



CITY OF
FOLSOM
DISTINCTIVE BY NATURE

Agenda

City Council Regular Meeting

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

May 28, 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. 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, www.folsom.ca.us	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



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

www.folsom.ca.us

Tuesday, May 28, 2024 6:30 PM

Mike Kozlowski, Mayor

Sarah Aquino, Vice Mayor
Rosario Rodriguez, Councilmember

YK Chalamcherla, Councilmember
Anna Rohrbough, Councilmember

AGENDA

CALL TO ORDER

ROLL CALL:

Councilmembers: Rohrbough, Aquino, Chalamcherla, Rodriguez, 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.** City of Folsom Resolution of Commendation Celebrating 25 Years of Folsom City Zoo Sanctuary Volunteer Service by Docent Sue Spielman
- 2.** Presentation by the Sacramento-Yolo Mosquito and Vector Control District
- 3.** Presentation of the City Manager's FY 2024-25 Proposed Operating and Capital Budgets for the City of Folsom, the Successor Agency, the Folsom Public Financing Authority, and the Folsom Ranch Public Financing Authority

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.

- [4.](#) Approval of April 23, 2024 Regular Meeting Minutes
- [5.](#) Approval of May 14, 2024 Regular Meeting Minutes
- [6.](#) Ordinance No. 1344 - An Ordinance of the City of Folsom Amending Sections 3.50.020, 3.50.040 and 3.50.050 and Repealing Section 3.50.060 of the Folsom Municipal Code Pertaining to Cost Recovery of Certain City Services (Second Reading and Adoption)
- [7.](#) Ordinance No. 1345 - An Ordinance of the City Council of the City of Folsom Amending Sections 3.20.020, 3.20.063, and 8.32.140(A)(2) of the Folsom Municipal Code Pertaining to Billing for Municipal Utility Services (Second Reading and Adoption)
- [8.](#) Resolution No. 11201 - A Resolution Calling and Giving Notice of the Holding of a General Municipal Election to be Held on Tuesday, November 5, 2024, Requesting the Board of Supervisors of the County of Sacramento Consolidate the General Municipal Election with the Statewide General Election, and Establishing Policies for Candidates' Statements
- [9.](#) Resolution No. 11202 - A Resolution Authorizing the City Manager to Execute a Construction Agreement with Chrisp Company for the Roadside Safety Project PW2404, HSIPSL-5288(051)
- [10.](#) Resolution No. 11203 – A Resolution Authorizing the City Manager to Execute a Construction Change Order with Central Valley Engineering & Asphalt, Inc. for the On-Call Concrete and Asphalt Maintenance Project (Contract No. 174-21 21-073) and Appropriation of General Fund Contingency Budget and Measure A Funds
- [11.](#) Resolution No. 11206 – A Resolution Authorizing the City Manager to Execute a Lease Agreement Between the City of Folsom and Folsom Post No. 6604 Veterans of Foreign Wars of the United States, a California Nonprofit Corporation for the Lease of City Property Located at 1300 Forrest Street
- [12.](#) Resolution No. 11208 - A Resolution Authorizing Staff to Submit a Grant Application to the Sacramento Metropolitan Air Quality Management District for the 2024 Sacramento Emergency Clean Air Transportation Program Funding Round for the Purchase of Five Light Duty Battery Electric Vehicles
- [13.](#) Resolution No. 11209 – A Resolution Authorizing the City Manager to Execute a Non-Professional Services Agreement with Belfor Restoration Services for Stucco Repairs at the Folsom Public Library and Appropriation of Contingency Funds

PUBLIC HEARING:

- [14.](#) Resolution No. 11186 – A Resolution to Adopt an Amended User Fee Schedule for Community Development Engineering and Building Services (Continued from 05/14/2024)

NEW BUSINESS:

- [15.](#) Resolution No. 11207 - A Resolution Submitting the Folsom Residents Public Safety and Quality of Life Measure to the Qualified Voters of the City to Add a Special Transactions and Use Tax at the Rate of One Percent (1%), Authorizing the Filing of Written Arguments Regarding the City's Revenue Measure, and Directing the City Attorney to Prepare an Impartial Analysis for Said Measure

COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

CITY MANAGER REPORTS

COUNCIL COMMENTS

ADJOURNMENT

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.

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. Requests must be made as early as possible and at least two full business days before the start of the meeting.

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.

City of Folsom Resolution of Commendation

Celebrating

25 Years of Folsom City Zoo Sanctuary Volunteer Service by Docent Sue Spielman

WHEREAS, Sue Spielman began volunteering at the Zoo Sanctuary 25 years ago as a Docent, dedicated to our educational mission of "Teaching Responsible Behavior Toward All Animals;" and

WHEREAS, Sue has cumulatively donated more than 26,500 volunteer hours while consistently going above and beyond in all areas; and

WHEREAS, Sue currently volunteers as the Docent Chairperson overseeing and coordinating school tours for more than 6,500 annual participants and generating over \$50,000 in revenue; and

WHEREAS, Sue currently tracks hours and requirements for all Docents and assists with the uniform ordering process; and

WHEREAS, Sue has served as a Volunteer Animal Handler, Docent Council Treasurer, Vice President, and Friends Liaison; and

WHEREAS, Sue also stepped into the suddenly vacant role of Friends of the Zoo Treasurer in 2021 and has been instrumental in obtaining various permits for fundraising activities and overseeing preparation of the Friends annual budget and tax returns; and

WHEREAS, Sue's unique talents, unwavering support, vast historical zoo knowledge, and creativity to solve extreme challenges have benefited the zoo sanctuary in myriad ways; and

WHEREAS, Sue embodies the values of integrity, dedication, and excellence, serving as a role model for her fellow volunteers; and

WHEREAS, The Zoo Sanctuary is a better place because of Sue's tireless dedication and passion.

NOW, THEREFORE, I, MIKE KOZLOWSKI, Mayor of the City of Folsom, on behalf of the Folsom City Council and the residents of this community, do hereby thank volunteer Sue Spielman for being an extremely valuable volunteer to the City of Folsom for 25 years.

PASSED AND APPROVED, this 28th day of May 2024.

Michael D. Kozlowski, MAYOR

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and minimize paper use.*



CITY OF
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Folsom City Council Staff Report



MEETING DATE:	5/28/2024
AGENDA SECTION:	Scheduled Presentations
SUBJECT:	Presentation by the Sacramento-Yolo Mosquito and Vector Control District
FROM:	City Clerk's Department

RECOMMENDATION / CITY COUNCIL ACTION

Staff recommends that the City Council receive an update from Sacramento-Yolo Mosquito and Vector Control District representatives. No further action is requested of the Council.

Submitted,

Christa Freemantle, CMC
City Clerk

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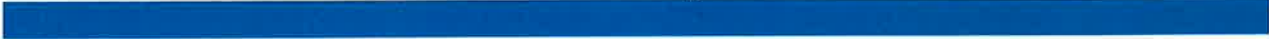


CITY OF
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DISTINCTIVE BY NATURE



FOLSOM
UNDISCOVERED BY NATURE

Folsom City Council Staff Report



MEETING DATE:	5/28/2024
AGENDA SECTION:	Scheduled Presentations
SUBJECT:	Presentation of the City Manager’s FY 2024-25 Proposed Operating and Capital Budgets for the City of Folsom, the Successor Agency, the Folsom Public Financing Authority, and the Folsom Ranch Public Financing Authority
FROM:	Finance Department

The City Manager’s Fiscal Year 2024-25 proposed budget will be presented. This budget will encompass the 12-month period from July 1, 2024 through June 30, 2025 and will also include the Capital Improvement Plan.

Submitted,

Stacey Tamagni, Finance Director/CFO

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CITY OF
FOLSOM
DISTINCTIVE BY NATURE

City Council Regular Meeting

MINUTES

Tuesday, April 23, 2024 6:30 PM

CALL TO ORDER

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

ROLL CALL:

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

Councilmembers Absent: None

PLEDGE OF ALLEGIANCE

The pledge of allegiance was recited.

AGENDA UPDATE

City Attorney Steven Wang advised that there were additional informational transmittals for items 4, 9, 10 and 11.

Business From the Floor was taken next, out of order.

BUSINESS FROM THE FLOOR:

The following speakers addressed the City Council:

1. Charlen Braun
2. Sue Spielman
3. Heidi Hunter
4. Richard Hunter
5. Ruth Anderson
6. Michael Harper
7. Adena Blair

The Consent Calendar was taken next, out of order.

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.

5. Approval of April 9, 2024 Special and Regular Meeting Minutes
6. Ordinance No. 1343 - An Ordinance of the City Council of the City of Folsom Repealing Chapter 9.64 of the Folsom Municipal Code Pertaining to Trespass (Second Reading and Adoption)
7. Resolution No. 11187 – A Resolution Authorizing the City Manager to Execute an Agreement with Helix Environmental Planning, Inc. for Environmental Support Services for the Water System Rehabilitation Project No. 1
8. Resolution No. 11188 – A Resolution Authorizing the City Manager to Execute an Agreement with Badawi & Associates to provide Audit Services for Three Fiscal Years Ending June 30, 2024, 2025, and 2026

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, Kozlowski
NOES: None
ABSENT: None
ABSTAIN: None

SCHEDULED PRESENTATIONS:

1. Proclamation of the Mayor of the City of Folsom Proclaiming May 12-18, 2024 as National Police Week in the City of Folsom

Mayor Kozlowski presented the proclamation.

2. Proclamation of the Mayor of the City of Folsom Proclaiming May 19 - May 25, 2024 as National Public Works Week and May 15, 2024 as City Works Day

Vice Mayor Aquino presented the proclamation.

3. Presentation from HART of Folsom (Homeless Assistance Resource Team) regarding the Winter Shelter

Bev Siess made a presentation. Liz Ekenstedt, President of HART, spoke and responded to questions from the City Council.

Speaker Brynie Voiles addressed the City Council.

4. Police Department Report on Crime and Homelessness and Direction to Staff

Police Chief Rick Hillman made a presentation and responded to questions from the City Council.

The following speakers addressed the City Council:

1. John Tripplett
2. Mike Grueneberg

- 3. Doug Scalzi
- 4. Kevin Thompson
- 5. Bryan Greenwalt
- 6. Robert Goss
- 7. Liz Smith
- 8. Jim Ortega

The City Council commented on this item. City Attorney Steven Wang and Police Chief Rick Hillman responded to further questions and provided additional information.

Motion by Councilmember Rohrbough, second by Councilmember Chalamcherla, for six more officers funded for 24-25 to take place immediately. Motion failed by the following roll-call vote:

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

Mayor Kozlowski noted **that the general consensus, despite the failed motion, is that the Council desires to take action with as much haste as possible, with direction that the City Manager bring back a budget that, as best as possible, provides for the request from the Police Chief for a “hot team”.**

Mayor Kozlowski requested to take a 10 minute break at 9:21 p.m. and adjourned the meeting temporarily.

The meeting was reconvened at 9:33 p.m.

PUBLIC HEARING:

- 1. Resolution No. 11186 – A Resolution to Adopt an Amended User Fee Schedule for Community Development Engineering and Building Services

Vice Mayor Aquino made a motion to continue item 9 to the next meeting. Community Development Director Pam Johns responded that she would like this to be continued to the 05/14/2024 City Council meeting.

Motion by Vice Mayor Aquino, second by Councilmember Rodriguez to continue Resolution No. 11186 to the 05/14/2024 City Council meeting. Motion passed by the following roll-call vote:

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

NEW BUSINESS:

- 10. Ordinance No. 1344 - An Ordinance of the City of Folsom Amending Sections 3.50.020, 3.50.040 and 3.50.050 and repealing Section 3.50.060 of the Folsom Municipal Code (Introduction and First Reading) and Determination that the Project is Exempt from CEQA

Vice Mayor Aquino made a motion to continue item 10 to the next meeting. Community Development Director Pam Johns responded that she would like this to be continued to the 05/14/2024 City Council meeting.

Motion by Vice Mayor Aquino, second by Councilmember Rodriguez to continue Ordinance No. 1344 to the 05/14/2024 City Council meeting. Motion passed by the following roll-call vote:

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

- 11. Workshop for Community for Health and Independence Conceptual Annexation Proposal

Community Development Director Pam Johns made a presentation.

The following project representatives addressed the City Council:

- 1. AKT Development representative Chad Roberts
- 2. UC Davis Health representatives Dr. Tom Nesbitt and Dr. Heather Young.
- 3. MacKay and Somsps representative Donna Pasquantonio.
- 4. Dr. Lou Vismara
- 5. Angelo Tsakopoulos

The City Council commented and Chief Financial Officer Stacey Tamagni responded to questions.

The following speakers addressed the City Council:

- 1. Eileen Locasio
- 2. Sandra Lunceford
- 3. Barbara Leary
- 4. Muriel Brounstein
- 5. Julian Sarafian
- 6. Dr. Robert Pieretti
- 7. Loretta Hettinger
- 8. Mark Wheeler
- 9. Meghan Rose
- 10. Leza Coleman
- 11. Kim Zehring
- 12. Ann Hutchinson
- 13. Denise Taylor
- 14. John Decker
- 15. Jim Harville

The City Council shared their thoughts and comments on the project. The City Council did not take any action on the proposal.

COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

No comments due to the late hour.

CITY MANAGER REPORTS

No comments due to the late hour.

COUNCIL COMMENTS

No comments due to the late hour.

ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at 12:17 a.m.

SUBMITTED BY:

Jennifer Jimenez, Deputy City Clerk

ATTEST:

Mike Kozlowski, Mayor

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CITY OF
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City Council Regular Meeting

MINUTES

Tuesday, May 14, 2024 6:30 PM

CALL TO ORDER

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

ROLL CALL:

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

Councilmembers Absent: None

PLEDGE OF ALLEGIANCE

The pledge of allegiance was recited.

BUSINESS FROM THE FLOOR:

The following speakers addressed the City Council:

- Sean Martin
- Wendy Sol
- Janelle Marion
- Susan Spielman
- Peggy Plett

AGENDA UPDATE

Assistant City Attorney Sari Dierking advised that staff is requesting that item 5 be continued off calendar and she noted a typo correction to item 15.

SCHEDULED PRESENTATIONS:

1. Proclamation of the Mayor of the City of Folsom Proclaiming May 2024 as National Water Safety and Drowning Prevention Month

Mayor Kozlowski presented the proclamation.

Draft--Not Official Until Approved by the City Council

2. Folsom Plan Area Semi-Annual Report

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

3. Central Business District Master Plan Citizens Advisory Committee Report Out

Community Development Director Pam Johns introduced City of Folsom planning consultant Kathy Pease and President/CEO of Choose Folsom Joe Gagliardi who made a joint presentation and responded to questions from the City Council.

The following speakers addressed the City Council:

- Bruce Cline
- Dan Dreher

4. Report-Back on April 11, 2024 Community Listening Session on Homelessness and Direction to Staff

Mayor Kozlowski made a presentation and responded to questions from the City Council.

The following speaker addressed the City Council:

- Bruce Cline

The City Council did not take action on this item.

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.

5. Resolution No. 11189 – A Resolution Authorizing the City Manager to Execute an Agreement with NV5 Consultants, Inc. for Owner's Representative Services for the Development of an Energy Savings Conservation Project and Performance Contract and Appropriation of Funds
(Item continued off calendar)
6. Pulled for discussion
7. Pulled for discussion
8. Resolution No. 11192– A Resolution Authorizing the City Manager to Execute a Grant Deed Transfer of a Portion of Lot 16 Located in Russell Ranch Phase 1 from the City of Folsom to the Russell Ranch Community Association
9. Pulled for discussion
10. Resolution No. 11194 – A Resolution Accepting the California Automated Permit Processing Grant and Appropriation of Funds
11. Pulled for discussion

12. Pulled for discussion
13. Resolution No. 11197 - A Resolution Authorizing the City Manager to Execute a Construction Agreement with All-American Construction, Inc. for the Blue Ravine Road Pavement Rehabilitation Phase II Fiscal Year 2023-24 Project 8017 and Appropriation of Funds
14. Pulled for discussion
15. Pulled for discussion
16. Resolution No. 11200 – A Resolution Authorizing the City Manager to Execute an Agreement with Site One Landscape Supply for the Purchase and Installation of Centralized Irrigation Controllers in Lighting and Landscaping Districts and Community Facilities Districts

Motion by Councilmember Rodriguez, second by Vice Mayor Aquino, to approve items 8, 10, 13 and 16. Motion passed by the following roll-call vote:

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

CONSENT CALENDAR ITEMS PULLED FOR DISCUSSION:

12. Resolution No. 11196 - A Resolution Authorizing the City Manager to Execute a Purchase Agreement with BSN Sports for Replacement Bleachers at Lembi Softball Complex, and the Sports Fields at Mann and Rodeo Parks, and the Appropriation of Contingency Funds

Mayor Kozlowski pulled this item to recuse himself due to his minor business relationship with BSN Sports.

Parks and Recreation Director Kelly Gonzalez responded to questions from the City Council.

Motion by Vice Mayor Aquino, second by Councilmember Chalamcherla, to approve Resolution No. 11196. Motion passed by the following roll-call vote:

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

6. Resolution No. 11190 - A Resolution Accepting a Grant from the Sacramento Area Council of Governments and Appropriation of Funds for the Roundabout Policy and Feasibility Study, Project No. PW2403, Federal Project No. 5288(054)

Councilmember Rohrbough pulled this item to propose that approval be delayed until budget discussions.

Public Works Director Mark Rackovan responded to questions from the City Council.

Motion by Councilmember Rohrbough, second by Councilmember Rodriguez, to approve Resolution No. 11190. Motion passed by the following roll-call vote:

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

- 9. Resolution No. 11193 - A Resolution Authorizing the City Manager to Appropriate Funds for the Local Early Action Planning Grant for Additional Permit Center Expenditures

Councilmember Rohrbough pulled this item to inquire about the funding allocation.

Community Development Director Pam Johns and Finance Director Stacey Tamagni responded to questions from the City Council.

Motion by Councilmember Rohrbough, second by Councilmember Rodriguez, to approve Resolution No. 11193. Motion passed by the following roll-call vote:

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

- 7. Resolution No. 11191 – A Resolution Adopting a List of Projects for Fiscal Year 2024-25 to be Funded by Senate Bill 1: The Road Repair and Accountability Act

Councilmember Chalamcherla pulled this item to comment regarding identification of projects.

Motion by Vice Mayor Aquino, second by Councilmember Chalamcherla, to approve Resolution No. 11191. Motion passed by the following roll-call vote:

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

- 11. Resolution No. 11195 – A Resolution Accepting the Award of American Rescue Plan Act Funds from the County of Sacramento for the HVAC Replacement and Upgrade Projects at the Folsom Community Center and the Folsom Senior and Arts Center and Appropriation of Funds

Councilmember Rohrbough pulled this item to inquire how the project was identified for use of ARPA funds.

Parks and Recreation Senior Management Analyst Liz Vaage responded to questions from the City Council.

Motion by Councilmember Rohrbough, second by Councilmember Rodriguez, to approve Resolution No. 11195. Motion passed by the following roll-call vote:

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

- 14. Resolution No. 11198 – A Resolution Authorizing the City Manager to Execute Amendment No. 1 to the Agreement with Capra Environmental Services Corp for Managed Grazing Services within the City of Folsom

Councilmember Chalamcherla pulled this item for clarification of costs.

Parks and Recreation Municipal Landscape Supervisor Jamison Larson responded to questions from the City Council.

Motion by Councilmember Rodriguez, second by Vice Mayor Aquino to approve Resolution No. 11198. Motion passed by the following roll-call vote:

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

- 15. Resolution No. 11199 - A Resolution Authorizing the City Manager to Execute the Purchase of a Chimney Exhaust Fan with Knorr Systems Inc for the Instructional Pool Heater at the Steve Miklos Aquatics Center and Appropriation of Contingency Funds

Motion by Councilmember Rohrbough, second by Councilmember Rodriguez to approve Resolution No. 11199. Motion passed by the following roll-call vote:

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

PUBLIC HEARING:

- 17. Resolution No. 11186 – A Resolution to Adopt an Amended User Fee Schedule for Community Development Engineering and Building Services (Continued from 04/23/2024; to be Continued to 05/28/2024)

Motion by Vice Mayor Aquino, second by Mayor Kozlowski to continue the public hearing to the May 28, 2024 City Council meeting. Motion passed by the following roll-call vote:

AYES: Aquino, Chalamcherla, Rodriguez, Rohrbough, Kozlowski
NOES: None

ABSENT: None
ABSTAIN: None

NEW BUSINESS:

- 18. Ordinance No. 1344 - An Ordinance of the City of Folsom Amending Sections 3.50.020, 3.50.040 and 3.50.050 and Repealing Section 3.50.060 of the Folsom Municipal Code (Introduction and First Reading Continued from 04/23/2024) and Determination that the Project is Exempt from CEQA

Community Development Department Associate Planner Josh Kinkade made a presentation.

Motion by Vice Mayor Aquino, second Councilmember Rodriguez by to introduce Ordinance No. 1344. Motion passed by the following roll-call vote:

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

- 19. Ordinance No. 1345 - An Ordinance of the City Council of the City of Folsom Amending Sections 3.20.020, 3.20.063, and 8.32.140(A)(2) of the Folsom Municipal Code Pertaining to Billing for Municipal Utility Services (Introduction and First Reading)

Finance Revenue Services Supervisor Elizabeth Hanna made a presentation and responded to questions from the City Council.

Motion by Councilmember Rodriguez, second by Vice Mayor Aquino to introduce Ordinance No. 1345. Motion passed by the following roll-call vote:

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

COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

No requests from the City Council.

CITY MANAGER REPORTS

City Manager Elaine Andersen spoke about the Folsom Residents Public Safety and Quality of Life initiative petition, noting that it has qualified for the November 2024 ballot. She also mentioned City Works Day, Aquatic Center summer season, dry vegetation and fire hazards, and requested that the meeting be adjourned in memory of retired City employee Kent Gary who recently passed away.

COUNCIL COMMENTS

Councilmember Rodriguez encouraged public participation in the budget process.

Councilmember Rohrbough thanked Mayor Kozlowski and Vice Mayor Aquino for the homeless issues listening session and spoke of Peace Officers Memorial Day.

Councilmember Chalamcherla congratulated CAPS volunteers and spoke of the Qualcomm ribbon cutting ceremony, the "I Love My Mom" race, traffic on E. Bidell Street and Highway 50, and the Powerhouse Ministries graduation.

Vice Mayor Aquino spoke about the CAP-to-CAP trip to Washington D.C, Sac Sewer rate increase, the motorcycle challenge event, and she thanked the City Clerk's staff Jennifer Jimenez and Christina Kelley for their great work in the absence of the City Clerk.

Mayor Kozlowski also spoke about the CAP-to-CAP trip, the Vista Del Lago boys track team, attending a Bengali New Year celebration, and the upcoming Folsom rodeo.

ADJOURNMENT

Public Works Director Mark Rackovan spoke about the passing of retired City of Folsom employee Kent Gary.

There being no further business to come before the City Council, the meeting was adjourned at 9:24 pm in memory of Kent Gary.

SUBMITTED BY:

Christa Freemantle, City Clerk

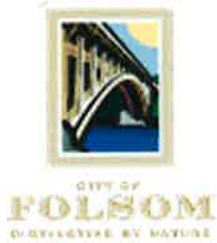
ATTEST:

Mike Kozlowski, Mayor

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



CITY OF
FOLSOM
DISTINCTIVE BY NATURE



Folsom City Council Staff Report



MEETING DATE:	5/28/2024
AGENDA SECTION:	Consent Calendar
SUBJECT:	Ordinance No. 1344 - An Ordinance of the City of Folsom Amending Sections 3.50.020, 3.50.040 and 3.50.050 and Repealing Section 3.50.060 of the <u>Folsom Municipal Code</u> Pertaining to Cost Recovery of Certain City Services (Second Reading and Adoption)
FROM:	Community Development Department

RECOMMENDATION / CITY COUNCIL ACTION

Move to conduct a second reading and adopt Ordinance No. 1344 – An Ordinance of the City of Folsom Amending Sections 3.50.020, 3.50.040 and 3.50.050 and repealing Section 3.50.060 of the Folsom Municipal Code pertaining to cost recovery of certain City services.

BACKGROUND / ISSUE

Chapter 3.50 “Fee and Service Charge Revenue/Cost Comparison System” of the Folsom Municipal Code (FMC) mandates a specific percentage of costs that are required to be recovered by fees and service charges for development, public safety, recreation, maintenance, administrative and financial services. This list was created based on a cost control system study performed in 1987. The list includes several services that either no longer exist or have been modified substantially since 1987 and does not include several newer services that the City has performed since that time. Chapter 3.50 also currently lists the schedule for the review of each fee.

While Council regularly reviews and approves updated fee schedules for individual departments, these fee schedules may include services that are not specifically listed in FMC Chapter 3.50. In addition to the frequency of fee reviews, the Chapter also includes the percentage of cost recovery required for each fee. However, Council may wish to modify the percentage of cost recovery for certain fees and service charges based on considerations such as community benefit or in support of economic development. Under FMC Chapter 3.50, the Council cannot do this since the chapter lists specific percentages of cost recovery that have to be met.

On May 14, 2024, the City Council reviewed staff’s proposed edits to FMC Chapter 3.50. The City Council did not have any questions for staff and voted (5-0-0-0) to introduce and conduct first reading of Ordinance No. 1344 (An Ordinance of the City of Folsom Amending Sections 3.50.020, 3.50.040 and 3.50.050 and Repealing Section 3.50.060 of the Folsom Municipal Code).

POLICY / RULE

Under Section 2.12 of the City Charter, amendments to the Folsom Municipal Code require review and approval by the City Council.

ANALYSIS

Staff has provided proposed modifications to FMC Chapter 3.50 (provided in Attachments 1 and 2) to remove the schedule of fees and service charges table that lists specific regulations, products or services provided by the City and the percentages of costs reasonably borne by the City to be recovered by those fees. Staff recommends that instead of listing each of these specific facilities, products and services, that the chapter be amended to provide general guidance about fees and the appropriate cost recovery percentage. This provides greater discretion to the Council if, for example, it chooses to set a lower cost recovery percentage for a service due to community benefit or economic development reasons. In addition, each department already maintains a Council-approved fee schedule that is publicly available, and these schedules capture each department’s actual fee-based regulations, products, facilities, and services. Removing the “percentage of costs reasonably borne to be resolved” section allows Council to review each department’s fee schedule as needed to modify the percentage of cost recovery desired for each fee (up to 100 percent cost recovery).

In general, staff recommends that Council seek 100 percent cost recovery, but Council may adjust fees to a lower rate at their discretion. Grounds for reducing fee rates are wide-ranging and could include reasons such as economic development, community benefit, public safety, to encourage the public to obtain permits, and to avoid overburdening the general public with large fees. It would also allow departments to charge flat fees or other fee methods rather than deposit-based fees. While deposit-based fees ensure full cost recovery for every service, they require additional administrative resources for invoicing, tracking, and collection that many departments, such as Community Development currently lack.

Staff is also recommending removing the language regarding the frequency of fee reviews by Council. The code currently prescribes either annual, quarterly or seasonal reviews. Given the costs and time involved in producing fee studies, these targets have not been achieved. Fee schedules for individual departments often get updated after the department finds that the fees no longer reflect the type or level of work that goes into specific tasks. While it is often best practice to adjust fee levels annually based on the Consumer Price Index (CPI) or the Construction Cost Index (CCI) depending on the type of fee, service or facility provided, it is not necessary to require this as part of the ordinance as there may be times where staff and/or the Council do not wish to make an annual adjustment. Removing the timing mechanism would formally allow Council and the City Manager to decide when fee updates are necessary.

In researching other jurisdictions with similar code chapters addressing fee and service charge revenue and cost comparison system, none that staff found dictated specific cost recoveries for individual services and only one listed out each individual service provided as Folsom’s code currently does. These codes by and large gave Council the discretion to determine specific fee rates to be collected (not exceeding 100% cost recovery) and did not prescribe the frequency with which fees need to be reviewed. As such, staff found that the proposed code modifications would be consistent with the current practices of several other jurisdictions.

FINANCIAL IMPACT

Since the changes to Chapter 3.50 of the FMC still stipulate that the City Council shall generally seek 100 percent cost recovery for City services and this ordinance does not change any specific fee amounts, there is no impact to the General Fund. The proposed modifications to Chapter 3.50 of the FMC would let Council establish new fee and service charge types for any additional services the City provides. It would also allow Council to regularly modify the percentage of cost recovery of each fee and service charge type on a frequency of their choice based on updated economic conditions rather than relying on cost recovery and review targets from 1987.

ENVIRONMENTAL REVIEW

The change to this chapter of the Folsom Municipal Code is not a project under the California Environmental Quality Act (CEQA) and is therefore exempt from environmental review in accordance with Section 15061(b)(3) - Review for Exemption of the CEQA Guidelines.

ATTACHMENTS

1. Ordinance No. 1344 – An Ordinance of the City of Folsom Amending Sections 3.50.020, 3.50.040 and 3.50.050 and repealing Section 3.50.060 of the Folsom Municipal Code Pertaining to Cost Recovery of Certain City Services
2. Ordinance No. 1344 – An Ordinance of the City of Folsom Amending Sections 3.50.020, 3.50.040 and 3.50.050 and repealing Section 3.50.060 of the Folsom Municipal Code Pertaining to Cost Recovery of Certain City Services (Redlined Version)
3. Public Comments Received

Submitted,



PAM JOHNS
Community Development Director

ATTACHMENT 1

**ORDINANCE NO. 1344 – AN ORDINANCE OF THE CITY OF
FOLSOM AMENDING SECTIONS 3.50.020, 3.50.040 AND 3.50.050
AND REPEALING SECTION 3.50.060 OF THE FOLSOM
MUNICIPAL CODE PERTAINING TO COST RECOVERY OF
CERTAIN CITY SERVICES**

ORDINANCE NO. 1344

AN ORDINANCE OF THE CITY OF FOLSOM AMENDING SECTIONS 3.50.020, 3.50.040 AND 3.50.050 AND REPEALING SECTION 3.50.060 OF THE FOLSOM MUNICIPAL CODE PERTAINING TO COST RECOVERY OF CERTAIN CITY SERVICES

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 Folsom Municipal Code to remove the specific list of services and percentage of costs reasonably borne to be resolved from fees for those services and instead give City Council the discretion to determine specific services and associated cost recovery goals.

SECTION 2 AMENDMENT TO SECTION 3.50.020 OF THE FOLSOM MUNICIPAL CODE

Section 3.50.020 of the Folsom Municipal Code is hereby amended to read as follows:

3.50.020 Direction to recover costs.

The amount of fees and charges established under this Chapter shall be sufficient to recover a percentage of the costs reasonably borne in providing the services for which the fees and charges are imposed. Costs reasonably borne shall be as are defined in Section 3.50.030. The percentage of the cost to be recovered by the fee shall be at the sole discretion of the council but shall not exceed 100 percent, as set forth by Section 3.50.040 below.

SECTION 3 AMENDMENT TO SECTION 3.50.040 OF THE FOLSOM MUNICIPAL CODE

Section 3.50.040 of the Folsom Municipal Code is hereby amended to read as follows:

3.50.040 Schedule of fees and service charges.

The city council shall periodically review and make adjustments to all services provided by the various city departments to all users and the fees and charges associated with those services. The city council shall generally seek 100 percent cost recovery for these services but may, at its sole discretion, adjust fees and charges to a level below full cost recovery for reasons of economic development, community benefit, or for any other lawful purpose.

All new or increased fees and charges set pursuant to this section shall take effect ten days after adoption by the city council, except that new or increased development impact fee or charge for processing applications for development projects shall take effect sixty days after adoption.

SECTION 4 AMENDMENT TO SECTION 3.50.050 OF THE FOLSOM MUNICIPAL CODE

Section 3.50.050 of the Folsom Municipal Code is hereby amended to read as follows:

3.50.050 Statutory public meeting.

Pursuant to California Government Code Sections 66016 et seq., the city clerk shall cause notice to be provided as set out in said Government Code Sections 66016 and 6062a concerning the fees and charges proposed to be increased or added. Such public meeting notice shall be provided prior to city council taking any action on any new or increased fees or charges.

SECTION 5 REPEAL OF SECTION 3.50.060 OF THE FOLSOM MUNICIPAL CODE

Section 3.50.060 of the Folsom Municipal Code is hereby deleted in its entirety.

SECTION 6 SCOPE

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

SECTION 7 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 8 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 May 14, 2024 and the second reading occurred at the regular meeting of the City Council on May 28, 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 28th day of May, 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

**ORDINANCE NO. 1344 – AN ORDINANCE OF THE CITY OF
FOLSOM AMENDING SECTIONS 3.50.020, 3.50.040 AND 3.50.050
AND REPEALING SECTION 3.50.060 OF THE FOLSOM
MUNICIPAL CODE PERTAINING TO COST RECOVERY OF
CERTAIN CITY SERVICES (REDLINED VERSION)**

ORDINANCE NO. 1344

AN ORDINANCE OF THE CITY OF FOLSOM AMENDING SECTIONS 3.50.020, 3.50.040 AND 3.50.050 AND REPEALING SECTION 3.50.060 OF THE FOLSOM MUNICIPAL CODE PERTAINING TO COST RECOVERY OF CERTAIN CITY SERVICES (REDLINED VERSION)

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 Folsom Municipal Code to remove the specific list of services and percentage of costs reasonably borne to be resolved from fees for those services and instead give City Council the discretion to determine specific services and associated cost recovery goals.

SECTION 2 AMENDMENT TO SECTION 3.50.020 OF THE FOLSOM MUNICIPAL CODE

Section 3.50.020 of the Folsom Municipal Code is hereby amended to read as follows:

3.50.020 Direction to ~~city manager~~ recover costs.

The ~~city manager is hereby directed to recommend to the council the adjustment amount~~ **amount** of fees and charges **established under this Chapter shall be sufficient** to recover ~~a~~ **the** percentage of ~~the~~ costs reasonably borne in providing the ~~regulation, products or~~ **services for which the fees and charges are imposed enumerated in this chapter and on the schedule of rate review as hereinafter established in this chapter.** Costs reasonably borne shall be as are defined in Section 3.50.030. ~~(Ord. 609 § 1, 1988)~~ **The percentage of the cost to be recovered by the fee shall be at the sole discretion of the council but shall not exceed 100 percent, as set forth by Section 3.50.040 below.**

SECTION 3 AMENDMENT TO SECTION 3.50.040 OF THE FOLSOM MUNICIPAL CODE

Section 3.50.040 of the Folsom Municipal Code is hereby amended to read as follows:

3.50.040 Schedule of fees and service charges.

The ~~city council city manager, and each city department head, under the direction of the city manager,~~ shall **periodically review and make adjustments to all services provided by the various city departments to all users and the fees and charges associated with those services. The city council shall generally seek 100 percent cost recovery for these services but may, at its sole discretion, adjust fees and charges to a level below full cost recovery for reasons of economic development, community benefit, or for any other lawful purpose. the fees and service charges, on the schedule of frequency provided for in this section, and**

report any new or adjustment of the fee or charge which is required so as to recover the listed percentage of costs reasonably borne necessary to provide the listed regulation, products or services.

