

**WHEREAS**, NTU Technologies, Inc. chemicals are specific and proprietary with unique chemical blends optimal for the City’s treatment process, which requires the City purchase these chemicals through a sole source procurement process; and

**WHEREAS**, sufficient funds have been budgeted and are available in the Water Operating Fund (Fund 520); and

**WHEREAS**, the agreement will be in a form acceptable to the City Attorney:

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Folsom authorizes the City Manager to execute an agreement with NTU Technologies, Inc. for the purchase of chemicals for the water treatment plant for an amount not-to-exceed \$387,000.

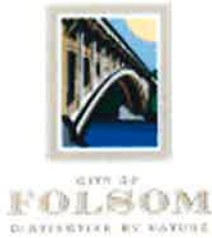
**PASSED AND ADOPTED** this 9<sup>th</sup> day of July, 2024, by the following roll-call vote:

- AYES:** Councilmember(s):
- NOES:** Councilmember(s):
- ABSENT:** Councilmember(s):
- ABSTAIN:** Councilmember(s):

\_\_\_\_\_  
Michael D. Kozlowski, MAYOR

ATTEST:

\_\_\_\_\_  
Christa Freemantle, CITY CLERK



# Folsom City Council Staff Report



<b>MEETING DATE:</b>	7/9/2024
<b>AGENDA SECTION:</b>	Consent Calendar
<b>SUBJECT:</b>	Resolution No. 11228 - A Resolution Authorizing the City Manager to Execute Amendment No. 4 to the Contract with Kimley-Horn and Associates, Inc. for Additional National Environmental Policy Act (NEPA) Environmental Studies for the Folsom Placerville Rail Trail Project (Contract No. 173-21 17-013) and Appropriation of Funds
<b>FROM:</b>	Parks and Recreation Department

### **RECOMMENDATION / CITY COUNCIL ACTION**

Staff Recommends the City Council Approve Resolution No. 11228 – A Resolution Authorizing the City Manager to Execute Amendment No. 4 to the Contract with Kimley-Horn and Associates, Inc. for Additional National Environmental Policy Act (NEPA) Environmental Studies for the Folsom Placerville Rail Trail Project (Contract No. 173-21 17-013) and Appropriation of Funds.

### **BACKGROUND / ISSUE**

The City of Folsom Bikeway Master Plan identifies a Class I bike trail, referred to as the Folsom Placerville Rail Trail, extending from the Humbug-Willow Creek Trail near Mercy Hospital to White Rock Road, with plans to eventually extend into El Dorado County to the City of Placerville. The total alignment would stretch approximately 30 miles through Sacramento and El Dorado counties.

The proposed project would provide Class I trail improvements for bicycles and pedestrians for approximately 1.25 miles. This stretch extends from Humbug-Willow Creek Trail, between Creekside Drive and Oak Avenue Parkway on the west, to Iron Point Road on the east. Most of the project will parallel East Bidwell Street along the Southern Pacific Placerville Branch right-of-way within the existing Sacramento-Placerville Transportation Corridor (SPTC) Joint Powers Authority (JPA).

In March 2017, the City Council awarded a contract to Kimley-Horn and Associates to prepare the environmental analysis and design/engineering plans (up to 30% complete) for the Folsom Placerville Rail Trail project.

In December 2015, the project received a federal grant funding as part of Sacramento Area Council of Government (SACOG) Regional Active Transportation Funding Program. Using federal funds requires the project to comply with the National Environmental Policy Act (NEPA).

In June 2019, Caltrans approved the Preliminary Environmental Study (PES) for the project listing the various studies needed to comply with NEPA. Over the last four months, Caltrans has approved all the studies except the biological resources and cultural resources studies.

For the biological resources study, Caltrans' format and requirements have changed since work first started in 2019. Much of the original work must be redone and updated to reflect the Phase 2 water pipeline alignment, meet new requirements, and address new listed species. The Rail Trail project follows the Phase 2 water pipeline alignment from Oak Avenue to Iron Point Road. Most of the work for the cultural resources study has been completed, but the reports need to be resubmitted and meet current formatting requirements.

This contract amendment would fund Kimley-Horn and Associates to complete the biological and cultural resources studies and navigate the required consultation periods with U.S. Fish and Wildlife Service and State Historic Preservation Officer.

### **POLICY / RULE**

In accordance with Chapter 2.36 of the Folsom Municipal Code, public works projects or purchases costing \$73,209 or greater shall be awarded by the City Council.

### **ANALYSIS**

On December 3, 2015, the SACOG Board approved the City's grant application to the Regional Active Transportation Funding Program, awarding \$1,048,036 to provide partial funding for environmental, preliminary design, and construction of the Folsom Placerville Rail Trail. The original scope of work for Kimley-Horn and Associates included environmental and preliminary engineering design services to develop plans up to 30% complete. Staff is now seeking to fully fund the project for design/engineering and construction through the Active Transportation Program (ATP) Cycle 6 Medium Infrastructure grant application.

The Folsom-Placerville Rail Trail Contract Amendment No. 1 authorized Kimley-Horn and Associates to prepare additional environmental studies requested by Caltrans during the environmental review phase of the project. The Folsom-Placerville Rail Trail Contract Amendment No. 2 authorized additional services from Kimley-Horn and Associates to prepare the Initial Study/Mitigated Negative Declaration. Contract Amendment No. 3 authorized Kimley-Horn and Associates to assist the City with the preparation of a grant application for the ATP Cycle 6 Medium Infrastructure grant. Contract Amendment No. 4 authorizes

additional services to prepare the NEPA biological and cultural resources studies and consultations for the proposed project.

The cost for the extra work associated with the proposed grant assistance services is \$71,600 for an updated total contract amount not-to-exceed \$384,167.

### **FINANCIAL IMPACT**

The City Council approved Resolution No. 9895 at the March 28, 2017 City Council meeting authorizing the City Manager to execute an agreement with Kimley-Horn for design services for the Folsom Placerville Rail Trail Project (Project PK1604) for a total amount not to exceed \$262,765. The City Council subsequently approved Resolution No. 10406 at the April 28, 2020 City Council meeting for Contract Amendment No. 1 for environmental studies for an additional \$25,865 and Resolution No. 10755 at the December 14, 2021 City Council meeting for Contract Amendment No. 3 for assistance in writing the grant application for the ATP Cycle 6 Medium Infrastructure grant. The Folsom Placerville Rail Trail Project (Project PK1604) is included in the Capital Improvement Plan with a Fiscal Year 2024-25 total project budget of \$3,233,838.

The Parks and Recreation Department recommends that Contract Amendment No. 4, which provides additional consulting services, be executed with Kimley-Horn for \$71,600 for a new contract total amount not-to-exceed \$384,167. Staff is requesting an appropriation of \$71,600 in the Transportation Development Act Fund (Fund 248) to fund Contract Amendment No. 4. Sufficient funds are currently available in the Transportation Development Act Fund (Fund 248) for the cost of the amendment. If approved the updated Folsom Placerville Rail Trail Project (Project PK1604) Fiscal Year 2024-25 budget will be \$3,305,438.

### **ENVIRONMENTAL REVIEW**

An environmental analysis will be prepared in accordance with the (NEPA) (42 U.S.C. §4321-4370) and the California Environmental Policy Act (CEQA), (Public Resources Code [PRC] 21000 et seq.).

### **ATTACHMENT**

1. Resolution No. 11228 – A Resolution Authorizing the City Manager to Execute Amendment No. 4 to the Contract with Kimley-Horn and Associates, Inc. for Additional National Environmental Policy Act (NEPA) Environmental Studies for the Folsom Placerville Rail Trail Project (Contract No. 173-21 17-013) and Appropriation of Funds

Submitted,

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Kelly Gonzalez,  
Parks and Recreation Department Director

**RESOLUTION NO. 11228**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO. 4 TO THE CONTRACT WITH KIMLEY-HORN AND ASSOCIATES, INC. FOR ADDITIONAL NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) ENVIRONMENTAL STUDIES FOR THE FOLSOM PLACERVILLE RAIL TRAIL PROJECT (CONTRACT NO. 173-21 17-013) AND APPROPRIATION OF FUNDS**

**WHEREAS**, the City Council approved Resolution No. 9895 at the March 28, 2017 City Council meeting authorizing the City Manager to execute an agreement with Kimley-Horn for design services for the Folsom Placerville Rail Trail Project (Project PK1604); and

**WHEREAS**, it was determined that additional funding is necessary to complete the required National Environmental Policy Act (NEPA) environmental studies; and

**WHEREAS**, there are sufficient funds available in the Transportation Development Act Fund (Fund 248) in Fiscal Year 2024-25 for the additional appropriation in the amount of \$71,600 for an updated total contract amount not-to-exceed \$384,167.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Folsom authorizes the City Manager to execute Contract Amendment No. 4 in the amount of \$71,600 to the contract with Kimley-Horn and Associates for additional consultant services for the Folsom Placerville Rail Trail Project (Project PK1604).

**BE IT FURTHER RESOLVED** that the Finance Director is authorized to appropriate \$71,600 in the Transportation Development Act (TDA) Fund (Fund 248).

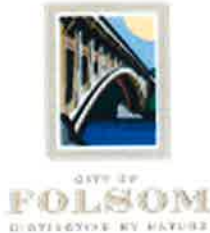
**PASSED AND ADOPTED** this 9<sup>th</sup> day of July 2024, by the following roll-call vote:

- AYES:** Councilmember(s):
- NOES:** Councilmember(s):
- ABSENT:** Councilmember(s):
- ABSTAIN:** Councilmember(s):

\_\_\_\_\_  
Michael D. Kozlowski, MAYOR

ATTEST:

\_\_\_\_\_  
Christa Freemantle, CITY CLERK



# Folsom City Council Staff Report

<b>MEETING DATE:</b>	7/9/2024
<b>AGENDA SECTION:</b>	Consent Calendar
<b>SUBJECT:</b>	Resolution No. 11229 - A Resolution Authorizing the City Manager to Execute Amendment No. 1 to the Contract with Kimley-Horn and Associates, Inc. for Mangini Ranch Trails Project Design and Engineering (Contract No. 173-21 17-054)
<b>FROM:</b>	Parks and Recreation Department

### **RECOMMENDATION / CITY COUNCIL ACTION**

Staff recommends the City Council approve Resolution No. 11229 - A Resolution Authorizing the City Manager to Execute Amendment No. 1 to the Contract with Kimley-Horn and Associates, Inc. for Mangini Ranch Trails Project Design and Engineering (Contract No. 173-21 17-054).

### **BACKGROUND / ISSUE**

The Mangini Ranch Trails Project is located within the Folsom Plan Area Specific Plan (FPASP), specifically in the Mangini Ranch area bounded by Alder Creek Parkway to the north, Old Placerville Road to the east, East Bidwell Street to the west, and White Rock Road to the south. The FPASP includes over 30 miles of planned trails. Currently, there are approximately 5 miles of trails already constructed in the FPA. With the recent construction of two phases of the Mangini Ranch development and future phases underway, staff has commenced with process to design and engineer additional trail segments within the Mangini Ranch development to connect to parks, schools, and other FPA neighborhoods. It is anticipated that approximately 3 miles of trails will be designed and engineered at this time. The trail alignments through this new residential development were approved as part of the FPASP and the Mangini Ranch development project approvals.

In September 2021, the City Council awarded a contract to Kimley-Horn and Associates to prepare the design/engineering plans for the Folsom Plan Area Mangini Ranch Trails project. The original contract was to procure specialized professional services to design and engineer the proposed trails. After completing the design of the trails, a separate process will be

initiated to solicit bids from licensed contractors to construct the Mangini Ranch Trails Project.

Contract Amendment No. 1 would include two additional Class I trail improvement areas to the Mangini Ranch Trails project that were outside of the original contract scope of services with Kimley-Horn and Associates. One of the new areas will continue the Class I trail constructed by a developer north of the SMUD substation to connect to the existing Class I trail to the east, crossing the former Old Placerville Road and existing Sacramento Placerville Transportation Corridor (SPTC) Joint Powers Authority (JPA) railroad tracks. The other area will continue the Class I trail on the east side parallel to the railroad tracks from the existing Class I trail south of Grand Prairie to White Rock Road (approximately 2,400 feet in length).

### **POLICY / RULE**

In accordance with Sections 2.36.090(A)(1) and 2.36.120 of the Folsom Municipal Code, professional services are not subject to competitive sealed bidding requirements, and those costing \$73,209 or greater shall be awarded by the City Council.

### **ANALYSIS**

A topographic survey is necessary to complete the design of the Class I trail crossing of the railroad tracks, while the extension of the Class I trail south to White Rock Road will be completed using scaled aerial imagery. The developer provided horizontal and vertical as-built plans were incomplete when the project topographic survey was conducted in 2022, therefore, requiring additional topographic survey for the two Class I trail segment areas.

Due to changes in design direction and work completed by developers that was not fully known at the time of the original contract, the project did not require nor complete the structural and geotechnical scope of services in the original contract. This contract amendment is intended to document these scope reductions. The budget for these tasks in the original contract (Task 2.2 and Subtask 2.2.1, respectively) was agreed to be reallocated to other design tasks and has been expanded.

The original contract with Kimley-Horn and Associates was \$180,240, and this amount is included within the FY 2024-25 Capital Improvement Plan budget. The contract amendment for the two new Class I trail segments is \$31,734, for an updated total contract amount not-to-exceed \$211,974

### **FINANCIAL IMPACT**

The City Council approved Resolution No. 10681 at the September 14, 2021 City Council meeting authorizing the City Manager to execute an agreement with Kimley-Horn and Associates for planning and design services for the Folsom Plan Area Mangini Ranch Trails Project (Project PK2201). The project is included in the Capital Improvement Plan with a Fiscal Year 2024-25 total project budget of \$3,380,240.

The Parks and Recreation Department recommends that Contract Amendment No. 1, which provides project design and engineering services, be executed with Kimley-Horn for \$31,734



for a new contract total amount not-to-exceed \$211,974. Sufficient funds are budgeted and available in the Folsom Plan Area Mangini Ranch Trails Project (Project PK2201) budget for the cost of the amendment.

### **ENVIRONMENTAL REVIEW**

The City, as lead agency, previously certified an EIR/EIS for the Folsom Plan Area Specific Plan (FPASP). Subsequently, the City determined that the Mangini Ranch Subdivision project, including the future Mangini Ranch Trails, was entirely consistent with the FPASP. In reviewing this project, staff has determined that none of the events specified in Public Resources Code section 21166 has occurred. Therefore, the proposed project is exempt from CEQA as previously determined per Government Code section 65457 and CEQA Guidelines section 15182.

### **ATTACHMENT**

1. Resolution No. 11229 - A Resolution Authorizing the City Manager to Execute Amendment No. 1 to the Contract with Kimley-Horn and Associates, Inc. for Mangini Ranch Trails Project Design and Engineering (Contract No. 173-21 17-054)

Submitted,

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Kelly Gonzalez,  
Parks and Recreation Department Director

**RESOLUTION NO. 11229**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO. 1 TO THE CONTRACT WITH KIMLEY-HORN AND ASSOCIATES, INC. FOR MANGINI RANCH TRAILS PROJECT DESIGN AND ENGINEERING (CONTRACT NO. 173-21 17-054)**

**WHEREAS**, on September 14, 2021, Kimley-Horn and Associates was selected based on their qualifications and experience in engineering design services; and

**WHEREAS**, it was determined that additional design and engineering services are necessary to complete additional Class I trail segment design/engineering for the Mangini Ranch Class I trails; and

**WHEREAS**, the Parks and Recreation Department recommends that Contract Amendment No. 1, which provides project design and engineering services, be executed with Kimley-Horn for \$31,734 for a new contract total amount not-to-exceed \$211,974; and

**WHEREAS**, sufficient funds are budgeted and available in the Folsom Plan Area Mangini Ranch Trails Project (Project PK2201) budget for the cost of the amendment.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Folsom authorizes the City Manager to execute Contract Amendment No. 1 in the amount of \$31,734 to the contract with Kimley-Horn and Associates for additional consultant services for the Folsom Plan Area Mangini Ranch Trails Project (Project PK2201).

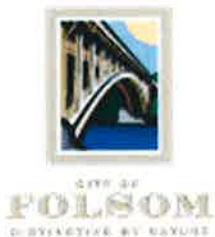
**PASSED AND ADOPTED** this 9<sup>th</sup> day of July 2024, by the following roll-call vote:

- AYES:** Councilmember(s):
- NOES:** Councilmember(s):
- ABSENT:** Councilmember(s):
- ABSTAIN:** Councilmember(s):

\_\_\_\_\_  
Michael D. Kozlowski, MAYOR

ATTEST:

\_\_\_\_\_  
Christa Freemantle, CITY CLERK



## Folsom City Council Staff Report

<b>MEETING DATE:</b>	7/9/2024
<b>AGENDA SECTION:</b>	Consent Calendar
<b>SUBJECT:</b>	Resolution No. 11230 – A Resolution Authorizing the City Manager to Execute a Communications Site License Agreement with Dish Wireless, LLC at B.T. Collins Park
<b>FROM:</b>	Parks and Recreation Department

### **RECOMMENDATION / CITY COUNCIL ACTION**

Staff recommends the City Council approve Resolution No. 11230 - A Resolution Authorizing the City Manager to Execute a Communications Site License Agreement with Dish Wireless, LLC at B.T. Collins Park.

### **BACKGROUND / ISSUE**

In August 2023, a representative from Dish Wireless, LLC contacted the Folsom Parks & Recreation Department to propose a site license agreement for ground space at B.T. Collins Park, 828 Willow Creek Drive. PG&E owns several towers within B.T. Collins Park, and Dish Network, LLC is collaborating directly with PG&E on a co-locator agreement for the tower space.

The proposed agreement will encompass approximately 151 square feet of ground space that will be used for equipment below the PG&E electrical tower.

### **POLICY / RULE**

In accordance with section 2.02 of the Folsom Municipal Code, all powers of the City shall be vested in the City Council, except as otherwise provided by the City Charter.

### **ANALYSIS**

The major terms and conditions of the proposed agreement are highlighted below:

1. The term will commence on the first day of the month following the commencement of the installation of their facilities.
2. The initial term of the agreement shall be ten years, and shall subsequently renew for five additional five-year terms, running concurrently with the term of the PG&E license.
3. Initial annual sublease rate of \$13,500 with an annual escalator of 3% after the first year.

### **FINANCIAL IMPACT**

The total value of the license agreement, inclusive of renewal option years, would be \$816,238.10 over the 35-year period. The City Attorney's Office has reviewed and approved the license agreement as to form.

### **ENVIRONMENTAL REVIEW**

Environmental review is not required pursuant to section 15301 of the CEQA Guidelines (related to Existing Facilities) and section 15303 of the CEQA Guidelines (related to new construction or conversion of small structures). Based on staff's analysis, none of the exceptions in Section 15300.2 of the CEQA Guidelines apply to the use of the categorical exemptions in this case.

### **ATTACHMENT**

Resolution No. 11230 – A Resolution Authorizing the City Manager to Execute a Communications Site License Agreement with Dish Wireless, LLC at B.T. Collins Park.

Submitted,

Kelly Gonzalez, Parks & Recreation Director

**RESOLUTION NO. 11230**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A COMMUNICATIONS SITE LICENSE AGREEMENT WITH DISH WIRELESS, LLC AT B.T. COLLINS PARK**

**WHEREAS**, Dish Wireless, LLC desires to co-locate their cellular communications equipment on a Pacific Gas and Electric Company electrical tower within B.T. Collins Park; and

**WHEREAS**, Dish Wireless, LLC desires to lease ground space consisting of approximately one hundred and fifty-one square feet for its equipment below the PG&E electrical tower; and

**WHEREAS**, the initial term of the Communications Site License Agreement shall be ten years and shall subsequently renew for five additional terms of five years each; and

**WHEREAS**, the total value of the license agreement, inclusive of renewal option years would be \$816,238.10 over the 35-year period; and

**WHEREAS**, the agreement will be in a form acceptable to the City Attorney:

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Folsom authorizes the City Manager to execute a communications site license agreement with Dish Wireless, LLC at B.T. Collins Park.

**PASSED AND ADOPTED** this 9th day of July, 2024, by the following roll-call vote:

- AYES:** Councilmember(s):
- NOES:** Councilmember(s):
- ABSENT:** Councilmember(s):
- ABSTAIN:** Councilmember(s):

\_\_\_\_\_  
Michael D. Kozlowski, MAYOR

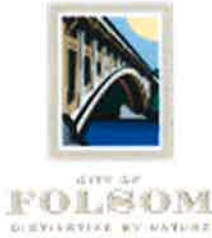
ATTEST:

\_\_\_\_\_  
Christa Freemantle, CITY CLERK

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to facilitate double-sided printing  
and minimize paper use.*



CITY OF  
**FOLSOM**  
DISTINCTIVE BY NATURE



## Folsom City Council Staff Report

<b>MEETING DATE:</b>	7/9/2024
<b>AGENDA SECTION:</b>	Consent Calendar
<b>SUBJECT:</b>	Receive Annual Report regarding Police Use of Military Type Equipment and Approve Resolution No. 11231 - A Resolution Renewing Ordinance No. 1326 and Determining That Specified “Military Equipment” Used by the Folsom Police Department has Complied with Standards for Approval Set Forth in State Law
<b>FROM:</b>	Police Department

**RECOMMENDATION / CITY COUNCIL ACTION**

Staff recommends that the City Council receive the annual report for use of ‘military’ type equipment and approve Resolution No. 11231 - A Resolution Renewing Ordinance No. 1326 and Determining That Specified “Military Equipment” Used by the Folsom Police Department has Complied with Standards for Approval Set Forth in State Law.