Regulation, Product or Service	Percentage of Costs Reasonably Borne to be Resolved	Review Schedule
Development Services		
1. Preliminary Project Review	100%	Annual
2. Building Plan Checking	100%	Annual
3. Construction Inspection	100%	Annual
4. Construction Re-Inspection	100%	Annual
5. Resale Inspection	100%	Annual
6. Mobile Home Park Regulation	100%	Annual
7. Housing Moving Review	100%	Annual
8. Home Occupation Review	100%	Annual
9. Variance Review	100%	Annual
10. Site Design Review	100%	Annual
11. Use Review	100%	Annual
12. PUD Review	100%	Annual
13. PUD Modification Review	100%	Annual
14. PUD Extension Review	100%	Annual
15. Specific Plan Review	100%	Annual
16. Specific Plan Amendment Review	100%	Annual
17. Rezoning Request Review	100%	Annual
18. Zoning Verification Review	100%	Annual
19. Lot Adjustment/Merger Review	100%	Annual
20. Tentative Parcel Map Review	100%	Annual
21. Tentative Parcel Map Revision Review	100%	Annual
22. Tentative Subdivision Map Review	100%	Annual
23. Tentative Subdivision Map Extension Review	100%	Annual
24. Street Name Review	100%	Annual
25. Final Map Check	100%	Annual

26. Environmental Assessment	100%	Annual
27. Environmental Impact Review	100%	Annual
28. Sign Design Review	100%	Annual
29. General Plan Review	100%	Annual
30. Code Amendment Consideration	100%	Annual
31. Reclamation Plan Review	100%	Annual
32. Appeal to Planning Commission Review	100%	Annual
- Owner-Occupied Single Family Dwelling	10%	Annual
33. Appeal to City Council Review	100%	Annual
- Owner-Occupied Single Family Dwelling	10%	Annual
34. Miscellaneous Plans and Standards Review	100%	Annual
35. Rights-of-Way or Easement Abandonment Review	100%	Annual
36. Annexation Processing Service	100%	Annual
- City-Initiated	0%	Annual
37. Historical District Sign Review	100%	Annual
38. Historical District Construction Review	100%	Annual
39. Opinion on Planning Matter	100%	Annual
40. Encroachment Inspection	100%	Annual
41. Grading Plan Inspection	100%	Annual
42. Street Cut Inspection	100%	Annual
43. Subdivision Improvement Plan Review	100%	Annual
44. Subdivision Improvement Plan Inspection	100%	Annual
45. Developer Agreement Processing	100%	Annual
--	-	-
Public Safety Services	-	-
46. General Code Enforcement	50%	Annual
47. Parking Enforcement	100%	Annual
48. Vehicle Code Enforcement	50%	Annual

49. Abandoned Vehicle Removal	100%	Annual
50. Card Room Regulation	100%	Annual
51. Bingo Regulation	100%	Annual
52. Blasting Review	100%	Annual
53. Wide and Overload Inspection	100%	Annual
54. Police False Alarm Response	100%	Annual
55. Concealed Weapon Investigation Per State Law	100%	Annual
56. Accident Investigation	100%	Annual
57. DUI Arrest Processing	100%	Annual
58. Domestic Violence Response	100%	Annual
59. Fingerprinting for Private Purposes	100%	Annual
60. Clearance Letter Processing	100%	Annual
61. Vehicle Inspection	100%	Annual
62. Police Photograph Sale	100%	Annual
63. Special Event Security	100%	Annual
64. State Mandated Fire Inspection	100%	Annual
65. Fire Company Inspection	25%	Annual
66. Fire Protection Plan Review	100%	Annual
67. Special Fire Inspections	100%	Annual
*68. Fire Report Sales	100%	Annual
69. Fire Salvage Service	100%	Annual
70. Lot Cleaning	100%	Annual
71. Ambulance Service—Contract Service	100%	Annual
- All Others	75%	Annual
72. Fire False Alarm Response	100%	Annual
73. Emergency Medical Assistance	25%	Annual
74. Fire Flooding Cleanup	100%	Annual
75. Fire/Police Lockout Assistance	100%	Annual
--	-	-
Recreation Services	-	-
76. Adult Special Interest Classes	90%	Quarterly
- Non-Resident	100%	Quarterly

77. Youth Special Interest Classes	75%	Quarterly
- Non-Resident	100%	Quarterly
78. Community Special Interest Classes	75%	Quarterly
- Non-Resident	100%	Quarterly
79. City Adult Sports Program	50%	Seasonally
- Non-Resident	100%	Seasonally
80. City Youth Sports Program	50%	Seasonally
- Non-Resident	100%	Seasonally
81. Private Adult Ballfield Usage	50%	Seasonally
- Non-Resident	100%	Seasonally
82. Private Youth Ballfield Usage	25%	Seasonally
- Non-Resident	100%	Seasonally
*83. Special Community Events	25%	Annual
*84. Recreational Swimming	50%	Annual
85. Swimming Lessons	100%	Annual
86. Trips and Tours	90%	Seasonally
- Non-Resident	100%	Seasonally
*87. Mini-Railroad Operation	0%	Annual
*88. Zoo Maintenance and Operation	50%	Annual
*89. July 4 Celebration	25%	Annual
*90. Memorial Day Celebration	25%	Annual
91. Flea Market	25%	Annual
92. Recreation Buildings Maintenance Operation	25%	Annual
- Non-Resident	75%	Annual
93. Ballfield Lighting Maintenance	25%	Annual
- Non-Resident	100%	Annual
94. Sports Complex Concessions	50%	Annual
--	-	-
Maintenance Services	-	-
95. Utilities Franchise Fees	100%	Annual
96. Street Lighting (Through Creation of a 1972 Act Assessment District)	-	-

- August 1, 1988	0%	Annual
- August 1, 1989	25%	Annual
- August 1, 1990	50%	Annual
- August 1, 1991	75%	Annual
- August 1, 1992	100%	Annual
97. Street Landscaping (Through Creation of a 1972 Act Assessment District)	-	-
- August 1, 1988	0%	Annual
- August 1, 1989	25%	Annual
- August 1, 1990	50%	Annual
- August 1, 1991	75%	Annual
- August 1, 1992	100%	Annual
98. Street Tree Maintenance (Through Creation of a 1972 Act Assessment District)	-	-
- August 1, 1988	0%	Annual
- August 1, 1989	25%	Annual
- August 1, 1990	50%	Annual
- August 1, 1991	75%	Annual
- August 1, 1992	100%	Annual
99. Street Sweeping	-	-
- May 1, 1988	50%	Annual
- May 1, 1989	100%	Annual
100. Storm Drainage (Through Creation of a 1972 Act Assessment District)	-	-
- August 1, 1988	0%	Annual
- August 1, 1989	25%	Annual
- August 1, 1990	50%	Annual
- August 1, 1991	75%	Annual
- August 1, 1992	100%	Annual
101. Unimproved Street Maintenance (Through Creation of 1911 and 1915 Act Assessment Districts)	100%	Annual

102. Alley Maintenance (Through Creation of 1911 and 1915 Act Assessment Districts)	100%	Annual
103. Water Service	-	-
- December 1, 1988	70%	Annual
- December 1, 1989	85%	Annual
- December 1, 1990	100%	Annual
104. Delinquent Turn Off/On Processing	100%	Annual
105. Water Turn Off/On Service	100%	Annual
106. Special Water Service Projects	100%	Annual
107. Sewer Service	-	-
- April 1, 1988	50%	Annual
- April 1, 1989	60%	Annual
- April 1, 1990	75%	Annual
- April 1, 1991	90%	Annual
- April 1, 1992	100%	Annual
108. Refuse Service	-	-
- June 1, 1988	75%	Annual
- June 1, 1989	90%	Annual
- June 1, 1990	100%	Annual
109. Dumpster Rental Charges	100%	Annual
*110. Transit Service	90%	Annual
*111. Commuter Transit Center	75%	Annual
112. Private Sewer Service Problem Inspection	100%	Annual
113. State Prison Sewer Service	100%	Annual
114. Special Sewer Service Project	100%	Annual
--	-	-
Administrative and Finance Services	-	-
115. Redevelopment Agency Administration	100%	Annual
116. Regional Sanitation Billing	100%	Annual
117. New Business License Review	100%	Annual
118. Bad Check Collection	100%	Annual

119. Arena Rental	50%	Annual
120. Agenda/Minute Mailing Service	100%	Annual
*121. Document Printing and Copying	100%	Annual
122. Records Research Service	100%	Annual
123. Document Certification Service	100%	Annual
124. Unspecified Service	100%	Annual
125. New Service	100%	Annual

~~*—A Minimum fee of \$10.00 shall be charged in all instances except in the cases of numbers 68, 83, 87, 88, 89, 90, 110, 111 and 121 hereof.~~

~~The hereinabove services as listed in this section are defined in that certain document entitled Cost Control System for the City of Folsom dated December 29, 1987, as produced by Management Services Institute, incorporated, and as updated by city staff.~~

~~The schedule of frequency of review of fee adjustments may be varied by the city manager to adjust revenues sufficient to meet debt service coverage requirements of any bond, certificate, or ordinance, resolution, indenture, contract, or action under which securities have been issued by the city which contain any coverage factor requirement.~~

~~The schedule of frequency of fee adjustments may be varied by the city manager, if, in his judgment and that of the requesting department head, a gross inequity would be perpetrated by the existing rate schedule on a new, and unanticipated event.~~

~~All new or increased fees and charges set pursuant to this section shall take effect ten days after adoption by the city council, except that new or increased development impact fee or charge for processing applications for development projects shall take effect sixty days after adoption. has passed resolution setting the fee or charge and stipulating that all provisions of this section have been complied with, and no written appeal has been filed.~~

~~The schedule of frequency of rate adjustments may be varied by the city manager to adjust revenues sufficient to meet debt service coverage requirements of any bond, certificate, or ordinance, resolution, indenture, contract, or action under which securities have been issued by the city which contain any coverage factor requirement. The schedule of frequency of rate adjustments may be varied by the city manager if, in his judgment and that of the requesting department head, a gross inequity would be perpetrated by the existing rate schedule on a new, and unanticipated event. (Ord. 627, § 2, 1988; Ord. 609 § 1, 1988)~~

SECTION 4 AMENDMENT TO SECTION 3.50.050 OF THE FOLSOM MUNICIPAL CODE

Section 3.50.050 of the Folsom Municipal Code is hereby amended to read as follows:

3.50.050 Statutory public meeting.

Pursuant to California Government Code Sections ~~54992, 54994.1 and 54994.2~~ 66016 et seq., the city clerk shall cause notice to be provided as set out in said Government Code Sections ~~54992, 54994.1~~ 66016 and 6062a ~~and the city council periodically, and at least annually, shall receive at a public regularly scheduled meeting oral and written presentations~~ concerning the fees and charges proposed to be increased or added. Such public meeting notice, ~~oral and written presentation, and public hearing~~ shall be provided ~~by the city council~~ prior to city council taking any action on any new or increased fees or charges. ~~At least one such public hearing shall be held annually at the first regular council meeting in May. (Ord. 609 § 1, 1988)~~

SECTION 5 REPEAL OF SECTION 3.50.060 OF THE FOLSOM MUNICIPAL CODE

Section 3.50.060 of the Folsom Municipal Code is hereby deleted in its entirety.

SECTION 6 SCOPE

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

SECTION 7 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 8 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 May 14, 2024 and the second reading occurred at the regular meeting of the City Council on May 28, 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 28th day of May, 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 3
PUBLIC COMMENTS RECEIVED

From: Bob Delp <bdelp@live.com>

Sent: Tuesday, May 14, 2024 8:45 AM

To: Christa Freemantle <cfreemantle@folsom.ca.us>; City Clerk Dept <CityClerkDept@folsom.ca.us>; Mike Kozlowski <mkozlowski@folsom.ca.us>; Sarah Aquino <saquino@folsom.ca.us>; YK Chalamcherla <ykchalamcherla@folsom.ca.us>; Anna Rohrbough <annar@folsom.ca.us>; Rosario Rodriguez <rrodriguez@folsom.ca.us>

Cc: Pam Johns <pjohns@folsom.ca.us>; Stacey Tamagni <stamagni@folsom.ca.us>; Elaine Andersen <eandersen@folsom.ca.us>; Steven Wang <swang@folsom.ca.us>

Subject: Comments to Council re 5-14-24 Agenda Item 18 - Service Fees

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

For distribution to the City Council:

As with my correspondence to the Council on April 23 (below) and with all due respect for the Community Development Director, I continue to urge the Council to reject the Community Development Department's (CDD's) proposed amendment/repeal of FMC 3.50 provisions pertaining to service fees and cost recovery. The fee structure of the existing ordinance identifies 125 categories of fees and the percentage of cost recovery that the City is to achieve for each category. The City has neglected to implement and update fees as needed to obtain the FMC 3.50-required cost recovery; however, that is not a deficiency of FMC 3.50, it is a deficiency in the implementation of FMC 3.50. That deficiency is continuing to drain the City's General Fund by improperly subsidizing individuals, business, and development interests utilizing CDD services. It is time for that practice to stop and for the City to update its fees and implement FMC 3.50's directives. Instead, CDD continues to postpone bringing a fee update to the Council and recommends gutting FMC 3.50 to eliminate all fee categories and respective designated cost recovery percentages. CDD's recommendation does not provide an alternative fee structure and kicks that can down the road while continuing to divert General Fund dollars to development services and away from other important City priorities.

On March 12, the Council heard a presentation from staff and a consultant that was hired by the City to prepare a fee study. Staff and the consultant did not discuss FMC 3.50 provisions, and it is almost as if staff and the consultant were simply unaware of the existence of FMC 3.50. Now, CDD suggests that FMC 3.50 be gutted to eliminate its fundamental substance. CDD's rationale does not hold water. Staff suggests that FMC 3.50 should be gutted because its list of categories includes some services that no longer exist and does not include some services that now exist. While that is good reason to update the list of categories, it is not a reason to eliminate all of the categories. Staff further suggests that FMC 3.50 should be gutted because the Council may wish to modify the percentage of cost recovery for certain categories. Yet, the Council has the ability to refine and modify the categories and percentages in FMC 3.50 through a public process any time the Council chooses to do so. Eliminating the categories and percent recovery structure of FMC 3.50 would create a wild-west fee structure requiring this and future Council's to continuously consider and debate over the cost recovery percentages for some 125 categories of service fees.

Keeping FMC 3.50 intact while making limited refinements to the categories and recovery percentages would be a sound approach, whereas, eliminating the FMC 3.50 categories and cost recovery percentages is bizarre, reckless, and fiscally unsound. Please reject this proposal and direct CDD to 1) return with a more discretely amended FMC 3.50 addressing specific category and percentage amendments, 2) return with a fee adjustment proposals so the Council can adopt updated fees and stop the drain on the General Fund, and 3) implement the full/actual cost recovery for development services as prescribed in the attached 2011-adopted-but-never-implemented resolution.

Thank you for considering my comments.

Bob Delp

916-812-8122

bdelp@live.com

Desmond Parrington

From: Bob Delp <bdelp@live.com>
Sent: Tuesday, April 23, 2024 11:20 AM
To: Mike Kozlowski; Sarah Aquino; YK Chalamcherla; Anna Rohrbough; Rosario Rodriguez; City Clerk Dept
Cc: Elaine Andersen; Pam Johns; Steven Wang; Desmond Parrington; Christa Freemantle
Subject: Comments to Council re 4-23-24 Agenda Items 9 and 10
Attachments: Planning Fees CC 3-08-11.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

On April 19, the City distributed an email newsletter with a headline "**FOLSOM FACES FISCAL CROSSROADS: CITY COUNCIL DIRECTS BUDGET EDUCATION PROGRAM**", followed by an article warning that, "**The city is facing a financial shortfall that could impact public safety, public services, and the quality of life in Folsom. ... Amidst the projected structural deficit, the city faces compounding infrastructure and building maintenance needs that require a dedicated funding source. There is an estimated \$20 million annual shortfall in funding for infrastructure improvements, park and facility repairs, equipment maintenance and replacements, trail maintenance and repairs, and staffing needs.**"

Yet, in the midst of this dire financial reality, City staff is recommending the continued and expanded use of the General Fund to subsidize the cost for the City's processing of private applications for permits and other entitlements. For Item 9 on your 4/23/2024 agenda, I urge the Council to direct staff to revise and return with a full fee schedule for Development Services funding that achieves fee recovery for all services at the percentages specified in the existing FMC section 3.50. For agenda Item 10, I urge the Council to reject staffs' recommended amendments to FMC 3.50 and leave FMC 3.50's sound fiscal policy directives in place. Staffs' recommendations would increase use of the General Fund to subsidize private development proposals, diverting those funds from important public safety, public services, and quality of life programs that are hallmarks of the City of Folsom.

At its March 12 meeting, the Council heard a presentation from staff and its consultant regarding fee schedules for Community Development services. Although some questions were asked and concerns expressed regarding certain fees, I heard no one suggest that the City should not strive to comply with the existing FMC 3.50 provisions that direct the City Manager to recover costs at the percentages outlined in the FMC 3.50.040 Schedule of Fees and Service Charges and I heard no one suggest that the existing FMC 3.50.040 fee percentages should be eliminated. Further, documentation for and discussion during the March 12 meeting acknowledged that the City's fee structure has not been achieving the required cost recovery and that increasing the fees to be at least more in-line with FMC 3.50 requirements is necessary to minimize impacts on the City's General Fund.

Now, just a few weeks later, staff has modified the proposed fee schedule (Agenda Item 9) recommending that the Council adopt a fee schedule revision limited to certain engineering and building permits while leaving all other fees unadjusted, including those known to be clearly insufficient for funding the City's costs and complying with FMC 3.50. Moreover, staff now also recommends (Agenda Item 10) that FMC 3.50 be revised to eliminate the existing requirement to achieve specific cost recovery percentages.

Is this what the Council wants; to continue insufficient recovery of costs for development application processing and building permits and to continue to shift that burden onto Folsom's citizenry by robbing the General Fund?

I hope staff has read the Council wrong on this one and that the Council will reject staff's proposals and direct staff to return with a fee schedule that fully recovers development/permit application processing and one that includes provisions to implement the full cost recovery program requested by staff and approved by the Council in 2011 (attached) that after 13 years is still sitting on the sidelines waiting to be implemented.

Thank you for considering my input.

Bob Delp
916-812-8122
bdelp@live.com

From: Bob Delp <bdelp@live.com>
Sent: Tuesday, March 12, 2024 9:56 AM
To: Mike Kozlowski <mkozlowski@folsom.ca.us>; Rosario Rodriguez <rrodriguez@folsom.ca.us>; Sarah Aquino <saquino@folsom.ca.us>; YK Chalamcherla <ykchalamcherla@folsom.ca.us>; Anna Rohrbough <annar@folsom.ca.us>; Christa Freemantle <cfreemantle@folsom.ca.us>
Cc: Elaine Andersen <eandersen@folsom.ca.us>; Steven Wang <swang@folsom.ca.us>; Sari Dierking <sdierking@folsom.ca.us>; Pam Johns <pjohns@folsom.ca.us>; Desmond Parrington <dparrington@folsom.ca.us>
Subject: Comments to Council re 3-12-24 Agenda Item 5 - Planning Fees

For distribution to City Council:

Dear Council:

Regarding agenda item 5 of tonight's City Council meeting, this message is to urge the City Council to direct staff to implement a full cost recovery program for processing development applications **consistent with the process described in the attached March 2, 2011, staff report and adopted by the Folsom City Council in 2011 through Resolution 8801** (attached). Through such a process, individual applicants would pay for the actual and full cost for processing their individual applications – neither subsidizing nor being subsidized by other applicants and without being subsidized by the City's General Fund.

In 2011, the Community Development Department and City Council wisely determined that through implementation of a full cost recovery system for application processing, the City *"would protect its General Fund monies from subsidizing private development applications."*

Staff's 2011 analysis of the financial impact of the full cost recovery program found that, *"The cost recovery program would allow the City to more accurately cover the actual costs for development permits from the applicants. Although the actual savings to the General Fund are cannot be quantified, this fee recovery program will result in a positive impact to the General Fund and provide direct costs charges to contribute to the General Fund to more accurately fund development processing costs."*

Staff's basis for its 2011 recommendation concisely described the situation that existed then and that still persists today, noting, *"the range of complexity in development applications can vary widely and some projects can remain "active" or "in process" for years because projects are substantially revised and resubmitted (sometimes with years passing in between) in an attempt by applicants to obtain City approval."*

Staff sometimes must effectively begin processing all over with each resubmittal but is unable to request new project fees because the project is still technically active. It is these types of projects that staff seeks to target to ensure that staff costs are fully recovered." These persisting circumstances beg for a system based on actual costs, not flat fees.

Yet, the system requested by CDD and approved by the Council in 2011 still has not been implemented and CDD's current 3/12/24 staff report to the Council for agenda item 5 of tonight's meeting provides a recommendation predominated by "flat fees" which are inherently inequitable and a drain on the City's resources. The current staff report makes no mention of the 2011 Resolution and provides no compelling rationale for abandoning the sound approach that the Council directed be implemented in 2011.

Please direct staff to fulfill the directives of Resolution 8801 and implement the full cost recovery system for development application processing that requires individual applicants to fully fund the costs of processing their applications.

Thank you for considering my input.

Bob Delp
916-812-8122
bdelp@live.com

From: Bob Delp <bdelp@live.com>
Sent: Monday, November 15, 2021 11:12 AM
To: Pam Johns <pjohns@folsom.ca.us>
Cc: Elaine Andersen <eandersen@folsom.ca.us>; Steven Wang <swang@folsom.ca.us>; Scott Johnson <sjohnson@folsom.ca.us>; Sari Dierking <sdierking@folsom.ca.us>; Mike Kozlowski <mkozlowski@folsom.ca.us>; Sarah Aquino <saquino@folsom.ca.us>; Rosario Rodriguez <rrodriguez@folsom.ca.us>; YK Chalamcherla <ykchalamcherla@folsom.ca.us>; kerri@atlanticcorrosionengineers.com <kerri@atlanticcorrosionengineers.com>
Subject: Re: Funding for Development Application Processing

Thanks, Pam. I appreciate the response, but what you describe doesn't strike me as being consistent with the direction of the 2011 resolution. You state that staff doesn't have the discretion to charge more than the fees set by the counsel even if a project exceeds that cost, however, my read of the 2011 resolution is that if a full cost recovery project was being implemented as directed by that resolution, staff would not just have the authority but would also have the obligation to charge an applicant for the actual cost, including City Attorney fees, instead of subsidizing the private project's costs.

I know you'll have your hands full with other things this week, but I (and others) would like more clarity on this. Maybe in the next few weeks you could provide an example of how you track staff time/costs for application projects - perhaps Folsom Prison Brews/Barley Barn since it's a good example of the type of project described in the 2011 staff report requesting the full cost recovery program (I previously submitted a public records request for that project, but I don't recall that any of the documents I received had any records of staff time or of applicant payments).

Thanks,
-Bob

Bob Delp
 916-812-8122
bdelp@live.com

From: Pam Johns <pjohns@folsom.ca.us>
Sent: Monday, November 15, 2021 10:05 AM
To: Bob Delp <bdelp@live.com>
Cc: Elaine Andersen <eandersen@folsom.ca.us>; Steven Wang <swang@folsom.ca.us>; Scott Johnson <sjohnson@folsom.ca.us>
Subject: RE: Funding for Development Application Processing

Hi Bob,

I'm just back from unexpected leave and wanted to follow up on your email.

Development processing fees are set by the City Council in an amount that cannot exceed the reasonable cost of providing the service. Accordingly, and generally speaking, staff does not have discretion to charge more than the fees set by the Council even if a particular application takes more time to process than others. Overall, planners and engineers in Community Development track their time working on development applications and also to properly account for deposit-based fees. When it appears that the fees set by the City Council no longer reflect the reasonable cost of providing the service, staff would recommend that the fees be re-evaluated and adjusted.

Pam
 Pam Johns
 Community Development Director

From: Bob Delp <bdelp@live.com>
Sent: Friday, October 22, 2021 5:01 PM
To: Elaine Andersen <eandersen@folsom.ca.us>
Cc: Pam Johns <pjohns@folsom.ca.us>; Scott Johnson <sjohnson@folsom.ca.us>; Rosario Rodriguez <rrodriguez@folsom.ca.us>; kerri@atlanticcorrosionengineers.com; Sarah Aquino <saquino@folsom.ca.us>; Mike Kozlowski <mkozlowski@folsom.ca.us>; YK Chalamcherla <ykchalamcherla@folsom.ca.us>; Christa Freemantle <cfreemantle@folsom.ca.us>
Subject: Fw: Funding for Development Application Processing

Ms. Andersen:

City Council Resolution 8801 of 2011 is attached with the associated March 2, 2011 staff report, as provided to me by Scott Johnson on October 6, 2021. Mr. Johnson was responding to my Oct 1 request (in string below) for information regarding funding for development applications. Neither Mr. Johnson nor Ms. Johns have yet been able to tell me if or how the Community Development Department has implemented the full cost recovery program for staff time as directed by the Council in Reso 8801.

If such a program is not in place, then taxpaying members of this community have been subsidizing what I expect would amount to hundreds of thousands of dollars of staff time and expenses associated with processing private development applications over the past 10 years when, instead, as directed by the City Council in 2011, those costs should have been directly paid for by applicants.

I am asking that you investigate, provide an explanation to the community, and address this matter as a top priority and that you direct staff to immediately suspend any further processing of current and future applications until a reimbursement agreement for full cost recover is in place.

Thank you,
-Bob Delp

Bob Delp
916-812-8122
bdelp@live.com

From: Bob Delp <bdelp@live.com>
Sent: Sunday, October 17, 2021 7:34 PM
To: Scott Johnson <sjohnson@folsom.ca.us>; Pam Johns <pjohns@folsom.ca.us>
Cc: Elaine Andersen <eandersen@folsom.ca.us>
Subject: Re: Funding for Development Application Processing

Hi, Pam and Scott (Elaine now cc'd). I'm concerned that you haven't yet been able to confirm that the full cost recovery system is in place and being implemented. This is likely a matter of tens of thousands of dollars each year for staff costs that - based on city council 2011 direction - should be covered by applicant reimbursements. Please confirm ASAP that the system is in place.

-Bob
916-812-8122
bdelp@live.com

On Oct 6, 2021, at 8:59 PM, Bob Delp <bdelp@live.com> wrote:

Thanks, Scott. The key thing I see from the 2011 staff report and resolution is the council's direction for staff to implement a full cost recovery fee system. The staff report describes precisely the type of situation I was asking about and seems to provide a clear remedy - full cost recovery. Was that full cost recovery system implemented and where would I find a description of how it's implemented?

-Bob
916-812-8122
bdelp@live.com

On Oct 6, 2021, at 9:36 PM, Scott Johnson <sjohnson@folsom.ca.us> wrote:

Mr. Delp,

Attached is the staff report and resolution adopted by the City Council on 3-08-11 relative to Planning Fees. Approval of this resolution changed our fee structure for planning services to be deposit based for the majority of entitlements.

Scott A. Johnson, AICP
Planning Manager

From: Pam Johns <pjohns@folsom.ca.us>
Sent: Tuesday, October 5, 2021 1:17 PM
To: Bob Delp <bdelp@live.com>

Cc: Scott Johnson <sjohnson@folsom.ca.us>
Subject: RE: Funding for Development Application Processing

Hi Bob.

I've copied Scott Johnson here so he can respond or call you about our planning entitlement fee structure. Thank you.

Pam

From: Bob Delp <bdelp@live.com>
Sent: Tuesday, October 5, 2021 11:50 AM
To: Pam Johns <pjohns@folsom.ca.us>
Subject: Re: Funding for Development Application Processing

Thanks, Pam. That's good to know and answers part of my question. But I'm also interested in knowing if staff time/costs are tracked and reimbursed by applicants. In particular, projects like 603 Sutter Street and 608 1/2 Sutter Street (*Catchy-Name-Here* Brews) have been submitted with substantial staff time invested in reviews, preparing staff reports, preparing for hearings, etc., but then the applicants have decided to pull back the projects and make substantial revisions. I'm sure that even a once-through application requires substantial staff time, and layering in multiple rounds obviously then takes that much more time. So I'm interested in knowing if applicants are funding staff costs for their projects or if I and other taxpayers are paying for staff time to review private projects.

Bob Delp
916-812-8122
bdelp@live.com

From: Pam Johns <pjohns@folsom.ca.us>
Sent: Tuesday, October 5, 2021 11:22 AM
To: Bob Delp <bdelp@LIVE.COM>
Subject: RE: Funding for Development Application Processing

Hi Bob.

Consultant costs are covered entirely by applicant. Contracts are run through the City because we manage the consultant work consistent with approved scopes of work. Just like any city-run project, any cost overages by a consultant for work that is out of scope must be approved by the city in advance of the work and additional costs are the responsibility of the developer. Does that answer your question?

Pam

From: Bob Delp <bdelp@LIVE.COM>
Sent: Friday, October 1, 2021 10:46 AM

To: Pam Johns <pjohns@folsom.ca.us>

Subject: Funding for Development Application Processing

Pam:

I'm interested in understanding the source of funding for City and any City-retained consultant costs associated with your Department's review of development projects. I know there are established fees for certain project types, but I also know that the actual time/cost can be much higher than those fees would cover. Does the City absorb that cost or do you require reimbursement agreements with applicants for them to cover the actual cost?

Thanks,

-Bob

Bob Delp

916-812-8122

bdelp@live.com

<Planning Fees CC 3-08-11.pdf>

**PUBLIC HEARING
Agenda Item No.: 8a
CC Mtg.: 03/08/2011**

DATE: March 2, 2011
 TO: Mayor and City Council Members
 FROM: David E. Miller, AICP, Community Development Director
 SUBJECT: **RESOLUTION NO. 8801 - A RESOLUTION MODIFYING RESOLUTION NO. 8301 TO CONVERT NOTED PLANNING FEES TO DEPOSITS AND DIRECTING STAFF TO IMPLEMENT A PROGRAM FOR FULL COST PLANNING SERVICE FEES**

BACKGROUND /ISSUE

The Planning Department Service Fees were last updated in October 2008. The fees generally reflect the average cost to provide development application processing services. However, the range of complexity in development applications can vary widely and some projects can remain "active" or "in process" for years because projects are substantially revised and resubmitted (sometimes with years passing in between) in an attempt by applicants to obtain City approval. Staff sometimes must effectively begin processing all over with each resubmittal but is unable to request new project fees because the project is still technically active. It is these types of projects that staff seeks to target to ensure that staff costs are fully recovered. As the Council is well aware, in our current fiscal climate the General Fund is unable to cover any unnecessary development service related costs.

Another major issue associated with development application fees is the continuing reduction in General Fund revenues. Over the past three years, the City's General Fund expenses have exceeded the General Fund revenue by approximately \$13 million. The City's General Fund cannot subsidize development applications. Given significant increases in productivity and expediting development permits, the expense to process development permits has dropped in many cases. Nevertheless, the General Fund continues to significantly subsidize development permit activity.

Therefore, staff is proposing to implement a program where staff would track time spent on each planning application and begin charging applicants monthly if and when the application fees were exceeded. In addition, a fee would be implemented to cover planning staff time to review building permits. In this manner, the City would protect its General Fund monies from subsidizing private development applications.

POLICY / RULE

Folsom Municipal Code Section 3.50.020 directs the City Manager to recommend to the Council the adjustment of fees and charges to recover the percentage of costs reasonably borne in providing the regulation, products or services enumerated in Chapter 3.50.

Folsom Municipal Code Section 3.50.030 provides direction on calculating “costs reasonably borne” to include the following elements: direct costs (wages, overtime, benefits, overhead, etc), indirect costs (building maintenance, computers, printing, etc.), fixed assets, general overhead, department overhead, and any debt service costs.

Folsom Municipal Code Section 3.50.040 requires fee adjustments be approved by the City Council. It also specifies the percentage of City service costs to be recovered through fees. The majority of Planning Service Fees are directed to be 100% cost recoverable through its fee structure. Building Permit fees are also directed to be 100% cost recovered.

ANALYSIS

Staff recommends that the City Council direct staff to implement a full cost recovery program modeled after one that’s been used by the City of Roseville Planning and Redevelopment Department since 2003. The following is the proposed program outline:

Base Cost

The base cost for processing a full cost application represents the minimum amount of staff time invested by City staff. This base cost is determined by an analysis of actual costs and is non-refundable. Staff recommends that Folsom’s existing fee structure adopted October 1, 2008 be used as this base cost so that no new costly analysis process is required.

Project Initiation

Concurrent with the start-up of a project, the applicant enters into an agreement for full cost billing. Per this agreement, the applicant would pay the base costs associated with the individual entitlements associated with the project.

Full Cost Billing

Following project initiation and payment of the base cost fee, staff will record time spent working on the project against the base cost. If staff time exceeds that covered under the base cost, the applicant shall be billed an hourly rate thereafter on a monthly basis.

The hourly billing rate charged to projects would be a factor of the staff salary to cover costs as enumerated in Folsom Municipal Code Section 3.50.030, including: direct costs (wages, overtime, benefits, overhead, etc), indirect costs (building maintenance, computers, printing, etc.), fixed assets, general overhead, department overhead, and any debt service costs. The Finance Department has completed a full analysis of overhead charges and has submitted rates for all Community Development staff.

These charges are based on the current staff costs per adopted City labor contracts, plus a factor for direct and indirect costs. Included in the monthly billing would be any costs incurred by other departments such as the City Attorney’s Office, Public Works, Utilities, Housing and Redevelopment, Parks and Recreation, etc.

Consultants

As may be required for project evaluation or environmental review, all consultant work shall be paid for by the project applicant and would be included in the payment agreement. The City would charge an administrative cost equal to 10% of the contract amount, which is a typical markup rate industry wide.

Non-Residential Plan Check Fee

Planning staff must review every building permit for compliance with conditions of any project approval (such as a Design Review or Planned Development Permit) to ensure all the Planning Commission and City Council conditions have been complied with. In addition, permits must be reviewed for compliance with the Zoning Code and any other applicable ordinance. Staff recommends that an additional planning review fee equal to 15% of the permit fee (same as City of Roseville fee) be charged to cover planning staff review time for non-residential projects because currently this cost is not being covered and is a drain on the General Fund.

Residential Landscape Review Fee

Due to recent state legislation (AB 1881) all landscape plans are required to be reviewed for water conservation standards. While commercial landscape plan review is covered by the existing fee structure, residential landscaping plans are not. Staff proposes to require a residential fee for each residential landscape plan review and inspection based on the hourly rate of the City Arborist.

As shown in the table below, the proposed fee deposits for typical entitlements are similar to other jurisdictions in the region.