**BACKGROUND / ISSUE**

On May 24<sup>th</sup>, 2022, City Council first approved the use of certain ‘military’ type equipment to be in compliance with Assembly Bill 481, which as of 2022, required a law enforcement agency (LEA) to obtain approval from the applicable governing body, via adoption of an ordinance approving a “military equipment” use policy, prior to the LEA, acquiring, using, or seeking funds for military equipment. AB 481 defines “military equipment” broadly and creates explicit parameters for the military equipment use policy it requires.

As a result of City Council approval, City of Folsom Ordinance 1326 was enacted along with Folsom Police Policy 707. Ordinance 1326 was renewed by the Council on June 27, 2023.

AB 481 requires an annual report for each type of approved equipment. The law also requires City Council to review and vote on whether to renew the military equipment use ordinance at least annually.

## **POLICY / RULE**

### **Annual Report**

In accordance with Folsom Police Policy 707 and Assembly Bill 481 an annual report must be submitted to City Council. The requirements for the annual report are (in summary):

- Annual report submitted to City Council, summarizing how the equipment was used.
- The annual report must be made public.
- The results of any internal audits or complaints and actions taken.
- The total annual cost of applicable items.
- An inventory of how many applicable items are possessed.
- If the department intends to acquire additional applicable equipment in the next year, the type and quantity of equipment sought.

### **Ordinance Renewal**

AB 481 also requires the Council to review Ordinance 1326 at least annually and to vote on whether to renew the ordinance. As a part of this review, the Council must determine, based on the annual military equipment report described above, whether each type of military equipment identified in that report has complied with the following standards for approval:

- A. The military equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.
- B. The proposed military equipment use policy will safeguard the public's welfare, safety, civil rights, and civil liberties.
- C. If purchasing equipment, the equipment is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety.
- D. Prior military equipment use complied with the military equipment use policy that was in effect at the time.

If the Council determines that each type of military equipment identified in the report has complied with the standards for approval, it may vote to renew the ordinance. If the Council determines that a type of military equipment identified in the annual report has not complied with the standards for approval, the Council must either disapprove a renewal of the authorization for that type of military equipment or require modifications to the military equipment use policy in a manner that will resolve the lack of compliance.



## ANALYSIS

### Annual Report

The Police Department utilized several of the items listed in City of Folsom Ordinance 1326 as well as Folsom Police Policy 707 over the last year. These items were used in a variety of incidents including but not limited to: barricaded subjects, high risk incidents, critical incidents, high risk building entries, felony vehicle stops, suspect searches, missing person searches, outside agency assistance, training, etc.

#### Number of operational uses per applicable items:

1. Armored Vehicle (Bearcat)- 13
2. Drone (all)- 13
3. Tactical Robot (Robotex Avatar)- 1
4. Long Range Acoustical Device (LRAD)- 5
5. SWAT Rifle- 21
6. Patrol/Officer Rifle- 15
7. Less Lethal Shotgun- 21
8. Less Lethal Munition Launcher- 3
9. Mobile Command and Communications Unit (MCCU)- 2
10. Anti Vehicle Barriers- 5
11. Diversionary Devices- 3
12. Less Lethal Baton- 0
13. Less Lethal Bean Bag- 3
14. Chemical Munitions- 2
15. Sniper Ammunition- 0

#### Number of training uses per applicable items:

1. Armored Vehicle (Bearcat)- 15
2. Drone (all)- 15
3. Tactical Robot (Robotex Avatar)- 5
4. Long Range Acoustical Device (LRAD)- 2
5. SWAT Rifle- 24
6. Patrol/Officer Rifle- 5
7. Less Lethal Shotgun- 5
8. Less Lethal Munition Launcher- 4
9. Mobile Command and Communications Unit (MCCU)- 2
10. Anti Vehicle Barriers- 0
11. Diversionary Devices- 5
12. Less Lethal Baton- 1
13. Less Lethal Bean Bag- 5
14. Chemical Munitions- 5
15. Sniper Ammunition- 3,500

The Police Department received one community complaint related to the use of drones and the display of SWAT Rifles during a search warrant. The complaint was investigated and determined to be unfounded.

Once submitted, a copy of this report will be placed on the Police Department's website.

In June 2024, the Police Department replaced the current Less Lethal Munition Launchers with Defense Technology 40 mm launchers and required munitions. The Launcher is slated for deployment by the Patrol Division and the SWAT Team. This device boasts several features that render it superior and safer compared to the current launcher in deployment. Equipped with a rifled barrel, it facilitates more precise shot placement and ensures consistent velocities. Notably, it is lighter and more compact than its predecessor, allowing for direct deployment from patrol vehicles. Moreover, it offers the flexibility of both standard range (5-40 meters) and extended range (10-70 meters), thereby expanding the safe distance for engaging aggressive, non-compliant individuals without direct contact. These items have not been authorized for use pending the required training and approval of this report. The current less lethal munition launcher will be taken out of service pending approval of this report and the required training for our personnel.

The Police Department does intend on acquiring a new tactical robot within the next reporting period. The current robot is outdated and in need of replacement. The Police Department was awarded a Homeland Security grant which will cover the entire cost of the robot but is currently awaiting delivery of the award letter. A future staff report will be submitted for approval.

#### Ordinance Renewal

As shown in the annual report, each type of equipment used has complied with the standards for approval referenced in the Policy/Rule section of this report.

Over the past year, there have been no changes to the necessity for any of the listed equipment. It remains the case that no reasonable alternatives exist to achieve the same objectives of officer and civilian safety gained by use of the listed equipment. As stated to the Council in our initial presentation on this issue, items deemed to be "military equipment" by AB 481 are used as a component of overall best practices for law enforcement agencies throughout the country. These tools have been tested in the field and are used by law enforcement to enhance citizen safety and officer safety. Loss of these items would jeopardize the welfare of citizens and peace officers within the City of Folsom. For example, the rifles deemed to be "military equipment" allow peace officers to address lethal threats from a greater distance, with greater precision. These statements remain true today.

Police Policy 707 has and will continue to safeguard the public's welfare, safety, civil rights, and civil liberties. As explained in association with adoption of Ordinance 1326, all sworn officers with the Folsom Police Department are bound by a stringent set of laws, policies, and procedures which are in line with the public's welfare, safety, civil rights, and civil liberties. Similarly, all officers are trained in a variety of strategies and tactics which are in line with the laws, policies, and procedures by which we are bound, prior to the use or

application of any military type equipment. These policies, procedures, and training requirements are all reflected in Police Policy 707 and no changes to that Policy are proposed.

The Police Department's use of military type equipment over the past year complied with Police Policy 707. As explained above, the equipment was used in a variety of incidents including but not limited to: barricaded subjects, high risk incidents, critical incidents, high risk building entries, felony vehicle stops, suspect searches, missing person searches, outside agency assistance, training, etc. The equipment used in each incident was authorized for such uses, as documented in Police Policy 707. In addition, the officers using the equipment were properly trained before each deployment, as required.

While the Department is considering the purchase of a new tactical robot, that equipment is not being requested or approved as a part of this report. A future staff report will analyze the standard for approval of new equipment in association with that proposed purchase.

### **ENVIRONMENTAL REVIEW**

The California Environmental Quality Act (CEQA) does not apply to activities that will not result in a direct or reasonably foreseeable indirect physical change in the environment or to activities that are not otherwise considered a "project" as defined by Public Resources Code § 21065. (CEQA Guidelines § 15061(c)(3) and § 15378.) The Council's decision regarding renewal of Ordinance 1326 meets the above criteria and is not subject to CEQA. No environmental review is required.

### **FINANCIAL IMPACT**

The estimated yearly financial impact of listed items (training and operational), including maintenance costs during this reporting period was approximately \$15,165.

### **ATTACHMENTS**

1. Resolution No. 11231 - A Resolution Renewing Ordinance No. 1326 and Determining that Specified "Military Equipment" Used by the Folsom Police Department has Complied with Standards for Approval Set Forth in State Law
2. Updated Inventory List of Equipment - 2024
3. Folsom Police Policy 707

Submitted,

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Richard Hillman, Chief of Police

## Attachment 1

**Resolution No. 11231 - A Resolution Renewing Ordinance No. 1326  
and Determining that Specified "Military Equipment" Used by the  
Folsom Police Department has Complied with Standards for Approval  
Set Forth in State Law**

**RESOLUTION NO. 11231****A RESOLUTION RENEWING ORDINANCE NO. 1326 AND  
DETERMINING THAT SPECIFIED “MILITARY EQUIPMENT” USED BY THE  
FOLSOM POLICE DEPARTMENT  
HAS COMPLIED WITH STANDARDS FOR APPROVAL SET FORTH IN STATE LAW**

**WHEREAS**, on September 30, 2021, Governor Gavin Newsom signed into law Assembly Bill 481, relating to the use of “military equipment” by law enforcement agencies; and

**WHEREAS**, Assembly Bill 481, codified at Government Code section 7070 through 7075, requires law enforcement agencies to obtain approval from the applicable governing body, by an ordinance adopting a “military equipment” use policy, at a regular meeting held pursuant to open meeting law, before taking certain actions related to the funding, acquisition, or use of “military equipment”; and

**WHEREAS**, the term “military equipment” is defined in Government Code section 7070; and

**WHEREAS**, on May 24, 2022, the City Council adopted Ordinance No. 1326 approving the Folsom Police Department’s Military Equipment Use Policy in compliance with Assembly Bill 481; and

**WHEREAS**, Assembly Bill 481 requires law enforcement agencies to submit an annual military equipment report containing specified information to the applicable governing body; and

**WHEREAS**, Assembly Bill 481 requires the governing body of a law enforcement agency to review its “military equipment” ordinance at least annually and vote on whether to renew the ordinance at a regular meeting held pursuant to open meeting law; and

**WHEREAS**, Assembly Bill 481 requires the governing body to determine whether each type of military equipment identified in the annual military equipment report has complied with specified standards for approval in association with the annual renewal of the ordinance; and

**WHEREAS**, the annual military equipment report was submitted to the City Council at the July 9, 2024 meeting.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Folsom makes the following determinations after reviewing the annual military equipment report submitted by the Folsom Police Department:

1. Each type of military equipment identified in the report is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.
2. Police Policy 707 will safeguard the public’s welfare, safety, civil rights, and civil

liberties.

- 3. No new military equipment is proposed for purchase at this time.
- 4. Prior military equipment use complied with Police Policy 707.

**BE IT FURTHER RESOLVED** that the City Council of the City of Folsom has reviewed and hereby renews Ordinance No. 1326 in accordance with Government Code section 7071.

**PASSED AND ADOPTED** this 9<sup>th</sup> day of July 2024, by the following roll-call vote:

- AYES:** Councilmember(s):
- NOES:** Councilmember(s):
- ABSENT:** Councilmember(s):
- ABSTAIN:** Councilmember(s):

\_\_\_\_\_  
Michael D. Kozlowski, MAYOR

ATTEST:

\_\_\_\_\_  
Christa Freemantle, CITY CLERK

Attachment 2  
Updated Inventory List of Equipment - 2024



<b>DJI Matrice 210</b>	
Description	Commercial UAS
Quantity	1
Capability	Fly, Hover, broadcast video, record video, Photography, FLIR, carry payload up to approx. 7.5lbs.
Life Span	UAS devices need to be upgraded as software becomes obsolete by vendors.
Manufacturer's Description	Commercial grade UAV equipped with a thermal imaging camera and a 30x zoom camera. 38 mins. maximum flight time. Has live stream capabilities.
Purpose	Provide Aerial Support for L.E. operations
Authorized Usage	Investigative Used by SWAT, Patrol, Search and Rescue to locate persons.
Costs	\$30,000 approx. \$2,000 anticipated yearly maintenance & battery cost
Required Training	32-hr Basic Pilots Course (or equivalent), FAA Remote Pilot Certificate (Part 107)
Authority for Authorized Use	Certificate of Authority issued by FAA - #2020-WSA-7949-COA, FAA Part 107 holder and completion of Department Training, Folsom Police Department Policy – Section 391

<b>DJI Phantom 4 Pro</b>	
Description	Commercial UAS
Quantity	1
Capability	Fly, Hover, broadcast video, record video, Photography
Life Span	UAS devices need to be upgraded as software becomes obsolete by vendors.
Manufacturer's Description	Commercial grade UAS equipped with UHD capable camera. Has live stream capability and 28 min. flight time.
Purpose	Provide Aerial Support for L.E. operations
Authorized Usage	Investigative Used by SWAT, Patrol, Search and Rescue to locate persons.
Costs	\$2,500 approx. \$300 anticipated yearly maintenance & battery cost
Required Training	32-hr Basic Pilots Course (or equivalent), FAA Remote Pilot Certificate (Part 107)
Authority for Authorized Use	Certificate of Authority issued by FAA - #2020-WSA-7949-COA, FAA Part 107 holder and completion of Department Training, Folsom Police Department Policy – Section 391

<b>DJI Mavic 2 Enterprise</b>	
Description	Commercial UAS
Quantity	3
Capability	Fly, Hover, broadcast video, record video, Photography, broadcast instant and/or prerecorded notifications.
Life Span	UAS devices need to be upgraded as software becomes obsolete by vendors.
Manufacturer's Description	Commercial grade UAS equipped with Single 4k colored camera with Zoom capabilities. Has live stream capability and 30 min. flight time.
Purpose	Provide Aerial Support for L.E. operations
Authorized Usage	Investigative Used by SWAT, Patrol, Search and Rescue to locate persons.

Costs	\$3,600 \$400 anticipated yearly maintenance & battery cost	approx.
Required Training	32-hr Basic Pilots Course (or equivalent), FAA Remote Pilot Certificate (Part 107)	
Authority for Authorized Use	Certificate of Authority issued by FAA - #2020-WSA-7949-COA, FAA Part 107 holder and completion of Department Training, Folsom Police Department Policy – Section 391	

<b>DJI Mavic 2 Zoom</b>		
Description	Commercial UAS	
Quantity	1	
Capability	Fly, Hover, broadcast video, record video, Photography.	
Life Span	UAS devices need to be upgraded as software becomes obsolete by vendors.	
Manufacturer's Description	Commercial grade UAS equipped with Single 4k colored camera with Zoom capabilities. Has live stream capability and 30 min. flight time.	
Purpose	Provide Aerial Support for L.E. operations	
Authorized Usage	Investigative Used by SWAT, Patrol, Search and Rescue to locate persons.	
Costs	\$1,500 approx. \$400 anticipated yearly maintenance & battery cost	
Required Training	32-hr Basic Pilots Course (or equivalent), FAA Remote Pilot Certificate (Part 107)	
Authority for Authorized Use	Certificate of Authority issued by FAA - #2020-WSA-7949-COA, FAA Part 107 holder and completion of Department Training, Folsom Police Department Policy – Section 391	

<b>DJI Mavic Mini 2</b>		
Description	Commercial UAS	
Quantity	2	
Capability	Fly, Hover, broadcast video, record video, Photography.	
Life Span	UAS devices need to be upgraded as software becomes obsolete by vendors.	
Manufacturer's Description	Commerical grade UAS equipped with Single 4k colored camera. Has live stream capability and 30 min. fight time.	
Purpose	Provide Aerial Support for L.E. operations	
Authorized Usage	Investigative Used by SWAT, Patrol, Search and Rescue to locate persons.	
Costs	\$500 approx. \$80 anticipated yearly maintenance & battery cost	
Required Training	32-hr Basic Pilots Course (or equivalent), FAA Remote Pilot Certificate (Part 107)	
Authority for Authorized Use	Certificate of Authority issued by FAA - #2020-WSA-7949-COA, FAA Part 107 holder and completion of Department Training, Folsom Police Department Policy – Section 391	

<b>DJI Mavic Mini</b>		
Description	Commercial UAS	
Quantity	1	

Capability	Fly, Hover, broadcast video, record video, Photography.
Life Span	UAS devices need to be upgraded as software becomes obsolete by vendors.
Manufacturer's Description	Commerical grade UAS equipped with Single 4k colored camera. Has live stream capability and 30 min. fight time.
Purpose	Provide Aerial Support for L.E. operations
Authorized Usage	Investigative Used by SWAT, Patrol, Search and Rescue to locate persons.
Costs	\$400 approx. \$80 anticipated yearly maintenance & battery cost
Required Training	32-hr Basic Pilots Course (or equivalent), FAA Remote Pilot Certificate (Part 107)
Authority for Authorized Use	Certificate of Authority issued by FAA - #2020-WSA-7949-COA, FAA Part 107 holder and completion of Department Training, Folsom Police Department Policy – Section 391
<b>LOKI-Mk2</b>	
Description	Commercial UAS
Quantity	4
Capability	Fly, Hover, broadcast video.
Life Span	UAS devices need to be upgraded as software becomes obsolete by vendors.
Manufacturer's Description	Commerical grade UAS equipped with Single 4k colored camera. 30 min. fight time.
Purpose	Provide Aerial Support for L.E. operations
Authorized Usage	Investigative Used by SWAT, Patrol for interior tactical scouting missions.
Costs	\$20,000 approx. \$200 anticipated yearly maintenance & battery cost
Required Training	32-hr Basic Pilots Course (or equivalent), FAA Remote Pilot Certificate (Part 107)
Authority for Authorized Use	Certificate of Authority issued by FAA - #2020-WSA-7949-COA, FAA Part 107 holder and completion of Department Training, Folsom Police Department Policy – Section 391
Authority for Authorized Use	Completion of Department Training, Folsom Police Department Policy – Section 391

<b>Blu-Link Streaming Box</b>	
Description	Commerical streaming box
Quantity	1
Capability	Streams video in real-time HD video over a secure internet connection.
Life Span	3-5 years
Manufacturer's Description	Portable video streaming device to stream live HD video in real time over a secure Internet connection.
Purpose	Provide real-time video over a secure internet connection for situational awareness and scene assessment.
Authorized Usage	Completion of Department Training, Folsom Police Department Policy – Section 391

Costs	\$5,400 \$50 anticipated yearly maintenance & battery cost	approx.
Required Training	In house departmental training. No POST requirement.	
Authority for Authorized Use	Completion of Department Training, Folsom Police Department Policy – Section 391	
<b>Avatar III</b>		
Description	Robotex INC Avatar III Robot	
Quantity	1	
Capability	<p>The Avatar III Robot is a radio controlled robot on a track system of propulsion and is outfitted with Cameras, Speakers, and Microphones. The robot increases officers ability to conduct searches in high risk scenarios by providing video and audio into areas that may not be safe for officers to enter. In addition the cameras, speakers, and micorphones allow for 2 way communication between officers and subjects during critical incidents such as barricaded subjects, hostage situations, or suicidal subjects. The camera system provides additional safety for officers when placed in strategic positions to monitor doorways, hallways or access points. The Avatar III Robot is regulary used by the SWAT team during his risk search warrants, emergency calls, and during outside agency requests for assistance. The Crisis Negotiations Team (CNT) is also able to use the robot for direct communication during critical incidents when other forms of direct contact are unsuccessful.</p>	
Life Span	15 years	
Manufacturer's Description	<p>The AVATAR® enhances the capabilities of SWAT and tactical response teams by allowing them to inspect dangerous situations quickly and safely, there is no longer a need to send personnel in before you've had a chance to assess the situation. The AVATAR® saves lives by keeping first responders out of harm's way, and it does so at a fraction of the price of other robots. The AVATAR® Robots are regarded by tactical teams as a standard operational tool, like a firearm, vehicle, or piece of body armor. Departments across the United States and internationally are using the AVATAR® Robots</p>	
Purpose	To enhance safety for officers and subjects during high risk or critical Incidents.	
Authorized Usage	Assisting in lawful searches and surveillance. Communications during critical incidents	
Costs	\$26000 anticipated yearly maintenance & battery cost	\$0
Required Training	In house departmental training. No POST requirement.	
Authority for Authorized Use	It is the policy of the FPD to utilize a robot only for official law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal law.	

<b>Lenco Bearcat G2</b>	
Description	Armored personnel carrier
Quantity	1
Capability	The BearCat is a large mobile armored vehicle used to conduct rescues mission for both officers and the public, transport personnel and equipment, and provide security to the public.
Life Span	25 years
Manufacturer's Description	<p>The Lenco Bearcat is an armored vehicle built on a Ford F550 frame and is manufactured for law enforcement purposes. The purpose of the Bearcat armored vehicle is to provide ballistic protection to officers and citizens from gunfire. The armored vehicle stops rifle rated rounds including .50 caliber which is commercially available and beyond the protection level of shield and personal body armor possessed by the department.</p> <p>The Bearcat is often deployed several times a month by SWAT personnel while serving high risk search warrants or assisting other agency. It can be utilized by trained patrol personnel to rescue downed officers and citizens. The Bearcat has been struck by gunfire several times and protected the officers inside, behind it, and the community.</p> <p>Protecting officers allows them to contain the suspect and reduce the immediacy of the threat while communicating and de-escalating. Crisis Negotiations Team (CNT) members have operated from inside the armored vehicles during search warrant and SWAT callouts where they communicate with the suspect and attempt to de-escalate.</p>
Purpose	Regional asset and provides armored vehicle response to critical incidents.
Authorized Usage	To protect and safely transport Police personnel to active scenes. Provide security for officers and the public. It is used by the SWAT and officers.
Costs	\$275,000 approx. \$1,000 anticipated yearly maintenance cost
Required Training	All drivers/ operators shall attend formalized instruction and be trained in vehicle operations and practical driving instruction.
Authority for Authorized Use	Use is established under FPD Policy 705. It is the policy of the Department to utilize armored vehicles only for official law enforcement purposes, and pursuant to State and Federal law.

<b>Mobile Command &amp; Communications Unit (MCCU)</b>	
Description	LDV Custom Specialty Vehicles Command Vehicle
Quantity	1
Capability	The MCCU can be utilized for SWAT/CINT and other critical incidents, preplanned large events, searching for missing persons, natural disasters, and community events
Life Span	20 years

Manufacturer's Description	The LDV Custom Specialty Vehicle is a mobile command center built on a 2006 Freightliner chassis and customized for law/fire command/communication purposes. The purpose of the LDV Mobile Command and Communication Unit (MCCU) is to provide an interior space for command staff to plan and organize responses to critical incidents and special events. The MCCU is specially equipped with an onboard dispatch center, a command area, and a radio interoperability system (RIOS) which allows radio communication between local, state, and federal law enforcement entities which currently operate under different radio systems/frequencies. The vehicle contains radios with varying frequencies including 800 megahertz, very high frequency (VHF), ultrahigh frequency (UHF), low band, and short-wave radio systems. The vehicle has internet capability and computer resources along with access to television channels allowing access to real time news/information. The vehicle is also equipped with a video downlink system allowing command staff to view live feeds from fire/law enforcement aircraft and UAS devices.
Purpose	To be used based on the specific circumstances of a given critical incident, large event, natural disaster or community event that is taking place.
Authorized Usage	Situations which the MCCU is authorized for use would include but not be limited to critical incidents, emergencies, and natural disasters.
Costs	\$750,000 approx. \$4,000 anticipated yearly maintenance cost
Required Training	The MCCU operators will receive training in the overall operation of the vehicle to include set up and break down procedures, and skills training in the computer, dispatch, and radio systems. The drivers will receive training in the safe handling of the vehicle with the assistance of an experienced driver. Drivers will undergo California Department of Motor Vehicles commercial vehicle testing. This training will occur on a bi-monthly basis
Authority for Authorized Use	It is the policy of the Department to use the MCCU for official fire and law enforcement purposes, and in accordance with California State law regarding operation of motor vehicles

<b>Colt M4 Carbine (11.5")</b>	
Description	Enhanced Patrol Rifle
Quantity	14
Capability	These rifles fire an intermediate-power cartridge (.223) which is more powerful than a standard pistol but less powerful than a standard rifle. It's a short barreled rifle which allows SWAT Officers better control while inside of structures while still providing great accuracy.
Life Span	10-15 years
Manufacturer's Description	Built for the demanding use of those who protect our communities every day, the Colt Enhanced Patrol Rifle (EPR) is the next evolution in the world's most dependable, thoroughly field-tested patrol rifle. Featuring an extended handguard that accepts modular rail segments for mounting a wide variety of pro-grade optics, lighting, and ergonomics-enhancing accessories, as well as the highly durable Magpul® MBUS® Pro Series front and rear back up sights and B5 Bravo buttstock. The Colt EPR reestablishes the Colt AR-15® as the finest tool for local, regional, and national law enforcement agencies.
Purpose	The AR-15 can stop threats of great bodily injury or death at close and intermediate ranges. The AR-15 platform is capable of firing more accurately and quicker than a pistol while holding more rounds in the magazine and having better ballistic qualities.
Authorized Usage	To defend against an imminent threat of serious bodily injury or death. Used by SWAT
Costs	\$1,100 anticipated yearly maintenance cost
Required Training	Prior to using a rifle, officers must be certified by POST instructors in the operation of the rifle. Additionally, all members that operate any rifle are required to pass a range qualification once a year.
Authority for Authorized Use	Use is established under FPD Policy 300 and Policy 311. It is the policy of the FPD to utilize rifles only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

<b>Accuracy International AT-308</b>	
Description	Sniper Rifle
Quantity	4
Capability	This weapon shoots a heavier round. It is utilized when there is a potential need to engage a target further away than the capabilities of our issued rifles or to engage a target behind an intermediate barrier such as glass or metal. The weapon is often deployed in an overwatch capacity to protect the public during events such as the International Marathon.
Life Span	10-15 years
Manufacturer's Description	The AT (Accuracy Tactical) continues the legacy of the combat proven AW308 and takes the AW to new levels. The AIAT has a 20-inch quick change barrel and a folding stock. The AT is ideal for Law Enforcement and civilian users.
Purpose	The AIAT is an accurate rifle for precision shooting. These rifles are equipped with magnified optics and can be utilized to take precision shots at intermediate to long ranges. The .308 caliber bullet it shoots is also bigger and heavier than a typical .223 caliber bullet from an AR-15 which means it will penetrate barriers like glass with much less deflection.

Authorized Usage	To defend against an imminent threat of serious bodily injury or death. Used by SWAT
Costs	\$5,000 anticipated yearly maintenance cost
Required Training	Prior to using a rifle, officers must be certified by POST instructors in the operation of the rifle. Additionally, all members that operate any rifle are required to pass a range qualification once a year.
Authority for Authorized Use	Use is established under FPD Policy 300 and Policy 311. It is the policy of the FPD to utilize rifles only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

<b>Benelli M3 Tactical Shotgun</b>	
Description	SWAT Shotgun
Quantity	3
Capability	This is a 12-gauge semi-automatic pump shotgun used by SWAT officers. The semi-automatic capability reduces time between rounds versus a standard pump action shotgun. Not having to manipulate a fore-end gives SWAT officer the ability to get back on target faster increasing officer safety. The round is good for defeating barriers.
Life Span	10-15 years
Manufacturer's Description	Benelli's M3 Tactical Shotgun delivers fast cycling semi-auto fire with conventional loads or pump action for low energy loads. It is available in a 12 gauge, pistol grip model that satisfies a shooters need for both a semi-automatic and a pump action shotgun in one convertible weapon.
Purpose	SWAT
Authorized Usage	To defend against an imminent threat of serious bodily injury or death. Used by SWAT
Costs	\$800 anticipated yearly maintenance cost
Required Training	Prior to using a shotgun, officers must be certified by POST instructors in the operation of the rifle. Additionally, all members that operate any shotgun are required to pass a range qualification once a year.
Authority for Authorized Use	Use is established under FPD Policy 300 and Policy 311. It is the policy of the FPD to utilize shotguns only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

<b>Colt (11.5-inch barrel) M4 Carbine – Enhanced Patrol Rifle</b>	
Description	Enhanced Patrol Rifle
Quantity	24
Capability	Equipped with optical sight systems and mounted flashlights, the short-barreled rifle (SBR) fires an intermediate-power cartridge (.223/5.56) which is more powerful than a standard pistol but less powerful than a standard rifle. The SBR gives police officers better maneuverability in and out of patrol vehicles and motorcycles. The SBR is ideal for close quarter deployments inside of structures and provides improved accuracy for long distance engagements.
Life Span	10-15 years



Manufacturer's Description	Built for the demanding use of those who protect our communities every day, the Colt Enhanced Patrol Rifle (EPR) is the next evolution in the world's most dependable, thoroughly field-tested patrol rifle. Featuring an extended handguard that accepts modular rail segments for mounting a wide variety of pro-grade optics, lighting, and ergonomics-enhancing accessories, as well as the highly durable Magpul® MBUS® Pro Series front and rear back up sights and B5 Bravo buttstock. The Colt EPR reestablishes the Colt AR-15® as the finest tool for local, regional, and national law enforcement agencies
Purpose	The AR-15 can stop threats of great bodily injury or death at close and intermediate ranges. The AR-15 platform is capable of firing more accurately and quicker than a pistol while holding more rounds in the magazine and having better ballistic qualities.
Authorized Usage	To defend against an imminent threat of serious bodily injury or death. Used by the Officers
Costs	\$1,190 \$50 anticipated yearly maintenance cost
Required Training	Prior to using a rifle, officers must be certified by POST instructors in the operation of the rifle. Additionally, all members that operate any rifle are required to pass a range qualification once a year.
Authority for Authorized Use	Use is established under FPD Policy 300 and Policy 311. It is the policy of the FPD to utilize rifles only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

<b>Colt (16-inch barrel) M4 Carbine AR-15</b>	
Description	Patrol Rifle
Quantity	22
Capability	Equipped with optical sight systems and mounted flashlights, these rifles fire an intermediate-power cartridge (.223/5.56) cartridge which is more powerful than a standard pistol but less powerful than a standard rifle. Provides improved accuracy for long distance engagements.
Life Span	10-15 years
Manufacturer's Description	The civilian model 6920 is the civilian version of the current Colt M4 Carbine used by our modern military war fighters. Throughout the world today Colt's reliability, performance and accuracy provide our armed Forces with the confidence required to accomplish any mission, and this rifle can do the same for you. Colt's 6920 series shares many of the same features as it's combat-proven brother the Colt M4. From the forged aluminum upper and lower receivers, to the chrome lined barrel, even through the gas operated semi automatic firing system. Don't settle for imitations, buy the real thing, buy a Colt
Purpose	The AR-15 can stop threats of great bodily injury or death at close and intermediate ranges. The AR-15 platform is capable of firing more accurately and quicker than a pistol while holding more rounds in the magazine and having better ballistic qualities.
Authorized Usage	To defend against an imminent threat of serious bodily injury or death. Used by the Officers
Costs	\$940 \$50 anticipated yearly maintenance cost

Required Training	Prior to using a rifle, officers must be certified by POST instructors in the operation of the rifle. Additionally, all members that operate any rifle are required to pass a range qualification once a year.
Authority for Authorized Use	Use is established under FPD Policy 300 and Policy 311. It is the policy of the FPD to utilize rifles only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

<b>Black Hills Gold .308 Winchester 180 Nosler AccuBond</b>	
Description	Specialized ammunition
Quantity	520 Rounds
Capability	Penetrate Intermediate Barriers, Residential windows/Automotive Glass
Life Span	Indefinite
Manufacturer's Description	This round is loaded with a high quality Nosler AccuBond bullet for excellent down range performance. Through a proprietary bonding process that eliminates voids in the bullet core, AccuBond marries Nosler's traditional copper-alloy jacket with its special lead-alloy core. The result is a bullet that flies true, penetrates deep, won't cause extensive barrel fouling, and will retain 60-70% of its weight. The white polymer tip helps protect against deformation while initiating expansion upon impact. This round is used to penetrate intermediate barriers, residential windows, and automotive glass at 2,500 feet per second.
Purpose	To defend against an imminent threat of serious bodily injury or death. Used by SWAT
Authorized Usage	To defend against an imminent threat of serious bodily injury or death. Used by SWAT
Costs	\$45 per box approx. \$0 anticipated yearly maintenance cost
Required Training	Sworn members utilizing specialized ammunitions are trained by POST certified firearms instructors.
Authority for Authorized Use	Use is established under the FPD Policy 300, and Policy 311. It is the policy of the FPD to utilize specialized ammunition only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

<b>Hornaday .308 Winchester Tap 168 grain ELD Match Tap Precision</b>	
Description	Specialized ammunition
Quantity	7800 Rounds
Capability	Precision Round, Limited Penetration
Life Span	Indefinite
Manufacturer's Description	Hornady .308 Winchester Tap 168 grain ELD Match Tap Precision bullet with Heat Shield tip delivers the excellent terminal performance TAP Precision is known for, but features a resilient, heat resistant polymer tip that improves the ballistic coefficient, resulting in higher impact velocities, less drop, less wind drift, and more energy on target. The round has a muzzle velocity of 2,672 feet per second.
Purpose	Precision round with limited Penetration
Authorized Usage	To defend against an imminent threat of serious bodily injury or death. Used by SWAT

Costs	\$25 per box approx. \$0 anticipated yearly maintenance cost
Required Training	Sworn members utilizing specialized ammunitions are trained by POST certified firearms instructors.
Authority for Authorized Use	Use is established under the FPD Policy 300, and Policy 311. It is the policy of the FPD to utilize specialized ammunition only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

<b>Defense Technology Ferret 37mm CS 1192</b>	
Description	Tear Gas
Quantity	5
Capability	Can be launched via the 37mm single launcher
Life Span	5 years
Manufacturer's Description	The Ferret® 37 mm CS Round is a frangible projectile filled with chemical agent. Upon impacting the barrier, the nose cone ruptures and instantaneously delivers the .16 oz. agent payload inside a structure. The munitions is 4.8 in. by 1.5 in. and travels at 650fps within an effective range of 50 yards.
Purpose	To safely resolve critical situations such as violent civil unrest and highrisk tactical operations
Authorized Usage	De-escalation tool not likely to inflict serious injury Used by SWAT
Costs	\$40 <span style="float: right;">\$0</span> anticipated yearly maintenance cost
Required Training	Sworn members utilizing chemical agents are trained by POST certified chemical agent instructors.
Authority for Authorized Use	Use is established under the FPD Policy 300, subsection 308.4. It is the policy of the FPD to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

<b>Defense Technology Ferret 37mm OC 1160</b>	
Description	Tear Gas
Quantity	9
Capability	Can be launched via the 37mm single launcher
Life Span	5 years
Manufacturer's Description	The Ferret® 37 mm OC Round is a frangible projectile filled with chemical agent. Upon impacting the barrier, the nose cone ruptures and instantaneously delivers the .16 oz. agent payload inside a structure. These munitions are 4.8 in. by 1.5 in. and travels at 650fps within an effective range of 50 yards.
Purpose	To safely resolve critical situations such as violent civil unrest and high-risk tactical operations
Authorized Usage	De-escalation tool not likely to inflict serious injury Used by SWAT
Costs	\$40 <span style="float: right;">\$0</span> anticipated yearly maintenance cost
Required Training	Sworn members utilizing chemical agents are trained by POST certified chemical agent instructors.
Authority for Authorized Use	Use is established under the FPD Policy 300, subsection 308.4. It is the policy of the FPD to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

<b>Combined Tactical Systems 37mm Riot CS Powder Muzzle Blast</b>	
Description	Tear Gas
Quantity	1
Capability	Can be launched via the 37mm single launcher
Life Span	5 years

Manufacturer's Description	A cartridge designed to blast irritant powder directly from the muzzle toward a hostile crowd or individual. These muzzle munitions are designed with a "dual-rim" enabling the operator to chamber the round in both 37MM and 40MM Launchers. However, only 37MM will deliver optimum performance as stated in this specification sheet.	
Purpose	To safely resolve critical situations such as violent civil unrest and high-risk tactical operations	
Authorized Usage	De-escalation tool not likely to inflict serious injury Used by SWAT	
Costs	\$40 anticipated yearly maintenance cost	\$0
Required Training	Sworn members utilizing chemical agents are trained by POST certified chemical agent instructors.	
Authority for Authorized Use	Use is established under the FPD Policy 300, subsection 308.4. It is the policy of the FPD to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.	

#### Combined Tactical Systems 2430 CS/ 12-gauge barricade

Description	Tear Gas	
Quantity	19	
Capability	Can be launched via a 12 gauge shotgun	
Life Span	5 years	
Manufacturer's Description	Liquid filled, non-burning, fin-stabilized rounds designed to penetrate light to intermediate barriers such as windows and hollow core doors. The projectiles break upon impact and deliver agent payloads of powder or liquid throughout the adjacent target area.	
Purpose	To safely resolve critical situations such as violent civil unrest and high-risk tactical operations	
Authorized Usage	De-escalation tool not likely to inflict serious injury Used by SWAT	
Costs	\$8 anticipated yearly maintenance cost	\$0
Required Training	Sworn members utilizing chemical agents are trained by POST certified chemical agent instructors.	
Authority for Authorized Use	Use is established under the FPD Policy 300, subsection 308.4. It is the policy of the FPD to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.	

#### Combined Tactical Systems 2440- 12-gauge OC powder

Description	Tear Gas	
Quantity	10	
Capability	Can be launched via a 12 gauge shotgun	
Life Span	5 years	
Manufacturer's Description	OC Liquid filled, non-burning, fin-stabilized rounds designed to penetrate light to intermediate barriers such as windows and hollow core doors. The projectiles break upon impact and deliver agent payloads of OC powder throughout the adjacent target area.	

Purpose	To safely resolve critical situations such as violent civil unrest and high-risk tactical operations	
Authorized Usage	De-escalation tool not likely to inflict serious injury Used by SWAT	
Costs	\$8 anticipated yearly maintenance cost	\$0
Required Training	Sworn members utilizing chemical agents are trained by POST certified chemical agent instructors.	
Authority for Authorized Use	Use is established under the FPD Policy 300, subsection 308.4. It is the policy of the FPD to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.	

**Defense Technology Ferret 40mm liquid barricade penetrator round, OC 2260**

Description	Tear Gas	
Quantity	0	
Capability	Can be launched via a 40mm launcher.	
Life Span	5 years	
Manufacturer's Description	The Ferret® 40mm Round is non-burning and suitable for indoor use. Used primarily by tactical teams, it is designed to penetrate barriers, such as windows, hollow core doors, wallboard and thin plywood. Upon impacting the barrier, the nose cone ruptures and instantaneously delivers a small chemical payload inside of a structure or vehicle. In a tactical deployment situation, the 40mm Ferret is primarily used to dislodge barricaded subjects from confined areas. Its purpose is to minimize the risks to all parties through pain compliance, temporary discomfort and/or incapacitation of potentially violent or dangerous subjects.	
Purpose	To safely resolve critical situations such as violent civil unrest and high-risk tactical operations	
Authorized Usage	De-escalation tool not likely to inflict serious injury Used by SWAT	
Costs	\$10 anticipated yearly maintenance cost	\$0
Required Training	Sworn members utilizing chemical agents are trained by POST certified chemical agent instructors.	
Authority for Authorized Use	Use is established under the FPD Policy 300, subsection 308.4. It is the policy of the FPD to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.	

**Defense Technology Ferret 40 mm powder barricade round, CS 2292**

Description	Tear Gas
Quantity	10
Capability	Can be launched via a 40mm launcher.
Life Span	5 years

Manufacturer's Description	The Ferret® 40 mm Barricade Penetrating Round is filled with a CS powder chemical agent. It is a frangible projectile that is spin stabilized utilizing barrel rifling. It is non-burning and designed to penetrate barriers. Primarily used to dislodge barricaded subjects, it can also be used for area denial. Primarily used by tactical teams, it is designed to penetrate barriers, such as windows, hollow core doors, wallboard and thin plywood. Upon impact the nose ruptures and instantaneously delivers the agent payload inside a structure or vehicle.	
Purpose	To safely resolve critical situations such as violent civil unrest and high-risk tactical operations	
Authorized Usage	De-escalation tool not likely to inflict serious injury Used by SWAT	
Costs	\$10 anticipated yearly maintenance cost	\$0
Required Training	Sworn members utilizing chemical agents are trained by POST certified chemical agent instructors.	
Authority for Authorized Use	Use is established under the FPD Policy 300, subsection 308.4. It is the policy of the FPD to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.	

**Defense Technology Ferret 40 mm liquid barricade penetrator round, CS 2262**

Description	Tear Gas	
Quantity	5	
Capability	Can be launched via a 40mm launcher.	
Life Span	5 years	
Manufacturer's Description	The Ferret® 40mm Round is non-burning and suitable for indoor use. Used primarily by tactical teams, it is designed to penetrate barriers, such as windows, hollow core doors, wallboard and thin plywood. Upon impacting the barrier, the nose cone ruptures and instantaneously delivers a small chemical payload inside of a structure or vehicle. In a tactical deployment situation, the 40mm Ferret is primarily used to dislodge barricaded subjects from confined areas. Its purpose is to minimize the risks to all parties through pain compliance, temporary discomfort and/or incapacitation of potentially violent or dangerous subjects.	
Purpose	To safely resolve critical situations such as violent civil unrest and high-risk tactical operations	
Authorized Usage	De-escalation tool not likely to inflict serious injury Used by SWAT	
Costs	\$10 anticipated yearly maintenance cost	\$0
Required Training	Sworn members utilizing chemical agents are trained by POST certified chemical agent instructors.	
Authority for Authorized Use	Use is established under the FPD Policy 300, subsection 308.4. It is the policy of the FPD to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.	

**Defense Technology Ferret 40 mm powder barricade round, OC 2290**

Description	Tear Gas	
Quantity	16	

Capability	Can be launched via a 40mm launcher.	
Life Span	5 years	
Manufacturer's Description	The Ferret® 40 mm Barricade Penetrating Round is filled with an OC powder chemical agent. It is a frangible projectile that is spin stabilized utilizing barrel rifling. It is non-burning and designed to penetrate barriers. Primarily used to dislodge barricaded subjects, it can also be used for area denial. Primarily used by tactical teams, it is designed to penetrate barriers, such as windows, hollow core doors, wallboard and thin plywood. Upon impact the nose ruptures and instantaneously delivers the agent payload inside a structure or vehicle.	
Purpose	To safely resolve critical situations such as violent civil unrest and high-risk tactical operations	
Authorized Usage	De-escalation tool not likely to inflict serious injury Used by SWAT	
Costs	\$10 anticipated yearly maintenance cost	\$0
Required Training	Sworn members utilizing chemical agents are trained by POST certified chemical agent instructors.	
Authority for Authorized Use	Use is established under the FPD Policy 300, subsection 308.4. It is the policy of the FPD to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.	