Entitlement	Folsom	Roseville	Sacramento	Elk Grove	Rancho Cordova
General Plan Amendment	\$3,651-\$7,300	\$4,934-\$13,074	\$20,000	\$12,371	\$15,000
Rezone	\$2,502-\$4,997	\$5,154-\$13,338	\$8,000-\$20,000	\$10,176	\$15,000
Specific Plan Amendment	\$5,892	\$5,139-\$13,075	\$10,000	\$3,443	\$5,000
Tentative Parcel Map	\$4,754	\$1,698	\$500 per lot	\$4,854	\$10,000
Tentative Subdivision Map	\$5,721+\$30 per lot	\$3,338-\$4,832	\$500 per lot	\$7,533	\$10,000-\$20,000
Planned Development Permit	\$7,640+\$38 2 per acre	\$4,627	\$6,200	\$5,281	\$10,000
Conditional Use Permit	\$4,954	\$4,085	\$4,000-\$9,000	\$5,223	\$10,000
Variance	\$1,405	\$2,430	\$3,000	\$3,228	\$10,000

Staff recommends the Planning Service Fees convert to this deposit/cost recovery system in accordance with those services specifically identified in Section 3.50.040 to be full cost recovery. Exceptions to full cost recovery identified in this section include appeals (identified costs to be 10% recovered) and tree removal permits/special events permits (by omission from the schedule of Development Services to recover costs reasonably borne).

FINANCIAL IMPACT

The cost recovery program would allow the City to more accurately cover the actual costs for development permits from the applicants. Although the actual savings to the General Fund are cannot be quantified, this fee recovery program will result in a positive impact to the General Fund and provide direct costs charges to contribute to the General Fund to more accurately fund development processing costs.

ENVIRONMENTAL REVIEW

This Resolution is categorically exempt from the California Environmental Quality Act under Public Resources Code §21080, sub. (b)(8) and CEQA Guidelines §15273, establishment, modification, structuring or approval of rates, tolls fares, or other charges by public agencies which the public agency finds are for the purpose of meeting operating expenses. The modification of permit fees has not potential environmental impact upon the environment so does not constitute a project under CEQA.


ATTACHMENTS

1. Resolution No. 8801 – A Resolution Modifying Resolution No. 8301 to Convert Noted Planning Fees to Deposits and Directing Staff to Implement a Program for Full Cost Planning Service Fees
2. City of Roseville Planning Fee Schedule – Effective July 1, 2010 (which includes procedures for Full Cost Fees)
3. City of Roseville Planning Department Sample Agreement for Full Cost Billing.

RECOMMENDATION/CITY COUNCIL ACTION

Staff recommends that the City Council adopt Resolution No. 8801 – A Resolution Modifying Resolution No. 8301 to Convert Noted Planning Fees to Deposits and Directing Staff to Implement a Program for Full Cost Planning Fees.

Submitted,



David E. Miller, AICP
Community Development Director

Attachment #1 City Council Resolution

RESOLUTION NO. 8801

A RESOLUTION MODIFYING RESOLUTION NO. 8301 AS SHOWN IN THE ATTACHED FEE SCHEDULE AND DIRECTING STAFF TO IMPLEMENT A PROGRAM FOR FULL COST PLANNING SERVICE FEES

WHEREAS, Folsom Municipal Code Section 3.50.020 directs the City Manager to recommend to the Council the adjustment of fees and charges to recover the percentage of costs reasonably borne in providing the regulation, products or services as enumerated in Chapter 3.50; and

WHEREAS, Folsom Municipal Code Section 3.50.030 provides direction on calculating costs reasonably borne to include the following elements: direct costs (wages, overtime, benefits, overhead, etc.), indirect costs (building maintenance, computers, printing, etc.), fixed assets, general overhead, department overhead, and any debt service costs; and

WHEREAS, Folsom Municipal Code Section 3.50.040 requires fee adjustments be approved by the City Council; and

WHEREAS, Folsom Municipal Code Section 3.50.040 also directs that the majority of Planning Service Fees and Building Permit Fees shall be 100% cost recoverable through its fee structure; and

WHEREAS, the range of complexity in Planning Department development applications can vary widely; and

WHEREAS, in our current fiscal climate the General Fund is unable to cover any unnecessary development service related costs; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Folsom that Resolution No. 8301 be modified as shown in the attached fee schedule, effective 60 days from the date of adoption of this Resolution on May 8, 2011 and directs City staff to implement a program for full cost planning service fees as attached and described in the staff report.

PASSED AND ADOPTED this 8th day of March 2011, by the following roll-call vote:

- AYES: Council Member(s):
- NOES: Council Member(s):
- ABSENT: Council Member(s):
- ABSTAIN: Council Member(s):

Andrew J. Morin, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

#	Department Service	Base Fee (Non-Refundable Deposit)
	Planning	
PE-1	Preliminary Project Review (deposit)	\$ 545
PE-2	Tentative Parcel Map Review (Deposit)	\$ 4,754
PE-3	Tentative Subdivision Map Review (deposit)	\$5,751 + \$30/Lot
PE-4	Tentative Map Amendment Review (deposit)	\$ 7,923
PE-5	Final Map Amend/Cert of Correction	\$ 2,599
PE-6	Tentative Map Extension Review (deposit)	\$ 3,404
PE-7	Site Design Review - Planning Comm. (deposit)	\$ 3,992
PE-8	Planned Development review (deposit)	\$7,640 + \$382/acre
PE-9	Planned Development Mod. Review (deposit)	\$ 7,628
PE-10	Planned Development Ext. Review (deposit)	\$ 2,678
PE-11	Specific Plan Review (deposit)	\$ 5,356
PE-12	Specific Plan Amend. Review (deposit)	\$ 5,892
PE-13	Initial Environmental Study/Assmnt (deposit)	\$ 5,423
PE-15	Environmental Impact Review & Report*	\$ 7,285
PE-16	Notice of CEQA determination	\$ 252
PE-18	Envtl Mitigation Prog. Monitoring*	\$ 5,369
PE-20	Historic Dist SFD Design Rvw (deposit)	\$ 54
PE-21	H.D. Mult Fam/Comm Design Rvw (deposit)	\$ 1,841
PE-22	Arch Review - SFD (deposit)	\$ 54
PE-23	Arch Review - Mult-Fam/Comm. (deposit)	\$ 1,841
PE-24	Historic Dist Sign Review (deposit)	\$ 54
PE-25	Sign Permit - Staff	\$ 107
PE-26	PD Permit Sign Only (deposit)	\$ 1,071
PE-27	Zoning Verification Review (deposit)	\$ 258
PE-28	Rezoning Request Review- < 5 acres (deposit)	\$ 2,502
PE-29	Rezoning Request Review- 5+ acres (deposit)	\$ 4,997
PE-20	Lot Line Adj./Parcel Merger (planning) (deposit)	\$ 844
PE-31	Annexation Processing (deposit)*	\$ 4,280
PE-32	Variance Review- SFD (deposit)	\$ 1,405
PE-33	Variance Review- Other (deposit)	\$ 1,405
PE-35	Appeal - Admin	\$ 214
PE-36	Appeal - by other (deposit)	\$ 429
PE-37	Code Amendment (deposit)*	\$ 1,912
PE-38	General Plan Amendment <5 acres (deposit)	\$ 3,651
PE-39	General Plan Amendment >5 acres (deposit)	\$ 7,300
PE-40	Temporary Use Permit Review	\$ 54
PE-41	Conditional Use Permit Review (deposit)	\$ 4,954
PE-43	Street Name Review/Change (deposit)	\$ 1,071
PE-44	Devl. Agreement Processing (deposit)*	\$ 4,607
PE-45	Non-residential Plan Check Fee	15% of building permit fee
PE-46	Residential Landscape Review Fee	Hourly rate of City Arborist

Attachment #2
City of Roseville Planning Fee Schedule
Effective July 1, 2010



PLANNING and REDEVELOPMENT
311 VERNON STREET * ROSEVILLE, CA 95678

Planning Fee Schedule - Effective July 1, 2010

Adopted by Resolution No. 96-239 - Amended by Resolution No. 97-287 - Amended by Resolution No. 99-507 - Amended by Resolution No. 02-02 - Amended by Resolution No. 02-224
Amended by Resolution No. 04-485 - Amended by Resolution No. 05-176, Amended by resolution 09-124

ENTITLEMENT (APPLICATION TYPE):	FEE	Full Cost Base Cost	ENTITLEMENT (APPLICATION TYPE):	FEE	Full Cost Base Cost
APPEALS			SIGNS		
1. Planning Director's Decision	\$454		1. Standard Sign Permit	\$117	
2. PC/DC Decision to City Council	\$425		2. Planned Sign Permit Program	\$512	
ANNEXATIONS			3. Sign Permit/Program - Public Hearing Req.	\$1,010	
1. Annex/PZ/Detach/SOII/(FULL COST/Deposit) ¹		\$11,786	4. Administrative Permit for Sign Exception ²	\$717	
DEVELOPMENT AGREEMENTS			5. PSP Minor Modification ³	\$58	
1. Adoption of Specific Plan (FULL COST/Deposit) ¹		\$6,837	SPECIFIC PLAN AMENDMENT		
2. Amendment of SPA (FULL COST/Deposit) ¹		\$6,837	1. SPA Adoption, Map/Text (FULL COST/Deposit) ¹		\$11,786
3. Associated with Affordable Housing	\$1,244		2. SPA 10 Acres or LESS, Map or Text	\$5,139	
4. Associated with Single Topic Item	\$2,474		3. SPA 11+ Acres, Map/Text (FULL COST/Deposit) ¹		\$13,075
ENVIRONMENTAL REVIEW			4. SPA Text/Policy Deposit (FULL COST/Deposit) ¹		\$13,075
1. Exemption WITHOUT Initial Study	\$176		SUBDIVISIONS/CONDOMINIUMS*		
2. Exemption WITH Initial Study	\$425		1. Grading Plan / Minor	\$1,201	
3. Negative Declaration with NO Mitigation	\$630		2. Grading Plan / Major	\$2,489	
4. Tiered Negative Declaration WITH Mitigation	\$1,288		3. Lot Line Adjustment	\$1,201	
5. EIR Deposit (FULL COST/Deposit) ¹		\$11,786	4. Extension to a Tentative Map	\$1,201	
GENERAL PLAN AMENDMENT			5. Voluntary Merger	\$1,201	
1. Entitlement Fee - GPA 10 Acres of LESS, Map/Text	\$4,934		6. Reversion to Acreage	\$1,698	
2. GPA 11+ Acres, Map/Text (FULL COST/Deposit) ¹		\$13,074	7. Minor Modification to a Tentative Map	\$1,201	
3. GPA - Text Policy Amend (FULL COST/Deposit) ¹		\$13,074	8. Major Modification to a Tentative Map	\$2,796	
PUBLIC UTILITY EASEMENT ABANDONMENT			9. Tentative Parcel Map with 4 or fewer Lots	\$1,698	
1. Summary Vacation	\$1,259		10. Tentative Map, 5 through 99 Lots	\$3,338	
2. General Vacation	\$1,772		11. Tentative Map, 100 through 499 Lots	\$4,832	
			12. Tentative Map, 500+ Lots (FULL COST/Deposit) ¹		\$12,254

KEY: ¹Full Cost/Base Cost to be collected at submittal. An estimate of processing cost will be provided at PEM. Applicant to pay 100% of Actual Cost to process requested Entitlement.

*Condominium subdivision category has been added to assist in the processing and tracking of condominium units

² Previously processed as Sign Variance

³ Previously processed as ZCC

ENTITLEMENT (APPLICATION TYPE:	FEE	Full Cost Base Cost
ZONING ORDINANCE ENTITLEMENTS		
1. Administrative Permit	\$717	
2. Conditional Use Permit	\$4,085	
3. CUP Extension or Modification	\$2,650	
4. Design Review Permit	\$4,627	
5. DRP/Minor Approved at Public Counter	\$102	
6. DRP/Residential Subdivision w/other Permit	\$2,870	
7. DRP Extension or Modification	\$2,650	
8. CUP/DRP Process with another Permit	\$2,225	
9. Flood Encroachment Permit	\$3,719	
10. MPP Stage 1 or Stages 1 & 2 (FULL COST/Deposit) ¹		\$14,846
11. MPP Stage 2, Mod/Exten of Stage 1 &/or 2	\$2,650	
12. MPP Administrative Modification	\$776	
13. Planned Development Permit	\$4,627	
14. TP Admin - Approved at Public Counter	\$88	
15. TP - Req. Public Hear for SFD or 10 trees/Less	\$1,772	
16. TP - Req. Public Hear for DRP/TM or 11+ trees	\$2,723	
17. Administrative Variance	\$600	
18. Variance to Develop Standards Req. Public Hearing	\$2,035	
19. Variance to Parking Standards	\$2,430	
20. Zoning Clearance Approved Public Counter	\$58	
21. Zoning Interpretation - Hearing Required	\$1,537	
22. Zoning Interpretation - Non Hearing Item	\$73	
ZONING ORDINANCE AMENDMENTS		
1. Zoning Text Amend (Zoning, Subd, Sign) (FULL COST/Deposit) ¹		\$7,965
2. Zoning Map Change (RZ) 10 Acres or LESS	\$5,154	
3. Zoning Map Change (RZ) 11+ Acres (FULL COST/Deposit) ¹		\$13,338
OTHER		
1. New Non-Residential Plan Check ²		15% of Building Plan Check Fee
2. Commercial Plan Check - TI ²	\$58	
2. Planning Dept. Plot Plan Review (Bundles of 10)	\$58	
3. Radius List Prep-Previously Developed Area	\$58	
4. Preparation Undeveloped Area/Mailing	\$146	
5. Farmer's Market Permit	\$410	

PROCEDURES FOR FULL COST FEES

I. Base Cost

The base costs for processing a full cost application represents the minimum amount of staff time invested by the Planning and Redevelopment Department in processing a certain entitlement. This base fee has been generated based on a time-motion analysis that is available upon request from the Planning and Redevelopment Department. This base cost is non-refundable.

II. Project Initiation

Concurrent with the start-up of a Full Cost project, the applicant shall enter into an agreement for Full Cost billing. This agreement shall be provided to the applicant from the Planning and Redevelopment Department. Per the provisions of this agreement, the applicant shall pay the base costs associated with the individual entitlements associated with the project.

III. Full Cost Billing

Following project initiation and payment of the base cost fee, Planning and Redevelopment staff will record time spent working on the project against the base cost. Once staff time exceeds that covered under the base cost, the applicant shall be billed on a monthly basis. These charges will be based on current staff costs per adopted City labor contracts, plus a factor for direct and indirect costs. The Planning and Redevelopment Department can be contacted for current rates.

Included in the monthly billing will be the costs incurred by the following City departments: City Attorney, Housing, Community Development, Parks and Recreation and Planning and Redevelopment. These costs are outside of what is reflected in the Base Cost.

IV. Consultants

As may be required by the Planning Department for project evaluation or environmental review, all consultant work shall be paid for by the project applicant and shall be included in the payment agreement. The City shall charge 10% of the contract amount for City action. The cost for consultant fees will be paid as a one time cost.

V. Plan Check Fee

This fee shall be 15% of the building Plan Check Fee for New Non-Residential construction (Commercial and Multi-family). Fee to be collected with Building's Plan Check Fee.

REFUND POLICY

Application fees are not refundable except as follows:

1. Refund of 100% shall be made if a determination is made by the Planning Director that the permit and associated fee are not required by the City of Roseville Municipal Code or adopted City Resolution.
2. If an applicant requests withdrawal of a permit prior to the PEM, refund of 50% of the applicable fee shall also be refunded.
3. No refund of application fees shall be made after a Project Evaluation Meeting has been held, unless a fee waiver is approved by the Roseville City Council.

KEY

¹Full Cost/Deposit to be collected at submittal. Applicant to pay 100% of Actual Cost to process requested Entitlement. -See FULL COST Discussion

²Non-Residential - :Per Building Code, this includes Commercial and Multi-family developments. Plan Check Fees to be assessed as part of Building Department Plan Check Fee.

³Parking In Lieu Fee is an optional fee that non-residential uses in the Downtown Specific Plan Area can utilize instead of providing required parking on-site. Fees for the 1st stall will be \$800 (10%), 2nd stall \$2,000 (25%), 3rd stall (50%), 4th stall \$6,000(75%) and 5 or more stalls \$8,000 (100%) of the in lieu fee.

E:/budget/Fee Schedule Effective 07/01/2010

Attachment #3
City of Roseville Planning Department
Sample Agreement for Full Cost Billing



PLANNING DEPARTMENT

311 Vernon Street, Roseville, CA 95678 (916) 774-5276

Agreement for Full Cost Billing

I understand that charges for staff time spent processing this application will be based on the current staff costs per adopted City labor contracts plus a factor for direct and indirect costs. Please contact the Planning Division for a handout of current billing rates.

I understand that my initial fee is considered to be a base cost for processing. This initial fee will set up an account that shall be charged at the current rate for all staff processing time. I understand that should the final costs be more than the initial fee, I will be billed quarterly for the additional charges. I also understand that payments received after the due date will be assessed a late fee equal to ten percent (10%) of the amount past due.

I understand that staff processing time may include, but is not limited to: Planning and Other City Departments: City Attorney, Housing, Community Development, and Parks & Recreation. This also includes but is not limited to; Pre-application review of plans; reviewing plans / submittal packages; routing plans to, and communicating with inter-office departments and outside agencies; researching documents relative to site history; site visits; consulting with applicant and/or other interested parties either in person by phone; preparing environmental documents; drafting of staff reports and resolutions; preparing pertinent maps, graphs and exhibits; and attending meetings / public hearings before the Design Committee/Planning Commission/City Council.

I also understand that receipt of all discretionary approvals does not constitute an entitlement to begin work. Non-discretionary approvals may be required from City development departments and outside agencies. I understand additional fees will be assessed for these approvals. Please refer to the City's Residential or Commercial Fee Schedule for other fees to be assessed prior to the issuance of project permits. These fees may include, but are not limited to: Building Permit fees; Improvement plan fees; Traffic Impact fees; Drainage fees; Parkland Dedication fees; Park Construction fees; Utility fees; Filing fees; and Mapping fees.

As applicant, I assume full responsibility for all costs leading to discretionary approvals (as listed above, incurred by the City in processing this application(s).

PROJECT NAME: _____

PROJECT DESCRIPTION: _____

BILLING CONTACT INFORMATION:

NAME: _____

COMPANY: _____

ADDRESS: _____

CITY, STATE: _____ ZIP: _____

PHONE #: _____ FAX #: _____

CELL #: _____ EMAIL: _____

- OWNER ARCHITECT ENGINEER OTHER: _____

BILLING ADDRESS, IF DIFFERENT FROM CONTACT:

NAME: _____

COMPANY: _____

ADDRESS: _____

CITY, STATE: _____ ZIP: _____

PHONE #: _____ FAX #: _____

CELL #: _____ EMAIL: _____

- OWNER ARCHITECT ENGINEER OTHER: _____

PROPERTY OWNER OR AGENT AUTHORIZATION:

NAME: _____

COMPANY: _____

ADDRESS: _____

CITY, STATE: _____ ZIP: _____

PHONE #: _____ FAX #: _____

EMAIL: _____

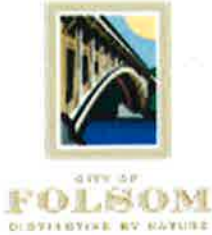
CHOOSE ONE:

- I am the property owner and hereby authorize the filling of this agreement. I am the applicant and am authorized by the owner to file this agreement.

SIGNATURE: _____

DATE: _____

For Staff Use Only (Date Stamp) PROJECT ADDRESS: JOB NUMBER: Total Deposit Fee: \$ Receipt #: Received By: E:\forms\FULLCOSTBILLINGAGREEMENT.doc



Folsom City Council Staff Report



MEETING DATE:	5/28/2024
AGENDA SECTION:	Consent Calendar
SUBJECT:	Ordinance No. 1345 - An Ordinance of the City of Folsom Amending Sections 3.20.020, 3.20.063, and 8.32.140(a)(2) of the Folsom Municipal Code Pertaining to Billing for Municipal Utility Services (Second Reading and Adoption)
FROM:	Finance Department

RECOMMENDATION / CITY COUNCIL ACTION

Move to adopt Ordinance No. 1345 - An Ordinance of the City of Folsom Amending Sections 3.20.020, 3.20.063, and 8.32.140(a)(2) of the Folsom Municipal Code Pertaining to Billing for Municipal Utility Services (Second Reading and Adoption).

BACKGROUND / ISSUE

The purpose of this Ordinance is to amend Section 3.20.040 and 8.32.140 of the Folsom Municipal Code to remove vacancy exceptions and to clarify start dates for municipal utility services.

Folsom Municipal Code 3.20.020 Exceptions, allows for municipal service charges to be discontinued upon written request for a period of no less than two months when a dwelling, house, or residence will be unoccupied. This vacancy exception is only applicable to Solid Waste services.

Folsom Municipal Code 8.32.140 Charges for collection and compliance administration Item 1 states that each dwelling, house or residence shall pay a fixed minimum solid waste fee, which applies and is payable without consideration of whether there is any garbage, recyclables, or organic waste to remove from the premises. However, Item 2. references Folsom Municipal Code 3.20.020 Exceptions allowing for vacancy exceptions.

Proposition 218 mandates that utility rates must be fair and equitable amongst rate payers. Charging certain customers more than their proportional share of the cost of service to reduce the cost for other customers is strictly prohibited. Solid Waste is still required to provide service to a route, street, or house, regardless of vacancy status. The minimum rate set forth in the Council approved rate schedules covers the minimum cost to provide the service, regardless of how much waste is removed from the premises.

Folsom Municipal Code 3.20.040 Collection methods states that the owner of real property to which one or more municipal services are rendered shall be responsible and liable for the payment of all municipal service charges, and the city may utilize all procedures available under this code or state law to collect payment. Folsom Municipal Code 3.20.063 Municipal service charges—Establishment of rates states there is levied and assessed a monthly service charge against the municipal service customer (user), for municipal services as defined in Section 3.20.010(A). The amount of these municipal service charges shall be set by resolution of the city council and may be adjusted from time to time by resolution so as to reflect the cost of the services provided.

Existing policies and procedures establish the start date of billing the legal owner of new utility accounts as the date of the recorded deed of the property for existing accounts. New construction accounts also bill the legal owner as of the date a meter is installed at the property, the date the parcel receives a Certificate of Occupancy or final permit, whichever occurs first. Staff recommend codifying our policy to provide clarity to customers.

POLICY / RULE

Amendments and revisions to the Folsom Municipal Code must be reviewed and approved by the City Council.

Proposition 218 mandates that utility rates must be fair and equitable amongst rate payers. Charging certain customers more than their proportional share of the cost of service to reduce the cost for other customers is strictly prohibited.

Folsom Municipal Code 8.32.140 Charges for collection and compliance administration Item 1 states that each dwelling, house or residence shall pay a fixed minimum solid waste fee, which applies and is payable without consideration of whether there is any garbage, recyclables, or organic waste to remove from the premises.

3.20.063 Municipal service charges—Establishment of rates. There is levied and assessed a monthly service charge against the municipal service customer (user), for municipal services as defined in Section 3.20.010(A). The amount of these municipal service charges shall be set by resolution of the city council and may be adjusted from time to time by resolution so as to reflect the cost of the services provided.

ANALYSIS

An amendment of this ordinance would clarify that all municipal service charges are applicable and payable, whether or not a property is vacant. It would also codify existing policies and practices for start dates of billing new municipal utility accounts.

This is in accordance with Folsom Municipal Code 8.32.140 Charges for collection and compliance administration, Item 1, which identifies a minimum solid waste fee, which is applicable regardless of whether there is any garbage, recyclables, or organic waste to remove from the premises. Additionally, it is in compliance with 3.20.063 Municipal service charges— Establishment of rates. There is levied and assessed a monthly service charge against the municipal service customer (user), for municipal services as defined in Section 3.20.010(A). The amount of these municipal service charges shall be set by resolution of the city council and may be adjusted from time to time by resolution so as to reflect the cost of the services provided.

FINANCIAL IMPACT

This item has no impact on the City's General Fund. It has an estimated increase of Solid Waste revenues of \$8,000 annually.

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(c)(3)) or are otherwise not considered a project as defined by Public Resources Code §21065 and CEQA Guidelines §15060(c)(3) and §15378. This Council action meets the above criteria and is not subject to CEQA. No environmental review is required.

ATTACHMENT

1. Ordinance No. 1345 - An Ordinance of the City of Folsom Amending Sections 3.20.020, 3.20.063, and 8.32.140(a)(2) of the Folsom Municipal Code Pertaining to Billing for Municipal Utility Services (Second Reading and Adoption)
2. Redline version of Ordinance No. 1345

Submitted,



Stacey Tamagni, Finance Director

ATTACHMENT 1

ORDINANCE NO. 1345

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FOLSOM AMENDING SECTIONS 3.20.020, 3.20.063, AND 8.32.140(A)(2) OF THE FOLSOM MUNICIPAL CODE PERTAINING TO BILLING FOR MUNICIPAL UTILITY SERVICES

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

SECTION 1 PURPOSE

The purpose of this Ordinance is to amend Sections 3.20.020, 3.20.063, and 8.32.140 of the Folsom Municipal Code to remove “Exceptions”, add “Billing Start Date”, and affirm City Council approved rate schedules regardless of occupancy status of the property pertaining to payment for municipal utility services.

SECTION 2 AMENDMENT TO CODE

Section 3.20.020 of the Folsom Municipal Code is hereby replaced and amended in its entirety as follows:

3.20.020 Billing start date.

A. New construction. Billing for municipal services for a new construction on any parcel of real property shall commence on the date that usage of utility services begins, the date a meter is installed, the date the property is first occupied, or the date the property is given a certificate of occupancy or final approval by city officials in accordance with applicable provisions of this code, whichever occurs first. The director may adopt written guidelines to implement the provisions of this section and specify criteria for determining when billing for utility services starts in other situations.

B. Transfer of ownership of existing structures. Billing for utility services for new owners of existing structures will begin on the date of the recorded ownership transfer deed for that property as identified by the Sacramento County clerk/recorder’s office.

SECTION 3 AMENDMENT TO CODE

Section 3.20.063 of the Folsom Municipal Code is hereby amended as follows:

3.20.063 Municipal service charges – Establishment of rates.

There is levied and assessed a monthly service charge against the municipal service customer (user), for municipal services as defined in Section 3.20.010 (A). The amount of these municipal service charges shall be set by resolution of the city council and may be adjusted from time to time by resolution so as to reflect the cost of the services provided. Monthly municipal service charges are applicable and payable in accordance with the city council approved rate schedules regardless of occupancy status of the property.

SECTION 4 AMENDMENT TO CODE

Section 8.32.140(A)(2) of the Folsom Municipal Code is hereby amended as follows:

8.32.140 Charges for collection and compliance administration.

- A. Residential
- 2. Reserved.

SECTION 5 SCOPE

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

SECTION 6 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 7 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 May 14, 2024, and the second reading occurred at the regular meeting of the City Council on May 28, 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 28th day of May, 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

ORDINANCE NO. 1345

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FOLSOM AMENDING SECTIONS 3.20.020, 3.20.063, AND 8.32.140(A)(2) OF THE FOLSOM MUNICIPAL CODE PERTAINING TO BILLING FOR MUNICIPAL UTILITY SERVICES

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

SECTION 1 PURPOSE

The purpose of this Ordinance is to amend Sections 3.20.020, 3.20.063, and 8.32.140 of the Folsom Municipal Code to remove "Exceptions", add "Billing Start Date", and affirm City Council approved rate schedules regardless of occupancy status of the property pertaining to payment for municipal utility services.

SECTION 2 AMENDMENT TO CODE

Section 3.20.020 of the Folsom Municipal Code is hereby replaced and amended in its entirety as follows:

3.20.020 Exceptions.

~~Municipal service charges may be discontinued upon written request for a period of no less than two months when a dwelling, house, or residence will be unoccupied. The minimum time of discontinuing service will be two months. A service charge equal to two months' charges for all city services will be charged to the utility user, for the removal and redelivery of the assigned automated containers and turn-off and turn-on of water service, when services have been temporarily discontinued. This service charge will be paid at the time service is discontinued. Upon occupancy of a dwelling, house or residence the utility user must contact the city to restart service. If the occupant of a dwelling, house, or residence does not contact the city to restart service, the city may bill back to the discontinuance of service all monthly charges. (Ord. 1050 § 2 (part), 2006)~~

3.20.020 Billing start date.

A. New construction. Billing for municipal services for a new construction on any parcel of real property shall commence on the date that usage of utility services begins, the date a meter is installed, the date the property is first occupied, or the date the property is given a certificate of occupancy or final approval by city officials in accordance with applicable provisions of this code, whichever occurs first. The director may adopt written guidelines to implement the provisions of this section and specify criteria for determining when billing for utility services starts in other situations.

B. Transfer of ownership of existing structures. Billing for utility services for new owners of existing structures will begin on the date of the recorded ownership transfer deed for that property as identified by the Sacramento County clerk/recorder's office.

SECTION 3 AMENDMENT TO CODE

Section 3.20.063 of the Folsom Municipal Code is hereby amended as follows:

3.20.063 Municipal service charges – Establishment of rates.

There is levied and assessed a monthly service charge against the municipal service customer (user), for municipal services as defined in Section 3.20.010 (A). The amount of these municipal service charges shall be set by resolution of the city council and may be adjusted from time to time by resolution so as to reflect the cost of the services provided. **Monthly municipal service charges are applicable and payable in accordance with the city council approved rate schedules regardless of occupancy status of the property.**

SECTION 4 AMENDMENT TO CODE

Section 8.32.140(A)(2) of the Folsom Municipal Code is hereby amended as follows:

8.32.140 Charges for collection and compliance administration.

1. A property owner of each and every dwelling, house, or residence shall be responsible for paying to the city a fixed minimum solid waste fee based upon current established solid waste rates which shall be set by the city council. Such fee, based upon service of one collection per week for garbage and organic waste, and one collection every other week for recyclables, applies and is payable without consideration of whether there is any garbage, recyclables, or organic waste to remove from the premises.

~~2. Residential solid waste service may be discontinued upon written request for a period of no less than two months when a dwelling, house, or residence will be unoccupied. Municipal service charges may be discontinued pursuant to Section 3.20.020.~~

~~3.~~ 2. For collection of additional containers beyond those covered by the fixed minimum charges established in this chapter, the collection charge shall be set by resolution of the city council for each additional garbage, recyclable, or organic waste container.

~~4.~~ 3. An additional or special pickup may be requested beyond the minimum service required by this chapter. Each such additional or special pickup shall be subject to a fixed fee. The fixed fee for additional or special pickups shall be set by resolution of the city council.

SECTION 5 SCOPE

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

SECTION 6 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 7 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 May 14, 2024, and the second reading occurred at the regular meeting of the City Council on May 28, 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 28th day of May, 2024 by the following roll-call vote:

AYES: Councilmember(s):

NOES: Councilmember(s):

ABSENT: Councilmember(s):

ABSTAIN: Councilmember(s):

Michael D. Kozlowski, MAYOR

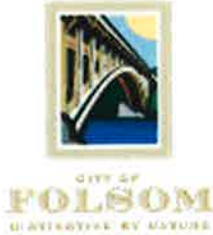
ATTEST:

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

MEETING DATE:	05/28/2024
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 11201 - A Resolution Calling and Giving Notice of the Holding of a General Municipal Election to be Held on Tuesday, November 5, 2024, Requesting the Board of Supervisors of the County of Sacramento Consolidate the General Municipal Election with the Statewide General Election, and Establishing Policies for Candidate's Statements
FROM:	City Clerk's Department

RECOMMENDATION / CITY COUNCIL ACTION

Staff recommends that the Folsom City Council adopt Resolution No. 11201 - A Resolution Calling and Giving Notice of the Holding of a General Municipal Election to be Held on Tuesday, November 5, 2024, Requesting the Board of Supervisors of the County of Sacramento Consolidate the General Municipal Election with the Statewide General Election, and Establishing Policies for Candidate's Statements.

BACKGROUND:

Consolidation

The date of the 2024 Folsom General Municipal Election is the same date as the Statewide General Election. Whenever two elections are to be held on the same day, they may be consolidated, and Elections Code Section 10403 sets forth the requirement that jurisdictions file a resolution requesting consolidation with the local county board of supervisors.

Districts Up For Election

As set forth within the City's Charter, the Folsom City Council operates under a system of four-year staggered terms, wherein councilmembers are elected to serve overlapping terms of

office. This system allows for continuity in governance while ensuring regular opportunities for the electorate to express their preferences through the democratic process.

In 2022, the City transitioned from at-large Council elections to a by-district election system, with the creation of five City Council districts. In order to continue the staggered terms, a two-phase implementation was created for 2022 and 2024. In 2022, voters elected councilmembers to Districts 1, 3, and 5. In 2024, voters will elect councilmembers to Districts 2 and 4.

The term of office for two City Councilmembers (YK Chalamcherla and Rosario Rodriguez, both elected at-large in 2020) will expire in November 2024, while the term of office for three City Councilmembers elected in 2022 (Sarah Aquino (District 3), Mike Kozlowski (District 1), and Anna Rohrbough(District 5)) will continue through November 2026.

Candidate’s Statements

In addition to addressing the expiration of staggered terms, the City Council must consider the provisions outlined in the California Elections Code regarding candidate’s statements. The candidate’s statements serve as critical tools for voters to make informed decisions during elections by providing candidates with an opportunity to communicate their platforms, qualifications, and intentions directly to the electorate. The candidate’s statement is included in the sample ballot mailed to voters, with the Elections Code establishing legal parameters for its form and content. This process fosters transparency and accountability in the electoral process, ensuring that voters have access to essential information about the candidates vying for City Council seats.

Each candidate has the option to prepare a candidate’s statement, which may include the name, age, and occupation of the candidate and a brief description of not more than two hundred words of the candidate’s qualifications, as expressed by the candidate. The statement shall not include any party affiliation of the candidate, nor membership or activity in partisan political organizations. The statements shall be filed with the City Clerk at the same time the candidate’s nomination papers are filed. The statements may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 P.M. the next working day after the close of the nomination period.

If a candidate chooses to submit a candidate’s statement, they must pay the corresponding printing fee. The 2024 candidate’s statement fees, as set by Sacramento County, are:

- District 2: \$580
- District 4: \$520

POLICY/RULE:

Pursuant to Folsom Municipal Code Section 2.40.010, the date of the General Municipal Election shall be the same date as the Statewide General Election in even numbered years. Elections Code Section 10400 establishes that, whenever two elections are to be held on the

same day, they may be consolidated. In addition, Elections Code Section 10403 sets forth the requirement that jurisdictions file a resolution requesting consolidation with the local county board of supervisors.

Folsom Charter Section 2.01 establishes that City Council members shall be elected to four-year, staggered terms.