#### Defense Technology Triple-chaser separating canister, CS 1026

Description	Tear Gas	
Quantity	10	
Capability	Can be hand thrown, launched, or placed into a munitions Pole	
Life Span	5 years	
Manufacturer's Description	The Triple-Chaser® CS consists of three separate canisters pressed together with separating charges between each. When deployed, the canisters separate and land approximately 20 feet apart allowing increased area coverage in a short period of time. This grenade can be hand thrown or launched from a fired delivery system. The grenade is 6.5 in. by 2.7 in. and holds an approximately 3.2 oz. of active agent payload. It has an approximate burn time of 20-30 seconds.	
Purpose	To safely resolve critical situations such as violent civil unrest and high-risk tactical operations	
Authorized Usage	De-escalation tool not likely to inflict serious injury Used by SWAT	
Costs	\$32 anticipated yearly maintenance cost	\$0
Required Training	Sworn members utilizing chemical agents are trained by POST certified chemical agent instructors.	
Authority for Authorized Use	Use is established under the FPD Policy 300, subsection 308.4. It is the policy of the FPD to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.	

#### Defense Technology Ferret 12-gauge liquid barricade round, CS 3012

Description	Tear Gas
Quantity	10
Capability	Can be launched via a 12 gauge shotgun



Life Span	5 years
Manufacturer's Description	The Ferret® 12-Gauge Liquid CS non pyrotechnical properties also eliminate the fire hazard common with other products. The Ferret round is available with either liquid or powder carriers for the agent. These munitions are a 2.5 in. 12-Gauge round deploying .025 oz. of active agent.
Purpose	To safely resolve critical situations such as violent civil unrest and high-risk tactical operations
Authorized Usage	De-escalation tool not likely to inflict serious injury Used by SWAT
Costs	\$10 <span style="float: right;">\$0</span> anticipated yearly maintenance cost
Required Training	Sworn members utilizing chemical agents are trained by POST certified chemical agent instructors.
Authority for Authorized Use	Use is established under the FPD Policy 300, subsection 308.4. It is the policy of the FPD to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

**Defense Technology Ferret 12-gauge powder barricade round, CS 3092**

Description	Tear Gas
Quantity	10
Capability	Can be launched via a 12 gauge shotgun
Life Span	5 years
Manufacturer's Description	The Ferret® 12-Gauge Powder CS non pyrotechnic properties also eliminate the fire hazard common with other products. The Ferret round is available with either liquid or powder carriers for the agent. The powder carrier improves barricade penetration potential.
Purpose	To safely resolve critical situations such as violent civil unrest and high-risk tactical operations
Authorized Usage	De-escalation tool not likely to inflict serious injury Used by SWAT
Costs	\$10 <span style="float: right;">\$0</span> anticipated yearly maintenance cost
Required Training	Sworn members utilizing chemical agents are trained by POST certified chemical agent instructors.
Authority for Authorized Use	Use is established under the FPD Policy 300, subsection 308.4. It is the policy of the FPD to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

**Defense Technology Ferret 12-gauge powder barricade round, OC 3090**

Description	Tear Gas
Quantity	10
Capability	Can be launched via a 12 gauge shotgun
Life Span	5 years
Manufacturer's Description	The Ferret® 12-Gauge Powder OC non pyrotechnical properties also eliminate the fire hazard common with other products. The Ferret® round is available with either liquid or powder carriers for the agent. These munitions are a 2.5 in. 12-Gauge round deploying .002 oz. of active agent.

Purpose	To safely resolve critical situations such as violent civil unrest and high-risk tactical operations	
Authorized Usage	De-escalation tool not likely to inflict serious injury Used by SWAT	
Costs	\$8 anticipated yearly maintenance cost	\$0
Required Training	Sworn members utilizing chemical agents are trained by POST certified chemical agent instructors.	
Authority for Authorized Use	Use is established under the FPD Policy 300, subsection 308.4. It is the policy of the FPD to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.	

<b>Defense Technology Ferret 12-gauge liquid barricade round, OC 3010</b>		
Description	Tear Gas	
Quantity	10	
Capability	Can be launched via a 12 gauge shotgun	
Life Span	5 years	
Manufacturer's Description	The Ferret® 12-Gauge Liquid OC non pyrotechnical properties also eliminate the fire hazard common with other products. The Ferret round is available with either liquid or powder carriers for the agent. These munitions are a 2.5 in. 12-Gauge round deploying .015 oz. of active agent.	
Purpose	To safely resolve critical situations such as violent civil unrest and high-risk tactical operations	
Authorized Usage	De-escalation tool not likely to inflict serious injury Used by SWAT	
Costs	\$10 anticipated yearly maintenance cost	\$0
Required Training	Sworn members utilizing chemical agents are trained by POST certified chemical agent instructors.	
Authority for Authorized Use	Use is established under the FPD Policy 300, subsection 308.4. It is the policy of the FPD to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.	

<b>Defense Technology 12-gauge barricade projectile, CS 23</b>		
Description	Tear Gas	
Quantity	10	
Capability	Can be launched via a 12 gauge shotgun	
Life Span	5 years	
Manufacturer's Description		
Purpose	To safely resolve critical situations such as violent civil unrest and high-risk tactical operations	
Authorized Usage	De-escalation tool not likely to inflict serious injury Used by SWAT	
Costs	\$10 anticipated yearly maintenance cost	\$0
Required Training	Sworn members utilizing chemical agents are trained by POST certified chemical agent instructors.	

Authority for Authorized Use	Use is established under the FPD Policy 300, subsection 308.4. It is the policy of the FPD to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.
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<b>Smith &amp; Wesson 12-gauge barricade projectile, CS</b>		
Description	Tear Gas	
Quantity	19	
Capability	Can be launched via a 12 gauge shotgun	
Life Span	5 years	
Manufacturer's Description	Non-pyrotechnical 12-Gauge barricade round with a small CS charge.	
Purpose	To safely resolve critical situations such as violent civil unrest and high-risk tactical operations	
Authorized Usage	De-escalation tool not likely to inflict serious injury Used by SWAT	
Costs	\$10 anticipated yearly maintenance cost	\$0
Required Training	Sworn members utilizing chemical agents are trained by POST certified chemical agent instructors.	
Authority for Authorized Use	Use is established under the FPD Policy 300, subsection 308.4. It is the policy of the FPD to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.	

<b>Defense Technology Aerosol OC/CS grenade 1050</b>		
Description	Tear Gas	
Quantity	7	
Capability	Can be hand thrown, launched, or placed into a munitions Pole	
Life Span	5 years	
Manufacturer's Description	Designed for indoor use, this grenade contains no CFCs, is not a fire hazard and requires minimal decontamination by comparison to smoke, powders, or liquids. The Aerosol Grenade is most commonly used in tactical situations by Law Enforcement and Corrections and was designed with indoor operations in mind when a non fire-producing delivery system is desired. It is most effective when used in confined areas and close to the target area. Used to minimize the risks to all parties through pain compliance, temporary discomfort and/or incapacitation of potentially violent or dangerous subjects. The Aerosol Grenade is ideal for cell extractions or barricade situations where the use of pyrotechnic, powder, or liquid devices is not practical or desired. The OC and CS combination provide sufficient effects in confined areas of up to 1,500 square feet. The Aerosol Grenade is not recommended for outdoor use.	
Purpose	To safely resolve critical situations such as violent civil unrest and high-risk tactical operations	
Authorized Usage	De-escalation tool not likely to inflict serious injury Used by SWAT	
Costs	\$35 anticipated yearly maintenance cost	\$0
Required Training	Sworn members utilizing chemical agents are trained by POST certified chemical agent instructors.	

Authority for Authorized Use	Use is established under the FPD Policy 300, subsection 308.4. It is the policy of the FPD to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.
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<b>Defense Technology Spede-Heat continuous discharge chemical grenade, OC 1070</b>	
Description	Tear Gas
Quantity	3
Capability	Can be hand thrown, launched, or placed into a munitions Pole
Life Span	5 years
Manufacturer's Description	The Spede-Heat™ OC Grenade is a high volume, continuous burn it expels its payload in approximately 20-40 seconds. The payload is discharged through four gas ports on top of the canister, three on the side and one on the bottom. This launchable grenade is 6.12 in. by 2.62 in. and holds approximately 1.09 oz. of active agent.
Purpose	To safely resolve critical situations such as violent civil unrest and high-risk tactical operations
Authorized Usage	De-escalation tool not likely to inflict serious injury Used by SWAT
Costs	\$ <span style="float: right;">\$0</span> anticipated yearly maintenance cost
Required Training	Sworn members utilizing chemical agents are trained by POST certified chemical agent instructors.
Authority for Authorized Use	Use is established under the FPD Policy 300, subsection 308.4. It is the policy of the FPD to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

<b>Defense Technology Riot control continuous discharge grenade, OC 1080</b>	
Description	Tear Gas
Quantity	3
Capability	Can be hand thrown, launched, or placed into a munitions Pole
Life Span	5 years
Manufacturer's Description	The Riot Control OC Grenade is designed specifically for outdoor use in crowd control situations with a high volume continuous burn that expels its payload in approximately 20-40 seconds through four gas ports located on the top of the canister. This grenade can be used to conceal tactical movement or to route a crowd. The volume of smoke and agent is vast and obtrusive. This launchable grenade is 6.0 in. by 2.35 in. and holds approximately 0.88 oz. of active agent.
Purpose	To safely resolve critical situations such as violent civil unrest and high-risk tactical operations
Authorized Usage	De-escalation tool not likely to inflict serious injury Used by SWAT
Costs	\$35 <span style="float: right;">\$0</span> anticipated yearly maintenance cost
Required Training	Sworn members utilizing chemical agents are trained by POST certified chemical agent instructors.
Authority for Authorized Use	Use is established under the FPD Policy 300, subsection 308.4. It is the policy of the FPD to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

<b>Defense Technology Instantaneous blast CS grenade 1042</b>	
Description	Tear Gas
Quantity	3
Capability	Can be hand thrown, launched, or placed into a munitions Pole
Life Span	5 years
Manufacturer's Description	The Instantaneous Blast CS Grenade is designed for indoor or outdoor use; this grenade's powder is expelled upon initiation of a small internal detonator that has sufficient force to split the canister at six machined grooves on the outside surface. this device is well suited for affecting numerous subjects grouped within a contained portion of a prison yard or area, using wind to the advantage. This 6.12 in. by 2.62 in. grenade will deliver approximately 1.5 oz. of active agent.
Purpose	To safely resolve critical situations such as violent civil unrest and high-risk tactical operations
Authorized Usage	De-escalation tool not likely to inflict serious injury Used by SWAT
Costs	\$35 <span style="float: right;">\$0</span> anticipated yearly maintenance cost
Required Training	Sworn members utilizing chemical agents are trained by POST certified chemical agent instructors.
Authority for Authorized Use	Use is established under the FPD Policy 300, subsection 308.4. It is the policy of the FPD to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

<b>Defense Technology Spede-Heat continuous discharge chemical grenade, CS 1072</b>	
Description	Tear Gas
Quantity	10
Capability	Can be hand thrown, launched, or placed into a munitions Pole
Life Span	5 years
Manufacturer's Description	The Spede-Heat™ CS Grenade is a high volume, continuous burn it expels its payload in approximately 20-40 seconds. The payload is discharged through four gas ports on top of the canister, three on the side and one on the bottom. This launchable grenade is 6.12 in. by 2.62 in. and holds approximately 2.9 oz. of active agent.
Purpose	To safely resolve critical situations such as violent civil unrest and high-risk tactical operations
Authorized Usage	De-escalation tool not likely to inflict serious injury Used by SWAT
Costs	\$35 <span style="float: right;">\$0</span> anticipated yearly maintenance cost
Required Training	Sworn members utilizing chemical agents are trained by POST certified chemical agent instructors.
Authority for Authorized Use	Use is established under the FPD Policy 300, subsection 308.4. It is the policy of the FPD to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

**Defense Technology Flameless tri-chamber CS grenade 1032**

Description	Tear Gas
Quantity	6
Capability	Can be hand thrown, launched, or placed into a munitions Pole
Life Span	5 years
Manufacturer's Description	The design of the Tri-Chamber Flameless CS Grenade allows the contents to burn within an internal can and disperse the agent safely with reduced risk of fire. The grenade is designed primarily for indoor tactical situations to detect and/or dislodge a barricaded subject. This grenade will deliver approximately .70 oz. of agent during its 20-25 seconds burn time. The Tri-Chamber Flameless Grenade can be used in crowd control as well as tactical deployment situations by Law Enforcement and Corrections, but was designed with the barricade situation in mind. Its applications in tactical situations are primarily to detect and/or dislodge barricaded subjects. The purpose of the Tri-Chamber Flameless Grenade is to minimize the risks to all parties through pain compliance, temporary discomfort, and/or incapacitation of potentially violent or dangerous subjects. The Tri-Chamber Flameless Grenade provides the option of delivering a pyrotechnic chemical device indoors, maximizing the chemicals' effectiveness via heat and vaporization, while minimizing or negating the chance of fire to the structure.
Purpose	To safely resolve critical situations such as violent civil unrest and high-risk tactical operations
Authorized Usage	De-escalation tool not likely to inflict serious injury Used by SWAT
Costs	\$35 anticipated yearly maintenance cost
Required Training	Sworn members utilizing chemical agents are trained by POST certified chemical agent instructors.
Authority for Authorized Use	Use is established under the FPD Policy 300, subsection 308.4. It is the policy of the FPD to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

**Defense Technology Flameless tri-chamber OC grenade 1030**

Description	Tear Gas
Quantity	4
Capability	Can be hand thrown, launched, or placed into a munitions Pole
Life Span	5 years

Manufacturer's Description	Designed for law enforcement and corrections, the OC Flameless Tri-Chamber Pyrotechnic Grenade combines the effectiveness of Oleoresin Capsicum (OC) as an incapacitating agent with the flexible delivery methods, range and area coverage of pyrotechnic munitions. The OC Flameless Tri-Chamber Grenade can be used in crowd control, or barricade situations, as a less lethal solution to incapacitate subjects through temporary respiratory discomfort, while reducing or negating the chance of fire to structures. The Tri-Chamber Flameless Grenade can be used in crowd control as well as tactical deployment situations by Law Enforcement and Corrections, but was designed with the barricade situation in mind. Its applications in tactical situations are primarily to detect and/or dislodge barricaded subjects. The purpose of the Tri-Chamber Flameless Grenade is to minimize the risks to all parties through pain compliance, temporary discomfort, and/or incapacitation of potentially violent or dangerous subjects. The Tri-Chamber Flameless Grenade provides the option of delivering a pyrotechnic chemical device indoors, maximizing the chemicals' effectiveness via heat and vaporization, while minimizing or negating the chance of fire to the structure.	
Purpose	To safely resolve critical situations such as violent civil unrest and high-risk tactical operations	
Authorized Usage	De-escalation tool not likely to inflict serious injury Used by SWAT	
Costs	\$35 anticipated yearly maintenance cost	\$0
Required Training	Sworn members utilizing chemical agents are trained by POST certified chemical agent instructors.	
Authority for Authorized Use	Use is established under the FPD Policy 300, subsection 308.4. It is the policy of the FPD to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.	

**Defense Technology Riot control continuous discharge grenade, CS 1082**

Description	Tear Gas	
Quantity	8	
Capability	Can be hand thrown, launched, or placed into a munitions Pole	
Life Span	5 years	
Manufacturer's Description	The Riot Control CS Grenade is designed specifically for outdoor use in crowd control situations with a high volume continuous burn that expels its payload in approximately 20-40 seconds through four gas ports located on the top of the canister. This grenade can be used to conceal tactical movement or to route a crowd. The volume of smoke and agent is vast and obtrusive. This launchable grenade is 6.0 in. by 2.35 in. and holds approximately 2.7 oz. of active agent.	
Purpose	To safely resolve critical situations such as violent civil unrest and high-risk tactical operations	
Authorized Usage	De-escalation tool not likely to inflict serious injury Used by SWAT	
Costs	\$35 anticipated yearly maintenance cost	\$0
Required Training	Sworn members utilizing chemical agents are trained by POST certified chemical agent instructors.	

Authority for Authorized Use	Use is established under the FPD Policy 300, subsection 308.4. It is the policy of the FPD to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.
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<b>Defense Technology Pocket tactical grenade, CS 1016</b>	
Description	Tear Gas
Quantity	8
Capability	Can be hand thrown, launched, or placed into a munitions Pole
Life Span	5 years
Manufacturer's Description	The Pocket Tactical CS Grenade is small, and lightweight. The 0.9 oz. of active agent will burn approximately 20-40 seconds. At 4.75 in. by 1.4 inches in size, it easily fits in most tactical pouches. This is a launchable grenade; however it is normally used as a signaling or covering device. Though this device is slightly over four inches in length, it produces a smoke cloud so fast it appears to be an enveloping screen produced by a full size tactical grenade.
Purpose	To safely resolve critical situations such as violent civil unrest and high-risk tactical operations
Authorized Usage	De-escalation tool not likely to inflict serious injury Used by SWAT
Costs	\$35 anticipated yearly maintenance cost
Required Training	Sworn members utilizing chemical agents are trained by POST certified chemical agent instructors.
Authority for Authorized Use	Use is established under the FPD Policy 300, subsection 308.4. It is the policy of the FPD to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

<b>Defense Technology Pocket tactical grenade, OC 1019</b>	
Description	Tear Gas
Quantity	15
Capability	Can be hand thrown, launched, or placed into a munitions Pole
Life Span	5 years
Manufacturer's Description	The Pocket Tactical OC Grenade is a quick burning, reduced volume, continuous discharge grenade. Pelletized chemical agent is discharged through one (1) gas port located on the bottom of the canister. The Pocket Tactical Grenade is a small, lightweight, easily carried device that provides a medium volume of chemical agent or smoke for certain situations. It was designed with the tactical team in mind for distraction, concealment, rescue, or signaling. The pocket grenade is not specifically intended as a crowd management device; however, it can be used in chemical configurations in conjunction with larger smoke canisters to "piggy back" chemical agent into a predominately smoke environment. This device should be deployed utilizing wind advantage.
Purpose	To safely resolve critical situations such as violent civil unrest and high-risk tactical operations
Authorized Usage	De-escalation tool not likely to inflict serious injury Used by SWAT
Costs	\$35 anticipated yearly maintenance cost



Required Training	Sworn members utilizing chemical agents are trained by POST certified chemical agent instructors.
Authority for Authorized Use	Use is established under the FPD Policy 300, subsection 308.4. It is the policy of the FPD to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

<b>Defense Technology Muzzle blast 40 mm round, OC 6040</b>	
Description	Tear Gas
Quantity	10
Capability	Can be launched via a 40mm launcher
Life Span	5 years
Manufacturer's Description	The 40 mm Muzzle Blast OC Round is widely used as a crowd management tool for the immediate and close deployment of chemical agent. It can also be employed in tactical operations such as barricaded subjects for area denial, area contamination, and a means of contaminating crawl spaces and attics. As a pain compliance round it is an excellent device for deploying chemical-laden OC powder at close ranges for indoor or outdoor operations. It has a maximum effective range of 30 feet /9.1 meters.
Purpose	To safely resolve critical situations such as violent civil unrest and high-risk tactical operations
Authorized Usage	De-escalation tool not likely to inflict serious injury Used by SWAT
Costs	\$35 <span style="float: right;">\$0</span> anticipated yearly maintenance cost
Required Training	Sworn members utilizing chemical agents are trained by POST certified chemical agent instructors.
Authority for Authorized Use	Use is established under the FPD Policy 300, subsection 308.4. It is the policy of the FPD to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

<b>Defense Technology Muzzle blast 40 mm round, CS 6042</b>	
Description	Tear Gas
Quantity	10
Capability	Can be launched via a 40mm launcher
Life Span	5 years
Manufacturer's Description	The 40 mm Muzzle Blast CS Round is widely used as a crowd management tool for the immediate and close deployment. It can also be employed in tactical operations such as barricaded subjects, room clearing, area denial, and for small space contamination, and a means of contaminating crawl spaces and attics. As a pain compliance round it is an excellent device for deploying chemical-laden CS powder at close ranges for indoor or outdoor operations. The cloud of agent is very effective in filling holes in dispersals lines or engaging crowds at close distances.
Purpose	To safely resolve critical situations such as violent civil unrest and high-risk tactical operations
Authorized Usage	De-escalation tool not likely to inflict serious injury Used by SWAT

Costs	\$35 anticipated yearly maintenance cost	\$0
Required Training	Sworn members utilizing chemical agents are trained by POST certified chemical agent instructors.	
Authority for Authorized Use	Use is established under the FPD Policy 300, subsection 308.4. It is the policy of the FPD to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.	

<b>Defense Technology Smoke Maximum HC Smoke 1083</b>		
Description	Smoke	
Quantity	6	
Capability	Can be hand thrown, launched, or placed into a munitions Pole	
Life Span	5 years	
Manufacturer's Description	The Military-Style Maximum Smoke Grenade comes from the Defense Technology® #3 smoke grenade. It is a slow burning, high volume, continuous discharge grenade designed for outdoor use in crowd management situations. Emits grey-white smoke only for approximately 1.5 to 2 minutes.	
Purpose	To safely resolve critical situations such as violent civil unrest and high-risk tactical operations	
Authorized Usage		
Costs	\$38 anticipated yearly maintenance cost	\$0
Required Training	Sworn members utilizing chemical agents are trained by POST certified chemical agent instructors.	
Authority for Authorized Use	Use is established under the FPD Policy 300, subsection 308.4. It is the policy of the FPD to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.	