Elections Code Section 13307 provides that the governing body of any local agency may adopt regulations pertaining to the materials prepared by any candidate, including costs of the candidate's statement. The candidate's statement fee, which is paid for by the candidates, is set by the Sacramento County Registrar of Voters prior to the election.

FINANCIAL IMPACT:

The Sacramento County Registrar of Voters has estimated the election cost for Folsom at approximately \$55,000. Funds have been included in the City Clerk's proposed FY 2024/25 budget to cover this cost.

ATTACHMENT

Resolution No. 11201 - A Resolution Calling and Giving Notice of the Holding of a General Municipal Election to be Held on Tuesday, November 5, 2024, Requesting the Board of Supervisors of the County of Sacramento Consolidate the General Municipal Election with the Statewide General Election, and Establishing Policies for Candidate's Statements

Submitted,

Christa Freemantle, CMC
City Clerk

RESOLUTION NO. 11201

A RESOLUTION CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2024, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF SACRAMENTO CONSOLIDATE THE GENERAL MUNICIPAL ELECTION WITH THE STATEWIDE GENERAL ELECTION, AND ESTABLISHING POLICIES FOR FOLSOM CANDIDATE’S STATEMENTS

WHEREAS, an election will be held within the City of Folsom on November 5, 2024, for the purpose of electing two City Council members; and

WHEREAS, a Statewide General Election will be held within the County of Sacramento on the same day; and

WHEREAS, Elections Code Section 10403 requires jurisdictions to file with the Board of Supervisors, and a copy with the Registrar of Voters, a resolution requesting consolidation with a statewide election; and

WHEREAS, Section 13307 of the Elections Code of the State of California authorizes the governing body of any local agency to adopt regulations pertaining to materials prepared by any candidate for a municipal election, including costs of the candidate’s statement:

NOW, THEREFORE, BE IT RESOLVED as follows:

SECTION 1. The Folsom City Council hereby requests that the Sacramento County Board of Supervisors consolidate the November 5, 2024, General Municipal Election with the Statewide Election to be held on that same date; and

SECTION 2. That each candidate for elective office to be voted for at the General Municipal Election to be held in the City of Folsom on November 5, 2024, may prepare a candidate’s statement on an appropriate form provided by the City Clerk. The statement may include the name, age, and occupation of the candidate and a brief description of not more than two hundred (200) words of the candidate’s qualifications, as expressed by the candidate. The statement shall not include any party affiliation of the candidate, nor membership or activity in partisan political organizations. The statements shall be filed in with the City Clerk at the time the candidate’s nomination papers are filed. The statements may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 P.M. the next working day after the close of the nomination period. The Sacramento County Voter Registration and Elections Department will set the cost of the candidate’s statement prior to the election; this fee will be paid to the City of Folsom by the candidate at the time the nomination papers and candidate’s statement are filed; and

SECTION 3. That the City of Folsom agrees to reimburse the Registrar of Voters for actual costs accrued for each election, such costs to be calculated by the proration method set forth in the County’s current Schedule of Fees and Charges.

PASSED AND ADOPTED on this 28th day of May 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



CITY OF
FOLSOM
DISTINCTIVE BY NATURE

Folsom City Council Staff Report



MEETING DATE:	5/28/2024
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 11202 - A Resolution Authorizing the City Manager to Execute a Construction Agreement with Chrisp Company for the Roadside Safety Project PW2404, HSIPSL-5288(051)
FROM:	Public Works Department

RECOMMENDATION / CITY COUNCIL ACTION

The Public Works Department recommends that the City Council pass and adopt Resolution No. 11202 – A Resolution Authorizing the City Manager to Execute a Construction Agreement with Chrisp Company for the Roadside Safety Project PW2404, HSIPSL-5288(051).

BACKGROUND / ISSUE

The Public Works Department is responsible for the operation, safety, and maintenance of roadways throughout Folsom. In June 2021, a Local Road Safety Plan (LRSP) was developed, which is a data-driven report that systematically identifies and analyzes roadway safety issues and recommends improvements. The LRSP utilized accident data between 2015 and 2019 to determine locations and causes of traffic accidents, allowing engineers to implement specific countermeasures to address the causes of accidents, leading to a safer roadway network for vehicles, bicycles, and pedestrians.

The LRSP identified six specific sections of roadway to upgrade with a suite of new and improved traffic control devices. A map of these locations is included as Attachment 2. Utilizing the data and recommendations from the LRSP, the city successfully received Highway Safety Improvement Program (HSIP) funds to implement those improvements.

In April 2024, City engineers developed and published the project design plans, specifications, and estimate. The project components consist of installing delineators, reflectors,

retroreflective object markers, and rumble strips within the specified roadway segments.

The project is expected to begin in June 2024 and be completed by August 2024.

POLICY / RULE

Section 2.36.080, Award of Contracts of the Folsom Municipal Code states, in part, that contracts for supplies, equipment, services, and construction with an estimated value of \$73,209 or greater shall be awarded by City Council.

ANALYSIS

Public Works staff prepared the bid package and publicly advertised the project on April 9, 2024. Bids were received on May 1, 2024.

The two bids received are as follows:

- Chrisp Company \$184,900.00
- McGuire-Pacific Constructors \$208,770.00

The Engineer’s Estimate for this project was \$176,766.50. The Public Works Department has found the bids to be in order and recommends that the contract be awarded to the low bidder, Chrisp Company. Staff will use the City’s standard agreement in a form acceptable to the City Attorney.

FINANCIAL IMPACT

The contract with Chrisp Company would be authorized for \$184,900, with a total not to exceed amount of \$203,390. This includes a ten percent contingency amount of \$18,490 for potential change orders.

Funds in the amount of \$203,390 are budgeted and available in the Highway Safety Improvement Program Roadside Safety Project (Project PW2404), utilizing Highway Safety Improvement Program Grant Funds for Fiscal Year 2023-24.

ENVIRONMENTAL REVIEW

This project has been deemed Categorical Exempt from California Environmental Quality Act (CEQA) environmental review based on Class 1: Existing Facilities.

ATTACHMENTS

1. Resolution No. 11202 – A Resolution Authorizing the City Manager to Execute a Construction Agreement with Chrisp Company for the Roadside Safety Project PW2404 HSIPSL-5288(051)
2. Exhibit A - Project Map

Submitted,

Mark Rackovan, PUBLIC WORKS DIRECTOR

ATTACHMENT 1

RESOLUTION NO. 11202

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION AGREEMENT WITH CHRISP COMPANY FOR THE ROADSIDE SAFETY PROJECT PW2404, HSIPSL-5288(051)

WHEREAS, the City of Folsom desires to upgrade and improve traffic control devices on various roads within City right of way; and

WHEREAS, the City was successful in receiving Highway Safety Improvement Program funds for these improvements; and

WHEREAS, the project was publicly advertised on April 9, 2024, and the bids were received on May 1, 2024, with Chrisp Company being the lowest responsive and responsible bidder; and

WHEREAS, funds in the amount of \$203,390 are budgeted and available in the Roadside Safety Project PW2404 utilizing Highway Safety Improvement Program grant funds for Fiscal Year 2023-24; 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 Construction Agreement with Chrisp Company for the Roadside Safety Project PW2404, HSIPSL-5288(051) in the amount of \$184,900.00, with a total not-to-exceed amount of \$203,390, which includes a ten percent contingency amount of \$18,490.

PASSED AND ADOPTED on this 28th day of May 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

HSIP Cycle 10 Roadside Safety Project

Prepared for The City of Folsom
CA, 95630
Updated 4/9/2024

Map Legend

- ① R1-6 "In-Street Pedestrian Crossing" Yield Sign
- ② W1-3 "Reverse Turn" Advance Warning Sign
- ③ W2-2 "Side Road" Intersection Warning Sign
- ④ R26 "NO PARKING" Sign
- ⑤ W13-1P "Advisory Speed XX MPH" Sign
- ⑥ G66-56 "STAA Truck Service" Sign
- ⑦ M6-3 "Directional Arrow" Sign
- ⑧ R4-7a "Keep Right" Sign
- ⑨ "Your Speed XX MPH" Radar Feedback Sign
- ① OM2-1V White Object Marker With Retroreflective Circles
- ② OM2-2V Retroreflective Yellow Object Marker
- ③ Type Q Object Marker For Roadway Obstructions

American River Canyon Dr - From Oak Canyon Way to Canyon Rim Dr



Item	Description	Quantity
Install "Yield to Pedestrians" Signs	Install R1-6 signs at North and South approach of the Southern intersection of American River Canyon Dr and Canyon Rim Dr as per the 2014 CAMUTCD. Signs shall be placed between each lane along the outside edges of crosswalks and include flashing warning lights.	2

Folsom Blvd - From US-50 to Iron Point Rd



Item	Description	Quantity
Restripe Existing Longlines	Restripe existing longlines as per 2022 Caltrans Standard Plans & Specifications Details 12, 26A, 38, 39, and 40 to match existing.	See takeoff sheet
Remove & Replace Existing Object Markers	Remove existing object markers at median islands & replace with Type 3 object markers as per the 2014 CAMUTCD.	4
Remove & Replace Existing Signage	See takeoff sheet for details.	See takeoff sheet
Stripe Lane Line Extension	Stripe Detail 40 lane line extension through intersection at NB double left turn as per 2022 Caltrans Standard Plans & Specifications.	315LF
Restripe Existing Crosswalks in Ladder Style	Restripe existing crosswalks at Iron Point to the Ladder-style as per 2022 Caltrans Standard Plans and Specifications, Section A24F.	815LF

Glenn Dr - From Sibley St to Folsom Blvd



Item	Description	Quantity
Remove & Replace Existing Object Markers	Remove & replace object markers at median islands with Type 3 object markers as per the 2014 CAMUTCD.	7
Install W1-3 Curve Warning Signs	Install curve warning signs on EB and WB side of Glenn Dr "S" curve, as per the CAMUTCD 2014.	2
Install Type 15 FBS Tapered Steel Pole & Foundation	Install Type 15 FBS tapered steel pole & foundation on EB side of Glenn Dr "S" curve, as per 2022 Caltrans Standard Plans & Specifications Section ES-7J.	1
Install Radar Feedback Signs	Install "Your Speed XX MPH" radar feedback signs.	2
Remove & Replace Existing Signage	See takeoff sheet for details.	See takeoff sheet

Blue Ravine Rd - From Crossing Way to Riley St



Item	Description	Quantity
Remove & Replace Existing Object Markers	Remove & replace OM2-2V object markers as per the 2014 CAMUTCD.	5
Install "T" Intersection Signs at Crossing Way	Install W2-2 "T" intersection signs at Crossing Way intersection on SB and NB approaches as per 2014 CAMUTCD.	2

Folsom Auburn Rd - Between Berry Creek and 900' N of Berry Creek Dr

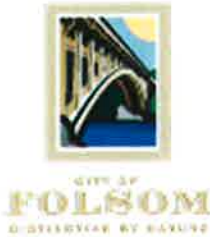


Item	Description	Quantity
Install Rumble Strips	Install Type C rumble strips as per the 2014 CAMUTCD.	1000LF
Install "T" Intersection Signs	Install W2-2 "T" intersection signs on NB & SB approach of the intersection of Berry Creek Dr and Folsom-Auburn Rd as per the 2014 CAMUTCD.	2
Remove & Replace Existing Object Markers	Remove & replace OM2-2V object markers as per the 2014 CAMUTCD along NB right shoulder.	5

Prairie City Rd - From 2000' N of White Rock Rd to 4200' N of White Rock Rd



Item	Description	Quantity
Install Reflectors	Install centerline reflectors as per 2022 Caltrans Standard Plans and Specifications.	2200LF
Install Rumble Strips	Install Type C rumble strips as per 2014 CAMUTCD.	2200LF
Remove & Replace Existing Edge Line Markers	Remove & replace OM2-2V edge line markers as per the 2014 CAMUTCD along NB and SB Prairie City Rd. Place one marker every 100' along each side of the road.	22



Folsom City Council Staff Report

MEETING DATE:	5/28/2024
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 11203 - A Resolution Authorizing the City Manager to Execute a Construction Change Order with Central Valley Engineering & Asphalt, Inc. for the On-Call Concrete and Asphalt Maintenance Project (Contract No. 174-21 21-073) and Appropriation of General Fund Contingency Budget and Measure A Funds
FROM:	Public Works Department

RECOMMENDATION / CITY COUNCIL ACTION

The Public Works Department recommends the City Council pass and adopt Resolution No. 11203 - A Resolution Authorizing the City Manager to Execute a Construction Change Order with Central Valley Engineering & Asphalt, Inc. for the On-Call Concrete and Asphalt Maintenance Project (Contract No. 174-21 21-073) and Appropriation of General Fund Contingency Budget and Measure A Funds

BACKGROUND / ISSUE

In October 2021, the City Council approved Resolution No. 10736, authorizing a contract for the On-Call Concrete and Asphalt Maintenance Project. The project has been ongoing on an as-needed basis for the past three years, with FY 2023-24 being the final year of the 3-year contract. This Change Order will allow the completion of two additional scopes of work that are required:

- Emergency Replacement of a Bridge Pedestrian Railing on the Humbug Willow Creek Trail: On April 30, 2024, staff was notified of a pedestrian bridge railing that had failed and fallen into the creek beneath, leaving the bridge edge with an approximately 15-foot drop-off into the creek below. Staff Engineers inspected the site and found the

metal railing had corroded at the point of penetration into the bridge concrete. The railing is 48 feet long and appears to be largely intact. The planned repair will consist of coring new holes into the bridge deck, extending the metal posts on the bottom of the existing railing, painting the railing, and re-attaching it to the bridge. In the interim, barricades and caution tape have been installed to keep the site safe. The location of this bridge is on the trail connection between Thorndike Way and Keller Circle.

- **Additional Concrete Repair Locations:** As part of the Council District 2 Sidewalk Inspection Project, 40 locations were identified that require complete replacement of the curb, gutter, and sidewalk due to the offset height being too large to repair by temporary saw cutting methods. The repair of these locations will complete the repairs identified in the Council District 2 Sidewalk Inspection report.

POLICY / RULE

In accordance with **Chapter 2.36.150** of the Folsom Municipal Code, Notwithstanding any other provisions of this chapter, the city manager shall make, or authorize others to make, emergency procurement of supplies, equipment, services, or construction items when there exists a threat to public health, welfare, or safety; provided, that such emergency procurement shall be made with sufficient competition as is practicable under the circumstances. The requesting department shall complete a waiver of bid format and submit it to the purchasing agent for filing with the city clerk. (Ord. 723 § 3 (part), 1991)

ANALYSIS

Central Valley Engineering & Asphalt was chosen to perform these repairs due to their existing contract for On-Call Concrete work.

Because there are no contract unit prices for the bridge railing work, staff is proposing to proceed with this repair on a time and materials basis. Staff will inspect and monitor the contractor's progress to ensure that the daily extra work reports accurately represent the effort performed. It is estimated that the repair to the bridge railing may cost up to \$25,000. Any unused funds for this repair will be returned to the General Fund.

The replacement of the curb, gutter, and sidewalks in Council District 2 will cost \$83,392.97 per the agreed-upon contract amounts.

FINANCIAL IMPACT

The City Council's approval of Resolution No. 10736 authorized the execution of a Construction Contract for the On-Call Concrete and Asphalt Maintenance Project for a yearly amount of \$524,069, for a total not-to-exceed contract amount of \$1,572,207 over three years. Contingency was not required for this contract.

The up to \$25,000 estimated cost of the emergency repairing and reinstalling of the bridge railing will be financed from the General Fund (Fund 010) contingency budget. Sufficient funds for this emergency procurement are available in the General Fund (Fund 010) contingency budget.

The \$82,392.97 cost of replacing the concrete curb, gutter, and sidewalk in Council District 2 will be financed from the Measure A Fund (Fund 276). Sufficient funds for this additional work are available in the Measure A Fund (Fund 276).

If approved, this Construction Change Order would increase the authorized amount by \$108,393 to a total not-to-exceed contract amount of \$632,462 for FY 2023-24.

ENVIRONMENTAL REVIEW

In accordance with the California Environmental Quality Act (CEQA), the proposed project is Categorically Exempt per Section 15301 Existing Facilities - Class 1, which consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use.

ATTACHMENT

Resolution No. 11203 - A Resolution Authorizing the City Manager to Execute a Construction Change Order with Central Valley Engineering & Asphalt, Inc. for the On-Call Concrete and Asphalt Maintenance Project (Contract No. 174-21 21-073) and Appropriation of General Fund Contingency Budget and Measure A Funds

Submitted,

Mark Rackovan, Director
Public Works Department

RESOLUTION NO. 11203

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CHANGE ORDER WITH CENTRAL VALLEY ENGINEERING & ASPHALT, INC. FOR THE ON-CALL CONCRETE AND ASPHALT MAINTENANCE PROJECT (CONTRACT NO. 174-21 21-073) AND APPROPRIATION OF GENERAL FUND CONTINGENCY BUDGET AND MEASURE A FUNDS

WHEREAS, emergency replacement of a failed bridge pedestrian railing on the Humbug Willow Creek Trail, located between Thorndike Circle and Keller Circle, is necessary to maintain public safety; and

WHEREAS, the inspection of Council District 2 sidewalks found 40 locations that require complete removal and replacement to eliminate trip hazards and maintain safe pedestrian paths of travel; and

WHEREAS, sufficient funds for this emergency procurement to repair and reinstall the bridge pedestrian railing are available in the General Fund (Fund 010) contingency budget; and

WHEREAS, sufficient funds for the curb, gutter, and sidewalk replacement are available in the Measure A Fund (Fund 276) budget; 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 Construction Change Order for the construction agreement (Contract No. 174-21 21-703) with Central Valley Engineering & Asphalt, Inc. in the amount of \$108,393; and

BE IT FURTHER RESOLVED that the Finance Director is authorized to appropriate \$108,393 for this construction change order. The appropriation will be in the General Fund (Fund 010) contingency budget in the amount of \$25,000 and in the Measure A Fund (Fund 276) in the amount of \$83,393.

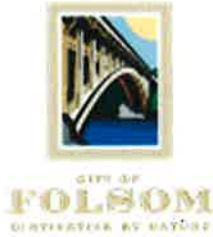
PASSED AND ADOPTED this 28th day of May 2024 by the following roll-call vote:

- 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

MEETING DATE:	5/28/2024
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 11206 – A Resolution Authorizing the City Manager to Execute a Lease Agreement Between the City of Folsom and Folsom Post No. 6604 Veterans of Foreign Wars of the United States, a California Nonprofit Corporation for the Lease of City Property Located at 1300 Forrest Street
FROM:	Parks and Recreation Department

RECOMMENDATION / CITY COUNCIL ACTION

The Parks and Recreation Department recommends that the City Council pass and adopt Resolution No. 11206- A Resolution Authorizing the City Manager to Execute a Lease Agreement Between the City of Folsom and Folsom Post No. 6604 Veterans of Foreign Wars of the United States, a California Non-Profit Corporation for the Lease of City Property Located at 1300 Forrest Street.

BACKGROUND / ISSUE

The City of Folsom and Folsom VFW Post No. 6604 have been under a lease agreement for the use of the city-owned property at 1300 Forrest Street since 1996. The most recent lease agreement was executed on May 1, 2009, and the subsequent amendment to the lease was executed on January 1, 2014. Throughout this period, Folsom Post No. 6604 has consistently paid their monthly lease rate and done their part to care for and maintain the property.

On January 19, 2024, the City of Folsom and representatives from Folsom VFW Post No. 6604 met to discuss the lease agreement. Folsom Post No. 6604 indicated their desire to renew the lease agreement and continue operations and service to military service men and women in the community.

POLICY / RULE

A city may lease property owned, held, or controlled by it for a period not to exceed 55 years. Government Code Section 37380.

ANALYSIS

On March 19, 2024, the city received a letter from Folsom VFW Post No. 6604 with a formal request to continue the lease of the city-owned property, with requested terms.

On April 9, 2024, staff presented to the Folsom City Council during closed session and was given direction on acceptable terms and rates for a lease agreement between the City of Folsom and Folsom VFW Post No. 6604.

On April 23, 2024, staff met with representatives from Folsom Post No. 6604 to discuss the terms of the lease agreement and Folsom VFW Post No. 6604 verbally agreed to the agreement included.

Below are the major terms of the proposed lease:

- 5-year lease with option to renew the lease for three additional terms of 5 years each, for a potential total term of 20 years
- Lease term would begin June 1, 2024, and end April 30, 2029 (initial 5 years)
- Lessee shall pay \$500.00 in rent each month

FINANCIAL IMPACT

Each year the Folsom VFW Post No. 6604 will provide the City of Folsom with monthly payments of \$500.00 for an annual lease rent of \$6,000.00. This will continue annually for the terms of the agreement and with each renewal of the lease agreement.

ENVIRONMENTAL REVIEW

The proposed lease of an existing public facility is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the CEQA Guidelines.

ATTACHMENTS

1. Resolution No. 11206 – A Resolution Authorizing the City Manager to Execute a Lease Agreement Between the City of Folsom and Folsom Post No. 6604 Veterans of Foreign Wars of the United States, a California Nonprofit Corporation for the Lease of City Property Located at 1300 Forrest Street.

Submitted,

Kelly Gonzalez, Director of Parks and Recreation

RESOLUTION NO. 11206

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE AGREEMENT BETWEEN THE CITY OF FOLSOM AND FOLSOM POST NO. 6604 VETERANS OF FOREIGN WARS OF THE UNITED STATES, A CALIFORNIA NONPROFIT CORPORATION FOR LEASE OF CITY PROPERTY LOCATED AT 1300 FORREST STREET

WHEREAS, the City Council desires to lease the City-owned building at 1300 Forrest Street; and

WHEREAS, Folsom VFW Post No. 6604 has been under a lease agreement with the City of Folsom which expired on April 30, 2024; and

WHEREAS, City Council directed staff to negotiate terms of a lease agreement with Folsom VFW Post No. 6604; and

WHEREAS, the City desires to enter into a lease agreement with Folsom Post No. 6604 Veterans of Foreign Wars of the United States, a California nonprofit corporation for the lease of the city-owned building at 1300 Forrest Street; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Folsom that the City Manager is hereby authorized to execute a lease agreement, in a form to be approved by the City Attorney, between the City of Folsom and Folsom Post No. 6604 Veterans of Foreign Wars of the United States, a California nonprofit corporation for the lease of City-owned building at 1300 Forrest Street.

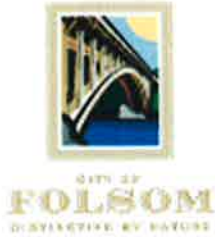
PASSED AND ADOPTED on this 28th day of May 2024, by the following roll-call vote:

- 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

MEETING DATE:	5/28/2024
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 11208 - A Resolution Authorizing Staff to Submit a Grant Application to the Sacramento Metropolitan Air Quality Management District for the 2024 Sacramento Emergency Clean Air Transportation Program Funding Round for the Purchase of Five Light Duty Battery Electric Vehicles
FROM:	Public Works Department

RECOMMENDATION / CITY COUNCIL ACTION

The Public Works Department recommends that the City Council pass and adopt Resolution No. 11208 - A Resolution Authorizing Staff to Submit a Grant Application to the Sacramento Metropolitan Air Quality Management District for the 2024 Sacramento Emergency Clean Air Transportation Program Funding Round for the Purchase of Five Light Duty Battery Electric Vehicles.

BACKGROUND / ISSUE

The Sacramento Area Council of Governments (SACOG) is the metropolitan planning organization (MPO) for the greater Sacramento region, which is a six-county region including Sacramento, Yolo, Sutter, Yuba, Placer, and El Dorado counties. The Sacramento Metropolitan Air Quality Management District (SMAQMD) is the regional air quality management district for the County of Sacramento. The Sacramento Emergency Clean Air Transportation (SECAT) Program is a partnership between SACOG and SMAQMD, with the goal of promoting zero emission on-road vehicles based in the SACOG region.

As the agency responsible for monitoring air pollution and for developing and administering programs to reduce air pollution levels below the health-based standards established by the state and federal governments for all of Sacramento and Yolo Counties, as well as portions of Solano, Sutter, El Dorado and Placer Counties, SMAQMD is charged with administering various clean air incentive programs, including the SECAT program.

As part of the SECAT program, \$4,200,000 will be made available to fleets within Sacramento County. The available funding per vehicle is based on the gross vehicle weight rating (GVWR) as follows:

<u>Vehicle Weight Class</u>	<u>Funding per Vehicle</u>
• Light Duty (under 8,501 pounds GVWR)	\$20,000
• Medium Duty (between 8,501 & 14,000 pounds GVWR)	\$35,000
• Heavy Duty (14,001 pounds & higher GVWR)	\$100,000

There is a minimum City purchase commitment of at least five vehicles under 14,001 pounds or at least one vehicle over 14,000 pounds required to be eligible for this funding, with no specified upper limit.

This funding can be combined with other available grants and other state rebates. Funding may be reduced if the sum of all grants exceeds the vehicle cost. Some of the other available grant programs require a cost share from the applicant, and SMAQMD staff will work with each applicant to ensure compliance with this requirement. Funding is available to add vehicles to a fleet or convert existing vehicles to zero emission operation.

Additionally, the SECAT Program will only fund zero emission vehicles that can be quickly delivered or converted to zero emission. Vehicles must be ordered within 45 days of contract execution and vehicle delivery must occur within 180 days of contract execution. Projects taking longer than these timelines are subject to termination. Applicants will need to demonstrate their projects are meeting the timeliness requirement by submitting proposed VINs or other documentation showing the proposed vehicles can be delivered quickly.

No funding is available to help replace diesel vehicles to comply with the Air Resource Board (ARB) Truck and Bus Regulation. SECAT funded vehicles cannot be used to comply with ARB Advanced Clean Fleet (ACF) requirements. The ARB passed ACF with the expectation that fleets would pay 100% of the compliance cost without any assistance.

The Public Works department is recommending the purchase of five battery electric vehicles for the purpose of increasing the size of the motor pool fleet located at City Hall, with the ultimate goal of increasing the motor pool fleet accessibility to all City departments and decreasing the size of the outdated and under-utilized department assigned vehicle fleet.

POLICY / RULE

The City Council adopted Resolution No. 10405 Amending Financial Policies of the City of Folsom regarding grant administration on April 14, 2020. Section D – Intergovernmental Revenues, Paragraph A – Grant Applications states, “Grant application shall be the responsibility of the department seeking the grant. Grant applications which require an expenditure of funds by the City of less than or equal to the City Manager contract authority amount may be approved by the City Manager prior to submittal to the grantor. All other grant

applications, including any requiring an ongoing commitment of resources or staff, shall be reviewed and approved by the City Council prior to submittal. In circumstances where it is not possible for the City Council to approve the grant application prior to submittal, the City Manager may approve the application subject to the City Council ratification as soon as practicable to do so.

Requests to the City Council or the City Manager for approval of a grant application shall identify anticipated long-term maintenance and/or renovation costs, required City matching funds, and additional personnel that may be needed if the grant is awarded for a capital project. With respect to grants for staffing, the source of funds for long-term staffing after the expiration of the grant shall also be identified in the request for approval of the grant application.

All grant applications on behalf of the City shall be reviewed by the Finance Director before submittal to the City Council or the grantor.”

ANALYSIS

The SECAT grant application opened on May 9, 2024. Staff have reviewed the program guidelines and determined the best use of SECAT funding is light duty vehicles. ACF requires that fifty percent of medium and heavy-duty vehicles purchased be zero emission. Using SECAT funding for these vehicles would eliminate them from counting toward city compliance. The city needs as many ACF credits as possible to offset purchases of traditional combustion engine vehicles. Non-compliance with ACF could result in fines and ineligibility for grant funding. In addition, most medium and heavy-duty vehicles operated by the city are custom vehicles that could not be deployed in the timeframe required by SECAT. Transitioning to zero emission light duty vehicles before it is mandated provides the opportunity to use grant funding without impacting compliance. SACOG staff intend to review and approve applications as soon as possible upon receipt. Applicants approved for more than \$1,000,000 in SECAT funding will require approval by the SACOG Board of Directors which will delay the process, but most may get awards within 30 days.

FINANCIAL IMPACT

There is no direct financial impact associated with this action at this point. Should the City be awarded grant funding for the purchase of the recommended five vehicles, the City would be required to provide the full purchase cost of the five vehicles up front, with \$100,000 to be reimbursed by SECAT once the proper reports are filed. The up front purchase cost of the five battery electric vehicles is expected not to exceed \$230,000, with a final cost to the City expected not to exceed \$130,000 after receiving the \$100,000 grant reimbursement. Future savings of maintenance and fuel costs could amount to as much as \$1,500 per year.

The required funding for the purchase cost of the five battery electric vehicles was not included in the Fiscal Year 2023-24 Budget, nor is it included in the Proposed Fiscal Year 2024-25 Budget. Should the City be awarded grant funding a staff will return to Council to accept the grant and request an appropriation not to exceed \$230,000 for the purchase of the vehicles from

the General Fund (Fund 010). The grant funding received would be credited to the General Fund (Fund 010).

ENVIRONMENTAL REVIEW

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

ATTACHMENTS

Resolution No. 11208 - A Resolution Authorizing Staff to Submit a Grant Application to the Sacramento Metropolitan Air Quality Management District for the 2024 Sacramento Emergency Clean Air Transportation Program Funding Round for the Purchase of Five Light Duty Battery Electric Vehicles

Submitted,

Mark Rackovan, PUBLIC WORKS DIRECTOR

RESOLUTION NO. 11208

A RESOLUTION AUTHORIZING STAFF TO SUBMIT A GRANT APPLICATION TO THE SACRAMENTO METROPOLITAN AIR QUALITY MANAGEMENT DISTRICT FOR THE 2024 SACRAMENTO EMERGENCY CLEAN AIR TRANSPORTATION PROGRAM FUNDING ROUND FOR THE PURCHASE OF FIVE LIGHT DUTY BATTERY ELECTRIC VEHICLES

WHEREAS, the Sacramento Metropolitan Air Quality Management District (SMAQMD) is the metropolitan planning organization responsible for allocating clean air incentive program funds for the County of Sacramento; and

WHEREAS, Sacramento Area Council of Governments (SACOG) has issued a call for applications for the 2024 Sacramento Emergency Clean Air Transportation (SECAT) Program funding round; and

WHEREAS, the City of Folsom has identified a project that is a candidate for SECAT funds; and

WHEREAS, the project identified, if approved for grant funding, will require the expedient purchase of five battery electric vehicles at a purchase price not to exceed \$230,000; and

WHEREAS, should the grant be awarded, staff will return to Council to accept the grant and request an appropriation not to exceed \$230,000 for the purchase of the five vehicles from the General Fund (Fund 010); and

WHEREAS, grant funding received would be credited to the General Fund (Fund 010).

WHEREAS, after reimbursement, the net impact to the General Fund (Fund 010) would not exceed \$130,000.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Folsom authorizes staff to submit a grant application to the Sacramento Area Council of Governments for the 2024 Sacramento Emergency Clean Air Transportation Program funding round for the purchase of five light duty battery electric vehicles.

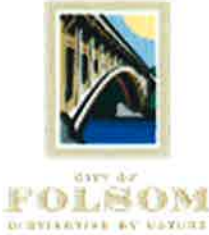
PASSED AND ADOPTED this 28th day of May 2024, by the following roll-call vote:

- 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

MEETING DATE:	5/28/2024
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 11209 – A Resolution Authorizing the City Manager to Execute a Non-Professional Services Agreement with Belfor Restoration Services for Stucco Repairs at the Folsom Public Library and Appropriation of Contingency Funds
FROM:	Parks and Recreation Department

RECOMMENDATION / CITY COUNCIL ACTION

Staff recommends the City Council approve Resolution No. 11209 – A Resolution Authorizing the City Manager to Execute a Non-Professional Services Agreement with Belfor Restoration Services (Belfor) for Stucco Repairs at the Folsom Public Library and Appropriation of Contingency Funds.

BACKGROUND / ISSUE

Over the past 6-8 months staff have been tracking issues at the Folsom Public Library regarding water leakage into the interior spaces of the building. Staff has determined that most of the issues are due to exterior stucco panels that are cracking and/or delaminating from the main structure as well as issues with windows in the affected area. Staff recommends that Belfor conduct a thorough investigation of the building envelope where leaks have occurred, develop a scope of work, and perform repairs to the existing stucco, flashing, and windows as needed. Part of this work will be pre and post project environmental testing to confirm that any mold issues that may have been present, have been rectified.

POLICY / RULE

In accordance with **Chapter 2.36.150** of the Folsom Municipal Code, Notwithstanding any other provisions of this chapter, the city manager shall make, or authorize others to make, emergency procurement of supplies, equipment, services, or construction items when there exists a threat to public health, welfare, or safety; provided, that such emergency procurement shall be made with sufficient competition as is practicable under the circumstances. The

requesting department shall complete a waiver of bid format and submit it to the purchasing agent for filing with the city clerk. (Ord. 723 § 3 (part), 1991)

ANALYSIS

Staff recommends Belfor for this project because they are the vendor of choice for the City’s insurance provider, and because they have the resources to test, investigate, and remediate the stucco issue at the Folsom Public Library. After the repairs are complete, Belfor will conduct testing to ensure that all leaks have been addressed, and that environmental testing has confirmed that no mold issues are present. Belfor did remediation work at the Folsom Garage, Rotary Clubhouse, and Fire Station 36.

FINANCIAL IMPACT

The cost of the Building Assessment and the replacement of damaged stucco is proposed to be financed from the General Fund’s (Fund 010) contingency budget. Sufficient funds for this emergency procurement are available in the General Fund’s (Fund 010) contingency budget. The request is for Not to Exceed (NTE) Funding of \$150,000, along with a 15% contingency for unknown conditions. The contingency percentage exceeds the 10% construction contingency authorized in the Folsom Municipal Code but is highly recommended due to conditions that are not known at this time. The total NTE project request with contingency would be in the amount of \$172,500.

Project Costs:

Total Not to Exceed Request	\$150,000
Construction Contingency	\$ 22,500
Total project Cost	\$172,500

ENVIRONMENTAL REVIEW

In accordance with the California Environmental Quality Act, the proposed project is Categorically Exempt per Article 19, 15300.1 – Relation to Ministerial Projects.

ATTACHMENTS

1. Resolution No. 11209 – A Resolution Authorizing the City Manager to Execute a Non-Professional Services Agreement with Belfor Restoration Services for Stucco Repairs at the Folsom Public Library and Appropriation of Contingency Funds

Submitted,

Kelly Gonzalez, Parks & Recreation Director

RESOLUTION NO. 11209

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A NON-PROFESSIONAL SERVICES AGREEMENT WITH BELFOR RESTORATION SERVICES FOR STUCCO REPAIRS AT THE FOLSOM PUBLIC LIBRARY AND APPROPRIATION OF CONTINGENCY FUNDS

WHEREAS, The Parks & Recreation Department has identified the need to perform emergency repairs and replace damaged exterior stucco wall panels at the Folsom Library to prevent further damage to infrastructure; and

WHEREAS, staff is recommending the use of emergency or contingency funding; and

WHEREAS, staff is recommending Not to Exceed funding for a building assessment, environmental testing, and complete stucco repairs; and

WHEREAS, sufficient funds for this emergency procurement are available in the General Fund's (Fund 010) contingency budget; 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 enter into a non-professional services agreement with Belfor Restoration Services to provide Not to Exceed funding in the amount of \$150,000, along with a contingency of 15% (\$22,500) for total funding of \$172,500 and the Finance Director is authorized to appropriate an amount not to exceed \$172,000 from the General Fund contingency budget .

PASSED AND ADOPTED this 28th day of May 2024, by the following roll call vote:

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

Michael D. Kozlowski, MAYOR

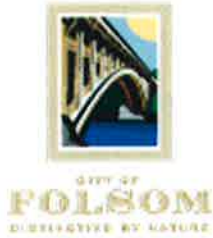
ATTEST:

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



MEETING DATE:	5/28/2024
AGENDA SECTION:	Public Hearing
SUBJECT:	Resolution No. 11186 – A Resolution to Adopt an Amended User Fee Schedule for Community Development Engineering and Building Services (Continued from 05/14/2024)
FROM:	Community Development Department

RECOMMENDATION / CITY COUNCIL ACTION

Staff recommends that the City Council adopt Resolution No. 11186 to adopt an amended user fee schedule for Community Development Engineering and Building services.

BACKGROUND / ISSUE

Since the user and processing fees for the Community Development Department’s services, including Building, Engineering and Planning, have not been comprehensively evaluated since at least 2006, the Department hired ClearSource Financial Consulting to analyze existing user fees, hourly rates, and staff time needed to perform fee-based tasks for Building, Engineering, and Planning services as well as for Special Event Permits. The study found that existing fees did not adequately cover the amount of staff time and resources associated with those processes and services. The study proposed a new fee schedule, with some modifications to the structure itself, to better capture the costs associated with fee-based services as well as an updated General Plan and Zoning Code Update fee to cover the increase associated with keeping these documents up to date with the frequent changes to State laws governing housing and land use. Based on Council and public feedback, as described below, staff is only recommending at this time changes to the user fees for Building and Engineering services.

In order to provide an opportunity for the Council and the public to provide input on the draft fee study, Community Development staff conducted a workshop on March 12, 2024 with the City Council. Staff provided the results of the fee study and discussed the proposed user fee updates for the services provided by the department. At the workshop, the City Council took in comments from the public regarding the proposed updated fee schedule. Public comments primarily focused

on concerns about new fees and current processes associated with special events from groups that put on events in the city and business owners that benefit from events being held. Members of the public also requested lower fees for appeals to ensure that the public is not priced out of appealing a project while still recognizing that staff's level of effort is not currently captured in the existing fee. Finally, the North State Building Industry Association requested a tiered roll-out of fees of 50 percent of the proposed increase initially and then implement the remainder of the fee increase six months later to reduce the immediate impact of fee increases on applicants.

The City Council discussed the proposed fee schedule update and provided comments to staff for consideration. While Council did not suggest modifications to any specific fees for Building or Engineering services, questions were raised about the necessity of the proposed technology fee and why it needed to be called out as a separate line item rather than included in the overall permit cost. That clarification has been made in the Analysis section of this report to address the comment received.

With regards to proposed fees for Planning services (which include appeal fees), Councilmembers stated that better explanations are needed for the various Planning processes and how often they are utilized to determine if all listed fees are still necessary. Councilmembers also stated that the proposed appeal fees were too high even though they captured staff's level of effort. With regards to special events, Councilmembers also noted that proposed Special Event Permit fees were too high and that more research was needed to determine what types of events and organizations, such as non-profits, should be charged less for events with community or economic development benefit. Additionally, the special event process, which is currently handled by Planning staff was also called into question with some suggestions that the Parks & Recreation or other City departments handle this process. Ultimately, Council concluded that updating fees for Planning processes and Special Event Permits should be handled separately from the Building and Engineering fee changes.

Ultimately, staff determined that it would be more effective to discuss Planning fees in tandem with the upcoming Zoning Code update. This update may come with modifications to, or even the elimination of, existing Planning processes that could in turn have effects on staff time and Planning fees. Staff believes that discussing proposed changes to processes in the Zoning Code update should go hand in hand with discussions of the fees associated with those processes to improve efficiency. Furthermore, additional work is needed to make changes to the Special Event Permit process and how fees should be charged for events. As such, staff is only proposing updates to fees for Building and Engineering services at this time. Updated Special Event Permit fees are anticipated to go in front of Council in summer/fall 2024 with a target effective date of January 1, 2025. To coincide with the Zoning Code update, planning process fees are anticipated to go in front of Council in first quarter 2025, with a target effective date of July 1, 2025.

POLICY / RULE

The objectives of the fee study, the methodology used to complete the study, and the formulation of outcomes and recommended fee updates were significantly influenced by Article XIII C of the California Constitution, Propositions 218 (1996) and 26 (2010), and Section 66014 of the California Government Code.

Article XIII C states that, “*the local government bears the burden of proving by a preponderance of the evidence that a levy, charge, or other exaction is not a tax, that the amount is no more than necessary to cover the reasonable costs of the governmental activity, and that the manner in which those costs are allocated to a payor bear a fair or reasonable relationship to the payer’s burdens on, or benefits received from, the governmental activity.*” Additionally, Article XIII C identifies the following development processing fees as items that are not defined as taxes:

- A charge imposed for a specific benefit conferred or privilege granted directly to the payer that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of conferring the benefit or granting the privilege [Art. XIII, C, 1(e)(1)].
- A charge imposed for a specific government service or product provided directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of providing the service or product [Art. XIII, C, 1(e)(2)].
- A charge imposed for the reasonable regulatory costs to a local government for issuing licenses and permits, performing investigations, inspections, and audits, enforcing agricultural marketing orders, and the administrative enforcement and adjudication thereof [Art. XIII, C, 1(e)(3)].

Section 66014(a) of the California Government Code includes the following, “*Notwithstanding any other provision of law, when a local agency charges fees for zoning variances; zoning changes; use permits; building inspections; building permits; ...the processing of maps under the provisions of the Subdivision Map Act...; or planning services...; those fees may not exceed the estimated reasonable cost of providing the service for which the fee is charged, unless a question regarding the amount of the fee charged in excess of the estimated reasonable cost of providing the services or materials is submitted to, and approved by, a popular vote of two-thirds of those electors voting on the issue*”.

The outcomes and recommendations of the fee study were intended to comply with applicable federal, state, and local laws including providing confirmation that the proposed fees (“charges”) recommended as a result of the fee study are not taxes as defined in Article XIII C of the California Constitution and that the proposed fees are no more than necessary to cover the reasonable costs of the City’s activities and services addressed in the fees. Additionally, the fee study shows that the manner in which the costs are allocated to a payor bear a fair and reasonable relationship to the payor’s burdens on, or benefits received from the activities and services provided by the City.

ANALYSIS

The Building Division’s modified fee schedule includes restructuring and new tiers and fee types so that the proposed fees more accurately reflect the level of effort that is expected as projects grow in scale and detail. The restructuring and modifications included:

- Introducing flat rate fees for common residential permit types to be simpler for the public to understand and pay as well as easier for staff to administer. Staff found this to be consistent with other jurisdictions in the area.
- Restructuring the fees related to subdivision development to align with the amount of staff time utilized for each permit type. Production permits for homes in a subdivision are reviewed by all divisions in Community Development, though the current fee covers less than one hour of staff time.
- Revising the current fee table for valuation-based projects to account for the same percentage cost recovery at all valuations. The current fee table utilizes a sliding scale for cost recovery, which does not reflect the estimated hours utilized. The proposed fee table is instead based on the same percentage cost recovery for any project. The current table uses a different percentage cost recovery based on project valuation (i.e. 75% recovery for a \$25,000 project versus 90% recovery for a \$10 million project).
- Adding the Business License Fee, Certified Access Specialist (CAsp) Training Fund Fee and State Disability Access Fee to the fee schedule. These fees (the latter two of which are required by State law) have previously been collected along with the building permit fee but were not called out in the fee schedule.

The Engineering Division also made several specific modifications to the fee schedule to reflect costs associated with the permit reviews and plan checks that they perform. Major proposed modifications include the following:

- Encroachment permits were restructured with the intent of encouraging applicants to obtain permits for their intended use. Subcategories of encroachment permits were added based on length of time, needs, and various types of encroachment (e.g., utilities encroachment vs. temporary storage container encroachment).
- Annual permits for the purposes of general maintenance are to be billed on a time and materials basis. Since general maintenance can vary greatly in scope and effort, an initial deposit will be determined by the City Engineer for the purposes of estimating the necessary level of staff effort to support review and inspections of the proposed work.
- Fees that are primarily for work performed by the contract City Surveyor were modified to reflect the actual billable rate of the Surveyor plus the City's overhead cost for contract administration.

- Landscape review for production homes was changed from being based on the valuation of the project to a fixed fee, as the existing valuation method did not reflect the detailed tasks and level of effort that goes into reviewing the plans.
- Currently, a flat rate of \$38 is used for all tree work/removal permits, regardless of the number of trees being removed. The tree removal permit fee structure was completely revamped to ensure that when tree work or minor removal (up to two trees or any “in-decline” tree) on occupied properties is proposed, the fees are kept relatively low, as this does not take a significant amount of staff time to review and code compliance is encouraged. However, for the removal of three or more trees, and any tree removal for new construction, the fees have gone up significantly to reflect the level of staff time it takes to process and review these tasks. For tree work/removal that requires a permit that staff discovers has been done without a permit will be charged two times the permit amount.
- Based on public feedback (see comment letter from Morton & Pitalo in Attachment 3), staff revisited the proposed Final Map Amendment/Certificate of Correction fee. Because these two tasks are very different and require a different amount of time to process, staff has now proposed to split the fees. The new proposal is to charge the base Final Map fee for Final Map Amendments and a smaller Certificate of Correction/Certificate of Compliance deposit-based fee for these tasks. Staff believes that these modifications better reflect the time it takes to do these tasks and allow flexibility to charge more if needed for more challenging Certificates of Correction or Compliance.

Technology Fee

Based on feedback from the City Council, CDD has changed the way it is proposing to cover the cost of the technology required for online electronic plan and permit submittal, processing and review. The software systems that the department currently uses are moving to a cloud-based, fee-for-service model with an ongoing annual cost similar to how Microsoft’s Office 365 system works. While the department currently uses software packages that it purchased and was installed on City servers, CDD plans to eventually move from its current systems that involve large one-time costs, upgrade costs, and maintenance cost to a new annual subscription service. Rather than a separate technology fee, staff is proposing to treat the technology costs as part of the department’s overhead cost for building permits. As a result, staff hourly rates for building permits have been adjusted to reflect the updated overhead costs, and all building permit fees are therefore slightly higher than originally presented in the draft fee study on March 12. By treating the technology costs as part of the overhead cost for the department, this will allow the annual costs to be covered fully and will not result in costs to the General Fund. However, in the future, if the department was to add additional software or technology services, a new fee study would be required to update the department’s new overhead rate.

General Plan/Zoning Code Fee

While CDD already charges a three percent (3%) General Plan fee on most building permits, the department is also proposing an updated General Plan and Zoning Code fee. California Government Code Section 66014 states that fees collected by an agency "...may include the costs reasonably necessary to prepare and revise the plans and policies that a local agency is required to adopt before it can make any necessary findings and determinations." Every county and city in California is required by State law to have a General Plan, and the plan is required to be up to date. The General Plan discusses the City's goals, policies, and implementation actions regarding all future development. The Zoning Ordinance establishes the development regulations to implement the General Plan and must be consistent with the Plan.

Cities and counties throughout California often attempt to recover portions of the costs of updating and maintaining these plans through fees collected on various development projects. As the list below indicates, a similar fee is currently collected by several cities in the region. The list is not intended to be comprehensive. Cities in the region that collect a General Plan/Zoning Code Update Fee or Similar Fee include:

- Elk Grove
- Lincoln
- Rancho Cordova
- Roseville
- Sacramento

CDD is proposing a two percent increase in the fee. The new General Plan and Zoning Code Update fee would be five percent (5%) and would be applied to building permits for new construction, additions, tenant improvements, and residential remodels. Projects that require these types of permits rely on the General Plan and Zoning Code to establish the land use, density and development standards necessary for the projects to happen.

Based on the City's anticipated costs of updating/maintaining the General Plan and its various elements and the City's Zoning Code, only partial cost recovery (approximately 55 percent) is targeted from this fee to keep it in line with fees collected by other agencies within the region. While the entire community benefits from having a General Plan and Zoning Code, residential and commercial projects, in particular, benefit from these documents because these documents allow for development and contain the development locations and standards necessary for development to occur. The new proposed fee would help fund major periodic General Plan, Housing Element and Zoning Code updates as well as in-house maintenance of these documents. The revised fee increases the amount from 3 percent to 5 percent as the cost of preparing these documents has grown. However, because the current General Plan fee is collected for both the building permit fee and the plan check fee and the proposed General Plan and Zoning Code Update fee would only be collected for the building permit fee, this would result in approximately the same amount of funds that are currently being collected.

Conclusions

ClearSource performed a reasonableness test on the proposed fees using historical permit volume to forecast anticipated revenue from the fees. This test confirmed that the forecasted revenue from the fees did not exceed the actual staff costs associated with this work and should therefore be in line with State law. The study recommends monitoring permit and application volume and applicant feedback to determine if any of the fee modifications are resulting in any unanticipated changes in project frequency and to provide greater detail for future revenue forecasting. The study also recommends that fees should continue to be updated on an annual basis using the Consumer Price Index (CPI). This is typical for other jurisdictions in the region and also similar to how other City fees are administered in Folsom. The study also recommends that a comprehensive fee study should be conducted periodically to ensure fee levels remain at or below legal limits and are consistent with evolving practices and local conditions.

Regarding the North State Building Industry Association's request for a tiered roll-out of fees, staff is proposing a phasing of the fee changes. New Engineering and Building fees would go into effect on August 1, 2024. Planning fees are not proposed to be updated until the Zoning Code update is complete with new Planning fees proposed to go into effect on July 1, 2025 after adoption of the new code. As such, projects that are subject to Planning fees along with their Engineering and/or Building fees will not see an increase in Planning fees until several months after the Building and Engineering fees have gone into effect. Staff believes that this accomplishes the goals of a tiered roll-out by reducing the immediate impact of fee increases on applicants for larger projects. As such, no other formal tiered roll-out for Building and Engineering is proposed.

FISCAL IMPACT

The fee study concluded that the proposed new Building and Engineering fees could result in an estimated additional \$1,100,000 annually for the General Fund, based on historical permit volume and development activity. Fee revenue could be higher or lower if actual experience differs from the assumptions used in the fee study.

ATTACHMENTS

1. Resolution No. 11186 – A Resolution to Adopt an Amended User Fee Schedule for Community Development Engineering and Building Services
2. Development Processing Fee Study- Building and Engineering Fees, dated May 2024
3. Public Comments Received

Submitted,



PAM JOHNS
Community Development Director

ATTACHMENT 1

RESOLUTION NO. 11186 – A RESOLUTION TO ADOPT AN AMENDED USER FEE SCHEDULE FOR COMMUNITY DEVELOPMENT ENGINEERING AND BUILDING SERVICES

RESOLUTION NO. 11186

A RESOLUTION TO ADOPT AN AMENDED USER FEE SCHEDULE FOR COMMUNITY DEVELOPMENT ENGINEERING AND BUILDING SERVICES

WHEREAS, City of Folsom Municipal Code Section 3.50.020 states “The city manager is hereby directed to recommend to the council the adjustment of fees and charges to recover the percentage of costs reasonably borne in providing the regulation, products or services enumerated in this chapter and on the schedule of rate review as hereinafter established in this chapter”; and

WHEREAS, the City Council on May 28, 2024, held a public hearing on the proposed fee updates for the Community Development Department and considered public comment; and

WHEREAS Resolution No. 11110 adopted by City Council on October 10, 2023, set the most recent User Fee schedule for the City including the Community Development Department; and

WHEREAS, the City had a consultant that performed a reasonableness test on the proposed fees and this test confirmed that fees do not exceed the actual staff costs associated with this work and are consistent with State law; and

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

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Folsom hereby Amends Resolution No. 11110 and adopts the amended user fee schedule for Community Development Engineering and Building services, as shown in Exhibit “A”.

PASSED AND ADOPTED this 28th day of May 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

Updated Community Development Department Fee Schedule for Building and Engineering Services

City of Folsom

ENGINEERING AND ENCROACHMENT PERMIT FEES

#	Description	Fee	Fee Structure	Note
1	Assessment District/CFD Payment Processing	\$4,800	Fixed Fee	
2	Encroachment Permit			
	a) Encroachment Contract for Parking/Staging			
	i. 0-6 calendar days	\$50	Fixed Fee	
	ii. 7-14 calendar days	\$100	Fixed Fee	
	iii. 14+days	\$200	Fixed Fee	
	b) Utility Work/Connections (Individual Permits)			
	i. Wet Utilities/Service Connections	\$600	Fixed Fee	
	ii. Dry Utilities (per site/location)	\$200	Fixed Fee	
	iii. Misc. per LF of Trench in ROW/City Easement	\$5.00	Fixed Fee	
	iv. Inspections and Testing	\$400	Fixed Fee	
	c) Driveways/Minor Frontage Improvements			
	i. Residential (per driveway)	\$400	Fixed Fee	
	ii. Commercial (per driveway)	\$400	Fixed Fee	
	d) Pools and Spas (in ground)	\$400	Fixed Fee	
	e) Traffic Control/Equipment Staging			
	i. Isolated Site	\$200	Fixed Fee	
	ii. Multiple Closures/Staging	\$1,000	Fixed Fee	
	f) Permit Extensions			
	i. Active Work Zone	\$50	Fixed Fee	
	ii. Inactive Work Zone (4+ months inactivity)	\$200	Fixed Fee	
	g) Annual Permits			
	i. Wet Utilities	\$6,000	Fixed Fee	
	ii. Dry Utilities	\$20,800	Fixed Fee	
	iii. General Maintenance/Misc. (Not Wet or Dry Utilities)	T&M	Fixed Fee	[a]
	iv. Vegetation Management (Utilities)	\$20,800	Fixed Fee	
	v. Long Term/Revocable Encroachments (paid annually)	\$200	Fixed Fee	
	h) Long Term/Revocable Encroachments (new permits only)	\$2,400	Fixed Fee	[b]

City of Folsom

ENGINEERING AND ENCROACHMENT PERMIT FEES

#	Description	Fee	Fee Structure	Note
3	Engineering and Landscape Plan Check and Inspection			
	a) Project Value Up to \$10,000	8.00%	Fixed Fee	
	b) Project Value \$10,001 - \$100,000			
	i. Base Fee for First \$10,000	\$800	Fixed Fee	
	ii. Fee for Each Add'l \$1 Up to \$100,000	8.00%	Fixed Fee	
	c) \$100,001 - \$199,999			
	i. Base Fee for First \$100,000	\$8,000	Fixed Fee	
	ii. Fee for Each Add'l \$1 Up to \$200,000	6.40%	Fixed Fee	
	d) \$200,001 - \$299,999			
	i. Base Fee for First \$200,000	\$14,400	Fixed Fee	
	ii. Fee for Each Add'l \$1 Up to \$300,000	4.80%	Fixed Fee	
	e) \$300,000 or more			
	i. Base Fee for First \$300,000	\$19,200	Fixed Fee	
	ii. Fee for Each Add'l \$1	3.60%	Fixed Fee	
	f) Landscape Plan Review			
	i. Non-Development	\$200	Fixed Fee	
	ii. Custom Home	\$1,100	Fixed Fee	
	iii. Production Home/Subdivision	\$2,300	Fixed Fee	
	iv. Model Home Complex	\$1,400	Fixed Fee	
	v. Commercial, Streetscape, Other Development Projects	\$1,600	Fixed Fee	
	vi. Development and Civil Improvements - Landscaping Review	\$2,100	Fixed Fee	
4	Final Map and Parcel Map			
	a) Parcel Map Check	\$8,050	Fixed Fee	
	b) Final Map Check			
	i. Base Fee/Final Map Amendment	\$11,500	Fixed Fee	
	ii. Plus, Per Lot Fee	\$144	Fixed Fee	
	c) Certificate of Correction/Certificate of Compliance	\$2,000	T & M with Initial Deposit	
5	Right of Ways (ROW) and Easements			
	a) Review of ROW/Easement Documents	\$3,450	Fixed Fee	
	b) ROW/Easement Abandonment	\$5,750	Fixed Fee	
6	Subdivision Agreement Processing	\$5,750	Fixed Fee	
7	Transportation Permit			
	a) Permit	\$16	Fixed Fee	
	b) Annual Permit	\$90	Fixed Fee	

City of Folsom

ENGINEERING AND ENCROACHMENT PERMIT FEES

#	Description	Fee	Fee Structure	Note
8	Tree Removal/Work Permit			
	a) Permitted Removal/Work			
	i. Existing Occupied Structure			
	a. 0-2 Trees	\$100	Fixed Fee	
	b. 3+ Trees: See New Construction Rate Below	\$1,200	Fixed Fee	
	c. "In Decline" Tree	\$100	Fixed Fee	
	ii. New Construction (e.g. Custom Home, Subdivision, Parcel)			
	a. 0-4 Trees	\$1,200	Fixed Fee	
	b. 5+ Trees	\$1,400 + 10% per tree	Fixed Fee	
	iii. Misc.	\$200	Per Hour	
	b) w/o Permit (Does not include mitigation)	2x permit amount	Fixed Fee	
	Double the Permit Rate			
Other Fees for Service				
9	Research of Engineering Records	\$200	Per Hour	
10	Miscellaneous Engineering Services	\$200	Per Hour	
11	Excess Plan Review Fee (4th and subsequent)	\$200	Per Hour	
12	Revisions	\$200	Per Hour	
13	After Hours Inspection (per hour) (2-hour minimum)	\$240	Per Hour	
14	Re-inspection Fee (2nd Time or More) (each)	\$100	Each	
15	Missed Inspection Fee	\$100	Each	
16	Expedited Services Fee	1.5x Regular Fee	Fixed Fee	
17	Residential Landscape Review	Hourly Rate of Arborist	Per Hour	
18	Technical Assistance/Third Party Review or Inspection	Actual Cost	T & M	

[a] Use time and materials with initial deposit to be determined by City Engineer, based on anticipated scope of work.

[b] Encroachment agreement required in addition to insurance (e.g., parklets).

City of Folsom

BUILDING FEES

A. Fees for Commonly Requested Building Permit Types. Fees shown in this section (Section A.) include all applicable inspection, and plan review fees. Additional permit processing fees apply. Additional fees may apply for services provided by other City Departments (e.g. Planning Review), and Fees Collected on Behalf of Other Agencies (e.g. State of California).

Fee Description	Fee	Charge Basis	Note	CPI
1 HVAC Change-Out - Residential	\$230	per permit		Y
2 Water Heater Change-Out - Residential	\$184	per permit		Y
3 Residential Re-Roof	\$368	per permit		Y
4 Siding Replacement	\$322	per permit		Y
5 Service Panel Upgrade - Residential	\$276	per permit		Y
6 Battery Backup Storage	\$368	per permit		Y
7 Electric Vehicle Charger	\$368	per permit		Y
8 Generator	\$368	per permit		Y
9 Residential Solar Photovoltaic System - Solar Permit				
a) Plan Review				
i) Base Fee for 15kW or Less	\$200	per permit	[a],[b]	N
ii) Fee for Each Additional kW above 15kW	\$15	per permit	[a],[b]	N
b) Permit	\$250	per permit	[a],[b]	N
10 Commercial Solar Photovoltaic System - Solar Permit				
a) Plan Review				
i) Base Fee 50kW or Less	\$444	per permit	[a],[b]	N
ii) Fee for Each Add'l kW above 50kW up to 250kW	\$7	per permit	[a],[b]	N
ii) Fee for Each Add'l kW above 250kW	\$5	per permit	[a],[b]	N
b) Permit	\$556	per permit	[a],[b]	N
11 Pool Solar	\$184	per permit		Y
12 Swimming Pool Replaster / Equipment Change-Out	\$460	per permit		Y
13 Swimming Pool Remodel (e.g., Changing Pool Shape, Adding Cabo Shelf, etc.)	\$920	per permit		Y
14 Retaining Wall				
a) One Type of Retaining Wall Type/Configuration	\$552	per permit		Y
b) Each Additional Wall Type/Configuration	\$276	per permit		Y
15 Window / Sliding Glass Door - Retrofit / Repair				
a) Up to 5	\$184	per permit		Y
b) Per Window Over 5 Windows	\$37	per permit		Y
16 Fences Requiring a Building Permit	\$368	per permit		Y
17 Electrical and Irrigation Pedestals per pedestal	\$276	per permit		Y
18 Detached and Attached ADUs	\$4,600	per permit		Y
19 Junior ADUs	\$2,208	per permit		Y

[a] Total fees shall not exceed amounts outlined in California Government Code 66015(a)(1).

[b] The City will not collect additional permit processing fees. Amounts shown are total amount due for permit processing, plan review, and permit.

City of Folsom

BUILDING FEES

Determination of Valuation for Fee-Setting Purposes

• Project valuations shall be based on the total value of all construction work, including all finish work, roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems and any other permanent equipment. If, in the opinion of the Building Official, the valuation is underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the Building Official. Final building permit valuation shall be set by the Building Official. For determining project valuations for new construction, the Building Official may use data published by the International Code Council (ICC) (building valuation data table, typically updated in February and August of each year). The final building permit valuation shall be set at an amount that allows the City to recover its costs of applicant plan check, permit and inspection activities.

Note: For construction projects with permit fees calculated using Section B, additional fees apply for permit issuance. Additional fees may apply for services provided by other City Departments (e.g. Planning Review), and Fees Collected on Behalf of Other Agencies (e.g. State of California). Additional fees apply for plan review, when applicable.

B. Permit Fee for New Buildings, Additions, Tenant Improvements, Residential Remodels, and Combined Mechanical, Electrical, and/or Plumbing Permits

Total Valuation		Permit Fee			CPI
\$1 to \$2,000	\$138.00				
\$2,001 to \$25,000	\$138.00 for the first \$2,000	plus \$10.00	for each add'l \$1,000 or fraction thereof, to and including \$25,000		N
\$25,001 to \$50,000	\$368.00 for the first \$25,000	plus \$11.04	for each add'l \$1,000 or fraction thereof, to and including \$50,000		N
\$50,001 to \$100,000	\$644.00 for the first \$50,000	plus \$9.20	for each add'l \$1,000 or fraction thereof, to and including \$100,000		N
\$100,001 to \$500,000	\$1,104.00 for the first \$100,000	plus \$7.36	for each add'l \$1,000 or fraction thereof, to and including \$500,000		N
\$500,001 to \$1,000,000	\$4,048.00 for the first \$500,000	plus \$6.62	for each add'l \$1,000 or fraction thereof, to and including \$1,000,000		N
\$1,000,001 to \$5,000,000	\$7,360.00 for the first \$1,000,000	plus \$5.52	for each add'l \$1,000 or fraction thereof, to and including \$5,000,000		N
\$5,000,001 and up	\$29,440.00 for the first \$5,000,000	plus \$4.11	for each additional \$1,000 or fraction thereof over \$5,000,000		N

City of Folsom

BUILDING FEES

D. Building Plan Review Fees

Activity Description	Fee	Charge Basis	Note	CPI
1 Building Plan Check Fees - Building				
a) Plan Review Fee, if applicable	80%		[a]	N
b) Expedited Plan Check - At Application Submittal (when applicable)	1.5x standard plan check fee			N
c) Tract Home / Master Plan Construction (Production Units)	20% of standard plan check fee		[b]	N
d) Production Permit for Multi-family permit	\$1,472			Y
e) Production Permit for Fire permits and other misc. permits	\$460			Y
f) Alternate Materials and Methods Review (per hour)	\$184			Y
g) Excess Plan Review Fee (4th and subsequent) (per hour)	\$184			Y
h) Revisions to an Approved Permit (per hour)	\$184			Y
i) Deferred Submittal (per hour)	\$184			Y

When applicable, plan check fees shall be paid at the time of application for a building permit.
The plan checking fee is in addition to the building permit fee

[a] Includes up to three plan checks. The City will bill hourly for additional plan review required.

[b] For identical buildings built by the same builder on the same lot or in the same tract and for which building permits are issued at the same time.

City of Folsom

BUILDING FEES

E. Other Fees

Activity Description	Fee	Note	CPI
1 Permit Processing Fee	\$77		Y
2 Strong Motion Instrumentation (SMI) Fee Calculation		[a]	
a) Residential	\$0.50 or valuation x .00013	[a]	N
b) Commercial	\$0.50 or valuation x .00028	[a]	N
3 Building Standards (SB 1473) Fee Calculation (Valuation)		[a]	
a) \$1 - \$25,000	\$1	[a]	N
b) \$25,001 - \$50,000	\$2	[a]	N
c) \$50,001 - \$75,000	\$3	[a]	N
d) \$75,001 - \$100,000	\$4	[a]	N
e) Each Add'l \$25,000 or fraction thereof	Add \$1	[a]	N
4 Business License Fee	\$25		N
5 CASP Training Fund Fee	\$3.60		N
6 State Disability Access Fee	\$0.40		N
7 General Plan/Zoning Code Update Fee (percent of building permit fee)	5%	[b]	N
8 Temporary Certificate of Occupancy (Phasing Plan) Fee	\$920		Y
9 Permit Extension	\$0		Y
10 Permit Reactivation Fee			
a) Reactivation Fee if All Inspections Have Been Performed and Approved Up to But Not Including Final Inspection	\$184		Y
b) Reactivation Fee - All Other Scenarios			
i) Permit Expired Up to One Year	50% of Original Base Building Permit Fee		N
ii) Permit Expired More than One Year	100% of Original Base Building Permit Fee		N
11 Permit Reissuance Fee	\$184		Y
12 Damaged Building Survey (Fire, Flood, Vehicle Damage, Etc.) (per hour)	\$184		Y
Other Fees			
13 Phased Inspection Fee (per inspection)	\$184		Y
14 After Hours Inspection (per hour) (4-hour minimum)	\$221		Y
15 Re-inspection Fee (2nd Time or More) (each)	\$184	[c]	Y
16 Missed Inspection Fee	\$184		Y
17 Duplicate Copy of Permit	\$77		Y

City of Folsom
BUILDING FEES

E. Other Fees

Activity Description	Fee	Note	CPI
18 Duplicate Copy of Certificate of Occupancy	\$77		Y
19 Fees for Services Not Listed in this Fee Schedule (per 1/2 hour)	\$92		Y
Violation Fees			
20 Investigation Fee For Work Done Without Permits (In addition to applicable permit fees)	equal to permit fee		N

[a] Amounts established by State of California. In the case of discrepancy between this schedule and amounts established by the State, State amounts shall supersede these amounts.

[b] Fee applies to new construction, additions, tenant improvements, and residential remodels requiring building permits.

[c] Reinspection fee applies after the first re-inspection.

City of Folsom
BUILDING FEES

Building Valuation Data Table									
Group (2021 International Building Code)	IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
A-1 Assembly, theaters, with stage	335.89	324.58	316.94	304.93	286.87	278.00	295.62	266.02	257.55
A-1 Assembly, theaters, without stage	307.39	296.08	288.44	276.42	258.37	249.50	267.12	237.51	229.05
A-2 Assembly, nightclubs	269.94	261.93	254.48	245.85	230.56	223.99	237.02	209.57	202.79
A-2 Assembly, restaurants, bars, banquet halls	268.94	260.93	252.48	244.85	228.56	222.99	236.02	207.57	201.79
A-3 Assembly, churches	311.88	300.57	292.93	280.91	263.30	254.43	271.60	242.45	233.98
A-3 Assembly, general, community halls, libraries,	266.07	254.76	246.12	235.10	216.33	208.46	225.80	195.47	188.01
A-4 Assembly, arenas	306.39	295.08	286.44	275.42	256.37	248.50	266.12	235.51	228.05
B Business	260.69	251.13	241.86	231.65	210.99	202.73	222.56	186.21	177.81
E Educational	273.46	263.96	255.62	245.04	228.69	217.00	236.61	200.36	193.94
F-1 Factory and industrial, moderate hazard	160.20	152.78	143.34	138.64	123.55	117.41	132.48	102.44	95.93
F-2 Factory and industrial, low hazard	159.20	151.78	143.34	137.64	123.55	116.41	131.48	102.44	94.93
H-1 High Hazard, explosives	149.46	142.04	133.60	127.90	114.12	106.97	121.74	93.00	0.00
H234 High Hazard	149.46	142.04	133.60	127.90	114.12	106.97	121.74	93.00	85.50
H-5 HPM	260.69	251.13	241.86	231.65	210.99	202.73	222.56	186.21	177.81
I-1 Institutional, supervised environment	262.22	252.95	244.31	235.67	215.42	209.47	235.71	193.82	187.73
I-2 Institutional, hospitals	434.15	424.59	415.32	405.12	383.35	0.00	396.02	358.57	0.00
I-2 Institutional, nursing homes	302.01	292.45	283.18	272.97	253.83	0.00	263.88	229.05	0.00
I-3 Institutional, restrained	295.86	286.31	277.03	266.83	247.95	238.69	257.74	223.17	212.77
I-4 Institutional, day care facilities	262.22	252.95	244.31	235.67	215.42	209.47	235.71	193.82	187.73
M Mercantile	201.37	193.36	184.91	177.28	161.72	156.15	168.45	140.73	134.95
R-1 Residential, hotels	264.67	255.41	246.77	238.13	218.35	212.40	238.17	196.75	190.67
R-2 Residential, multiple family	221.32	212.06	203.42	194.78	175.96	170.01	194.82	154.36	148.28
R-3 Residential, one- and two-family	209.61	203.74	198.94	195.12	188.41	181.45	191.77	175.86	165.67
R-4 Residential, care/assisted living facilities	262.22	252.95	244.31	235.67	215.42	209.47	235.71	193.82	187.73
S-1 Storage, moderate hazard	148.46	141.04	131.60	126.90	112.12	105.97	120.74	91.00	84.50
S-2 Storage, low hazard	147.46	140.04	131.60	125.90	112.12	104.97	119.74	91.00	83.50
U Utility, miscellaneous	114.09	107.37	99.89	95.60	85.13	79.54	90.99	67.39	64.19

ATTACHMENT 2

DEVELOPMENT PROCESSING FEE STUDY- BUILDING AND ENGINEERING FEES, DATED MAY 2024

CITY OF FOLSOM

MAY 2024

**DEVELOPMENT PROCESSING FEE STUDY
BUILDING AND ENGINEERING FEES**



CONTENTS

REPORTING

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4	IMPLEMENTATION Considerations for Implementation	9

APPENDICES

<u>Appendix</u>	<u>Description</u>
A	REGIONAL FEE COMPARISON
B	COST OF SERVICE ANALYSIS
C	PROPOSED FEES



May 2024

CITY OF FOLSOM

Attn: Pam Johns, Community Development Director
50 Natoma Street
Folsom, CA 95630

DEVELOPMENT PROCESSING FEE STUDY

Dear Ms. Johns:

ClearSource Financial Consulting submits the following report describing the findings of our preparation of a User and Regulatory Fee Study for the City of Folsom.