<b>Defense Technology Triple-Chaser separating canister, SAF-Smoke 1027</b>		
Description	Smoke	
Quantity	9	
Capability	Can be hand thrown, launched, or placed into a munitions Pole	
Life Span	5 years	
Manufacturer's Description	The Triple-Chaser® Saf-Smoke™ consists three separate canisters pressed together with separating charges between each. When deployed, the canisters separate and land approximately 20 feet apart allowing increased area coverage in a short period of time. This grenade can be hand thrown or launched from a fired delivery system and is an effective way to quickly deploy a wide blanket of agent. The grenade is 6.5 in. by 2.7 in. and delivers Saf-Smoke™. It has an approximate burn time of 20 seconds.	
Purpose	To safely resolve critical situations such as violent civil unrest and high-risk tactical operations	
Authorized Usage	De-escalation tool not likely to inflict serious injury Used by SWAT	
Costs	\$38 anticipated yearly maintenance cost	\$0
Required Training	Sworn members utilizing chemical agents are trained by POST certified chemical agent instructors.	

Authority for Authorized Use	Use is established under the FPD Policy 300, subsection 308.4. It is the policy of the FPD to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.
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<b>Defense Technology 8933 Low Roll Distraction Device</b>	
Description	Diversionsary Device (Flash Bang)
Quantity	
Capability	This intermediate less lethal specialty munition allows for light sound diversion during tactical operations which allows for tactical advantage during high-risk situations.
Life Span	Reusable 25 times
Manufacturer's Description	The Non-Reloadable Distraction Device® unit incorporates an M201A1 type fuze with hex design gun steel body. This is compact version of the 8933 Low Roll® body Distraction Device is the newest version of the first reusable non-bursting canister that limits movement and rolling once deployed. The compact Distraction Device fits safely in your hand and packs all the power of the full-size Distraction Device. This is a smaller, lighter device with the same output.
Purpose	To safely resolve critical situations during high-risk tactical operations.
Authorized Usage	De-escalation tool not likely to inflict serious injury Used by SWAT
Costs	\$30 anticipated yearly maintenance cost
Required Training	Prior to use, officers must attend inhouse training conducted by POST certified instructors or attend POST certified training.
Authority for Authorized Use	Use is established under FPD Policy 300. It is the policy of the FPD to utilize diversion devices only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

<b>Defense Technology 8908CI Command Initiated Distraction Device</b>	
Description	Diversionsary Device (Flash Bang)
Quantity	8
Capability	This intermediate less lethal specialty munition allows for light sound diversion during tactical operations which allows for tactical advantage during high-risk situations.
Life Span	One time use
Manufacturer's Description	The Command Initiated Reload can be initiated on command from a remote point alleviating initiation delay when instantaneous results are desired. It is ideal for operations utilizing bang poles, deterring retreat and achieving space denial from predetermined areas. 12" of thermo tubing is included with the reload. Some assembly and accessories are required.
Purpose	To safely resolve critical situations during high-risk tactical operations.
Authorized Usage	De-escalation tool not likely to inflict serious injury Used by SWAT
Costs	\$35 anticipated yearly maintenance cost
Required Training	Prior to use, officers must attend inhouse training conducted by POST certified instructors or attend POST certified training.

Authority for Authorized Use	Use is established under FPD Policy 300. It is the policy of the FPD to utilize diversion devices only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.
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<b>Remington 870 Pump Action Shotgun – Less Lethal</b>	
Description	Less Lethal Shotgun
Quantity	10
Capability	Deploying 12 gauge less lethal flexible baton munitions (Super sock)
Life Span	15-20 years
Manufacturer's Description	The Remington 870 barrel has a fixed cylinder choke for optimum performance with buckshot and slugs at close range. A myriad of aftermarket Remington 870 accessories enables owners to customize the 870 Express for specific purposes. 870 Remington is a receiver milled from a solid billet of steel for maximum strength, and twin action bars <del>that prevent binding and twisting while cycling the action</del>
Purpose	Deploys 12 gauge less lethal flexible baton (Super sock) as impact munitions.
Authorized Usage	De-escalation tool not likely to inflict serious injury Used by SWAT and Patrol.
Costs	\$500 <span style="float: right;">\$50</span> anticipated yearly maintenance cost
Required Training	Sworn members utilizing less lethal shotguns are trained by POST certified instructors for 2 hours.
Authority for Authorized Use	Use is established under the FPD Policy 300, subsection 308.4. It is the policy of the FPD to utilize impact munitions only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

<b>Defense Technology 37MM Tactical Single Launcher</b>	
Description	37 MM Projectile Launcher
Quantity	2
Capability	Deploying 40mm less lethal impact projectiles and 40mm chemical agent rounds
Life Span	25 years
Manufacturer's Description	The 37LMTS is a tactical 37mm single shot launcher. The Ambidextrous Lateral Sling Mount (LSM) and QD mounting systems allow both a single and two point sling attachment. The 37LMTS will fire standard 37/38mm Less Lethal ammunition, up to 8 inches in cartridge length. The Picatinny Rail Mounting System will accept a wide array of enhanced optics/sighting systems.
Purpose	Deploying 40mm less lethal impact projectiles and 40mm chemical agent rounds
Authorized Usage	De-escalation tool not likely to inflict serious injury Used by SWAT
Costs	\$300 <span style="float: right;">\$0</span> anticipated yearly maintenance cost
Required Training	Sworn members utilizing munitions launchers are trained by POST certified chemical agent instructors and POST certified less lethal instructors.
Authority for Authorized Use	Use is established under the FPD Policy 300, subsection 308.4, and Policy 311. It is the policy of the FPD to utilize projectile launchers only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

<b>Defense Technology 1440 40MM Tactical 4-Shot Launcher</b>	
Description	40 MM Projectile Launcher
Quantity	2

Capability	Deploying 40mm less lethal impact projectiles and 40mm chemical agent rounds	
Life Span	15 years	
Manufacturer's Description	Designed for riot and tactical situations, the Defense Technology® 1440 40mm Tactical 4-Shot Launcher is low-profile and lightweight, providing multi-shot capability in an easy to carry launcher. It features the Rogers Super Stoc™ expandable gun stock, an adjustable Picatinny mounted front grip, and a unique direct-drive system to advance the magazine cylinder.	
Purpose	Deploying 40mm less lethal impact projectiles and 40mm chemical agent rounds	
Authorized Usage	De-escalation tool not likely to inflict serious injury Used by SWAT	
Costs	\$300 anticipated yearly maintenance cost	\$0
Required Training	Sworn members utilizing munitions launchers are trained by POST certified chemical agents instructors and POST certified less lethal instructors.	
Authority for Authorized Use	Use is established under the FPD Policy 300, subsection 308.4, and Policy 311. It is the policy of the FPD to utilize projectile launchers only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.	

<b>Penn Arms L637-1 37MM Projectile Launcher</b>		
Description	37 MM Projectile Launcher	
Quantity	1	
Capability	Deploying 37mm less lethal impact projectiles	
Life Span	25 years	
Manufacturer's Description	A spring-advance magazine drum launcher with a six-shot capacity and a smooth barrel.	
Purpose	Deploying 37mm less lethal impact projectiles	
Authorized Usage	De-escalation tool not likely to inflict serious injury. Used by SWAT and patrol	
Costs	\$300 anticipated yearly maintenance cost	\$0
Required Training	Sworn members utilizing munitions launchers are trained by POST certified chemical agents instructors and POST certified less lethal instructors.	
Authority for Authorized Use	Use is established under the FPD Policy 300, subsection 308.4, and Policy 311. It is the policy of the FPD to utilize projectile launchers only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.	

<b>Sage KO1/S Impact Baton 37MM Projectile</b>	
Description	37 MM Projectile
Quantity	17
Capability	37mm launcher
Life Span	25 years
Manufacturer's Description	The KO1 is a direct fire modular impact baton round that is designed to be used in situations where kinetic energy is preferred for the incapacitation of hostile and/or non-compliant individuals.

Purpose	To safely resolve critical situations such as high-risk tactical operations. These are necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety/will safeguard the public's welfare, safety, civil rights, and civil liberties.
Authorized Usage	De-escalation tool not likely to inflict serious injury. Used by SWAT and patrol.
Costs	\$30 anticipated yearly maintenance cost \$0
Required Training	Sworn members utilizing munitions launchers are trained by POST certified chemical agents instructors and POST certified less lethal instructors.
Authority for Authorized Use	Use is established under the FPD Policy 300, subsection 308.4. It is the policy of the FPD to utilize impact munitions only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

<b>Sage K03OC/S OC Impact Baton 37MM Projectile</b>	
Description	37 MM Projectile
Quantity	6
Capability	37mm launcher
Life Span	25 years
Manufacturer's Description	The KO3 is a direct fire crush nose chemical impact baton round that is designed to be used in situations where a combination of kinetic energy and chemical agents is preferred for the incapacitation of hostile and/or non-compliant individuals.
Purpose	To safely resolve critical situations such as high-risk tactical operations. These are necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety/will safeguard the public's welfare, safety, civil rights, and civil liberties.
Authorized Usage	De-escalation tool not likely to inflict serious injury. Used by SWAT and patrol.
Costs	\$30 anticipated yearly maintenance cost \$0
Required Training	Sworn members utilizing munitions launchers are trained by POST certified chemical agents instructors and POST certified less lethal instructors.
Authority for Authorized Use	Use is established under the FPD Policy 300, subsection 308.4. It is the policy of the FPD to utilize impact munitions only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

<b>Winchester Lake Erie Chemical Launcher Attachment</b>	
Description	12 Gauge Projectile Launcher
Quantity	1
Capability	These launching cups attach to 12 gauge less lethal shotguns and allow us to launch canisters of chemical agents or smoke.
Life Span	25 years
Manufacturer's Description	
Purpose	These launching cups attach to 12 gauge less lethal shotguns and allow us to launch canisters of chemical agents or smoke.
Authorized Usage	De-escalation tool not likely to inflict serious injury. Used by SWAT.

Costs	\$500 anticipated yearly maintenance cost	\$0
Required Training	Sworn members utilizing munitions launchers are trained by POST certified chemical agents instructors and POST certified less lethal instructors.	
Authority for Authorized Use	Use is established under the FPD Policy 300, subsection 308.4. It is the policy of the FPD to utilize impact munitions only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.	

<b>Defense Technology 1370 12-Gauge TkO/ Launching Cup</b>		
Description	12 Gauge Projectile Launcher	
Quantity	1	
Capability	These launching cups attach to 12 gauge less lethal shotguns and allow us to launch canisters of chemical agents or smoke.	
Life Span	25 years	
Manufacturer's Description	The launching cup will project the Pocket Tactical Grenade beyond the normal throwing distance. This will extended the ability and safety of the officers involved. Removable shotgun forend to ensure proper stand-off when using breaching rounds.	
Purpose	To limit the escalation of conflict where employment of lethal force is prohibited or undesirable.	
Authorized Usage	De-escalation tool not likely to inflict serious injury. Used by SWAT.	
Costs	\$40 anticipated yearly maintenance cost	\$0
Required Training	Sworn members utilizing munitions launchers are trained by POST certified chemical agents instructors and POST certified less lethal instructors.	
Authority for Authorized Use	Use is established under the FPD Policy 300, subsection 308.4. It is the policy of the FPD to utilize impact munitions only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.	

<b>Combined Tactical Systems Super Sock Bean Bag</b>		
Description	Less lethal munitions	
Quantity	225	
Capability	This intermediate less lethal specialty munition allows for direct impact from a minimum range and a maximum effective range of 75ft	
Life Span	5 years	
Manufacturer's Description	This 12-Gauge Round is a translucent 12-Gauge shell loaded with a 51-Gram tear shaped bag made from a cotton and ballistic material blend. . The 12-Gauge Drag Stabilized projectile does not require a minimum range to unfold or stabilize. This round has a velocity of 280 fps with a maximum effective range of 75 feet.	
Purpose	To safely resolve critical situations such as crowd control during riotous situations and high-risk tactical operations. These are necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety/will safeguard the public's welfare, safety, civil rights, and civil liberties.	
Authorized Usage	De-escalation tool not likely to inflict serious injury. Used by SWAT and patrol.	



Costs	\$6.75 per round approx. \$0 anticipated yearly maintenance cost
Required Training	Sworn members utilizing munitions launchers are trained by POST certified less lethal instructors.
Authority for Authorized Use	Use is established under the FPD Policy 300, subsection 308.7, and Policy 311. It is the policy of the FPD to utilize less lethal munition only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

<b>Long Range Acoustic Device (LRAD)</b>	
Description	American Tech Cord 500
Quantity	1
Capability	Used to send messages over long range
Life Span	25 years
Manufacturer's Description	LRAD systems deliver live or recorded voice messages with exceptional clarity for any operational scenario. Optimized to the primary range of hearing, LRAD's Advanced Driver and Waveguide Technology ensure every broadcast is clearly heard and understood, even above crowd, engine, and background noise.
Purpose	Device used for public announcements.
Authorized Usage	Any critical situation to make public announcements: Critical incidents, civil unrest, search and rescue, public safety.
Costs	\$1,000 anticipated yearly maintenance cost
Required Training	All operators receive training prior to operating the LRAD in the field.
Authority for Authorized Use	Use is established under FPD Policy 312. It is the policy of the FPD to utilize the LRAD only for official law enforcement purposes, and pursuant to State and Federal law.

<b>Meridian Rapid Defense Group Archer 1200</b>	
Description	Anti-vehicle Barrier
Quantity	16 barriers, 1 trailer, 2 haulers
Capability	<p>The Archer 1200 Anti-Vehicle Barrier is a portable barrier which can protect closed areas from vehicle-ramming attacks. These barriers replace wooden, and water filled barricades during special events and are easily deployed when there is an increase in the level of threat to a specific location or crowded area. They allow for pedestrians to move between them but can stop vehicles from entering closed areas. These barriers will be used during special events and critical incidents where pedestrian safety is a concern.</p> <p>The Folsom Police Department has applied for a grant to obtain 16 barriers but have not taken possession yet.</p>
Life Span	10 years
Manufacturer's Description	An unanchored, "drop-and-stop" barrier for a VSM (Vehicle Safety Mitigation) solution deployment on any surface. Archer 1200 barriers has the shortest stopping distance in its class, modular design, no heavy equipment required for deployment
Purpose	To be used based on the specific circumstances of a given critical incident, large event, natural disaster or community event that is taking place.
Authorized Usage	Authorized for use would include but not be limited to critical incidents, emergencies, and community events.
Costs	\$150,000 approx. \$0 anticipated yearly maintenance cost
Required Training	All officers deploying the vehicle barriers will receive training on how to properly load, unload, move, and deploy the barriers in the field.
Authority for Authorized Use	It will be the policy of the Department to use the vehicle barriers for official law enforcement purposes including road closures, and special events

Attachment 3  
Folsom Police Policy 707

## Military Equipment

### 707.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the approval, acquisition, and reporting requirements of military equipment (Government Code § 7070; Government Code § 7071; Government Code § 7072).

#### 707.1.1 DEFINITIONS

Definitions related to this policy include (Government Code § 7070):

**Military equipment** – Includes but is not limited to the following:

- 1 Unmanned, remotely piloted, powered aerial or ground vehicles.
- 2 Mine-resistant ambush-protected (**MRAP**) vehicles or armored personnel carriers. Police versions of standard consumer vehicles are not Military Equipment.
- 3 High mobility multipurpose wheeled vehicles (HMMWV), two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached. Unarmored all-terrain vehicles (ATVs) and motorized dirt bikes are not Military Equipment.
- 4 Tracked armored vehicles that provide ballistic protection to their occupants and use a tracked system instead of wheels for forward motion.
- 5 Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
- 6 Weaponized aircraft, vessels, or vehicles of any kind.
- 7 Battering rams, slugs, and breaching apparatuses that are explosive in nature. This does not include a handheld, one-person ram. Items designed to remove a lock, such as bolt cutters, are not Military Equipment.
- 8 Firearms and ammunition of .50 caliber or greater, excluding standard-issue shotguns and standard-issue shotgun ammunition.
- 9 Specialized firearms and ammunition of less than .50 caliber, including firearms and accessories identified as assault weapons in Penal Code § 30510 and Penal Code § 30515, with the exception of standard-issue handguns and ammunition of less than .50 caliber.
- 10 Any firearm or firearm accessory that is designed to launch explosive projectiles.
- 11 Flashbang grenades, noise-flash diversionary devices, and explosive breaching tools.
- 12 Tear gas, pepper balls, and other munitions containing tear gas or OC, excluding standard, service-issued handheld pepper spray.
- 13 TASER® Shockwave, microwave weapons, water cannons, and long-range acoustic devices (LRADs).

## *Military Equipment*

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14 The following projectile launch platforms and their associated munitions: 40 mm projectile launchers, bean bag, rubber bullet, specialty impact munition (SIM) weapons, and any kinetic energy weapons and munitions.

15 Any other equipment as determined by the City Council to require additional oversight.

**Type** – Each item that shares the same manufacturer model number.

### **707.2 POLICY**

It is the policy of the Folsom Police Department that members of this department comply with the provisions of Government Code § 7071 with respect to military equipment.

### **707.3 MILITARY EQUIPMENT COORDINATOR**

The Chief of Police should designate a member of this department to act as the military equipment coordinator. The responsibilities of the military equipment coordinator include but are not limited to:

- (a) Acting as liaison to the City Council for matters related to the requirements of this Policy.
- (b) Identifying equipment that qualifies as Military Equipment, as defined in this Policy, whether the equipment is in the current possession of the Department or is equipment the Department intends to acquire.
- (c) Conducting an inventory of all Military Equipment, as defined in this Policy, at least annually.
- (d) Collaborating with any other law enforcement agency that may use Military Equipment within the jurisdiction of Folsom Police Department (Government Code § 7071).
- (e) Preparing for, scheduling, and coordinating the annual community engagement meeting, including:
  1. Publicizing the details of the meeting.
  2. Preparing for public questions regarding the Department's funding, acquisition, or use of Military Equipment.
- (f) Preparing the annual Military Equipment report for submission to the City Council and ensuring that the report is made available on the department website consistent with this Policy. (Government Code § 7072). Additionally, updating the ordinance, policy, and Military List as necessary.
- (g) Ensuring that this Policy is made available on the Department's website and that any newly proposed version of the Policy is also available on the website at least 30 days before any public hearing concerning the Policy or the associated ordinance.
- (h) Evaluating the procedures by which members of the public may register complaints or concerns or submit questions about the use of any Type of Military Equipment and updating those procedures as needed.

## *Military Equipment*

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- (i) Ensuring that the Department responds in a timely manner to each complaint, concern, or question about Military Equipment

### **707.4 MILITARY EQUIPMENT INVENTORY**

Attached is a list of the Folsom Police Department's qualifying Military Equipment, including the following information (Government Code § 7070):

- (a) A description of each Type of Military Equipment, including:
  - 1. Quantity
  - 2. Capabilities
  - 3. Expected lifespan
  - 4. Product description from the manufacturer.
- (b) The purposes and authorized uses of each Type of Military Equipment
- (c) The fiscal impact of each Type of Military Equipment, including:
  - 1. Initial cost of obtaining the equipment
  - 2. Estimated annual cost of maintaining the equipment
- (d) Rules that govern each authorized use
- (e) Training that must be completed before any member of the Department is allowed to use each specific Type of Military Equipment

*(Insert attachment here)*

### **707.5 USE OF MILITARY EQUIPMENT**

Military Equipment used by any member of this Department shall first be approved for use by the City Council. Once approved, Military Equipment must be used in accordance with all applicable Folsom Police Department policies and used only by those members trained and authorized for such use.

### **707.6 ACQUISITION OF NEW MILITARY EQUIPMENT**

- (a) The acquisition of new Military Equipment shall be approved in advance by the City Council, in accordance with this Policy.
- (b) The Department is authorized to acquire additional stock of approved Military Equipment from other law enforcement agencies in the event of an emergency when approved in advance by the Chief of Police or authorized designee. If that occurs, the Department must obtain City Council approval as described in this Policy as soon as practicable.

## *Military Equipment*

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### **707.7 FUNDING FOR MILITARY EQUIPMENT**

Funding for Military Equipment shall be approved in advance by the City Council, in accordance with the City of Folsom budget process, the procurement requirements of the Folsom Municipal Code, and this Policy.

### **707.8 APPROVAL BY CITY COUNCIL**

- (a) The Chief of Police or the authorized designee shall obtain approval from the City Council for the acquisition and use of Military Equipment by way of an ordinance adopting the Military Equipment Use Policy. (Government Code § 7071.)
- (b) The City Council shall review the ordinance approving the Military Equipment Use Policy annually and vote on whether to renew the ordinance. (Government Code § 7071.)
- (c) As part of the initial and annual approval process, the Chief of Police or the authorized designee shall submit the proposed Military Equipment Use Policy to the City Council and make it available on the Department's website at least 30 days prior to any public hearing concerning the Military Equipment at issue (Government Code § 7071).
- (d) The ordinance approving the Military Equipment Use Policy must be adopted by the City Council before the Department engages in any of the following (Government Code § 7071):
  - 1. Requesting military equipment made available pursuant to 10 USC § 2576a.
  - 2. Seeking funds for military equipment, including but not limited to applying for a grant, soliciting or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers.
  - 3. Acquiring military equipment either permanently or temporarily, including by borrowing or leasing.
  - 4. Collaborating with another law enforcement agency in the deployment or other use of military equipment within the jurisdiction of this department.
  - 5. Using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the governing body.
  - 6. Soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, apply to receive, acquire, use, or collaborate in the use of military equipment.
  - 7. Acquiring military equipment through any means not provided above.