Please refer to the Executive Summary for the key findings of the analysis and estimated impacts to City funds. The balance of the report and its appendices provide the necessary documentation to support those outcomes.

Thank you for the opportunity to serve the City on this topic. We are happy to continue discussion on this study as the need arises or consult with you on additional topics.

Sincerely,

A handwritten signature in blue ink that reads "Terry Madsen".

TERRY MADSEN, PRESIDENT | CLEARSOURCE FINANCIAL CONSULTING

PHONE: 831.288.0608

EMAIL: TMADSEN@CLEARSOURCEFINANCIAL.COM

EXECUTIVE SUMMARY

STUDY OVERVIEW

The City of Folsom provides many services to ensure safe, orderly and aesthetically pleasing development and construction within the City. The broad categories of these services include, but are not limited to, project entitlement review, improvement plan check, map check, permits (building, grading, encroachment and driveway), and land action review (i.e. dedications, parcel mergers and lot line adjustments). User fees and regulatory fees are the mechanism by which the City may recoup a portion of or all of the costs associated with these services.

The City of Folsom has completed a **User and Regulatory Fee Study**. California cities regularly conduct these studies to justify fee amounts imposed and to optimize the overall portfolio of revenues available to the municipality to fund its services.

Industry practice and fiscal conditions in the state have led most cities to link cost recovery for services of individual action, cause, or benefit to that same individual through user fee revenue, relieving the agency's general revenues as much as possible for use toward services of broader community benefit.

USER AND REGULATORY FEES

Cities derive annual revenue from a number of sources. These include, but are not limited to, property taxes, sales taxes, license fees, franchise fees, fines, rents, and user and regulatory fees. **User and regulatory fees are intended to cover all, or a portion of, the costs incurred by the City for providing fee-related services and activities that are not otherwise provided to those not paying the fee.**

California law provides guidance regarding the amounts the City may charge for fee-related services and activities. Specifically, in order to avoid being considered taxes, the **fees charged shall not exceed the estimated reasonable cost of providing the services**, activities, or materials for which fees are charged.

COST RECOVERY POLICY AND PRACTICE

Recovering the costs of providing fee-related services directly influences the City's fiscal health and increases the City's ability to meet the service level expectations of fee payers.

The services for which the City imposes a user or regulatory fee typically derive from an individual person or entity's action, request, or behavior. Therefore, except in cases where there is an overwhelming public benefit generated by the City's involvement in the individual action, **a fee for service ensures that the individual bears most, if not all, of the cost incurred by the City to provide that service.** When a fee targets "100% or full cost recovery," the individual bears the entirety of the cost. When a fee targets less than full cost recovery, another City revenue source – in most cases, the General Fund – subsidizes the individualized activity.

EXECUTIVE SUMMARY

FINDINGS AND PROPOSED ACTION

During the course of study, information and analysis was generated and is discussed substantively throughout this report and its technical appendices. However, summarized in the following findings statements by broad fee category, are outcomes and proposals of particular interest to City policymakers.

Building Fees

- Current fees recover less than the City's full cost of providing fee-related services.
 - The Division collects approximately \$2,845,000 annually in fee revenues. Fee-related expenditures are anticipated to be approximately \$3,468,000. This results in an aggregate cost recovery level of 82% and a General Fund subsidy of approximately \$622,000.
 - Full cost recovery is targeted for building fees.

Land Development Engineering Fees and Encroachment Permit Fees

- Current fees recover less than the City's full cost of providing fee-related services. Many of the City's current fees are fixed at amounts that reflect less than the City's cost of providing services (examples include, but are not limited to, tree permitting and landscape plan review).
 - The Division collects approximately \$2,400,000 annually in fee revenues. Fee-related expenditures are approximately \$2,880,000. This results in an aggregate cost recovery level of 83% and a General Fund subsidy of approximately \$480,000.
- Recalibrate fees to encourage cost recovery of City staff and outside service provider costs.
- Full cost recovery is targeted from engineering and encroachment permit fees.

Deposit-Based Engineering Fees (i.e., Time & Materials Billings)

- Fees for some of the City's more complex land development review projects are proposed to be administered using a "time and materials" billing approach. The City will collect an initial deposit and bill against that deposit for the costs of outside consultant review and support, and in-house labor efforts. If the deposit is drawn down before project completion, staff contacts the applicant to request replenishment of funds. If deposit amounts remain at the completion of the project, the applicant is refunded the unused deposit amount. Comprehensive tracking and billing for deposit-based projects should billing for project time such as:
 - Intake and Initial Processing and Review
 - Initial Meetings
 - Project Correspondence

EXECUTIVE SUMMARY

- Multiple Rounds of Review
- Report Preparation
- Decision Making, Meeting Preparation
- Project Close-Out and Documentation Actions

Regional Fee Comparison

- Similar fees are collected by communities throughout the region and the State. The proposed fee amounts do not exceed the City's cost of service and are in-range of amounts charged by other jurisdictions. Regional fee comparison information is included in Appendix A of this report.

Additional Cost Recovery from Proposed Adjustments to Fees

- The enhanced cost recovery anticipated from the proposed changes included in the fee schedule update is **\$1,100,000**.

Fairly allocating costs to the services provided and recovering some, or all, of these costs from service recipients creates value and predictability for City customers and reimburses the City for services provided to a single party, as compared to the public at large. Collecting fees for services:

- ➔ Increases the availability of General Fund revenues to be used for services and activities available to all residents and businesses, such as public safety and public works services.
- ➔ Helps meet fee-payer service level expectations by collecting fees to fund the existing level of services provided.

Please continue to the following technical report and appendices for further discussion of this User and Regulatory Fee Study.

PROJECT ORIENTATION

SCOPE OF STUDY

The City of Folsom has completed a **User and Regulatory Fee Study**, which represents an external review of prevailing practices and development of an updated **Schedule of User Fees and Charges**. ClearSource Financial Consulting has prepared this analysis during Fiscal Year 2023/24 and will be available to answer questions as the City proceeds in implementing findings as it chooses.

Key tasks expected by the City from this study included the following:

- ➔ Review eligible fee-related services citywide to establish the reasonable relationship between current fees for service and the underlying costs of service.
- ➔ Calculate the full cost of service, including estimated citywide overhead costs.
- ➔ Recommend fees to be charged for each service.
- ➔ Recommend cost recovery strategies and best practices in setting fees, while considering the complexities and demands of responsible programs or departments.
- ➔ Identify underlying billable rates for cost recovery opportunities and as the basis for user fees.
- ➔ Maintain a thoroughly documented analysis to ensure compliance with Proposition 26, and other statutes, as applicable.

DIRECT SERVICES UNDER REVIEW

Fee Categories

City fees under review in this project focused on direct services eligible for user fee methodology, as listed in the City's published fee schedules. Additionally, the project was tasked with identifying any relevant additions for services performed without a fee or for under-quantified or ineffectively structured fees. Current services shown in the City's various prevailing fee schedules and addressed in this study are summarized as follows:

- ➔ **Engineering** – Services include encroachment permitting, development plan review and inspection.
- ➔ **Building** – Building plan review, permitting, and inspection for construction and sub-trades.

PROJECT ORIENTATION

REASON FOR STUDY

Cities derive annual revenue from a number of sources. These include, but are not limited to, property taxes, sales taxes, franchise fees, fines, rents, and user and regulatory fees. User and regulatory fees are intended to cover all, or a portion of, the costs incurred by a city for providing fee-related services and activities that are not otherwise provided to those not paying the fee.

California cities regularly conduct fee studies to justify fee amounts imposed and to optimize the overall body of revenues available to the municipality to fund its services. Widespread industry practice and fiscal conditions in the state have led most cities to link cost recovery for services of individual action, cause, or benefit to that individual through user fee revenue, relieving the agency's general revenues for services of broader community benefit.

PREVAILING GUIDANCE

The objectives of this study, the methodology used to complete the study, and the formulation of outcomes and recommendations for future consideration were significantly influenced by Article 13C of the California Constitution and Section 66014 of the California Government Code.

Article 13C states that the local government bears the burden of proving by a preponderance of the evidence that a levy, charge, or other exaction is not a tax, that the amount is no more than necessary to cover the reasonable costs of the governmental activity, and that the manner in which those costs are allocated to a payer bear a fair or reasonable relationship to the payer's burdens on, or benefits received from, the governmental activity. Additionally, Article 13C identifies the following as items that are not defined as taxes:

- A charge imposed for a specific benefit conferred or privilege granted directly to the payer that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of conferring the benefit or granting the privilege.
- A charge imposed for a specific government service or product provided directly to the payer that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of providing the service or product.
- A charge imposed for the reasonable regulatory costs to a local government for issuing licenses and permits, performing investigations, inspections, and audits, enforcing agricultural marketing orders, and the administrative enforcement and adjudication thereof.
- A charge imposed for entrance to or use of local government property, or the purchase, rental, or lease of local government property.
- A fine, penalty, or other monetary charge imposed by the judicial branch of government or a local government, as a result of a violation of law.
- A charge imposed as a condition of property development.

PROJECT ORIENTATION

- Assessments and property-related fees imposed in accordance with the provisions of Article XIII D.

Section 66014(a) of the California Government Code includes the following, “Notwithstanding any other provision of law, when a local agency charges fees for zoning variances; zoning changes; use permits; building inspections; building permits; ...the processing of maps under the provisions of the Subdivision Map Act...; or planning services...; those fees may not exceed the estimated reasonable cost of providing the service for which the fee is charged, unless a question regarding the amount of the fee charged in excess of the estimated reasonable cost of providing the services or materials is submitted to, and approved by, a popular vote of two-thirds of those electors voting on the issue.

The outcomes and recommendations of the study are intended to comply with applicable federal, state, and local laws including providing confirmation that the proposed fees (“charges”) recommended as a result of this study are not taxes as defined in Article 13C of the California Constitution and that the proposed fees are no more than necessary to cover the reasonable costs of the City’s activities and services addressed in the fees. Additionally, this report is intended to show that the manner in which the costs are allocated to a payer bear a fair and reasonable relationship to the payer’s burdens on, or benefits received from the activities and services provided by the City.

METHODOLOGY AND DATA SOURCES

This study calculated the estimated reasonable cost of providing various fee-related services across the City organization. Generally, the estimated reasonable cost of providing the fee-related services and activities examined in this study can be calculated as the product of the composite fully-burdened hourly labor rate of the division responsible for providing services and the estimated labor time required to process a typical request for service.

The composite fully-burdened hourly rates calculated in this study are based on the estimated annual hours spent providing fee related services, and estimated labor, services and supplies, and citywide overhead expenditures, sourced as follows:

- Labor expenditures for in-house personnel were based on budgeted salary and benefits expenditures.
- Contract service personnel and other services and supplies related costs were based on Fiscal Year 2023/24 adopted budgets and anticipated costs.
- Citywide overhead cost allocations were based on the City’s current overhead cost allocation plan.
- Estimated labor time spent providing fee related services were developed based on interviews with City staff and are in-line with typical direct service ratios experienced by the consultant via studies of similar municipalities throughout California. Commonly used industry data also aided in the development of time estimates and proposed fee structures.

Once cost of service levels are identified, the City may use this information to inform targeted cost recovery from fees. Fees set at the cost-of-service target full cost recovery. Fees set at any amount less than the cost-of-service target less than full cost recovery.

PROJECT ORIENTATION

An illustration of the methods used in this analysis is shown in **Exhibit 2**.

EXHIBIT 2 | STEPS IN ANALYZING COSTS OF SERVICE AND USER FEES

COST OF SERVICE ANALYSIS – PROCESS AND METHODS		
1	ANNUAL LABOR TIME	<ul style="list-style-type: none"> ➤ IDENTIFY ANNUAL HOURS SPENT PROVIDING FEE SERVICES FOR EACH PARTICIPATING DIVISION ➤ INFORMATION IS DEVELOPED AND TESTED USING A COMBINATION OF INTERVIEWS, QUESTIONNAIRES, HISTORICAL PROJECT INFORMATION, AND HISTORICAL REVENUE INFORMATION
2	ANNUAL EXPENDITURES	<ul style="list-style-type: none"> ➤ IDENTIFY ANNUAL COST OF PROVIDING FEE SERVICES FOR EACH PARTICIPATING DIVISION ➤ INFORMATION IS DEVELOPED AND TESTED USING A COMBINATION OF INFORMATION FOUND IN THE CITY'S ADOPTED BUDGET, EXPENDITURE HISTORY, AND THE OVERHEAD COST PLAN.
3	FULLY BURDENED HOURLY RATES	<ul style="list-style-type: none"> ➤ CALCULATE THE ESTIMATED FULLY BURDENED HOURLY RATE USING INFORMATION FROM STEPS 1 AND 2
4	SERVICE/ACTIVITY LABOR TIME	<ul style="list-style-type: none"> ➤ ESTIMATE LABOR TIME REQUIRED TO PROCESS INDIVIDUAL REQUEST FOR SERVICE ➤ INFORMATION IS DEVELOPED AND TESTED USING A COMBINATION OF INTERVIEWS, QUESTIONNAIRES, COMMONLY USED MEASURES, AND INFORMATION DEVELOPED IN STEP 1
5	UNIT COST OF SERVICE	<ul style="list-style-type: none"> ➤ CALCULATE THE ESTIMATED COST OF SERVICE USING INFORMATION FROM STEPS 3 AND 4
6	CURRENT COST RECOVERY	<ul style="list-style-type: none"> ➤ CALCULATE CURRENT COST RECOVERY LEVEL FOR A SPECIFIC SERVICE
7	TARGETED COST RECOVERY	<ul style="list-style-type: none"> ➤ USE LAWS, INDUSTRY STANDARDS, GOALS AND POLICIES, AND HISTORICAL TRENDS TO DETERMINE TARGETED COST RECOVERY
8	TEST FOR REASONABLENESS	<ul style="list-style-type: none"> ➤ TEST TO CONFIRM FORECAST REVENUE FROM FEES WILL NOT EXCEED PROGRAM COSTS ➤ USE HISTORICAL PERMIT VOLUME AND PROPOSED FEES TO FORECAST ANTICIPATED REVENUE FROM FEES ➤ FORECASTED REVENUES SHOULD NOT EXCEED PROGRAM COSTS

IMPLEMENTATION

CONSIDERATIONS FOR IMPLEMENTATION

If the City decides to adopt or otherwise utilize outcomes generated through this study, it should:

- **Update Systems for Fee Outcomes** – Ensure that City staff begin using updated fees and associated outcomes once the updated schedule of fees becomes effective. Values should be included in all official fee schedules used throughout the City (e.g., departmental pamphlets, counter schedules, and online information). Additionally, ensure collections processes are updated, which may include coding in billing systems and training for personnel who handle fees directly with the public.
- **Actively Monitor the Use of Fees** – In order to recover accurate and eligible amounts expected, the City should be diligent about tracking time to projects for time and materials billings and ensuring fees are applied in the correct amount and using the correct and intended basis for fixed fee billings.
- **Monitor Feedback and Permit Statistics** – Monitor permit and application volume and applicant feedback to determine if fee modifications are resulting in any unanticipated changes in project frequency and to increase the level of detail available for revenue forecasting.
- **Annually Review and Adjust Fee Values** – In order to generally maintain pace with regional cost inflation and/or the City's salary cost inflation, the City should adjust its fees on an annual basis. A commonly used, reasonable inflation index is the annual change in the all-urban Consumer Price Index (CPI) representative of the region.
- **Periodically Perform Comprehensive Analysis** – A comprehensive fee study should be conducted periodically (e.g., every three to five years) to ensure fee levels remain at or below legal limits and are consistent with evolving service practices and local conditions.

APPENDIX A

REGIONAL FEE COMPARISON

In order to provide the City Council with additional information as it considers potential adjustments to fees, current and proposed fees were compared to amounts collected by other agencies within the region. City policymakers often consider fees established by other regional agencies for similar services when evaluating proposed fees.

The City of Folsom, consistent with other cities throughout the State, has an existing fee schedule that contemplates hundreds of potential unique requests for service. This can result in thousands of fee scenarios when comparing among multiple agencies. Consequently, an exhaustive comparison of the hundreds, and potentially thousands of scenarios is unrealistic. Instead, comparison information for several fee categories commonly seen from agency to agency are provided in order to provide City Council with a reasonable sense of changes expected. For Folsom, outcomes will show that new fees may range from low, mid, to upper end of regional fee spectrum depending on the service provided. This is common among municipalities due to differing levels of service and review included among various fee categories.

Engineering Fee Comparison

Fee Description	Folsom - Current	Folsom - Proposed	Folsom - Current Fee	Folsom - Proposed Fee	Elk Grove	Rancho Cordova	Rocklin	Roseville
Engineering Plan Check and Inspection Improvement Value Up to \$100K	Mid-Range	Mid-Range	6% - 7%	8%	10.5% - 18%	7%	21%	5%
Engineering Plan Check and Inspection Improvement Value \$100K - \$200K	Mid-Range	Mid-Range	5%	6.40%	8.5% - 10%	5%	11%	5%
Engineering Plan Check and Inspection Improvement Value \$200K - \$1M	Mid-Range	Mid-Range	2% - 4%	3.6% - 4.8%	6% - 8.5%	2% - 4%	6% - 8%	5%

Building Fee Comparison

Fee Description	Folsom - Current	Folsom - Proposed	Folsom - Current Fee	Folsom - Proposed Fee	Rancho Cordova	Rocklin	Roseville
\$25,000	Mid-Range	Mid-Range	\$330	\$368	\$375	\$456	\$158
\$50,000	Mid-Range	Mid-Range	\$530	\$644	\$600	\$751	\$757
\$100,000	Mid-Range	Mid-Range	\$880	\$1,104	\$1,050	\$1,158	\$1,162
\$500,000	Mid-Range	Mid-Range	\$3,280	\$4,048	varies (res v. non-res)	\$3,697	varies (res v. non-res)
\$1,000,000	Mid-Range	Mid-Range	\$6,030	\$7,360	\$7,511	\$6,417	\$6,180

* Fee amounts shown are for illustrative purposes. Actual fees collected will vary depending on services reviewed (e.g., new construction, plumbing, mechanical, electrical, structural, general plan update, technology fees, etc.). Amounts are intended to illustrate patterns and order of magnitude.

APPENDIX B

COST OF SERVICE ANALYSIS



User and Regulatory Fees
Fee-Related Cost of Service Analysis

City of Folsom

Cost of Service Analysis

Description	Page
Cost of Service Allocation - Community Development Administration	3
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Cost of Service Calculations	
Engineering and Encroachment Permits	5
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General Plan / Zoning Code Update	24
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Cost Allocation - Citywide Overhead	26
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User and Regulatory Fees
Cost of Service Calculations
Community Development - Administration

City of Folsom
 User and Regulatory Fee Study
 Allocation of Divisional Expenses - Community Development - Administration

Allocation of In-House Labor

Description	Building	Code Enforcement	Engineering	Planning	Total	Notes
Allocation of In-House Labor	46%	8%	25%	21%	100%	[a]
FTE	11	2	6	5	24	[a]

Recurring Expenditures

Description	Total	Adjustments	Total
Salaries - Permanent	\$ 360,290	\$ -	\$ 360,290
Annual Leave Account	\$ 5,197	\$ -	\$ 5,197
FICA	\$ 29,650	\$ -	\$ 29,650
PERS	\$ 139,520	\$ -	\$ 139,520
Deferred Comp - City Paid	\$ 16,095	\$ -	\$ 16,095
Automobile Allowance	\$ 6,000	\$ -	\$ 6,000
Combined Benefits	\$ 55,022	\$ -	\$ 55,022
Printing	\$ 4,000	\$ -	\$ 4,000
Dues & Publications	\$ 5,500	\$ -	\$ 5,500
Advertising	\$ 7,500	\$ -	\$ 7,500
Rents	\$ 55,500	\$ -	\$ 55,500
Training & Education	\$ 17,500	\$ -	\$ 17,500
Postage	\$ 358	\$ -	\$ 358
Telephone	\$ 2,500	\$ -	\$ 2,500
Cellular	\$ 10,000	\$ -	\$ 10,000
Internet	\$ 5,500	\$ -	\$ 5,500
Travel and Meetings	\$ 2,000	\$ -	\$ 2,000
Contracts	\$ 5,000	\$ (5,000)	\$ -
Contracts - Pre Employment	\$ 500	\$ -	\$ 500
Vehicle Maintenance	\$ 4,000	\$ -	\$ 4,000
Equipment Maintenance	\$ 200	\$ -	\$ 200
Advisory	\$ 10,000	\$ (10,000)	\$ -
Computer - Hardware	\$ 17,000	\$ -	\$ 17,000
Computer - Software	\$ 5,000	\$ -	\$ 5,000
Computer - License & Mtnc	\$ 22,614	\$ -	\$ 22,614
Office Supplies	\$ 5,000	\$ -	\$ 5,000
Departmental Supplies	\$ 11,000	\$ -	\$ 11,000
Petroleum Supplies	\$ 7,533	\$ -	\$ 7,533
Insurance / Liability	\$ 18,824	\$ -	\$ 18,824
Subtotal	\$ 828,803	\$ (15,000)	\$ 813,803

Description	Building	Code Enforcement	Engineering	Planning	Total	Notes
Salaries - Permanent	\$ 165,133	\$ 30,024	\$ 90,073	\$ 75,060	\$ 360,290	[b]
Annual Leave Account	\$ 2,382	\$ 433	\$ 1,299	\$ 1,083	\$ 5,197	[b]
FICA	\$ 13,590	\$ 2,471	\$ 7,413	\$ 6,177	\$ 29,650	[b]
PERS	\$ 63,947	\$ 11,627	\$ 34,880	\$ 29,067	\$ 139,520	[b]
Deferred Comp - City Paid	\$ 7,377	\$ 1,341	\$ 4,024	\$ 3,353	\$ 16,095	[b]
Automobile Allowance	\$ 2,750	\$ 500	\$ 1,500	\$ 1,250	\$ 6,000	[b]
Combined Benefits	\$ 25,218	\$ 4,585	\$ 13,756	\$ 11,463	\$ 55,022	[b]
Printing	\$ 1,833	\$ 333	\$ 1,000	\$ 833	\$ 4,000	[b]
Dues & Publications	\$ 2,521	\$ 458	\$ 1,375	\$ 1,146	\$ 5,500	[b]
Advertising	\$ 3,438	\$ 625	\$ 1,875	\$ 1,563	\$ 7,500	[b]
Rents	\$ 25,438	\$ 4,625	\$ 13,875	\$ 11,563	\$ 55,500	[b]
Training & Education	\$ 8,021	\$ 1,458	\$ 4,375	\$ 3,646	\$ 17,500	[b]
Postage	\$ 164	\$ 30	\$ 90	\$ 75	\$ 358	[b]
Telephone	\$ 1,146	\$ 208	\$ 625	\$ 521	\$ 2,500	[b]
Cellular	\$ 4,583	\$ 833	\$ 2,500	\$ 2,083	\$ 10,000	[b]
Internet	\$ 2,521	\$ 458	\$ 1,375	\$ 1,146	\$ 5,500	[b]
Travel and Meetings	\$ 917	\$ 167	\$ 500	\$ 417	\$ 2,000	[b]
Contracts	\$ -	\$ -	\$ -	\$ -	\$ -	[b];[c]
Contracts - Pre Employment	\$ 229	\$ 42	\$ 125	\$ 104	\$ 500	[b]
Vehicle Maintenance	\$ 1,833	\$ 333	\$ 1,000	\$ 833	\$ 4,000	[b]
Equipment Maintenance	\$ 92	\$ 17	\$ 50	\$ 42	\$ 200	[b]
Advisory	\$ -	\$ -	\$ -	\$ -	\$ -	[b];[c]
Computer - Hardware	\$ 7,792	\$ 1,417	\$ 4,250	\$ 3,542	\$ 17,000	[b]
Computer - Software	\$ 2,292	\$ 417	\$ 1,250	\$ 1,042	\$ 5,000	[b]
Computer - License & Mtnc	\$ 10,365	\$ 1,885	\$ 5,654	\$ 4,711	\$ 22,614	[b]
Office Supplies	\$ 2,292	\$ 417	\$ 1,250	\$ 1,042	\$ 5,000	[b]
Departmental Supplies	\$ 5,042	\$ 917	\$ 2,750	\$ 2,292	\$ 11,000	[b]
Petroleum Supplies	\$ 3,453	\$ 628	\$ 1,883	\$ 1,569	\$ 7,533	[b]
Insurance / Liability	\$ 8,628	\$ 1,569	\$ 4,706	\$ 3,922	\$ 18,824	[b]
Subtotal	\$ 372,993	\$ 67,817	\$ 203,451	\$ 169,542	\$ 813,803	
	46%	8%	25%	21%	100%	

[a] Based on feedback received from Community Development Department. Amounts intended to serve as reasonable estimates. Allocated based on divisional FTE.

[b] Source: FY 23/24 adopted budget.

[c] Adjustment to exclude non-fee related expenses.

User and Regulatory Fees
Cost of Service Calculations
Engineering and Encroachment Permits

City of Folsom
 User and Regulatory Fee Study
 Allocation of Annual Labor Effort - Engineering

Authorized Staffing

Position	FTE	Total Hours Per FTE	Less: Holiday & Leave	Hours Per FTE	Productive Hours	Indirect	Direct	Total	Indirect Hours	Total Direct Hours	Total Hours	Notes
Urban Forester	1.00	2,080	216	1,864	1,864	20%	80%	100%	373	1,491	1,864	[a];[b]
City Engineer	1.00	2,080	216	1,864	1,864	65%	35%	100%	1,212	652	1,864	[a];[b]
Senior Construction Inspector	1.00	2,080	216	1,864	1,864	20%	80%	100%	373	1,491	1,864	[a];[b]
Engineering Tech I/II	1.00	2,080	216	1,864	1,864	30%	70%	100%	559	1,305	1,864	[a];[b]
Senior Civil Engineer	2.00	2,080	216	1,864	3,728	25%	75%	100%	932	2,796	3,728	[a];[b]
Total	6.00				11,184				3,448	7,736	11,184	
Total									31%	69%	100%	

Contract Services

Description	Total	Notes
Annual Contract Services	\$ 1,751,255	[c]

Contract Services	Share	Est. Hrly Cost	Notes
Inspection	50%	\$ 125	[d]
Plan Review	50%	\$ 205	[d]
Total	100%	165	[e]

Description	Total	Indirect	Direct	Indirect	Direct	Total	Notes
Contract Service Hours	10,614	10%	90%	1,061	9,552	10,614	[c]

Divisional Total

Position	Indirect	Direct	Total	Notes
Authorized Staffing	3,448	7,736	11,184	
Contract Services	1,061	9,552	10,614	
Total	4,510	17,288	21,798	
Total	21%	79%	100%	

- [a] Staffing based on FY 23/24 adopted budget
- [b] Allocation of hours intended to serve as reasonable estimate. Amount may vary from year-to-year and position to position.
- [c] Source: Annual average FY 18/19 through FY 21/22.
- [d] Amounts intended to serve as reasonable estimates of market rates for contract service providers.
- [e] Average hourly rate for contract services received.

City of Folsom
 User and Regulatory Fee Study
 Allocation of Divisional Expenses - Engineering

Recurring Divisional Expenditures [a]

Description	Total	Adjustments	Total	Notes
Salaries - Permanent	\$ 740,794	\$ -	\$ 740,794	
Annual Leave Account	\$ 10,730	\$ -	\$ 10,730	
Uniform Allowance	\$ 675	\$ -	\$ 675	
FICA	\$ 58,782	\$ -	\$ 58,782	
PERS	\$ 295,014	\$ -	\$ 295,014	
Deferred Comp - City Paid	\$ 16,200	\$ -	\$ 16,200	
Combined Benefits	\$ 118,434	\$ -	\$ 118,434	
Contracts	\$ 690,000	\$ 1,061,255	\$ 1,751,255	[b]
Insurance / Liability	\$ 37,648	\$ -	\$ 37,648	
Subtotal	\$ 1,968,277	\$ 1,061,255	\$ 3,029,532	

Allocation of Department and Citywide Overhead

Description	Total	Adjustments	Total	Notes
Department Overhead	\$ 203,451	\$ -	\$ 203,451	[c]
Citywide Overhead	\$ 220,949	\$ -	\$ 220,949	[c]
Subtotal	\$ 424,400	\$ -	\$ 424,400	

Total

Description	Total	Notes
Recurring Divisional Expenditures	\$ 3,029,532	
Department Overhead	\$ 203,451	
Citywide Overhead	\$ 220,949	
Subtotal	\$ 3,453,932	

Fully-Burdened Hourly Rate

Description	Total	Note
Costs	\$ 3,453,932	
Direct Hours	17,288	[c]
Fully-Burdened Hourly Rate	\$ 200	

[a] Source: FY 23/24 adopted budget.

[b] Adjustment to align to FY 22/23 actual contract service expenditures.

[c] See separate worksheets in this model. Amounts intended to serve as reasonable estimates.

City of Folsom
 User and Regulatory Fee Study
 Engineering and Encroachment Permit Fees
 Cost of Service Calculation

Fee Description		Est. Labor Hours	Hourly Rate	Est. Cost of Svc	Current Fee	Current Cost Recovery	Proposed Fee	Proposed Cost Recovery	Fee Structure	Fee Change	Note
1	Assessment District/CFD Payment Processing	24.00	x \$200	= \$4,800	\$2,578	54%	\$4,800	100%	Fixed Fee	\$2,222	
2	Encroachment Permit										
	a) Encroachment Contract for Parking/Staging										
	i. 0-6 calendar days	0.25	x \$200	= \$50	\$135	270%	\$50	100%	Fixed Fee	(\$85)	
	ii. 7-14 calendar days	0.50	x \$200	= \$100	\$135	135%	\$100	100%	Fixed Fee	(\$35)	
	iii. 14+days	1.00	x \$200	= \$200	\$135	68%	\$200	100%	Fixed Fee	\$65	
	b) Utility Work/Connections (Individual Permits)										
	i. Wet Utilities/Service Connections	3.00	x \$200	= \$600	\$135	23%	\$600	100%	Fixed Fee	\$465	
	ii. Dry Utilities (per site/location)	1.00	x \$200	= \$200	\$135	68%	\$200	100%	Fixed Fee	\$65	
	iii. Misc. per LF of Trench in ROW/City Easement	0.03	x \$200	= \$5.00	\$1.96	39%	\$5.00	100%	Fixed Fee	\$3.04	
	iv. Inspections and Testing	2.00	x \$200	= \$400			\$400	100%	Fixed Fee		
	c) Driveways/Minor Frontage Improvements										
	i. Residential (per driveway)	2.00	x \$200	= \$400	\$135	34%	\$400	100%	Fixed Fee	\$265	
	ii. Commercial (per driveway)	2.00	x \$200	= \$400	\$135	34%	\$400	100%	Fixed Fee	\$265	
	d) Pools and Spas (in ground)	2.00	x \$200	= \$400	\$135	34%	\$400	100%	Fixed Fee	\$265	
	e) Traffic Control/Equipment Staging										
	i. Isolated Site	1.00	x \$200	= \$200	\$135	68%	\$200	100%	Fixed Fee	\$65	
	ii. Multiple Closures/Staging	5.00	x \$200	= \$1,000	\$135	14%	\$1,000	100%	Fixed Fee	\$865	
	f) Permit Extensions										
	i. Active Work Zone	0.25	x \$200	= \$50	\$135	270%	\$50	100%	Fixed Fee	(\$85)	
	ii. Inactive Work Zone (4+ months inactivity)	1.00	x \$200	= \$200	\$135	68%	\$200	100%	Fixed Fee	\$65	
	g) Annual Permits										
	i. Wet Utilities	30.00	x \$200	= \$6,000	\$2,651	44%	\$6,000	100%	Fixed Fee	\$3,349	
	ii. Dry Utilities	104.00	x \$200	= \$20,800	\$2,651	13%	\$20,800	100%	Fixed Fee	\$18,149	
	iii. General Maintenance/Misc. (Not Wet or Dry Utilities)	30.00	x \$200	= \$6,000	\$2,651	44%	T&M		Fixed Fee		[a]
	iv. Vegetation Management (Utilities)	104.00	x \$200	= \$20,800	\$2,651	13%	\$20,800	100%	Fixed Fee	\$18,149	
	v. Long Term/Revocable Encroachments (paid annually)	1.00	x \$200	= \$200	\$135	68%	\$200	100%	Fixed Fee	\$65	
	h) Long Term/Revocable Encroachments (new permits only)	12.00	x \$200	= \$2,400	\$135	6%	\$2,400	100%	Fixed Fee	\$2,265	[b]

City of Folsom
 User and Regulatory Fee Study
 Engineering and Encroachment Permit Fees
 Cost of Service Calculation

Fee Description	Est. Labor Hours	Hourly Rate	Est. Cost of Svc	Current Fee	Current Cost Recovery	Proposed Fee	Proposed Cost Recovery	Fee Structure	Fee Change	Note
3 Engineering and Landscape Plan Check and Inspection (Fee Includes Up to 3 Cycle Reviews - Hourly Billing Applies for Reviews Required Beyond 3rd Cycle)										
a) Project Value Up to \$10,000	4.00	x \$200	= \$800	6.00%	varies	8.00%	varies	Fixed Fee		
b) Project Value \$10,001 - \$100,000										
i. Base Fee for First \$10,000	4.00	x \$200	= \$800	\$600	75%	\$800	100%	Fixed Fee	\$200	
ii. Fee for Each Add'l \$1 Up to \$100,000			8.00%	7.00%	88%	8.00%	100%	Fixed Fee		
c) \$100,001 - \$199,999										
i. Base Fee for First \$100,000	40.00	x \$200	= \$8,000	\$6,900	86%	\$8,000	100%	Fixed Fee	\$1,100	
ii. Fee for Each Add'l \$1 Up to \$200,000			6.40%	5.00%	78%	6.40%	100%	Fixed Fee		
d) \$200,001 - \$299,999										
i. Base Fee for First \$200,000	72.00	x \$200	= \$14,400	\$11,900	83%	\$14,400	100%	Fixed Fee	\$2,500	
ii. Fee for Each Add'l \$1 Up to \$300,000			4.80%	4.00%	83%	4.80%	100%	Fixed Fee		
e) \$300,000 or more										
i. Base Fee for First \$300,000	96.00	x \$200	= \$19,200	\$15,900	83%	\$19,200	100%	Fixed Fee	\$3,300	
ii. Fee for Each Add'l \$1			3.60%	2.00%	56%	3.60%	100%	Fixed Fee		
f) Landscape Plan Review										
i. Non-Development	1.00	x \$200	= \$200	\$38	19%	\$200	100%	Fixed Fee	\$162	
ii. Custom Home	5.50	x \$200	= \$1,100	\$414	38%	\$1,100	100%	Fixed Fee	\$686	
iii. Production Home/Subdivision	11.50	x \$200	= \$2,300	Valuation	varies	\$2,300	100%	Fixed Fee	Varies	
iv. Model Home Complex	7.00	x \$200	= \$1,400	Valuation	varies	\$1,400	100%	Fixed Fee	Varies	
v. Commercial, Streetscape, Other Development Projects	8.00	x \$200	= \$1,600	\$38	2%	\$1,600	100%	Fixed Fee	\$1,562	
vi. Development and Civil Improvements - Landscaping Review	10.50	x \$200	= \$2,100	\$38	2%	\$2,100	100%	Fixed Fee	\$2,062	
4 Final Map and Parcel Map										
a) Parcel Map Check	28.00	x \$288	= \$8,050	\$5,742	71%	\$8,050	100%	Fixed Fee	\$2,308	
b) Final Map Check										
i. Base Fee/Final Map Amendment	40.00	x \$288	= \$11,500	\$10,719	93%	\$11,500	100%	Fixed Fee	\$781	
ii. Plus, Per Lot Fee	0.50	x \$288	= \$144	\$0	0%	\$144	100%	Fixed Fee	\$144	
c) Certificate of Correction/Certificate of Compliance	8.50	x \$288	= \$2,444	\$2,899	varies	\$2,000	100%	T & M with Initial Deposit	(\$899)	
5 Right of Ways (ROW) and Easements										
a) Review of ROW/Easement Documents	12.00	x \$288	= \$3,450	\$1,334	39%	\$3,450	100%	Fixed Fee	\$2,116	
b) ROW/Easement Abandonment	20.00	x \$288	= \$5,750	\$2,451	43%	\$5,750	100%	Fixed Fee	\$3,299	
6 Subdivision Agreement Processing	20.00	x \$288	= \$5,750	\$1,083	19%	\$5,750	100%	Fixed Fee	\$4,667	

City of Folsom
 User and Regulatory Fee Study
 Engineering and Encroachment Permit Fees
 Cost of Service Calculation

Fee Description	Est. Labor Hours	Hourly Rate	Est. Cost of Svc	Current Fee	Current Cost Recovery	Proposed Fee	Proposed Cost Recovery	Fee Structure	Fee Change	Note
7 Transportation Permit										
a) Permit	n/a			\$19		\$16		Fixed Fee	(\$3)	
b) Annual Permit	n/a			\$86		\$90		Fixed Fee	\$4	
8 Tree Removal/Work Permit										
a) Permitted Removal/Work										
i. Existing Occupied Structure										
a. 0-2 Trees	0.50	x \$200	= \$100	\$38	38%	\$100	100%	Fixed Fee	\$62	
b. 3+ Trees: See New Construction Rate Below	6.00	x \$200	= \$1,200	\$38	3%	\$1,200	100%	Fixed Fee	\$1,162	
c. "In Decline" Tree	0.50	x \$200	= \$100	\$38	38%	\$100	100%	Fixed Fee	\$62	
ii. New Construction (e.g. Custom Home, Subdivision, Parcel Map, Multi-family, Commercial, etc.):										
a. 0-4 Trees	6.00	x \$200	= \$1,200	\$38	3%	\$1,200	100%	Fixed Fee	\$1,162	
b. 5+ Trees	7.00	x \$200	= \$1,400	\$38	3%	\$1,400 + 10% per tree above 5 trees.		Fixed Fee	varies	
iii. Misc.	1.00	x \$200	= \$200	\$38	19%	\$200	100%	Per Hour	\$162	
b) w/o Permit (Does not include mitigation) Double the Permit Rate	12.00	x \$200	= \$2,400	\$438	18%	2x permit amount	varies	Fixed Fee		
Other Fees for Service										
9 Research of Engineering Records	1.00	x \$200	= \$200	\$103	52%	\$200	100%	Per Hour	\$97	
10 Miscellaneous Engineering Services	1.00	x \$200	= \$200	\$103	52%	\$200	100%	Per Hour	\$97	
11 Excess Plan Review Fee (4th and subsequent)	1.00	x \$200	= \$200	n/a		\$200	100%	Per Hour		
12 Revisions	1.00	x \$200	= \$200	n/a		\$200	100%	Per Hour		
13 After Hours Inspection (per hour) (2-hour minimum)	1.20	x \$200	= \$240	\$103	43%	\$240	100%	Per Hour	\$137	
14 Re-inspection Fee (2nd Time or More) (each)	0.50	x \$200	= \$100	n/a		\$100	100%	Each		
15 Missed Inspection Fee	0.50	x \$200	= \$100	n/a		\$100	100%	Each		
16 Expedited Services Fee				1.5x Regular Fee		1.5x Regular Fee		Fixed Fee		
17 Residential Landscape Review	1.00	x \$200	= \$200	Hourly Rate of Arborist		Hourly Rate of Arborist		Per Hour		
18 Technical Assistance/Third Party Review or Inspection				Actual Cost		Actual Cost		T & M		

[a] Use time and materials with initial deposit to be determined by City Engineer, based on anticipated scope of work.