### **707.9 PUBLIC AVAILABILITY OF POLICY**

- (a) The Chief of Police or the authorized designee shall make any proposed Military Equipment Use Policy publicly available on the Department's website at least 30 days before any public hearing concerning the Military Equipment at issue. This includes any proposed changes to the Policy or the Military Equipment Inventory associated with the City Council's annual review of the ordinance. (Government Code § 7071.)



## *Military Equipment*

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- (b) The Chief of Police or the authorized designee shall make any Military Equipment Use Policy publicly available on the Department's website for as long as the Military Equipment is available for use. (Government Code § 7071.)

### **707.10 COORDINATION WITH OTHER LAW ENFORCEMENT AGENCIES**

Military Equipment used by any other law enforcement agency that is providing mutual aid to or operating in conjunction with this Department or the City of Folsom in a law enforcement capacity, shall comply with the law enforcement agency's own Military Equipment use policy. Use of another law enforcement agency's Military Equipment by that agency in the City of Folsom is approved as long as the use complies with the other agency's Military Equipment use policy.

### **707.11 ANNUAL REPORT**

- (a) Within one year after approval of the Military Equipment Use Policy, and annually thereafter, the Chief of Police or the authorized designee should submit to the City Council an annual Military Equipment report for each Type of approved Military Equipment. (Government Code § 7072).
- (b) The Chief of Police or the authorized designee should make each annual Military Equipment report publicly available on the Department's website for as long as the Military Equipment is available for use. (Government Code § 7072.)
- (c) The annual Military Equipment report shall include, at a minimum, all of the following information for the preceding calendar year for each Type of Military Equipment (Government Code § 7072):
  1. A summary of how the Military Equipment was used and the purpose of its use.
  2. A summary of any complaints or concerns received concerning the Military Equipment.
  3. The results of any internal audits, any information about violations of the Military Equipment Use Policy, and any actions taken in response.
  4. The total annual cost for each Type of Military Equipment, including acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other ongoing costs, and from what source funds will be provided for the Military Equipment in the calendar year following submission of the annual Military Equipment report.
  5. The quantity possessed for each Type of Military Equipment.
  6. If the Department intends to acquire additional Military Equipment in the next year, the quantity sought for each Type of Military Equipment.

## *Military Equipment*

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### **707.12 REPLACEMENT OF EXISTING MILITARY EQUIPMENT**

To maintain the quantity of each Type of Military Equipment included in the Military Equipment Inventory attached to this Policy, the Department is authorized to replace any approved Military Equipment without amending this Policy or the associated ordinance, if the Military Equipment is destroyed or rendered inoperable as a result of authorized use.

### **707.13 COMPLIANCE**

Mechanisms to ensure compliance with the Military Equipment Use Policy include, but are not limited to, the following:

- (a) The Chief of Police shall be considered the ultimate authority for the content and adoption of the provisions of this Policy and shall ensure compliance with the Policy.
- (b) Each Division Commander will ensure that members under his/her command are aware of this Policy.
- (c) Each member will be required to acknowledge that he/she reviewed the Policy and shall seek clarification from an appropriate supervisor as needed.
- (d) The Training Officer is responsible for developing, reviewing, updating, and maintaining the Department's training plan so that required training is completed.
- (e) The Military Equipment Coordinator is responsible for compliance with specific components of the Policy as described above.
- (f) Violations of this Policy shall form the basis for departmental administrative action, training, or discipline consistent with the Policy Manual, the City of Folsom Personnel Rules and Regulations, and the applicable collective bargaining agreement.
- (g) This Policy shall not be construed to create a higher standard of care for civil or criminal liability against the City of Folsom or its employees.

### **707.14 COMMUNITY ENGAGEMENT**

- (a) Within 30 days of submitting and publicly releasing the annual Military Equipment report, the Department shall hold at least one well-publicized and conveniently located community engagement meeting, at which the Department should discuss the annual Military Equipment report and respond to public questions regarding the report and the Department's funding, acquisition, or use of Military Equipment. (Government Code § 7072.)
- (b) Members of the public may register complaints or concerns or submit questions about the use of each specific Type of Military Equipment in any form, including in writing, by email sent to the following email address: [FPDmilitaryequipment@folsom.ca.us](mailto:FPDmilitaryequipment@folsom.ca.us), in person, by telephone at (916) 461-6400, at pre-determined community engagement meetings related to Military Equipment, or at any City Council meeting. Complaints related to the use of Military Equipment will be handled in accordance with FPD Policy 1019- Personnel Complaints.
- (c) The Department will ensure that each complaint, concern, or question receives a response in a timely manner. The Military Equipment Coordinator is specifically tasked

*Military Equipment*

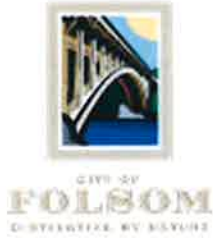
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with ensuring that each complaint, concern, or question receives a response in a timely manner.

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to facilitate double-sided printing  
and minimize paper use.*



CITY OF  
**FOLSOM**  
DISTINCTIVE BY NATURE



# Folsom City Council Staff Report



<b>MEETING DATE:</b>	7/9/2024
<b>AGENDA SECTION:</b>	Public Hearing
<b>SUBJECT:</b>	1000 East Natoma Rezone to Residential – 1000 and 1010 East Natoma Street (ZCAM24-00112)  i. Ordinance No. 1346 - An Uncodified Ordinance to Amend the Zoning District for a 2.47-acre parcel (Lot 1) from R-1-ML and A-1-A to R-1-ML and to Amend the Zoning District for a 2.14-acre parcel (Lot 2) from A-1-A to R-1-ML for the 1000 East Natoma Rezone to Residential project (Introduction and First Reading)
<b>FROM:</b>	Community Development Department

### **RECOMMENDATION / CITY COUNCIL ACTION**

Move to Introduce and Conduct First Reading of Ordinance No. 1346 - An Uncodified Ordinance to amend the zoning district for a 2.47-acre parcel (Lot 1, Assessor Parcel Number 071-1970-003) from R-1-ML (Residential, Single-Family Dwelling, Medium Lot District) and A-1-A (Agricultural-Reserve District) to R-1-ML and to amend the zoning district for a 2.14-acre parcel (Lot 2, Assessor Parcel Number 071-1970-004) from A-1-A to R-1-ML for the 1000 East Natoma Rezone to Residential project (Introduction and First Reading).

### **BACKGROUND / ISSUE**

The subject parcels are located at 1000 and 1010 East Natoma Street, on the north side of East Natoma Street, east of the intersection of Briggs Ranch Road/Folsom Point Road and East Natoma Street. Single-family residential development is located to the south and east, with a church use to the west across Folsom Point Road, and the Folsom Lake State Recreation Area abuts the parcels to the north. The parcels have rolling topography, with driveways from both Folsom Point Road and East Natoma Street serving the parcels. 1000 East Natoma is developed with a 3,870 square foot single-family residence built in 1980 and 1010 East Natoma with a 1,200 square foot garage with an unknown build date.

In 2003, a Director-level Design Review for minor improvements to the residence at 1000 East Natoma was approved (Project Number AR03-00236). Minor building permits have been approved over the ensuing 20 years for general residential maintenance. The parcels were sold to the current owners in 2018 and used as rental property. In 2020, City staff were made aware that the residence at 1000 East Natoma was being used as a short-term rental and event venue, though their business license for that location was only for a property rental. Multiple violation notices were issued over the next few years for noise and use complaints. In 2023, the owners were informed by staff that continued use of the property as a vacation rental and/or event center would require rezoning the property and approval of a Conditional Use Permit.

Rather than pursue entitlements to legitimize current uses, the owners decided to place the parcels up for sale. City staff were approached by representatives of a religious congregation (Foundation Lutheran) in early 2024 to discuss whether a church could be established on the site. Staff informed the representatives that the current zoning of A-1-A that covers most of the site does not allow church use. However, a rezoning to a residential zone, such as R-1-ML, which does permit churches with a use permit, would be supported as it would make the zoning consistent with the site's General Plan land use designation of SF (Single Family). The representatives moved forward with submitting a request to rezone the parcels to R-1-ML and are undergoing pre-application review for a proposed church facility on the site.

On May 15, 2024, the Planning Commission held a public hearing to consider the 1000 East Natoma Rezone to Residential project. The Commission asked if this rezoning would impact any active agricultural uses or require a rezoning of other properties to make up for the loss of agriculturally zoned land. Staff confirmed that the properties are not used for agricultural purposes, and that there is no requirement to rezone other properties to make up for the reduction of agriculturally zoned land. Staff further clarified that the intent of the A-1-A zoning district is to provide areas for interim agricultural or livestock grazing uses until services are available to support urban development, which is the case in this situation. There were no public comments on the proposal, and the Planning Commission voted 6-0-1 (one Commissioner absent) to recommend approval of the request, based on the findings included in the Planning Commission report.

### **POLICY / RULE**

Per the requirements of Government Code Section 65860, a city's zoning ordinance must be consistent with its general plan. If a zoning ordinance is inconsistent with a general plan, the zoning ordinance should be amended within a reasonable time so that it is consistent with the general plan.

Folsom Municipal Code (FMC) Sections 17.68.040 and 17.68.050 require that applications for rezones be forwarded to the City Council for final action with a recommendation from the Planning Commission.

### **ANALYSIS**

#### **Conformance with Relevant General Plan Goals and Policies**

The City of Folsom General Plan (2035) outlines a number of goals, policies, and implementation programs designed to guide the physical, economic, and environmental growth of the City. Staff has determined that the proposed project is consistent with the General Plan goals and policies as outlined and discussed below:

*GP POLICY LU 1.1.1 (Zoning Ordinance)*

Ensure that the Folsom Zoning Ordinance is consistent with the policies and programs of the General Plan.

Analysis: The proposed project is consistent with this policy in that it includes rezoning the project site from R-1-ML and A-1-A to R-1-ML. The General Plan designation of SF allows for 2 to 4 dwelling units per acre. The A-1-A zoning district requires a minimum lot size of 50 acres and restricts urban development. The R-1-ML zoning district, in contrast, requires a minimum lot size of 10,000 square feet, which would allow up to four dwelling units per acre. Changing the zoning on the project site to R-1-ML both cleans up the error of two zoning districts on one lot and allows for the type of development density contemplated by the SF designation.

*GP POLICY LU 6.1.1 (Complete Neighborhoods)*

Encourage the establishment of “complete neighborhoods” that integrate schools, childcare centers, parks, shopping and employment centers, and other amenities.

Analysis: The proposed project is consistent with this policy in that the project includes rezoning the project site from R-1-ML and A-1-A to R-1-ML. The uses permitted in the A-1-A zoning district are limited to agricultural and livestock grazing and accessory residential. The R-1-ML zoning district, in contrast, allows single-family residential uses by right and conditionally permits uses such as schools, golf courses, and churches that can serve as amenities to the surrounding residential neighborhoods. Changing the zoning on the project site to R-1-ML allows for the potential for a more “complete neighborhood” as encouraged by this General Plan policy.

General Plan and Zoning Consistency

The General Plan land use designation for the two parcels is SF (Single Family) and the zoning districts are R-1-ML and A-1-A for 1000 East Natoma Street, and A-1-A for 1010 East Natoma Street. The existing General Plan land use designation (SF) and the existing zoning district of A-1-A are not consistent with each other as the SF General Plan land use designation is intended to provide opportunities for development of single-family detached homes and single-family attached homes, while the A-1-A zoning district was established to provide areas for interim agricultural and livestock grazing uses until such time as community services are available for urban development. As described in the background section of this staff report, the project site is developed with one single family residence on APN 071-1970-003 and an outbuilding on APN 071-1970-004. The two parcels have been sold and used together, despite parcelization in 1981.

Adjacent parcels along East Natoma Street have General Plan land use (SF to the west and SFHD [Single Family High Density] to the east) and zoning (R-1-ML to the west and R-1-M (PD) [Single Family Residential - Small Lot/Planned Development]) districts to the west that are consistent with

each other. Images of the site and the zoning districts of the surrounding parcels are provided as attachments to the Planning Commission staff report (Attachment 2 to this report). The proposed rezone to change the zoning for the subject parcels from R-1-ML/A-1-A and A-1-A would result in the General Plan land use and the zoning districts being consistent with each other in the same manner as adjacent properties to the west.

Further, residential development was contemplated for this site as demonstrated by the SF General Plan land use designation. The proposed rezone is warranted to remove the split zoning on the project site and allow for the urban development called for in the parcel's existing SF General Plan designation. Staff determined that development allowed by the proposed R-1-ML zoning, either by right or with a Conditional Use Permit, would be compatible with existing land uses in the project area and that the request is consistent with all relevant General Plan goals and policies. Finally, urban services (water and sewer) are available to the property, which negates the need to retain the A-1-A zoning district. As a result, staff is supportive of the rezone.

### **FINANCIAL IMPACT**

No financial impact is anticipated with approval of the rezone.

### **ENVIRONMENTAL REVIEW**

An Environmental Impact Report was previously approved for the City of Folsom General Plan on August 28, 2018, in accordance with the requirements of the California Environmental Quality Act (CEQA). Staff has determined that no new impacts will result from the proposed project that were not already considered with the previous approval because the General Plan land use designation for both parcels is already SF. The project therefore does not require additional environmental review under Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning) of the CEQA Guidelines. Further, per the requirements of Government Code Section 65860, residential development is already allowed as permitted by the SF General Plan land use designation even though the current agricultural zoning conflicts with the SF designation. This eliminates the need to analyze potential impacts from a possible increase in density due to the proposed rezone. Finally, any new site development is discretionary and would require subsequent project-specific CEQA review.

### **ATTACHMENTS**

1. Ordinance No. 1346 - An Uncodified Ordinance to amend the zoning district for a 2.47-acre parcel (Lot 1) from R-1-ML and A-1-A to R-1-ML and to amend the zoning district for a 2.14-acre parcel (Lot 2) from A-1-A to R-1-ML for the 1000 East Natoma Rezoning Residential project (Introduction and First Reading).
2. Planning Commission Staff Report, dated May 15, 2024
3. Minutes from May 15, 2024, Planning Commission Meeting
4. Vicinity Map



Submitted,



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PAM JOHNS  
Community Development Director

## ATTACHMENT 1

Ordinance No. 1346 - An Uncodified Ordinance to amend the zoning district for a 2.47-acre parcel (Lot 1) from R-1-ML and A-1-A to R-1-ML and to amend the zoning district for a 2.14-acre parcel (Lot 2) from A-1-A to R-1-ML for the 1000 East Natoma Rezone to Residential project (Introduction and First Reading).

## ORDINANCE NO. 1346

### AN UNCODIFIED ORDINANCE TO AMEND THE ZONING DISTRICT FOR A 2.47-ACRE PARCEL (LOT 1, APN 071-1970-003) FROM R-1-ML AND A-1-A TO R-1-ML AND TO AMEND THE ZONING DISTRICT FOR A 2.14-ACRE PARCEL (LOT 2, APN 071-1970-004 ) FROM A-1-A TO R-1-ML FOR THE 1000 EAST NATOMA REZONE TO RESIDENTIAL PROJECT

**WHEREAS**, the Planning Commission, at its regular meeting on May 15, 2024, considered the proposed rezone of two parcels associated with the East Natoma Rezone to Residential project and determined that the proposed rezone was appropriate given the parcels' Single Family Residential General Plan land use designation and existing residential land uses in the project vicinity; and

**WHEREAS**, all notices have been given at the time and in the manner required by State Law and the Folsom Municipal Code.

**NOW, THEREFORE**, the City Council of the City of Folsom does hereby ordain as follows:

#### **SECTION 1 PURPOSE**

The purpose of this Ordinance is to amend the zoning district for a 2.47-acre parcel (Lot 1) from R-1-ML and A-1-A to R-1-ML and to amend the zoning district for a 2.14-acre parcel (Lot 2) from A-1-A to R-1-ML, to bring the zoning districts into compliance with the properties' General Plan land use designation of SF (Single-Family).

#### **SECTION 2 AMENDMENT**

The Zoning Map districts for Assessor Parcel Numbers 071-1970-003 and 071-1970-004 are hereby amended from R-1-ML (Residential, Single-Family Dwelling, Medium Lot District) and A-1-A (Agricultural-Reserve District) to R-1-ML as set forth on Exhibit A.

#### **SECTION 3 SCOPE**

Except as set forth in this ordinance, all other provisions of the Folsom Municipal Code shall remain in full force and effect.

#### **SECTION 4 SEVERABILITY**

If any section, subsection, sentence, clause, or phrase in this Ordinance or any part thereof is for any reason held to be unconstitutional, invalid, or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council declares that it would have passed each section irrespective of the fact that any one or more section, subsection, sentence, clause, or phrase be declared unconstitutional, invalid, or ineffective.

**SECTION 5 EFFECTIVE DATE**

This ordinance shall become effective thirty (30) days from and after its passage and adoption, provided it is published in full or in summary within twenty (20) days after its adoption in a newspaper of general circulation in the City.

This ordinance was introduced and the title thereof read at the regular meeting of the City Council on July 9, 2024 and the second reading occurred at the regular meeting of the City Council on July 23, 2024.

On a motion by Council Member \_\_\_\_\_ seconded by Council Member \_\_\_\_\_, the foregoing ordinance was passed and adopted by the City Council of the City of Folsom, State of California, this 23rd day of July, 2024, by the following roll-call vote:

- AYES:** Councilmember(s):
- NOES:** Councilmember(s):
- ABSENT:** Councilmember(s):
- ABSTAIN:** Councilmember(s):

\_\_\_\_\_  
Michael D. Kozlowski, MAYOR

ATTEST:

\_\_\_\_\_  
Christa Freemantle, CITY CLERK

# EXHIBIT “A”

# 1000 & 1010 E. Natoma Street - Rezone Exhibit



Existing Zoning Designation



Proposed Zoning Designation

### Legend

- A-1 A
- OSC
- R-1-ML
- C-1 PD
- R-1-M PD



## ATTACHMENT 2

Planning Commission Staff Report, dated May 15, 2024



CITY OF  
**FOLSOM**  
DISTINCTIVE BY NATURE

**AGENDA ITEM NO. 3**  
**Type: Public Hearing**  
**Date: May 15, 2024**

## **Planning Commission Staff Report**

50 Natoma Street, Council Chambers  
Folsom, CA 95630

**Project:** 1000 East Natoma Rezone to Residential  
**File #:** ZCAM24-00112  
**Request:** Rezone  
**Location:** 1000 and 1010 East Natoma Street  
**APN:** 071-1970-003 and -004  
**Staff Contact:** Jessica Brandt, Principal Planner, 916-461-6207  
jbrandt@folsom.ca.us

### **Property Owner**

Name: Benny Mathew  
Address: 1000 East Natoma Street  
Folsom, CA 95630

### **Applicant**

Name: David Koelpin  
Address: 1200 Eschelman Court  
Folsom, CA 95630

**Recommendation:** Conduct a public hearing and upon conclusion recommend to the City Council approval of a Rezone to change the zoning for the parcels located at 1000 East Natoma Street (currently split zoned R-1-ML (Residential, Single-Family Dwelling, Medium Lot District) and A-1-A (Agricultural-Reserve District)) and 1010 East Natoma Street (currently zoned A-1-A), to R-1-ML for both parcels, as illustrated on Attachment 5 based on the findings (Findings A-I) attached to this report.

**Project Summary:** The request is to rezone two parcels totaling approximately 4.3 acres at the northeast corner of East Natoma Street and Folsom Point Road from a split zone of R-1-ML and A-1-A for 1000 East Natoma Street, and A-1-A for 1010 East Natoma Street to R-1-ML for both parcels. This will make the zoning consistent with the parcels' Single (SF) Family General Plan designation and allow for the potential of a church use with a Conditional Use Permit. No site development is proposed as part of this request.

### **Table of Contents:**

- 1 - Description/Analysis
- 2 - Background
- 3 - Vicinity Map
- 4 - Site Photographs
- 5 - Draft Rezone Ordinance with Rezone Exhibit





CITY OF  
**FOLSOM**  
DISTINCTIVE BY NATURE

Submitted,

A handwritten signature in blue ink, appearing to read "Pam Johns".

---

PAM JOHNS  
Community Development Director

Planning Commission  
 1000 East Natoma Rezone to Residential (ZCAM24-00112)  
 May 15, 2024

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## ATTACHMENT 1 DESCRIPTION/ ANALYSIS

### APPLICANT'S PROPOSAL

The applicant, David Koelpin, is requesting approval of a rezone for two parcels totaling approximately 4.3 acres at the northeast corner of East Natoma Street and Folsom Point Road from a split zone of R-1-ML and A-1-A for 1000 East Natoma Street, and A-1-A for 1010 East Natoma Street, to R-1-ML for both parcels. This will make the zoning consistent with the parcels' SF General Plan designation and allow for the potential of a church use with a Conditional Use Permit under Section 17.12.030 of the Folsom Municipal Code (FMC). No site development is proposed as part of this rezone request.

### POLICY/RULE

Per the requirements of Government Code Section 65860, a city's zoning ordinances must be consistent with its general plan. If a zoning ordinance is inconsistent with a general plan, the zoning ordinance should be amended within a reasonable time so that it is consistent with the general plan.