[b] Encroachment agreement required in addition to insurance (e.g., parklets).

**City of Folsom
Engineering and Encroachment Permit Fees
Illustration of Current Fees, Maximum Fees, and Proposed Fees**

#	Description	Proposed Fee Structure	Current Fee	Cost of Service (Max. Fee)	Proposed Fee	Current Cost Recovery	Proposed Cost Recovery	Note
1	Assessment District/CFD Payment Processing	Fixed Fee	\$2,578	\$4,800	\$4,800	54%	100%	
2	Encroachment Permit							
	a) Encroachment Contract for Parking/Staging							
	i. 0-6 calendar days	Fixed Fee	\$135	\$50	\$50	270%	100%	
	ii. 7-14 calendar days	Fixed Fee	\$135	\$100	\$100	135%	100%	
	iii. 14+days	Fixed Fee	\$135	\$200	\$200	68%	100%	
	b) Utility Work/Connections (Individual Permits)							
	i. Wet Utilities/Service Connections	Fixed Fee	\$135	\$600	\$600	23%	100%	
	ii. Dry Utilities (per site/location)	Fixed Fee	\$135	\$200	\$200	68%	100%	
	iii. Misc. per LF of Trench in ROW/City Easement	Fixed Fee	\$1.96	\$5.00	\$5.00	39%	100%	
	iv. Inspections and Testing	Fixed Fee		\$400	\$400		100%	
	c) Driveways/Minor Frontage Improvements							
	i. Residential (per driveway)	Fixed Fee	\$135	\$400	\$400	34%	100%	
	ii. Commercial (per driveway)	Fixed Fee	\$135	\$400	\$400	34%	100%	
	d) Pools and Spas (in ground)	Fixed Fee	\$135	\$400	\$400	34%	100%	
	e) Traffic Control/Equipment Staging							
	i. Isolated Site	Fixed Fee	\$135	\$200	\$200	68%	100%	
	ii. Multiple Closures/Staging	Fixed Fee	\$135	\$1,000	\$1,000	14%	100%	
	f) Permit Extensions							
	i. Active Work Zone	Fixed Fee	\$135	\$50	\$50	270%	100%	
	ii. Inactive Work Zone (4+ months inactivity)	Fixed Fee	\$135	\$200	\$200	68%	100%	
	g) Annual Permits							
	i. Wet Utilities	Fixed Fee	\$2,651	\$6,000	\$6,000	44%	100%	
	ii. Dry Utilities	Fixed Fee	\$2,651	\$20,800	\$20,800	13%	100%	
	iii. General Maintenance/Misc. (Not Wet or Dry Utilities)	Fixed Fee	\$2,651	\$6,000	T&M	44%		[a]
	iv. Vegetation Management (Utilities)	Fixed Fee	\$2,651	\$20,800	\$20,800	13%	100%	
	v. Long Term/Revocable Encroachments (paid annually)	Fixed Fee	\$135	\$200	\$200	68%	100%	
	h) Long Term/Revocable Encroachments (new permits only)	Fixed Fee	\$135	\$2,400	\$2,400	6%	100%	[b]

**City of Folsom
Engineering and Encroachment Permit Fees
Illustration of Current Fees, Maximum Fees, and Proposed Fees**

#	Description	Proposed Fee Structure	Current Fee	Cost of Service (Max. Fee)	Proposed Fee	Current Cost Recovery	Proposed Cost Recovery	Note
3	Engineering and Landscape Plan Check and Inspection							
	a) Project Value Up to \$10,000	Fixed Fee	6.00%	\$800	8.00%	varies	varies	
	b) Project Value \$10,001 - \$100,000							
	i. Base Fee for First \$10,000	Fixed Fee	\$600	\$800	\$800	75%	100%	
	ii. Fee for Each Add'l \$1 Up to \$100,000	Fixed Fee	7.00%	8.00%	8.00%	88%	100%	
	c) \$100,001 - \$199,999							
	i. Base Fee for First \$100,000	Fixed Fee	\$6,900	\$8,000	\$8,000	86%	100%	
	ii. Fee for Each Add'l \$1 Up to \$200,000	Fixed Fee	5.00%	6.40%	6.40%	78%	100%	
	d) \$200,001 - \$299,999							
	i. Base Fee for First \$200,000	Fixed Fee	\$11,900	\$14,400	\$14,400	83%	100%	
	ii. Fee for Each Add'l \$1 Up to \$300,000	Fixed Fee	4.00%	4.80%	4.80%	83%	100%	
	e) \$300,000 or more							
	i. Base Fee for First \$300,000	Fixed Fee	\$15,900	\$19,200	\$19,200	83%	100%	
	ii. Fee for Each Add'l \$1	Fixed Fee	2.00%	3.60%	3.60%	56%	100%	
	f) Landscape Plan Review							
	i. Non-Development	Fixed Fee	\$38	\$200	\$200	19%	100%	
	ii. Custom Home	Fixed Fee	\$414	\$1,100	\$1,100	38%	100%	
	iii. Production Home/Subdivision	Fixed Fee	Valuation	\$2,300	\$2,300	varies	100%	
	iv. Model Home Complex	Fixed Fee	Valuation	\$1,400	\$1,400	varies	100%	
	v. Commercial, Streetscape, Other Development Projects	Fixed Fee	\$38	\$1,600	\$1,600	2%	100%	
	vi. Development and Civil Improvements - Landscaping Review	Fixed Fee	\$38	\$2,100	\$2,100	2%	100%	
4	Final Map and Parcel Map							
	a) Parcel Map Check	Fixed Fee	\$5,742	\$8,050	\$8,050	71%	100%	
	b) Final Map Check							
	i. Base Fee/Final Map Amendment	Fixed Fee	\$10,719	\$11,500	\$11,500	93%	100%	
	ii. Plus, Per Lot Fee	Fixed Fee	\$0	\$144	\$144	0%	100%	
	c) Certificate of Correction/Certificate of Compliance	T & M with Initial Deposit	\$2,899	\$2,444	\$2,000	varies	100%	
5	Right of Ways (ROW) and Easements							
	a) Review of ROW/Easement Documents	Fixed Fee	\$1,334	\$3,450	\$3,450	39%	100%	
	b) ROW/Easement Abandonment	Fixed Fee	\$2,451	\$5,750	\$5,750	43%	100%	
6	Subdivision Agreement Processing	Fixed Fee	\$1,083	\$5,750	\$5,750	19%	100%	

City of Folsom
Engineering and Encroachment Permit Fees
Illustration of Current Fees, Maximum Fees, and Proposed Fees

#	Description	Proposed Fee Structure	Current Fee	Cost of Service (Max. Fee)	Proposed Fee	Current Cost Recovery	Proposed Cost Recovery	Note
7	Transportation Permit							
	a) Permit	Fixed Fee	\$19		\$16			
	b) Annual Permit	Fixed Fee	\$86		\$90			
8	Tree Removal/Work Permit							
	a) Permitted Removal/Work							
	i. Existing Occupied Structure							
	a. 0-2 Trees	Fixed Fee	\$38	\$100	\$100	38%	100%	
	b. 3+ Trees: See New Construction Rate Below	Fixed Fee	\$38	\$1,200	\$1,200	3%	100%	
	c. "In Decline" Tree	Fixed Fee	\$38	\$100	\$100	38%	100%	
	ii. New Construction (e.g. Custom Home, Subdivision, Parcel Map,							
	a. 0-4 Trees	Fixed Fee	\$38	\$1,200	\$1,200	3%	100%	
	b. 5+ Trees	Fixed Fee	\$38	\$1,400	\$1,400 + 10% per tree	3%		
	iii. Misc.	Per Hour	\$38	\$200	\$200	19%	100%	
	b) w/o Permit (Does not include mitigation) Double the Permit Rate	Fixed Fee	\$438	\$2,400	2x permit amount	18%	varies	
	Other Fees for Service							
9	Research of Engineering Records	Per Hour	\$103	\$200	\$200	52%	100%	
10	Miscellaneous Engineering Services	Per Hour	\$103	\$200	\$200	52%	100%	
11	Excess Plan Review Fee (4th and subsequent)	Per Hour	n/a	\$200	\$200		100%	
12	Revisions	Per Hour	n/a	\$200	\$200		100%	
13	After Hours Inspection (per hour) (2-hour minimum)	Per Hour	\$103	\$240	\$240	43%	100%	
14	Re-inspection Fee (2nd Time or More) (each)	Each	n/a	\$100	\$100		100%	
15	Missed Inspection Fee	Each	n/a	\$100	\$100		100%	
16	Expedited Services Fee	Fixed Fee	1.5x Regular Fee		1.5x Regular Fee			
17	Residential Landscape Review	Per Hour	Hourly Rate of Arborist	\$200	Hourly Rate of Arborist			
18	Technical Assistance/Third Party Review or Inspection	T & M	Actual Cost		Actual Cost			

[a] Use time and materials with initial deposit to be determined by City Engineer, based on anticipated scope of work.

[b] Encroachment agreement required in addition to insurance (e.g., parklets).

User and Regulatory Fees
Cost of Service Calculations
Building

City of Folsom
 User and Regulatory Fee Study
 Allocation of Annual Labor Effort - Building

Authorized Staffing

Position	FTE	Total Hours Per FTE	Less: Holiday & Leave	Hours Per FTE	Productive Hours	Indirect	Direct	Total	Indirect Hours	Total Direct Hours	Total Hours	Notes
Building Inspector I/II	3.00	2,080	216	1,864	5,592	20%	80%	100%	1,118	4,474	5,592	[a];[b]
Building Plans Coordinator	2.00	2,080	216	1,864	3,728	20%	80%	100%	746	2,982	3,728	[a];[b]
Building Technician I/II	2.00	2,080	216	1,864	3,728	50%	50%	100%	1,864	1,864	3,728	[a];[b]
Plan Check Engineer	1.00	2,080	216	1,864	1,864	20%	80%	100%	373	1,491	1,864	[a];[b]
Building Inspection Supervisor	1.00	2,080	216	1,864	1,864	40%	60%	100%	746	1,118	1,864	[a];[b]
Principal Civil Engineer	1.00	2,080	216	1,864	1,864	50%	50%	100%	932	932	1,864	[a];[b]
Senior Civil Engineer	1.00	2,080	216	1,864	1,864	20%	80%	100%	373	1,491	1,864	[a];[b]
Total	11.00				20,504				6,151	14,353	20,504	
Total									30%	70%	100%	

Position	Indirect	Direct	Total
Building Inspector I/II	1,118	4,474	5,592
Building Plans Coordinator	746	2,982	3,728
Building Technician I/II	1,864	1,864	3,728
Plan Check Engineer	373	1,491	1,864
Building Inspection Supervisor	746	1,118	1,864
Principal Civil Engineer	932	932	1,864
Senior Civil Engineer	373	1,491	1,864
Total	6,151	14,353	20,504

Contract Services

Description	Total	Notes
Annual Contract Services	\$ 650,000	[c]

Contract Services	Share	Est. Hrly Cost	Notes
Inspection	33%	\$ 110	[d]
Plan Review	67%	\$ 140	[d]
Total	100%	130	[e]

Description	Total	Indirect	Direct	Indirect	Direct	Total	Notes
Contract Service Hours	5,000	10%	90%	500	4,500	5,000	[c]

Divisional Total

Position	Indirect	Direct	Total	Notes
Authorized Staffing	6,151	14,353	20,504	
Contract Services	500	4,500	5,000	
Total	6,651	18,853	25,504	
Total	26%	74%	100%	

[a] Staffing based on FY 23/24 adopted budget
 [b] Allocation of hours intended to serve as reasonable estimate. Amount may vary from year-to-year and position to position.
 [c] Source: Annual average FY 18/19 through FY 21/22.
 [d] Amounts intended to serve as reasonable estimates of market rates for contract service providers.
 [e] Average hourly rate for contract services received.

City of Folsom
 User and Regulatory Fee Study
 Allocation of Divisional Expenses - Building

Recurring Divisional Expenditures [a]

Description	Total	Adjustments	Total	Notes
Salaries - Permanent	\$ 1,032,925	\$ -	\$ 1,032,925	
Salaries - Temporary	\$ 50,000	\$ -	\$ 50,000	
Annual Leave Account	\$ 15,125	\$ -	\$ 15,125	
Uniform Allowance	\$ 2,025	\$ -	\$ 2,025	
FICA	\$ 82,121	\$ -	\$ 82,121	
PERS	\$ 412,624	\$ -	\$ 412,624	
Deferred Comp - City Paid	\$ 23,400	\$ -	\$ 23,400	
Combined Benefits	\$ 208,931	\$ -	\$ 208,931	
Contracts	\$ 265,000	\$ 385,000	\$ 650,000	[b]
Insurance / Liability	\$ 56,472	\$ -	\$ 56,472	
Subtotal	\$ 2,148,623	\$ 385,000	\$ 2,533,623	

Allocation of Department and Citywide Overhead

Description	Total	Adjustments	Total	Notes
Department Overhead	\$ 372,993	\$ -	\$ 372,993	[c]
Citywide Overhead	\$ 147,300	\$ -	\$ 147,300	[c]
Subtotal	\$ 520,293	\$ -	\$ 520,293	

Support from Other Departments

Description	Total	Adjustments	Total	Notes
Plan Review and Permit Support from Other Depts	\$ 65,000	\$ -	\$ 65,000	[c]
Annual In-House Technology Licensing	\$ 122,500	\$ -	\$ 122,500	[c]
Annual In-House Maintenance of Zoning Code, Plans a	\$ 226,776	\$ -	\$ 226,776	[c]
Subtotal	\$ 414,276	\$ -	\$ 414,276	

Total

Description	Total	Notes
Recurring Divisional Expenditures	\$ 2,533,623	
Department Overhead	\$ 372,993	
Support from Other Departments	\$ 414,276	
Citywide Overhead	\$ 147,300	
Subtotal	\$ 3,468,191	

Fully-Burdened Hourly Rate

Description	Total	Note
Costs	\$ 3,468,191	
Direct Hours	18,853	[c]
Fully-Burdened Hourly Rate	\$ 184	

City of Folsom
 User and Regulatory Fee Study
 Allocation of Divisional Expenses - Building

Cost Recovery Overview

Description	Org Key	Object	Actual 2012/13	Actual 2013/14	Actual 2014/15	Actual 2015/16	Actual 2016/17	Actual 2017/18	Actual 2018/19	Actual 2019/20	Actual 2020/21	Actual 2021/22	10 Year Avg	Percentage	Notes
Building Permit Fees	0102320	3224000	\$1,090,143	\$1,391,334	\$1,435,293	\$1,160,275	\$1,215,167	\$1,757,983	\$2,022,669	\$2,259,054	\$3,143,495	\$3,632,168	\$1,910,758	67%	
Building Reinspection Fee	0102320	3440401	\$1,320	\$1,080	\$2,400	\$3,000	\$2,405	\$1,680	\$1,330	\$1,985	\$240	\$1,080	\$1,652	0%	
Structure Plan Check Fees	0102320	3444100	\$565,642	\$866,826	\$727,668	\$966,213	\$988,989	\$839,076	\$899,484	\$919,517	\$1,298,637	\$1,234,323	\$930,637	33%	
Seismic Training Fee	0102320	3444300	\$897	\$859	\$766	\$2,300	\$1,864	\$320	\$2,413	\$469	\$0	\$7,070	\$1,696	0%	
State Bldg Standards Fund	0102320	3444400	\$430	\$638	\$515	\$550	\$698	\$403	\$4,051	\$331	\$0	\$3,338	\$1,095	0%	
Total			\$1,658,432	\$2,260,737	\$2,166,642	\$2,132,338	\$2,209,123	\$2,599,462	\$2,929,947	\$3,181,356	\$4,442,372	\$4,877,979	\$2,845,839	100%	

Cost Recovery Analysis

Description	Total	Note
Average Revenues	\$2,845,839	
Annualized Costs	\$3,468,191	
Cost Recovery	82%	

[a] Source: FY 23/24 adopted budget.

[b] Adjustment to align to FY 22/23 actual contract service expenditures.

[c] See separate worksheets in this model. Amounts intended to serve as reasonable estimates.

City of Folsom
 User and Regulatory Fee Study
 Building Fees
 Cost of Service Calculation - At Fully-Burdened Hourly Rate

Fee Description	Total		Hourly Rate	=	Cost of Svc	Current Fee	Current Est. Cost Recovery	Proposed Cost Recovery	Proposed Fee	Note
1 HVAC Change-Out - Residential	1.25	x	\$184	=	\$230	varies	varies	100%	\$230	
2 Water Heater Change-Out - Residential	1.00	x	\$184	=	\$184	varies	varies	100%	\$184	
3 Residential Re-Roof	2.00	x	\$184	=	\$368	varies	varies	100%	\$368	
4 Siding Replacement	1.75	x	\$184	=	\$322	varies	varies	100%	\$322	
5 Service Panel Upgrade - Residential	1.50	x	\$184	=	\$276	varies	varies	100%	\$276	
6 Battery Backup Storage	2.00	x	\$184	=	\$368	varies	varies	100%	\$368	
7 Electric Vehicle Charger	2.00	x	\$184	=	\$368	varies	varies	100%	\$368	
8 Generator	2.00	x	\$184	=	\$368	varies	varies	100%	\$368	
9 Residential Solar Photovoltaic System - Solar Permit										
a) Plan Review										
i) Base Fee for 15kW or Less						varies	varies		\$200	[a],[b]
ii) Fee for Each Additional kW above 15kW						varies	varies		\$15	[a],[b]
b) Permit						varies	varies		\$250	[a],[b]
10 Commercial Solar Photovoltaic System - Solar Permit										
a) Plan Review										
i) Base Fee 50kW or Less						varies	varies		\$444	[a],[b]
ii) Fee for Each Add'l kW above 50kW up to 250kW						varies	varies		\$7	[a],[b]
ii) Fee for Each Add'l kW above 250kW						varies	varies		\$5	[a],[b]
b) Permit						varies	varies		\$556	[a],[b]
11 Pool Solar	1.00	x	\$184	=	\$184	varies	varies	100%	\$184	
12 Swimming Pool Replaster / Equipment Change-Out	2.50	x	\$184	=	\$460	varies	varies	100%	\$460	
13 Swimming Pool Remodel (e.g., Changing Pool Shape, Adding Cabo Shelf, etc.)	5.00	x	\$184	=	\$920	varies	varies	100%	\$920	
14 Retaining Wall										
a) One Type of Retaining Wall Type/Configuration	3.00	x	\$184	=	\$552	varies	varies	100%	\$552	
b) Each Additional Wall Type/Configuration	1.50	x	\$184	=	\$276	varies	varies	100%	\$276	
15 Window / Sliding Glass Door - Retrofit / Repair										
a) Up to 5	1.00	x	\$184	=	\$184	varies	varies	100%	\$184	
b) Per Window Over 5 Windows	0.20	x	\$184	=	\$37	varies	varies	100%	\$37	
16 Fences Requiring a Building Permit	2.00	x	\$184	=	\$368	varies	varies	100%	\$368	

City of Folsom
 User and Regulatory Fee Study
 Building Fees
 Cost of Service Calculation - At Fully-Burdened Hourly Rate

Fee Description	Total		Hourly Rate	=	Cost of Svc	Current Fee	Current Est. Cost Recovery	Proposed Cost Recovery	Proposed Fee	Note
17 Electrical and Irrigation Pedestals per pedestal	1.50	x	\$184	=	\$276	varies	varies	100%	\$276	
18 Detached and Attached ADUs	25.00	x	\$184	=	\$4,600	varies	varies	100%	\$4,600	
19 Junior ADUs	12.00	x	\$184	=	\$2,208	varies	varies	100%	\$2,208	

[a] Total fees shall not exceed amounts outlined in California Government Code 66015(a)(1).
 [b] The City will not collect additional permit processing fees. Amounts shown are total amount due for permit processing, plan review, and permit.

City of Folsom
 User and Regulatory Fee Study
 Building Fees
 Cost of Service Calculation - At Fully-Burdened Hourly Rate

Fee Description	Est. City Staff Labor Hrs	Fully-Burdened Hourly	Est. Cost of Service	Current Fee	Current Cost Recovery	Proposed Fee	Proposed Cost Recovery	Unit	Notes
Permit Fee for New Buildings, Additions, Tenant Improvements, Residential Remodels, and Combined Mechanical, Electrical, and/or Plumbing Permits									
1 \$1 - \$2,000	0.75	x \$184	= \$138	\$100	72%	\$138	100%		
2 \$2,001 - \$25,000	0.75	x \$184	= \$138	\$100	72%	\$138	100%		
3 \$25,001 - \$50,000	2.00	x \$184	= \$368	\$330	90%	\$368	100%		
4 \$50,001 - \$100,000	3.50	x \$184	= \$644	\$530	82%	\$644	100%		
5 \$100,001 - \$500,000	6.00	x \$184	= \$1,104	\$880	80%	\$1,104	100%		
6 \$500,001 - \$1,000,000	22.00	x \$184	= \$4,048	\$3,280	81%	\$4,048	100%		
7 \$1,000,001 - \$5,000,000	40.00	x \$184	= \$7,360	\$6,030	82%	\$7,360	100%		
8 \$5,000,001 - \$10,000,000	160.00	x \$184	= \$29,440	\$26,030	88%	\$29,440	100%		
9 \$10,000,001 - \$10,000,000	260.00	x \$184	= \$47,840	\$51,030	107%	\$47,840	100%		

City of Folsom
 User and Regulatory Fee Study
 Building Fees
 Cost of Service Calculation - At Fully-Burdened Hourly Rate

Fee Description	Est. City Staff Labor Hrs	Fully-Burdened Hourly	Est. Cost of Service	Current Fee	Current Cost Recovery	Proposed Fee	Proposed Cost Recovery	Notes
1 Building Plan Check Fees - Building								
a) Plan Review Fee, if applicable	80%					80%	100%	[a]
b) Expedited Plan Check - At Application Submittal (when applicable)	1.5x standard plan check fee					1.5x standard plan check fee	100%	
c) Tract Home / Master Plan Construction (Production Units)	20%			\$150	varies	20% of standard plan check fee	100%	[b]
d) Production Permit for Multi-family permit	8.00	x	\$184 = \$1,472	\$150	10%	\$1,472	100%	
e) Production Permit for Fire permits and other misc. permits	2.50	x	\$184 = \$460	\$150	33%	\$460	100%	
f) Alternate Materials and Methods Review (per hour)	1.00	x	\$184 = \$184			\$184	100%	
g) Excess Plan Review Fee (4th and subsequent) (per hour)	1.00	x	\$184 = \$184			\$184	100%	
h) Revisions to an Approved Permit (per hour)	1.00	x	\$184 = \$184			\$184	100%	
i) Deferred Submittal (per hour)	1.00	x	\$184 = \$184			\$184	100%	

[a] Includes up to three plan checks. The City will bill hourly for additional plan review required.

[b] For identical buildings built by the same builder on the same lot or in the same tract and for which building permits are issued at the same time.

City of Folsom
 User and Regulatory Fee Study
 Building Fees
 Cost of Service Calculation - At Fully-Burdened Hourly Rate

Fee Description	Est. City Staff Labor Hrs	Fully-Burdened Hourly	Est. Cost of Service	Current Fee	Current Cost Recovery	Proposed Fee	Proposed Cost Recovery	Unit	Notes
1 Permit Processing Fee	0.42	x \$184 =	\$77			\$77	100%		
2 Strong Motion Instrumentation (SMI) Fee Calculation									[a]
a) Residential						\$0.50 or valuation x .00013			[a]
b) Commercial						\$0.50 or valuation x .00028			[a]
3 Building Standards (SB 1473) Fee Calculation (Valuation)									[a]
a) \$1 - \$25,000						\$1			[a]
b) \$25,001 - \$50,000						\$2			[a]
c) \$50,001 - \$75,000						\$3			[a]
d) \$75,001 - \$100,000						\$4			[a]
e) Each Add'l \$25,000 or fraction thereof						Add \$1			[a]
4 Business License Fee				\$25		\$25			
5 CASP Training Fund Fee				\$3.60		\$3.60			
6 State Disability Access Fee				\$0.40		\$0.40			
7 General Plan/Zoning Code Update Fee (percent of building permit fee)			9%			5%	55%		[b]
8 Temporary Certificate of Occupancy (Phasing Plan) Fee	5.00	x \$184 =	\$920			\$920	100%		
9 Permit Extension	0.50	x \$184 =	\$92			\$0	0%		
10 Permit Reactivation Fee									
a) Reactivation Fee if All Inspections Have Been Performed and Approved Up to But Not Including Final Inspection	1.00	x \$184 =	\$184			\$184	100%		
b) Reactivation Fee - All Other Scenarios									
i) Permit Expired Up to One Year						50% of Original Base Building Permit Fee			
ii) Permit Expired More than One Year						100% of Original Base Building Permit Fee			
11 Permit Reissuance Fee	1.00	x \$184 =	\$184			\$184	100%		
12 Damaged Building Survey (Fire, Flood, Vehicle Damage, Etc.) (per hour)	1.00	x \$184 =	\$184			\$184	100%		
Other Fees									
13 Phased Inspection Fee (per inspection)	1.00	x \$184 =	\$184			\$184	100%		
14 After Hours Inspection (per hour) (4-hour minimum)	1.20	x \$184 =	\$221			\$221	100%		
15 Re-inspection Fee (2nd Time or More) (each)	1.00	x \$184 =	\$184			\$184	100%		[c]

City of Folsom
 User and Regulatory Fee Study
 Building Fees
 Cost of Service Calculation - At Fully-Burdened Hourly Rate

Fee Description	Est. City Staff Labor Hrs		Fully-Burdened Hourly	=	Est. Cost of Service	Current Fee	Current Cost Recovery	Proposed Fee	Proposed Cost Recovery	Unit	Notes
16 Missed Inspection Fee	1.00	x	\$184	=	\$184			\$184	100%		
17 Duplicate Copy of Permit	0.42	x	\$184	=	\$77			\$77	100%		
18 Duplicate Copy of Certificate of Occupancy	0.42	x	\$184	=	\$77			\$77	100%		
19 Fees for Services Not Listed in this Fee Schedule (per 1/2 hour)	0.50	x	\$184	=	\$92			\$92	100%		
Violation Fees											
20 Investigation Fee For Work Done Without Permits (In addition to applicable permit fees)								equal to permit fee			

[a] Amounts established by State of California. In the case of discrepancy between this schedule and amounts established by the State, State amounts shall supersede these amounts.

[b] Fee applies to new construction, additions, tenant improvements, and residential remodels requiring building permits.

[c] Reinspection fee applies after the first re-inspection.

User and Regulatory Fees
Cost of Service Calculations
General Plan / Zoning Code Update

City of Folsom
 User and Regulatory Fee Study
 Cost of Service Calculation - General Plan Update / Zoning Code Update Costs

Estimated Expenditures

Description	Total	Amortization / Update Frequency	Annual Cost	Cost Type	Notes
General Plan Update	\$ 2,000,000	20	\$ 100,000	Periodic	[a];[b]
Housing Element	\$ 500,000	8	\$ 62,500	Periodic	[a];[b]
Zoning Code	\$ 500,000	5	\$ 100,000	Periodic	[a];[b]
In-House Maintenance	\$ 226,776	1	\$ 226,776	Annual	[a];[c];[d]
Total	\$ 3,226,776		\$ 489,276		

Cost Allocation

Description	Total	Share to Recover	Target Cost Recovery	Notes
Periodic Costs	\$ 262,500	67%	\$ 175,000	[a];[e]

Allocation Base

Description	Total	Notes
Estimated Building Permit Fees	\$ 1,910,758	[f]

Fee at Full Cost Recovery

Description	Total	Notes
Target Recovery	\$ 175,000	
Estimated Building Permit Fees	\$ 1,910,758	
Total	9%	

Cost Recovery Alternative Scenarios

Description	Total	Total	Total	Notes
% of Permit Fee	0%	5%	9%	
Estimated Building Permit Fees	\$ 1,910,758	\$ 1,910,758	\$ 1,910,758	
Forecast Revenue	\$ -	\$ 95,538	\$ 175,000	
Annual Revenue Requirement	\$ 175,000	\$ 175,000	\$ 175,000	
Cost Recovery	0.00%	54.59%	100.00%	

- Notes:
- [a] Source: Conservative estimates of update costs. Amounts will likely be higher.
 - [b] Target recovery of periodic costs, or portion of periodic costs, via General Plan Update Fee.
 - [c] Recover annual costs, or portion of annual costs, via standard permit and plan review fees.
 - [d] Amount calculated via analysis of planning cost of service. Amount represents 15% of total annual planning costs.
 - [e] Assumes portion of General Plan Update costs will continue to be paid via General Fund resources.
 - [f] Amounts represents multi-year average of building permit fee collection.