Folsom Municipal Code (FMC) Chapters 17.68.040 and 17.68.50 require that applications for rezones be forwarded to the City Council for final action with a recommendation from the Planning Commission.

### ANALYSIS

#### Conformance with Relevant General Plan Goals and Policies

The City of Folsom General Plan (2035) outlines a number of goals, policies, and implementation programs designed to guide the physical, economic, and environmental growth of the City. Staff has determined that the proposed project is consistent with the General Plan goals and policies as outlined and discussed below:

#### *GP POLICY LU 1.1.1 (Zoning Ordinance)*

Ensure that the Folsom Zoning Ordinance is consistent with the policies and programs of the General Plan.

Analysis: The proposed project is consistent with this policy in that it includes rezoning the project site from R-1-ML and A-1-A to R-1-ML. The General Plan designation of SF allows for 2 to 4 dwelling units per acre. The A-1-A zoning district requires a minimum lot size of 50 acres and restricts urban development. The R-1-ML zoning district, in contrast, requires a minimum lot size of 10,000 square feet, which would allow up to four dwelling units per acre. Changing the zoning on the project site to R-1-ML both cleans up the error of two zoning designations on one lot and allows for the type of development density contemplated by the SF designation.

Planning Commission  
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*GP POLICY LU 6.1.1 (Complete Neighborhoods)*

Encourage the establishment of “complete neighborhoods” that integrate schools, childcare centers, parks, shopping and employment centers, and other amenities.

Analysis: The proposed project is consistent with this policy in that the project includes rezoning the project site from R-1-ML and A-1-A to R-1-ML. The uses permitted in the A-1-A zoning district are limited to agricultural and livestock grazing and accessory residential. The R-1-ML zoning district, in contrast, allows single-family residential uses by right and conditionally permits uses such as schools, golf courses, and churches that can serve as amenities to the surrounding residential neighborhoods. Changing the zoning on the project site to R-1-ML allows for the potential for a more “complete neighborhood” as encouraged by this General Plan policy.

General Plan and Zoning Consistency

The General Plan land use designation for the two parcels is SF (Single Family) and the zoning designations are R-1-ML and A-1-A for 1000 East Natoma Street, and A-1-A for 1010 East Natoma Street. The existing General Plan land use designation (SF) and the existing zoning designation of A-1-A are not consistent with each other as the SF General Plan land use designation is intended to provide opportunities for development of single-family detached homes and single-family attached homes, while the A-1-A zoning designation was established to provide areas for interim agricultural and livestock grazing uses until such time as community services are available for urban development. As described in the background section of this staff report, the project site is developed with one single family residence on APN 071-1970-003 and an outbuilding on APN 071-1970-004. The two parcels have been sold and used together, despite parcelization in 1981.

Adjacent parcels along East Natoma Street have General Plan land use (SF to the west and SFHD [Single Family High Density] to the east) and zoning (R-1-ML to the west and R-1-M (PD) [Single Family Residential - Small Lot/Planned Development]) designations to the west that are consistent with each other. Images of the site and the zoning designations of the surrounding parcels are provided in Attachments 4 and 5 respectively. The proposed rezoning to change the zoning for the subject parcels from R-1-ML/A-1-A and A-1-A would result in the General Plan land use and the zoning designations being consistent with each other in the same manner as adjacent properties to the west.

Further, residential development was contemplated for this site as demonstrated by the SF General Plan land use designation. The proposed rezoning is warranted to remove the split zoning on the project site and allow for the urban development called for in the parcel's existing SF General Plan designation. Staff determined that development allowed by the proposed R-1-ML zoning, either by right or with a Conditional Use Permit, would be compatible with existing land uses in the project area and that the request is consistent with all relevant General Plan goals and policies. Finally, urban services (water and sewer) are available to the property, which negates the need to retain the A-1-A zoning designation. As a result, staff is supportive of the rezoning.

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### **ENVIRONMENTAL REVIEW**

An Environmental Impact Report was previously approved for the City of Folsom General Plan on August 28, 2018, in accordance with the requirements of the California Environmental Quality Act (CEQA). Staff has determined that no new impacts will result from the proposed project that were not already considered with the previous approval because the General Plan land use designation for both parcels is already SF. The project therefore does not require additional environmental review under Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning) of the CEQA Guidelines. Further, per the requirements of Government Code Section 65860, residential development is already allowed as permitted by the SF General Plan land use designation even though the current agricultural zoning conflicts with the SF designation. This negates the need to analyze potential impacts from a possible increase in density due to the proposed rezone. Finally, any new site development is discretionary and would require subsequent project-specific CEQA review.

### **RECOMMENDATION/PLANNING COMMISSION ACTION**

Move to recommend that the City Council approve a rezone for two parcels totaling approximately 4.3 acres at the northeast corner of East Natoma Street and Folsom Point Road from split zoning between R-1-ML and A-1-A (1000 East Natoma), and A-1-A (1010 East Natoma), to R-1-ML for both parcels as illustrated on Attachment 5 for the 1000 East Natoma Rezone to Residential Project (ZCAM24-00112) based on the findings (Findings A-I) attached to this report.

### **GENERAL FINDINGS**

- A. NOTICE OF HEARING HAS BEEN GIVEN AT THE TIME AND IN THE MANNER REQUIRED BY STATE LAW AND CITY CODE.
- B. WITH THE PROPOSED AMENDMENT, THE PARCEL ZONING IS CONSISTENT WITH THE GENERAL PLAN OF THE CITY.

### **REZONE FINDING**

- C. FOR THE REASONS DESCRIBED IN THIS REPORT, THE PUBLIC NECESSITY AND CONVENIENCE AND THE GENERAL WELFARE REQUIRE A REZONE OF THE SUBJECT PROPERTY FROM A-1-A TO R-1-ML.

### **CEQA FINDINGS**

- D. AN ENVIRONMENTAL IMPACT REPORT (EIR) WAS PREVIOUSLY APPROVED FOR THE CITY OF FOLSOM GENERAL PLAN ON AUGUST 28, 2018, IN

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ACCORDANCE WITH THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).

- E. THE PROPOSED REZONING WILL RESULT IN PARCEL ZONING CONSISTENT WITH THE GENERAL PLAN DESIGNATION.
- F. THE PROPOSED REZONING WILL KEEP THE PARCEL CONSISTENT WITH THE DEVELOPMENT DENSITY APPROVED IN THE GENERAL PLAN.
- G. NO NEW IMPACTS WILL RESULT FROM THE PROPOSED REZONE THAT WERE NOT ALREADY CONSIDERED WITH THE PREVIOUS APPROVAL OF THE GENERAL PLAN EIR.
- H. ANY DEVELOPMENT APPLICATION SUBMITTED FOR THE SITE WILL BE ANALYZED TO EVALUATE POTENTIAL PROJECT SPECIFIC ENVIRONMENTAL IMPACTS OR EXEMPT STATUS.
- I. NO ADDITIONAL ENVIRONMENTAL REVIEW IS REQUIRED FOR THIS APPLICATION.

## ATTACHMENT 2 BACKGROUND

### BACKGROUND

The subject parcels are located at 1000 and 1010 East Natoma Street, on the north side of East Natoma Street, east of the intersection of Briggs Ranch Road/Folsom Point Road and East Natoma Street. Single-Family residential property is located to the south and east, with a church use to the west across Folsom Point Road, and the Folsom Lake State Recreation Area abuts the parcels to the north. The parcels have rolling topography, with driveways from both Folsom Point Road and East Natoma Street serving both parcels. 1000 East Natoma is developed with a 3,870 square foot single-family residence built in 1980 and 1010 East Natoma with a 1,200 square foot garage with an unknown build date.

In 2003, a Director Level Design Review was approved at 1000 East Natoma (Project Number AR03-00236). Minor building permits have been approved over the ensuing 20 years for general residential maintenance. The parcels were sold to the current owners in 2018 and used as rental property. In 2020, City staff were made aware that the residence at 1000 East Natoma was being used as a short-term rental and event venue, though their business license for that location was only for a property rental. Multiple violation notices were issued over the next few years for noise and use complaints. In 2023, the owners were informed by staff that continued use of the property as a vacation rental and/or event center would require rezoning the property and approval of a Conditional Use Permit.

Rather than pursue entitlements to legitimize current uses, the owners decided to place the parcels up for sale. City staff were approached by representatives of a religious congregation (Foundation Lutheran) in early 2024 to discuss whether a church could be established on the site. Staff informed the representatives that the current zoning of A-1-A that covers most of the site does not allow church use. However, a rezoning to a residential zone, such as R-1-ML, which does permit churches with a use permit, would be supported as it would make the zoning consistent with the site's General Plan land use designation of SF. The representatives moved forward with submitting a request to rezone the parcels to R-1-ML and are undergoing pre-application review for a proposed church facility on the site.

### GENERAL PLAN DESIGNATION

SF (Single Family)

### ZONING

R-1-ML (Residential, Single-Family Dwelling, Medium Lot District) and A-1-A (Agricultural-Reserve District) for 1000 East Natoma Street, and A-1-A for 1010 East Natoma Street.

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**ADJACENT LAND USES/ZONING**

North: Folsom Lake State Recreation Area (A-1-A)  
South: East Natoma Street with Residential Property (R-1-M[PD]) Beyond  
East: Small Lot Residential Development (R-1-M[PD])  
West: Folsom Point Road with a Church Facility (R-1-M) Beyond

**SITE CHARACTERISTICS**

The site is comprised of two parcels that have rolling topography, with driveways from both Folsom Point Road and East Natoma Street. 1000 East Natoma is developed with a 3,870 square foot single-family residence built in 1980 and 1010 East Natoma Street with a 1,200 square foot garage with an unknown build date.

**APPLICABLE CODES**

FMC Chapter 17.12, R-1-ML, Residential, Single-Family Dwelling, Medium Lot District  
FMC Chapter 17.35, A-1-A, Agricultural-Reserve District  
FMC Chapter 17.68.040 and 17.68.50, Amendments  
FMC Chapter 17.68, Amendments  
Government Code Section 65860, Zoning Consistency with General Plan, Enforcing Consistency

Historic District Commission  
1000 East Natoma Rezone to Residential (ZCAM24-00112)  
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## **Attachment 3 Vicinity Map**

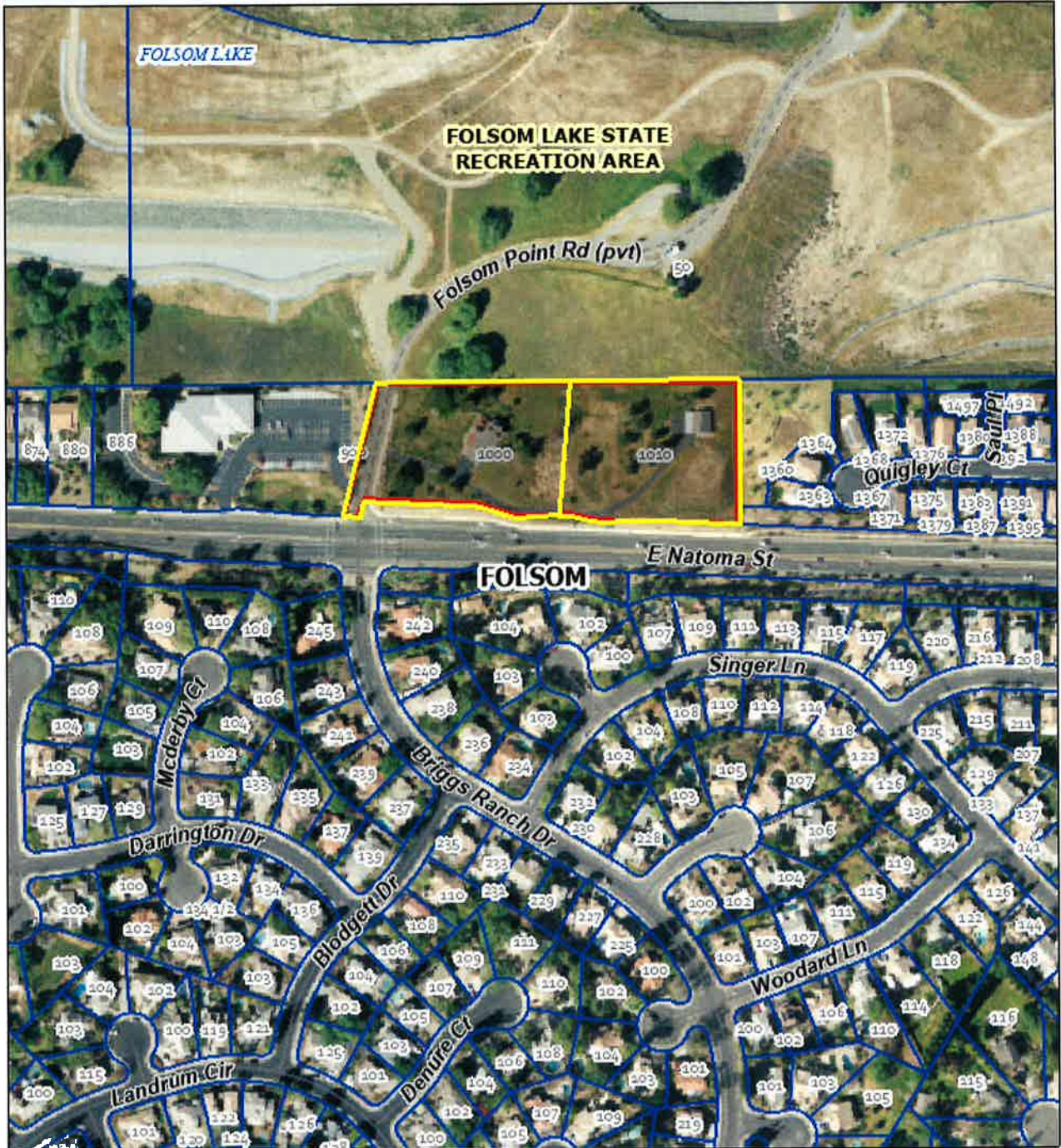


# ATTACHMENT 3 - VICINITY MAP

SACRAMENTO COUNTY

APN: 07119700030000

Print date: 4/26/2024



1" = 300'

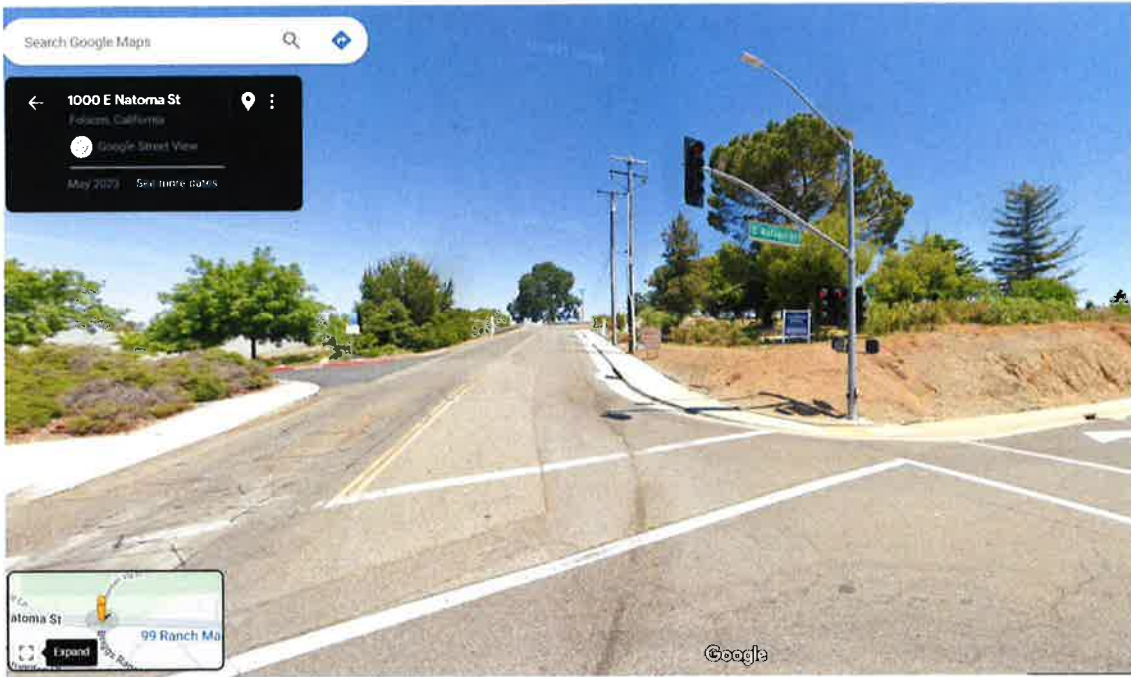


Independent verification of all data contained on this map product should be obtained by any user thereof. The County of Sacramento does not warrant the accuracy or completeness of this map product and therefore disclaims all liability for its fitness of use.

Historic District Commission  
1000 East Natoma Rezone to Residential (ZCAM24-00112)  
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## **Attachment 4 Site Photographs**

### ATTACHMENT 4 SITE PHOTOS



Site from the intersection of E Natoma and Folsom Point Road, facing northeast.



Site from E Natoma Street east of the Folsom Point Road intersection, facing northwest.



Site oblique imagery from 2018, facing south.

Historic District Commission  
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## **Attachment 5**

# **Draft Rezone Ordinance with Rezone Exhibit**

**DRAFT ORDINANCE NO. #####**

**AN UNCODIFIED ORDINANCE OF THE CITY OF FOLSOM TO AMEND THE ZONING DESIGNATION FOR THE 4.3-ACRE PROJECT SITE FROM R-1-ML (RESIDENTIAL, SINGLE-FAMILY DWELLING, MEDIUM LOT DISTRICT) AND A-1-A (AGRICULTURAL-RESERVE DISTRICT) (APN 071-1970-003-0000) AND A-1-A (APN 071-1970-003-0000) TO R-1-ML FOR THE 1000 EAST NATOMA REZONE TO RESIDENTIAL PROJECT**

The City Council of the City of Folsom hereby does ordain as follows:

**SECTION 1. PURPOSE**

The purpose of this Ordinance is to rezone two adjacent parcels located at 1000 and 1010 East Natoma Street from R-1-ML (Residential, Single-Family Dwelling, Medium Lot District) and A-1-A (Agricultural-Reserve District) (APN: 071-1970-003) and A-1-A (APN: 071-1970-003-0000) to R-1-ML.

**SECTION 2. FINDINGS**

- A. The proposed rezoning is consistent with the objectives, goals and policies of the Folsom General Plan.
- B. The public necessity and convenience and the general welfare require the rezone in this case.
- C. A duly noticed public hearing was held before the Planning Commission on May 15, 2024.
- D. An Environmental Impact Report was previously approved for the City of Folsom General Plan on August 28, 2018, in accordance with the requirements of the California Environmental Quality Act (CEQA). Staff has determined that no new impacts will result from the proposed project that were not already considered with the previous approval.
- E. Notice of hearing before the City Council has been given in the form and in the manner required by State statute and Folsom Municipal Code.

**SECTION 3. CHANGE OF ZONING MAP DESIGNATION**

The Zoning Map designations for the subject parcels are hereby amended from R-1-ML (Residential, Single-Family Dwelling, Medium Lot District) and A-1-A (Agricultural-Reserve District), and A-1-A, to R-1-ML as set forth on Exhibit A.

**SECTION 4. NO MANDATORY DUTY OF CARE**

This Ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the City or any officer or employee thereof a mandatory duty of care toward

Ordinance No. #####

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persons or property within or without the City so as to provide a basis for civil liability for damages, except as otherwise imposed by law.

**SECTION 5. SEVERABILITY**

If any section, subsection, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, clauses, phrases or portions be declared invalid or unconstitutional.

**SECTION 6. EFFECTIVE DATE**

This ordinance shall become effective thirty (30) days from and after its passage and adoption, provided it is published in full or in summary within twenty (20) days after its adoption in a newspaper of general circulation in the City.

This ordinance was introduced and the title thereof read at the regular meeting of the City Council on July 9, 2024 and the second reading occurred at the regular meeting of the City Council on July 23, 2024.

On a motion by Council Member \_\_\_\_\_ seconded by Council Member \_\_\_\_\_, the foregoing ordinance was passed and adopted by the City Council of the City of Folsom, State of California, this 23 day of July, 2024, by the following roll-call vote:

**AYES:** Councilmember(s):

**NOES:** Councilmember(s):

**ABSTAIN:** Councilmember(s):

**ABSENT:** Councilmember(s):

\_\_\_\_\_  
Michael D. Kozlowski, MAYOR

**ATTEST:**

\_\_\_\_\_  
Christa Freemantle, CITY CLERK

# Exhibit A



# 1000 & 1010 E. Natoma Street - Rezone Exhibit



Existing Zoning Designation



Proposed Zoning Designation

## Legend

- A-1 A (Green)
- C-1 PD (Red)
- OSC (Yellow with diagonal lines)
- R-1-M PD (Yellow with diagonal lines)
- R-1-ML (Yellow)



# ATTACHMENT 3

## Minutes from May 15, 2024 Planning Commission Meeting



CITY OF  
**FOLSOM**  
DISTINCTIVE BY NATURE

**PLANNING COMMISSION MINUTES**  
**May 15, 2024**  
**CITY COUNCIL CHAMBERS**  
**6:30 P.M.**  
**50 Natoma Street**  
**Folsom, CA 95630**

**CALL TO ORDER PLANNING COMMISSION:**

The regular Planning Commission Meeting was called to order at 6:31 p.m. with Chair Eileen Reynolds presiding.

**PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was recited.

**ROLL CALL:**

Commissioners Present: Mathew Herrera, Commissioner  
Daniel West, Vice Chair  
Bill Miklos, Commissioner  
Bill Romanelli, Commissioner  
James Ortega, Commissioner  
Eileen Reynolds, Chair

Commissioners Absent: Ralph Peña, Commissioner

**CITIZEN COMMUNICATION:** None

**MINUTES:**

The minutes of the April 17, 2024, Regular Meeting were approved as submitted.

**NEW BUSINESS**

**1. DRCL 24-00080: Shops at Folsom Ranch Pad 4 (Habit Burger) Exterior Remodel and Determination that the Project is Exempt from CEQA**

A Public Meeting to consider a request from Josh Rupert of Hunter Properties for a modification to the approved exterior design for Pad 4 (Habit Burger) of The Shops at Folsom Ranch commercial center, located at 3290 East Bidwell Street. The General Plan Land Use designation for the project site is GC (General Commercial), while the Specific Plan land use designation is SP-GC-PD (Specific Plan-General Commercial-Planned Development). The City, as lead agency, has determined that The Shops at Folsom Ranch Pad 4 project is entirely consistent with the Folsom Plan Area Specific Plan (FPASP) EIR/EIS and the Addendum for the Westland Eagle Specific Plan Amendment. As a result, the project qualifies for the streamlining provisions in Public Resources Code section

21083.3 and CEQA Guidelines section 15183. No further environmental review is required. **(Project Planner: Jessica Brandt / Applicant: Josh Rupert).**

COMMISSIONER REYNOLDS MOVED TO APPROVE A COMMERCIAL DESIGN REVIEW APPLICATION FOR MODIFICATION TO THE EXTERIOR DESIGN FOR PAD 4 (HABIT BURGER) OF THE SHOPS AT FOLSOM RANCH COMMERCIAL CENTER AS ILLUSTRATED ON ATTACHMENT 7, BASED ON THE FINDINGS (FINDINGS A-L) AND SUBJECT TO THE CONDITIONS OF APPROVAL (CONDITIONS 1-6) ATTACHED TO THIS REPORT.

COMMISSIONER ORTEGA SECONDED THE MOTION.

AYES: HERRERA, WEST, MIKLOS, ROMANELLI, ORTEGA, REYNOLDS  
 NOES: NONE  
 RECUSED: NONE  
 ABSENT: PEÑA

MOTION PASSED

**2. DRCL 24-00122: Shops at Folsom Ranch Pad 3 (Starbucks) Exterior Remodel and Determination that the Project is Exempt from CEQA**

A Public Meeting to consider a request from Josh Rupert of Hunter Properties for a modification to the approved exterior design for Pad 3 (Starbucks) of The Shops at Folsom Ranch commercial center, located at 3250 East Bidwell Street. The General Plan Land Use designation for the project site is GC (General Commercial), while the Specific Plan land use designation is SP-GC-PD (Specific Plan-General Commercial-Planned Development). The City, as lead agency, has determined that The Shops at Folsom Ranch Pad 3 project is entirely consistent with the Folsom Plan Area Specific Plan (FPASP) EIR/EIS and the Addendum for the Westland Eagle Specific Plan Amendment. As a result, the project qualifies for the streamlining provisions in Public Resources Code section 21083.3 and CEQA Guidelines section 15183. No further environmental review is required. **(Project Planner: Jessica Brandt / Applicant: Josh Rupert of Hunter Properties).**

COMMISSIONER ROMANELLI MOVED TO APPROVE A COMMERCIAL DESIGN REVIEW APPLICATION FOR MODIFICATION TO THE EXTERIOR DESIGN FOR PAD 3 (STARBUCKS) OF THE SHOPS AT FOLSOM RANCH COMMERCIAL CENTER AS ILLUSTRATED ON ATTACHMENT 7, BASED ON THE FINDINGS (FINDINGS A-L) AND SUBJECT TO THE CONDITIONS OF APPROVAL (CONDITIONS 1-6) ATTACHED TO THIS REPORT.

COMMISSIONER HERRERA SECONDED THE MOTION.

AYES: HERRERA, WEST, MIKLOS, ROMANELLI, ORTEGA, REYNOLDS  
 NOES: NONE  
 RECUSED: NONE  
 ABSENT: PEÑA

MOTION PASSED

**3. ZCAM 24-00112: 1000 East Natoma Rezone to Residential and Determination that No Additional Environmental Review is Required**

A Public Meeting to consider a request from David Koelpin for a Rezone to change the zoning for the parcels located at 1000 East Natoma Street (currently split zoned R-1-ML (Residential, Single-Family Dwelling, Medium Lot District) and A-1-A (Agricultural-Reserve District)) and 1010 East Natoma Street (currently zoned A-1-A), to R-1-ML for both parcels. The City, as lead agency, has determined that no new impacts will result from the proposed project that were not already considered in the previously approved Environmental Impact Report for the City of Folsom 2035 General Plan. The project therefore does not require additional environmental review under Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning) of the CEQA Guidelines. **(Project Planner: Jessica Brandt / Applicant: David Koelpin).**

COMMISSIONER WEST MOVED TO RECOMMEND THAT THE CITY COUNCIL APPROVE A REZONE FOR TWO PARCELS TOTALING APPROXIMATELY 4.3 ACRES AT THE NORTHEAST CORNER OF EAST NATOMA STREET AND FOLSOM POINT ROAD FROM SPLIT ZONING BETWEEN R-1-ML AND A-1-A (1000 EAST NATOMA), AND A-1-A (1010 EAST NATOMA), TO R-1-ML FOR BOTH PARCELS AS ILLUSTRATED ON ATTACHMENT 5 FOR THE 1000 EAST NATOMA REZONE TO RESIDENTIAL PROJECT (ZCAM24-00112) BASED ON THE FINDINGS (FINDINGS A-I) ATTACHED TO THIS REPORT.

COMMISSIONER ROMANELLI SECONDED THE MOTION.

AYES: HERRERA, WEST, MIKLOS, ROMANELLI, ORTEGA, REYNOLDS  
NOES: NONE  
RECUSED: NONE  
ABSENT: PEÑA

MOTION PASSED

**PLANNING COMMISSION / PLANNING MANAGER REPORT**

Planning Manager, Desmond Parrington, shared the following with the Commission:

- Planning staff handled several design reviews since the Commission's last meeting on April 17 including:
  - 4 custom homes
  - 1 residential exterior remodel
  - 1 cell tower modification
  - 1 commercial bank ATM
- There was an update on the Central Business District Master Plan at City Council on May 14 and an update on the River District Master Plan was presented previously to City Council on March 12.
- The Community Development Department will be hosting a community meeting on Thursday, May 16 at 6:00 pm to discuss the proposed amendments to the General Plan and Folsom Plan Area Specific Plan (FPASP) to increase housing capacity in Folsom as required by State law. More information is available at [www.folsom.ca.us/housingstudy](http://www.folsom.ca.us/housingstudy).
- The Commission's next meeting will be June 19 and there will be several items scheduled for that meeting.
- The Commission's July meeting will be moved from July 17 to July 24.
- The July 24 meeting will be focused on the proposed amendments to the General Plan and FPASP.
- There will be a special workshop on Tuesday, July 30 along with the Historic District Commission and Parks & Recreation Commission to review and discuss the draft River District Master Plan.
- There will be another special meeting on August 28 to review and recommend adoption of the River District Master Plan.

**ADJOURNMENT**

There being no further business to come before the Folsom Planning Commission, Chair Eileen Reynolds adjourned the meeting at 7:29 p.m.

RESPECTFULLY SUBMITTED,

\_\_\_\_\_  
Stephanie Hannum, ADMINISTRATIVE ASSISTANT

**APPROVED:**

\_\_\_\_\_  
Eileen Reynolds, CHAIR

# ATTACHMENT 4

## Vicinity Map

# VICINITY MAP

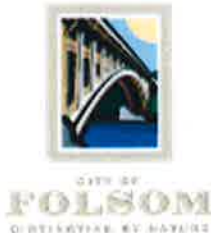


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to facilitate double-sided printing  
and minimize paper use.*



CITY OF  
**FOLSOM**  
DISTINCTIVE BY NATURE





## Folsom City Council Staff Report

<b>MEETING DATE:</b>	7/9/2024
<b>AGENDA SECTION:</b>	Old Business
<b>SUBJECT:</b>	Resolution No. 11227 - A Resolution Accepting a Progress Report to Date from the First River District Master Plan Citizens Advisory Committee and Authorizing the Formation of a Second River District Master Plan Citizens Advisory Committee
<b>FROM:</b>	Community Development Department

### **RECOMMENDATION / CITY COUNCIL ACTION**

Staff recommends the City Council approve Resolution No. 11227 - A Resolution Accepting a Progress Report to Date from the First River District Master Plan Citizens Advisory Committee and Authorizing the Formation of a Second River District Master Plan Citizens Advisory Committee, with direction to Community Development Department staff to complete the River District Master Planning process by the end of 2024 as previously planned.

### **BACKGROUND / ISSUE**

The Folsom General Plan 2035 contains a specific goal and corresponding objectives providing for the preparation of a River District Master Plan:

*Goal LU 5.1 - Support the appropriate enhancement of Folsom's riverfront areas for current and future residents in order to increase public access, recreational opportunities, and economic development in consultation with federal, state, and regional public land management agencies.*

In support of this goal, on April 12, 2022 the City Council approved the use of American Recovery Plan Act (ARPA) funds in the amount of \$362,500 for project management services (\$62,500) and retention of a planning/environmental consultant (\$300,000).

The General Plan suggests that a specific long-range plan be established by “Engaging the community, stakeholders, and federal, state and regional land management agencies in establishing a vision for Folsom’s River District.” The Urban Land Institute (ULI) highly recommends the use of advisory committees or ad hoc committees for complex community planning issues. As such,

the City Council approved Resolution No. 11044 on June 13, 2024, forming the River District Citizens Advisory Committee (CAC). The City Council included 24 individuals representing different community stakeholder organizations, property managers, and individuals on the committee.

The City Council selected the following stakeholders and individuals representing those organizations for participation on the CAC:

<b>Stakeholder Category (designated representative)</b>	<b>Stakeholder Mission/Purpose/Relevance</b>
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.
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.
Shingle Springs Band of Miwok Indians (Krystal Moreno)	A federally recognized Indian tribe, will protect and enhance the quality of life of its members by preserving, protecting and promoting its history, culture and traditions.
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.
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.
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 (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.
River District Organizing Committee (Will Kempton)	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.
River District Organizing Committee (Claudia Cummings, chairperson)	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 also selected the following individuals for participation on the CAC:

Name	Stated Areas of Interest and Engagement
John Lane	HD Commissioner, HD resident, avid paddler
Jim Lofgren	River District resident, government affairs consultant
Jennifer Lane	HD resident, past Planning Commissioner, past HD Commissioner
Crystal Tobias	River District resident, State Parks volunteer, FOLFAN member
Pat Flynn	Civil engineer, former Public Works Director, 30-year Briggs Ranch resident
Brian Murch	20-year start-up entrepreneur, tech expert, 15-year yoga instructor
Jennifer Cabrera	Historic District Commissioner, State Parks staff architect
Srinivas Yanaprti	Folsom Ranch resident, construction/builder, analyst
Barbara Leary	Natoma Station resident, past Planning Commissioner
Lynne Bailey	Avid trail user, runner, and cyclist
Scott Muldavin	Retired consultant in real estate development, financial feasibility, strategic assessment

**POLICY / RULE**

Folsom Charter, Section 2.04.G – Duties of the Mayor, indicates the mayor may “Establish and dissolve ad hoc committees, subject to the approval of the Council, but no such committee shall exist for more than one year.”

Folsom Municipal Code, Section 2.35.040 – One Seat Limitation, states that “No person may hold more than one appointed commission, board, council or committee seat at a time. This one-seat limitation shall not apply to: (1) commission, board, council or committee members who are appointed to other commissions, boards, councils or committees as a result of, or by virtue of, their status as a member of a particular commission, committee, board or council; or (2) membership on ad hoc committees.”

**ANALYSIS**

Consistent with the Folsom Municipal Code (FMC), the resolution forming the CAC included a start date of July 15, 2023 and an end date of July 14, 2024 for a total of one-year. Due to summer vacation schedules of various committee members, the first meeting date of the CAC occurred on August 31, 2023. Since that time, substantial progress has been made on the master plan with the CAC meeting a total of 11 times. All meetings are open and public in accordance with the Brown Act.

The following is a summary of the CAC agendas and primary discussion focus and progress report, as well as a summary of community engagement from August 2023 to date:

- August 2023                    Introduction and vision/goals discussion
- September 2023            State Parks introduction, Opportunities/Constraints discussion
  - CAC small-group table top exercise
- October 2023                Opportunities/Constraints (north + south subarea)
  - CAC small-group table top exercise
- December 2023             Continued Opportunities/Constraints (central subarea)
  - CAC small-group table top exercise

	<ul style="list-style-type: none"> <li>▪ CAC recommendation to the city council regarding the Folsom Blvd Overcrossing – North Alternative Alignment</li> </ul>
January 2024 (1)	Case Studies discussed, Corp Yard general land use concepts <ul style="list-style-type: none"> <li>▪ CAC small-group table top exercise</li> </ul>
January 2024 (2)	Corp Yard concept synthesis, Rodeo Park concepts <ul style="list-style-type: none"> <li>▪ CAC discussion of small-group concepts synthesized by RRM Design Group, Option “A” selected as preferred concept</li> </ul>
February 2024	Social Pinpoint summary, Corp Yard discussion, Rodeo concept synthesis <ul style="list-style-type: none"> <li>▪ CAC general discussion regarding refined concept</li> </ul>
March 2024	Social Pinpoint + online survey discussion, Corp Yard + Rodeo discussion <ul style="list-style-type: none"> <li>▪ CAC general discussion of Corp Yard concept and request to return for additional discussion</li> <li>▪ CAC discussion of Rodeo Park concepts, Concept “E” selected as preferred concept</li> </ul>
April 2024	Master Plan expectations, Surplus Land Act, District boundaries, Corp Yard <ul style="list-style-type: none"> <li>▪ CAC discussion and recommendation regarding Corp Yard general land use concept</li> </ul>
May 2024	Selection of Key Sites, District boundary, Rodeo Park <ul style="list-style-type: none"> <li>▪ CAC recommendation on future discussion of River District boundary and potential modifications</li> <li>▪ CAC selection of Key Sites: River Promenade, North Subarea Bridge over the American River, Traders Lane, and Rodeo Park</li> <li>▪ CAC discussion of Rodeo Park concept phasing implementation and operational concerns</li> </ul>
June 2024	Key Sites: Rodeo Park, Trader’s Lane, River Promenade, Pedestrian Bridge <ul style="list-style-type: none"> <li>▪ CAC discussion of the initial illustratives of the Key Sites prior to the community open house</li> </ul>

All CAC meeting agendas, meeting notes, and presentations are available for public information and review on the project webpage <https://www.folsom.ca.us/government/community-development/planning-services/river-district-master-plan>.

Of key importance to the River District Master Plan process and highlighted in the General Plan is “robust community and stakeholder engagement.” For additional opportunities to gather public input, RRM Design Group, the city’s selected planning consultant utilized Social Pinpoint an online public engagement platform. Features of the Social Pinpoint tool include:

- interactive map of the River District
- active for at least eight weeks – December through January
- open to all residents to comment on a variety of district planning issues
- available for use on virtually all electronic devices
- geo-locates comments within the district planning area
- categorizes and manages comments

Social Pinpoint was accompanied by an online survey with an additional 14 questions regarding the public’s interests and areas of concern within the River District planning area. In total, over 300 people used the Social Pinpoint platform, leaving a total of 526 comments, and 165 people completed the online questionnaire.

The public was also invited to an open house on Thursday, June 6<sup>th</sup> where the River District planning process was summarized and the initial design concepts for Key Sites within the district were revealed. An estimated 80-100 people attended the event. Participants were asked to leave comments and additional ideas for consideration in the planning process.

While substantial progress has been made since August 2023, the master plan is not complete and several upcoming commission meetings and workshops are scheduled. Further, at least two additional CAC meetings are envisioned focusing on review and comment on Key Site illustrative site concepts and the master plan document itself, as well as a final recommendation to the city council. Staff has tentatively scheduled city council review of the draft master plan at a study session on September 10<sup>th</sup>, and consideration and adoption on October 22<sup>nd</sup>.

In order to complete the River District Master Plan process and to maintain consistency in stakeholder engagement, staff recommends a new (second) citizens advisory committee be formed for approximately a six-month term. Staff also recommends the city council form the new CAC with the same members of the current CAC (as identified above). Staff also recommends the formal appointment of the advisory committee commencing July 15, 2024, and extending to December 31, 2024.

### **ENVIRONMENTAL REVIEW**

The recommended action of the City Council is not a project as defined by the CEQA and therefore does not require environmental review.

### **FISCAL IMPACT**

There is no additional fiscal impact as a result of the proposed action. Funds for both project management and retained consultants have already been budgeted and appropriated. The source of the funds is from federal allocations from the American Rescue Plan Act (ARPA).

### **ATTACHMENTS**

1. Resolution No. 11227 – A Resolution Accepting a Progress Report to Date from the First River District Master Plan Citizens Advisory Committee and Authorizing the Formation of a Second River District Master Plan Citizens Advisory Committee

Submitted,



PAM JOHNS  
Community Development Director

**RESOLUTION NO. 11227****A RESOLUTION ACCEPTING A PROGRESS REPORT TO DATE FROM THE FIRST RIVER DISTRICT MASTER PLAN CITIZENS ADVISORY COMMITTEE AND AUTHORIZING THE FORMATION OF A SECOND RIVER DISTRICT MASTER PLAN CITIZENS ADVISORY COMMITTEE**

**WHEREAS**, the 2035 Folsom General Plan contains a specific goal and corresponding objectives providing for the preparation of a River District Master Plan; and,

**WHEREAS**, the 2035 Folsom General Plan also suggests that the plan be established by “Engaging the community, stakeholders, and federal, state and regional land management agencies in establishing a vision for Folsom’s River District;” and,

**WHEREAS**, the Folsom Charter, section 2.04.G – Duties of the Mayor, indicates the mayor may “establish and dissolve ad hoc committees, subject to the approval of the Council, but no such committee shall exist for more than one year; and,

**WHEREAS**, the City Council approved Resolution No. 11044 on June 13, 2023, forming the River District Citizens Advisory Committee effective July 15, 2023 and ending July 14, 2024; and,

**WHEREAS**, the River District Master Plan is not complete and additional public workshops and meetings are contemplated, including citizen advisory committee meetings; and,

**WHEREAS**, formation of a new citizens (second) advisory committee will ensure continuity and consistency in understanding of River District issues and opportunities, as well as timely completion of the plan; and,

**WHEREAS**, the new (second) citizens advisory committee will include the representatives from community stakeholder organizations, property owners, and individuals as shown on the attachment to this resolution.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Folsom hereby authorizes the creation of a new River District Citizens Advisory Committee; and,

**BE IT FURTHER RESOLVED**, that the Folsom River District Citizens Advisory Committee will be established effective July 15, 2024 and shall be dissolved effective December 31, 2024 in accordance with the Folsom Municipal Code.

**PASSED AND ADOPTED** this 9<sup>th</sup> day of July 2024, by the following roll-call vote:

**AYES:** Councilmember(s):  
**NOES:** Councilmember(s):  
**ABSENT:** Councilmember(s):  
**ABSTAIN:** Councilmember(s):

\_\_\_\_\_  
Michael D. Kozlowski, MAYOR

ATTEST:

\_\_\_\_\_  
Christa Freemantle, CITY CLERK

## Attachment to Resolution No. 11227

<b>Stakeholder Category (designated representative)</b>	<b>Stakeholder Mission/Purpose/Relevance</b>
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.
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.
Shingle Springs Band of Miwok Indians (Krystal Moreno)	A federally recognized Indian tribe, will protect and enhance the quality of life of its members by preserving, protecting and promoting its history, culture and traditions...
CSUS Aquatic Center (Brian Dugar)	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.
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.
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 (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.
River District Organizing Committee (Will Kempton)	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.
River District Organizing Committee (Claudia Cummings, chairperson)	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.
<b>Name</b>	<b>Stated Areas of Interest and Engagement</b>
John Lane	HD Commissioner, HD resident, avid paddler
Jim Lofgren	River District resident, government affairs consultant
Jennifer Lane	HD resident, past Planning Commissioner, past HD Commissioner
Crystal Tobias	River District resident, State Parks volunteer, FOLFAN member
Pat Flynn	Civil engineer, former Public Works Director, 30-year Briggs Ranch resident
Brian Murch	20-year start-up entrepreneur, tech expert, 15-year yoga instructor



Jennifer Cabrera	Historic District Commissioner, State Parks staff architect
Srinivas Yanaprti	Folsom Ranch resident, construction/builder, analyst
Barbara Leary	Natoma Station resident, past Planning Commissioner
Lynne Bailey	Avid trail user, runner, and cyclist
Scott Muldavin	Retired consultant in real estate development, financial feasibility, strategic assessment

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to facilitate double-sided printing  
and minimize paper use.*



CITY OF  
**FOLSOM**  
DISTINCTIVE BY NATURE