User and Regulatory Fees
Cost of Service Calculations
Allocation of Citywide Overhead

City of Folsom
 User and Regulatory Fee Analysis
 Estimated Citywide Overhead (for Cost of Service Calculation Purposes Only)

Central Service Center - General Fund Allocation [a]

Department	Annual Expenses	Notes
City Council	\$117,437	
City Manager	\$1,256,732	
City Attorney	\$1,234,309	
City Clerk	\$681,049	
Human Resources	\$886,511	
Management and Budget	\$6,246,759	
Fleet Management	\$1,674,868	
Total	\$12,097,665	

City Staffing Position Total [a],[b]

Department	Total	Adjustment for Direct Svc Depts Only	Adjusted Staffing for Cwide OH Alloc	Share of Cwide OH Alloc	Cwide OH Alloc	Notes
City Council	5.00	(5.00)	-	0%	\$ -	
City Manager	4.00	(4.00)	-	0%	\$ -	
City Attorney	4.00	(4.00)	-	0%	\$ -	
City Clerk	3.00	(3.00)	-	0%	\$ -	
Community Development	27.00	-	27.00	6%	\$ 736,498	
Fire Department	90.00	-	90.00	20%	\$ 2,454,994	
Human Resources	6.00	(6.00)	-	0%	\$ -	
Library	12.00	-	12.00	3%	\$ 327,333	
Management and Budget	25.00	(25.00)	-	0%	\$ -	
Parks and Recreation	49.00	-	49.00	11%	\$ 1,336,608	
Police Department	113.50	-	113.50	26%	\$ 3,096,020	
Public Works	34.55	-	34.55	8%	\$ 942,445	
Water Resources	58.00	-	58.00	13%	\$ 1,582,107	
Solid Waste	59.45	-	59.45	13%	\$ 1,621,660	
Total	490.50	(47.00)	443.50	100%	\$ 12,097,665	

Estimated Citywide Alloc to Community Development Direct Service Units

Dept/Division	Share of Allocation	Share of Allocation	Notes
Building	20%	\$ 147,300	[c]
Code Enforcement	8%	\$ 58,920	[c]
Engineering	30%	\$ 220,949	[c]
Planning	42%	\$ 309,329	[c]
Total	100%	\$ 736,498	

* This represents a conservative indirect cost rate calculation. This estimate was developed for purposes of user and regulatory fee cost of service analysis. As part of day-to-day operations, staff may categorize, assign, or quantify indirect costs using different criteria and methods.

[a] Source: FY 23/24 adopted budget.

[b] Indirect cost allocation basis is staffing levels of direct service departments.

[c] Based on feedback received from Community Development Department. Amounts intended to serve as reasonable estimates.

APPENDIX C

PROPOSED FEES

City of Folsom

ENGINEERING AND ENCROACHMENT PERMIT FEES

#	Description	Fee	Fee Structure	Note
1	Assessment District/CFD Payment Processing	\$4,800	Fixed Fee	
2	Encroachment Permit			
	a) Encroachment Contract for Parking/Staging			
	i. 0-6 calendar days	\$50	Fixed Fee	
	ii. 7-14 calendar days	\$100	Fixed Fee	
	iii. 14+days	\$200	Fixed Fee	
	b) Utility Work/Connections (Individual Permits)			
	i. Wet Utilities/Service Connections	\$600	Fixed Fee	
	ii. Dry Utilities (per site/location)	\$200	Fixed Fee	
	iii. Misc. per LF of Trench in ROW/City Easement	\$5.00	Fixed Fee	
	iv. Inspections and Testing	\$400	Fixed Fee	
	c) Driveways/Minor Frontage Improvements			
	i. Residential (per driveway)	\$400	Fixed Fee	
	ii. Commercial (per driveway)	\$400	Fixed Fee	
	d) Pools and Spas (in ground)	\$400	Fixed Fee	
	e) Traffic Control/Equipment Staging			
	i. Isolated Site	\$200	Fixed Fee	
	ii. Multiple Closures/Staging	\$1,000	Fixed Fee	
	f) Permit Extensions			
	i. Active Work Zone	\$50	Fixed Fee	
	ii. Inactive Work Zone (4+ months inactivity)	\$200	Fixed Fee	
	g) Annual Permits			
	i. Wet Utilities	\$6,000	Fixed Fee	
	ii. Dry Utilities	\$20,800	Fixed Fee	
	iii. General Maintenance/Misc. (Not Wet or Dry Utilities)	T&M	Fixed Fee	[a]
	iv. Vegetation Management (Utilities)	\$20,800	Fixed Fee	
	v. Long Term/Revocable Encroachments (paid annually)	\$200	Fixed Fee	
	h) Long Term/Revocable Encroachments (new permits only)	\$2,400	Fixed Fee	[b]

City of Folsom

ENGINEERING AND ENCROACHMENT PERMIT FEES

#	Description	Fee	Fee Structure	Note
3	Engineering and Landscape Plan Check and Inspection			
	a) Project Value Up to \$10,000	8.00%	Fixed Fee	
	b) Project Value \$10,001 - \$100,000			
	i. Base Fee for First \$10,000	\$800	Fixed Fee	
	ii. Fee for Each Add'l \$1 Up to \$100,000	8.00%	Fixed Fee	
	c) \$100,001 - \$199,999			
	i. Base Fee for First \$100,000	\$8,000	Fixed Fee	
	ii. Fee for Each Add'l \$1 Up to \$200,000	6.40%	Fixed Fee	
	d) \$200,001 - \$299,999			
	i. Base Fee for First \$200,000	\$14,400	Fixed Fee	
	ii. Fee for Each Add'l \$1 Up to \$300,000	4.80%	Fixed Fee	
	e) \$300,000 or more			
	i. Base Fee for First \$300,000	\$19,200	Fixed Fee	
	ii. Fee for Each Add'l \$1	3.60%	Fixed Fee	
	f) Landscape Plan Review			
	i. Non-Development	\$200	Fixed Fee	
	ii. Custom Home	\$1,100	Fixed Fee	
	iii. Production Home/Subdivision	\$2,300	Fixed Fee	
	iv. Model Home Complex	\$1,400	Fixed Fee	
	v. Commercial, Streetscape, Other Development Projects	\$1,600	Fixed Fee	
	vi. Development and Civil Improvements - Landscaping Review	\$2,100	Fixed Fee	
4	Final Map and Parcel Map			
	a) Parcel Map Check	\$8,050	Fixed Fee	
	b) Final Map Check			
	i. Base Fee/Final Map Amendment	\$11,500	Fixed Fee	
	ii. Plus, Per Lot Fee	\$144	Fixed Fee	
	c) Certificate of Correction/Certificate of Compliance	\$2,000	T & M with Initial Deposit	
5	Right of Ways (ROW) and Easements			
	a) Review of ROW/Easement Documents	\$3,450	Fixed Fee	
	b) ROW/Easement Abandonment	\$5,750	Fixed Fee	
6	Subdivision Agreement Processing	\$5,750	Fixed Fee	
7	Transportation Permit			
	a) Permit	\$16	Fixed Fee	
	b) Annual Permit	\$90	Fixed Fee	

City of Folsom

ENGINEERING AND ENCROACHMENT PERMIT FEES

#	Description	Fee	Fee Structure	Note
8	Tree Removal/Work Permit			
	a) Permitted Removal/Work			
	i. Existing Occupied Structure			
	a. 0-2 Trees	\$100	Fixed Fee	
	b. 3+ Trees: See New Construction Rate Below	\$1,200	Fixed Fee	
	c. "In Decline" Tree	\$100	Fixed Fee	
	ii. New Construction (e.g. Custom Home, Subdivision, Parcel)			
	a. 0-4 Trees	\$1,200	Fixed Fee	
	b. 5+ Trees	\$1,400 + 10% per tree	Fixed Fee	
	iii. Misc.	\$200	Per Hour	
	b) w/o Permit (Does not include mitigation) Double the Permit Rate	2x permit amount	Fixed Fee	
Other Fees for Service				
9	Research of Engineering Records	\$200	Per Hour	
10	Miscellaneous Engineering Services	\$200	Per Hour	
11	Excess Plan Review Fee (4th and subsequent)	\$200	Per Hour	
12	Revisions	\$200	Per Hour	
13	After Hours Inspection (per hour) (2-hour minimum)	\$240	Per Hour	
14	Re-inspection Fee (2nd Time or More) (each)	\$100	Each	
15	Missed Inspection Fee	\$100	Each	
16	Expedited Services Fee	1.5x Regular Fee	Fixed Fee	
17	Residential Landscape Review	Hourly Rate of Arborist	Per Hour	
18	Technical Assistance/Third Party Review or Inspection	Actual Cost	T & M	

[a] Use time and materials with initial deposit to be determined by City Engineer, based on anticipated scope of work.

[b] Encroachment agreement required in addition to insurance (e.g., parklets).

City of Folsom

BUILDING FEES

A. Fees for Commonly Requested Building Permit Types. Fees shown in this section (Section A.) include all applicable inspection, and plan review fees. Additional permit processing fees apply. Additional fees may apply for services provided by other City Departments (e.g. Planning Review), and Fees Collected on Behalf of Other Agencies (e.g. State of California).

Fee Description	Fee	Charge Basis	Note	CPI
1 HVAC Change-Out - Residential	\$230	per permit		Y
2 Water Heater Change-Out - Residential	\$184	per permit		Y
3 Residential Re-Roof	\$368	per permit		Y
4 Siding Replacement	\$322	per permit		Y
5 Service Panel Upgrade - Residential	\$276	per permit		Y
6 Battery Backup Storage	\$368	per permit		Y
7 Electric Vehicle Charger	\$368	per permit		Y
8 Generator	\$368	per permit		Y
9 Residential Solar Photovoltaic System - Solar Permit				
a) Plan Review				
i) Base Fee for 15kW or Less	\$200	per permit	[a],[b]	N
ii) Fee for Each Additional kW above 15kW	\$15	per permit	[a],[b]	N
b) Permit	\$250	per permit	[a],[b]	N
10 Commercial Solar Photovoltaic System - Solar Permit				
a) Plan Review				
i) Base Fee 50kW or Less	\$444	per permit	[a],[b]	N
ii) Fee for Each Add'l kW above 50kW up to 250kW	\$7	per permit	[a],[b]	N
ii) Fee for Each Add'l kW above 250kW	\$5	per permit	[a],[b]	N
b) Permit	\$556	per permit	[a],[b]	N
11 Pool Solar	\$184	per permit		Y
12 Swimming Pool Replaster / Equipment Change-Out	\$460	per permit		Y
13 Swimming Pool Remodel (e.g., Changing Pool Shape, Adding Cabo Shelf, etc.)	\$920	per permit		Y
14 Retaining Wall				
a) One Type of Retaining Wall Type/Configuration	\$552	per permit		Y
b) Each Additional Wall Type/Configuration	\$276	per permit		Y
15 Window / Sliding Glass Door - Retrofit / Repair				
a) Up to 5	\$184	per permit		Y
b) Per Window Over 5 Windows	\$37	per permit		Y
16 Fences Requiring a Building Permit	\$368	per permit		Y
17 Electrical and Irrigation Pedestals per pedestal	\$276	per permit		Y
18 Detached and Attached ADUs	\$4,600	per permit		Y
19 Junior ADUs	\$2,208	per permit		Y

[a] Total fees shall not exceed amounts outlined in California Government Code 66015(a)(1).

[b] The City will not collect additional permit processing fees. Amounts shown are total amount due for permit processing, plan review, and permit.

City of Folsom

BUILDING FEES

Determination of Valuation for Fee-Setting Purposes

• Project valuations shall be based on the total value of all construction work, including all finish work, roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems and any other permanent equipment. If, in the opinion of the Building Official, the valuation is underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the Building Official. Final building permit valuation shall be set by the Building Official. For determining project valuations for new construction, the Building Official may use data published by the International Code Council (ICC) (building valuation data table, typically updated in February and August of each year). The final building permit valuation shall be set at an amount that allows the City to recover its costs of applicant plan check, permit and inspection activities.

Note: For construction projects with permit fees calculated using Section B, additional fees apply for permit issuance. Additional fees may apply for services provided by other City Departments (e.g. Planning Review), and Fees Collected on Behalf of Other Agencies (e.g. State of California). Additional fees apply for plan review, when applicable.

B. Permit Fee for New Buildings, Additions, Tenant Improvements, Residential Remodels, and Combined Mechanical, Electrical, and/or Plumbing Permits

Total Valuation	Permit Fee	CPI
\$1 to \$2,000	\$138.00	
\$2,001 to \$25,000	\$138.00 for the first \$2,000 plus \$10.00 for each add'l \$1,000 or fraction thereof, to and including \$25,000	N
\$25,001 to \$50,000	\$368.00 for the first \$25,000 plus \$11.04 for each add'l \$1,000 or fraction thereof, to and including \$50,000	N
\$50,001 to \$100,000	\$644.00 for the first \$50,000 plus \$9.20 for each add'l \$1,000 or fraction thereof, to and including \$100,000	N
\$100,001 to \$500,000	\$1,104.00 for the first \$100,000 plus \$7.36 for each add'l \$1,000 or fraction thereof, to and including \$500,000	N
\$500,001 to \$1,000,000	\$4,048.00 for the first \$500,000 plus \$6.62 for each add'l \$1,000 or fraction thereof, to and including \$1,000,000	N
\$1,000,001 to \$5,000,000	\$7,360.00 for the first \$1,000,000 plus \$5.52 for each add'l \$1,000 or fraction thereof, to and including \$5,000,000	N
\$5,000,001 and up	\$29,440.00 for the first \$5,000,000 plus \$4.11 for each additional \$1,000 or fraction thereof over \$5,000,000	N

City of Folsom

BUILDING FEES

D. Building Plan Review Fees

Activity Description	Fee	Charge Basis	Note	CPI
1 Building Plan Check Fees - Building				
a) Plan Review Fee, if applicable	80%		[a]	N
b) Expedited Plan Check - At Application Submittal (when applicable)	1.5x standard plan check fee			N
c) Tract Home / Master Plan Construction (Production Units)	20% of standard plan check fee		[b]	N
d) Production Permit for Multi-family permit	\$1,472			Y
e) Production Permit for Fire permits and other misc. permits	\$460			Y
f) Alternate Materials and Methods Review (per hour)	\$184			Y
g) Excess Plan Review Fee (4th and subsequent) (per hour)	\$184			Y
h) Revisions to an Approved Permit (per hour)	\$184			Y
i) Deferred Submittal (per hour)	\$184			Y

When applicable, plan check fees shall be paid at the time of application for a building permit.
The plan checking fee is in addition to the building permit fee

[a] Includes up to three plan checks. The City will bill hourly for additional plan review required.

[b] For identical buildings built by the same builder on the same lot or in the same tract and for which building permits are issued at the same time.

City of Folsom

BUILDING FEES

E. Other Fees

Activity Description	Fee	Note	CPI
1 Permit Processing Fee	\$77		Y
2 Strong Motion Instrumentation (SMI) Fee Calculation		[a]	
a) Residential	\$0.50 or valuation x .00013	[a]	N
b) Commercial	\$0.50 or valuation x .00028	[a]	N
3 Building Standards (SB 1473) Fee Calculation (Valuation)		[a]	
a) \$1 - \$25,000	\$1	[a]	N
b) \$25,001 - \$50,000	\$2	[a]	N
c) \$50,001 - \$75,000	\$3	[a]	N
d) \$75,001 - \$100,000	\$4	[a]	N
e) Each Add'l \$25,000 or fraction thereof	Add \$1	[a]	N
4 Business License Fee	\$25		N
5 CASP Training Fund Fee	\$3.60		N
6 State Disability Access Fee	\$0.40		N
7 General Plan/Zoning Code Update Fee (percent of building permit fee)	5%	[b]	N
8 Temporary Certificate of Occupancy (Phasing Plan) Fee	\$920		Y
9 Permit Extension	\$0		Y
10 Permit Reactivation Fee			
a) Reactivation Fee if All Inspections Have Been Performed and Approved Up to But Not Including Final Inspection	\$184		Y
b) Reactivation Fee - All Other Scenarios			
i) Permit Expired Up to One Year	50% of Original Base Building Permit Fee		N
ii) Permit Expired More than One Year	100% of Original Base Building Permit Fee		N
11 Permit Reissuance Fee	\$184		Y
12 Damaged Building Survey (Fire, Flood, Vehicle Damage, Etc.) (per hour)	\$184		Y
Other Fees			
13 Phased Inspection Fee (per inspection)	\$184		Y
14 After Hours Inspection (per hour) (4-hour minimum)	\$221		Y
15 Re-inspection Fee (2nd Time or More) (each)	\$184	[c]	Y
16 Missed Inspection Fee	\$184		Y
17 Duplicate Copy of Permit	\$77		Y

City of Folsom

BUILDING FEES

E. Other Fees

Activity Description	Fee	Note	CPI
18 Duplicate Copy of Certificate of Occupancy	\$77		Y
19 Fees for Services Not Listed in this Fee Schedule (per 1/2 hour)	\$92		Y
Violation Fees			
20 Investigation Fee For Work Done Without Permits (In addition to applicable permit fees)	equal to permit fee		N

[a] Amounts established by State of California. In the case of discrepancy between this schedule and amounts established by the State, State amounts shall supersede these amounts.

[b] Fee applies to new construction, additions, tenant improvements, and residential remodels requiring building permits.

[c] Reinspection fee applies after the first re-inspection.

City of Folsom
BUILDING FEES

Building Valuation Data Table

Group (2021 International Building Code)	IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
A-1 Assembly, theaters, with stage	335.89	324.58	316.94	304.93	286.87	278.00	295.62	266.02	257.55
A-1 Assembly, theaters, without stage	307.39	296.08	288.44	276.42	258.37	249.50	267.12	237.51	229.05
A-2 Assembly, nightclubs	269.94	261.93	254.48	245.85	230.56	223.99	237.02	209.57	202.79
A-2 Assembly, restaurants, bars, banquet halls	268.94	260.93	252.48	244.85	228.56	222.99	236.02	207.57	201.79
A-3 Assembly, churches	311.88	300.57	292.93	280.91	263.30	254.43	271.60	242.45	233.98
A-3 Assembly, general, community halls, libraries, museums	266.07	254.76	246.12	235.10	216.33	208.46	225.80	195.47	188.01
A-4 Assembly, arenas	306.39	295.08	286.44	275.42	256.37	248.50	266.12	235.51	228.05
B Business	260.69	251.13	241.86	231.65	210.99	202.73	222.56	186.21	177.81
E Educational	273.46	263.96	255.62	245.04	228.69	217.00	236.61	200.36	193.94
F-1 Factory and industrial, moderate hazard	160.20	152.78	143.34	138.64	123.55	117.41	132.48	102.44	95.93
F-2 Factory and industrial, low hazard	159.20	151.78	143.34	137.64	123.55	116.41	131.48	102.44	94.93
H-1 High Hazard, explosives	149.46	142.04	133.60	127.90	114.12	106.97	121.74	93.00	0.00
H234 High Hazard	149.46	142.04	133.60	127.90	114.12	106.97	121.74	93.00	85.50
H-5 HPM	260.69	251.13	241.86	231.65	210.99	202.73	222.56	186.21	177.81
I-1 Institutional, supervised environment	262.22	252.95	244.31	235.67	215.42	209.47	235.71	193.82	187.73
I-2 Institutional, hospitals	434.15	424.59	415.32	405.12	383.35	0.00	396.02	358.57	0.00
I-2 Institutional, nursing homes	302.01	292.45	283.18	272.97	253.83	0.00	263.88	229.05	0.00
I-3 Institutional, restrained	295.86	286.31	277.03	266.83	247.95	238.69	257.74	223.17	212.77
I-4 Institutional, day care facilities	262.22	252.95	244.31	235.67	215.42	209.47	235.71	193.82	187.73
M Mercantile	201.37	193.36	184.91	177.28	161.72	156.15	168.45	140.73	134.95
R-1 Residential, hotels	264.67	255.41	246.77	238.13	218.35	212.40	238.17	196.75	190.67
R-2 Residential, multiple family	221.32	212.06	203.42	194.78	175.96	170.01	194.82	154.36	148.28
R-3 Residential, one- and two-family	209.61	203.74	198.94	195.12	188.41	181.45	191.77	175.86	165.67
R-4 Residential, care/assisted living facilities	262.22	252.95	244.31	235.67	215.42	209.47	235.71	193.82	187.73
S-1 Storage, moderate hazard	148.46	141.04	131.60	126.90	112.12	105.97	120.74	91.00	84.50
S-2 Storage, low hazard	147.46	140.04	131.60	125.90	112.12	104.97	119.74	91.00	83.50
U Utility, miscellaneous	114.09	107.37	99.89	95.60	85.13	79.54	90.99	67.39	64.19

ATTACHMENT 3
PUBLIC COMMENTS RECEIVED



Civil Engineering • Land Planning • Land Surveying

May 10, 2024

City Council
 City of Folsom
 50 Natoma Street
 Folsom, CA 95630

RE: Resolution No. 11186 – A Resolution to Adopt an Amended User Fee Schedule for Community Development Engineering and Building Services

Dear Mayor Kozlowski & Members of Folsom's City Council:

I am writing you regarding your consideration of Resolution No. 11186, particularly as it concerns increased fees for review of Certificates of Correction. A Certificate of Correction is a simple document intended to provide constructive notice of errors on subdivision maps, as outlined pursuant to Sections 66469 through 66472.1 of the Subdivision Map Act (SMA). As outlined by Appendix B, Page 9 of the User & Regulatory Fees study, the City's current review fee for a Certificate of Correction submittal is \$2899. Pursuant to the resolution under consideration, the review fee is set to rise to \$6900.

I would like to lend my perspective, as the managing surveyor employed at Morton & Pitalo in Folsom. Our firm provides Civil Engineering and Survey Mapping services throughout the region. Over the years, I've been proud to work on projects in Folsom that have had a direct benefit on our community.

The aforementioned Sections from the SMA outline two vehicles to revise recorded maps: 1) the Certificate of Correction and 2) the Amended Final / Parcel Map. The City's fee for review of these documents does not differentiate between the two.

- ✓ A Certificate of Correction, in many cases, is a one or two page document indicating that there is an error on the filed map and the "correction" is then stated and recorded. An example of a Certificate of Correction recently processed by our office involved a simple correction to the "net" area identified on the map.
- ✓ With an Amended Final / Parcel Map, the map is reproduced with the errors corrected on the map. In the case of an amended map, the review performed by the City may be more robust, and require a substantially larger effort/fee.

I am supportive of the proposed increase as it applies to Amended Maps. I believe the fee for a Certification of Correction is excessively high. For comparison, the review cost for Certificates of Correction in neighboring jurisdictions varies as follows:

- City of Sacramento: Review of a Certificate of Correction (CoC) or an Amended Map (AM) is an \$800 flat fee.
- Rancho Cordova: Review of a Coc is \$1374 plus a 7% Technology fee; An AM is \$1693 plus a 7% Technology fee.
- Elk Grove: Review of a CoC is a \$600 fixed fee; An Amended Map is a \$2500 fixed fee.
- City of Roseville: Review of a Coc is a \$125 fee.
- Placer County: Review of a CoC is a \$51 fee, plus a 3.5% Technology fee.
- Sacramento County does not charge a fee to review or record a Certificate of Correction.

I ask the City Council to review the proposed fee schedule as it applies to Certificates of Correction.

Sincerely,

 A handwritten signature in blue ink, appearing to read 'Michael J. Chiara'.

Michael J. Chiara, PLS 9068

Desmond Parrington

From: Bob Delp <bdelp@live.com>
Sent: Tuesday, April 23, 2024 7:32 AM
To: Desmond Parrington; Christa Freemantle
Cc: Pam Johns; Stephanie Henry
Subject: Re: City of Folsom - Major Planning Items on 4/22 and 4/23

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Desmond and/or Christa:

The Staff Report for Item 9 of tonight's City's Council meeting is dated with today's date, 4/23/2024. That item is for a hearing to consider amendments to Building and Engineering fees and my understanding is that such a hearing is subject to Folsom Municipal Code section 3.50.060 which states, "[p]ursuant to the California Government Code, **at least ten days prior to the required public hearing set out herein, the city manager shall make available to the public appropriate data indicating the cost, or estimated cost required to support the fees and charges for which changes are proposed to be made or fees or charges imposed.**"

Can you confirm that the staff report (dated 4/23/2024) or the data required pursuant to 3.50.060 was made available to the public at least ten days ago and, if so, can you let me know when and how that was accomplished?

Thank you,
 -Bob

Bob Delp
 916-812-8122
bdelp@live.com

From: Desmond Parrington <dparrington@folsom.ca.us>
Sent: Monday, April 22, 2024 2:17 PM
To: Desmond Parrington <dparrington@folsom.ca.us>
Cc: Pam Johns <pjohns@folsom.ca.us>; Stephanie Henry <shenry@folsom.ca.us>
Subject: City of Folsom - Major Planning Items on 4/22 and 4/23

The City of Folsom has three major upcoming planning items including: 1) a proposed annexation concept; 2) recommended Building and Engineering fee changes, and 3) an EIR and proposed amendments to the City's General Plan for additional housing capacity. Of those three items, two (conceptual annexation proposal and recommended feed changes) will be going before the City Council for consideration tomorrow, **Tuesday, April 23 at 6:30 pm in Council Chambers at City Hall** (50 Natoma St.). The third is available for review for next 45 days.

1. **Community for Health and Independence – Conceptual Annexation Proposal:** The Folsom City Council will hold a public workshop on Tuesday, April 23 to consider a preliminary request from AKT and UC Davis Health for their conceptual annexation proposal. The proposed project is a master-planned community south of Folsom, located in Sacramento and El Dorado counties. The developer will present the project concept and request feedback from both the El Dorado County Board of Supervisors and the Folsom City

Council at separate meetings on April 23 to inform future decisions and any necessary next steps. No formal action by City Council is required or allowed at this time. Instead, this workshop creates an early vetting opportunity for the developer to hear from the community and City Council about the proposed annexation proposal. Learn more: [Conceptual Annexation Proposal | Folsom, CA](#). Refer to [Item #11 for the staff report in the agenda packet](#).

2. **Community Development Department – Recommended Building and Engineering Fee Changes:** The Folsom City Council will hold a public hearing on proposed fee changes to CDD’s Building and Engineering user and processing fees. The Building and Engineering fee recommendations come out of a Council workshop on the user fee study held on March 12. The changes are designed to better reflect the scope of work involved and to cover staff costs associated with the processing and review of permits. No impact fees are proposed for change. If approved, these new Building and Engineering user and processing fees would go into effect on July 1, 2024. For a copy of the fee study and the staff report, see [Item # 9 in the staff report](#) (PDF). Planning fees, including Special Event Permit fees, are not proposed to change at this time. Planning fee changes will be presented to City Council in the first quarter of 2025.
3. **Notice of Availability – Public Review Draft of General Plan Amendments and EIR for Increased Housing Capacity:** As part of the implementation for the City’s 2021-2029 Housing Element, the City is amending the General Plan and Folsom Plan Area Specific Plan (FPASP) to allow for more intensive multi-family residential development in targeted areas including the East Bidwell Corridor, areas near the Glenn and Iron Point light rail stations and in the Folsom Plan Area. An environmental impact report (EIR) along with the amended General Plan and FPASP documents are available for review and comment for 45 days between [April 22 and Friday, June 6, 2024](#). The Notice of Availability is attached and the documents along with more information about the project and how to submit a comment is available at www.folsom.ca.us/housingstudy.



CITY OF
FOLSOM
DISTINCTIVE BY NATURE



Desmond Parrington, AICP

Planning Manager

City of Folsom

50 Natoma Street, Folsom, CA 95630

dparrington@folsom.ca.us

c:916-461-6233 c:916-216-2813

www.folsom.ca.us

Desmond Parrington

From: Bob Delp <bdelp@live.com>
Sent: Tuesday, April 23, 2024 10:37 AM
To: Mike Kozlowski; Sarah Aquino; Anna Rohrbough; YK Chalamcherla; Rosario Rodriguez; City Clerk Dept
Cc: Pam Johns; Elaine Andersen; Steven Wang; Desmond Parrington
Subject: Comments re Agenda Item 9 re: General Plan and Zoning Code Surcharge

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

This message is to urge the City Council to reject staff's recommended imposition of a 5% General Plan/Zoning Code Update (GPZCU) fee on engineering and building permit fees unless and until the City demonstrates a clear relationship between the permits that would be subject to the GPZCU fee and the use of the funds that would be collected from that fee. Without providing evidence of a clear relationship, the 5% fee would impose a tax on permit applicants and would violate Section 66014 of the California Government Code. Instead, the City could avoid the need for the funds intended to be obtained through the impermissible tax by simply implementing cost recovery for permit application processing as required by the Folsom Municipal Code.

Agenda Item 9 staff report (pg. 5; packet pg. 39) has a section discussing "Technology and General Plan/Zoning Code Fees" that provides no rationale to support the legality of the proposed 5% GPZCU fee. Staff states that the proposed GPZCU fee "would help fund major periodic General Plan, Housing Element and Zoning Code updates as well as in-house maintenance of these documents." However, there is no explained or obvious connection between the permits that would be subject to the 5% fee and the use of revenue from that fee for General Plan maintenance and/or Zoning Code updates.

In fact, the staff report notes "because General Plan and Zoning Code updates *benefit the entire community rather than just project applicants*, staff wanted to ensure that such applicants were not taking on the full burden of paying for such updates." As outlined in the first two bullets on staff report pg. 3 (packet pg. 37), the fees must have a relationship to a specific benefit or service/product that is not provided to those not charged. The proposed 5% GPZCU surcharge does not meet that test and is impermissible regardless of whether it places the full burden or even part of the burden on permit applicants.

The staff report presents an example of an HVAC changeout permit (pg. 6; packet pg. 40) which under staff's recommendation would include a \$12.54 City General Plan [and Zoning Code Update] surcharge. Yet, the staff report provides no explanation of how an HVAC changeout places any increased burden or cost on the City's maintenance of the General Plan or the City's updates to the Zoning Code.

As I have noted in previous and separate input to the Council, the City would be much better served if it would simply implement the cost recovery for permit application processing required by existing FMC section 3.50. Yet, staffs' recommended fees fall well short of that and require the City to use General Fund monies to subsidize permit processing costs. Staff's HVAC example is illustrative here also. Staff suggests that to encourage more people to obtain HVAC changeout permits, the fee for such permits should be artificially lowered to not achieve full cost recovery. By not charging the full cost, the City's cost for processing an HVAC changeout permit must be subsidized by the General Fund. Ironically, although recommending that the fee should be artificially lowered, staff then recommends that the HVAC changeout fee should be burdened with a

5% GPZCU surcharge. Instead, if the HVAC changeout permit fee and other planning and building permit fees aren't artificially lowered to less than full cost recovery, then the General Fund wouldn't need to be used for subsidizing those permit processing costs and those General Fund monies would be available for things like General Plan maintenance, Zoning Code updates, and many other important City services.

In summary, the 5% General Plan/Zoning Code Update permit surcharge is an impermissible tax that should be eliminated from the engineering and building permit cost structure. Full cost recovery for permit processing should be implemented by the Council and would protect the General Fund from being used to subsidize costs that should be borne by applicants.

Thank you for considering my comments.

Bob Delp
916-812-8122
bdelp@live.com

Desmond Parrington

From: Bob Delp <bdelp@live.com>
Sent: Tuesday, April 23, 2024 11:20 AM
To: Mike Kozlowski; Sarah Aquino; YK Chalamcherla; Anna Rohrbough; Rosario Rodriguez; City Clerk Dept
Cc: Elaine Andersen; Pam Johns; Steven Wang; Desmond Parrington; Christa Freemantle
Subject: Comments to Council re 4-23-24 Agenda Items 9 and 10
Attachments: Planning Fees CC 3-08-11.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

On April 19, the City distributed an email newsletter with a headline "**FOLSOM FACES FISCAL CROSSROADS: CITY COUNCIL DIRECTS BUDGET EDUCATION PROGRAM**", followed by an article warning that, "**The city is facing a financial shortfall that could impact public safety, public services, and the quality of life in Folsom. ... Amidst the projected structural deficit, the city faces compounding infrastructure and building maintenance needs that require a dedicated funding source. There is an estimated \$20 million annual shortfall in funding for infrastructure improvements, park and facility repairs, equipment maintenance and replacements, trail maintenance and repairs, and staffing needs.**"

Yet, in the midst of this dire financial reality, City staff is recommending the continued and expanded use of the General Fund to subsidize the cost for the City's processing of private applications for permits and other entitlements. For Item 9 on your 4/23/2024 agenda, I urge the Council to direct staff to revise and return with a full fee schedule for Development Services funding that achieves fee recovery for all services at the percentages specified in the existing FMC section 3.50. For agenda Item 10, I urge the Council to reject staffs' recommended amendments to FMC 3.50 and leave FMC 3.50's sound fiscal policy directives in place. Staffs' recommendations would increase use of the General Fund to subsidize private development proposals, diverting those funds from important public safety, public services, and quality of life programs that are hallmarks of the City of Folsom.

At its March 12 meeting, the Council heard a presentation from staff and its consultant regarding fee schedules for Community Development services. Although some questions were asked and concerns expressed regarding certain fees, I heard no one suggest that the City should not strive to comply with the existing FMC 3.50 provisions that direct the City Manager to recover costs at the percentages outlined in the FMC 3.50.040 Schedule of Fees and Service Charges and I heard no one suggest that the existing FMC 3.50.040 fee percentages should be eliminated. Further, documentation for and discussion during the March 12 meeting acknowledged that the City's fee structure has not been achieving the required cost recovery and that increasing the fees to be at least more in-line with FMC 3.50 requirements is necessary to minimize impacts on the City's General Fund.

Now, just a few weeks later, staff has modified the proposed fee schedule (Agenda Item 9) recommending that the Council adopt a fee schedule revision limited to certain engineering and building permits while leaving all other fees unadjusted, including those known to be clearly insufficient for funding the City's costs and complying with FMC 3.50. Moreover, staff now also recommends (Agenda Item 10) that FMC 3.50 be revised to eliminate the existing requirement to achieve specific cost recovery percentages.

Is this what the Council wants; to continue insufficient recovery of costs for development application processing and building permits and to continue to shift that burden onto Folsom's citizenry by robbing the General Fund?

I hope staff has read the Council wrong on this one and that the Council will reject staff's proposals and direct staff to return with a fee schedule that fully recovers development/permit application processing and one that includes provisions to implement the full cost recovery program requested by staff and approved by the Council in 2011 (attached) that after 13 years is still sitting on the sidelines waiting to be implemented.

Thank you for considering my input.

Bob Delp
916-812-8122
bdelp@live.com

From: Bob Delp <bdelp@live.com>
Sent: Tuesday, March 12, 2024 9:56 AM
To: Mike Kozlowski <mkozlowski@folsom.ca.us>; Rosario Rodriguez <rrodriguez@folsom.ca.us>; Sarah Aquino <saquino@folsom.ca.us>; YK Chalamcherla <ykchalamcherla@folsom.ca.us>; Anna Rohrbough <annar@folsom.ca.us>; Christa Freemantle <cfreemantle@folsom.ca.us>
Cc: Elaine Andersen <eandersen@folsom.ca.us>; Steven Wang <swang@folsom.ca.us>; Sari Dierking <sdierking@folsom.ca.us>; Pam Johns <pjohns@folsom.ca.us>; Desmond Parrington <dparrington@folsom.ca.us>
Subject: Comments to Council re 3-12-24 Agenda Item 5 - Planning Fees

For distribution to City Council:

Dear Council:

Regarding agenda item 5 of tonight's City Council meeting, this message is to urge the City Council to direct staff to implement a full cost recovery program for processing development applications **consistent with the process described in the attached March 2, 2011, staff report and adopted by the Folsom City Council in 2011 through Resolution 8801** (attached). Through such a process, individual applicants would pay for the actual and full cost for processing their individual applications – neither subsidizing nor being subsidized by other applicants and without being subsidized by the City's General Fund.

In 2011, the Community Development Department and City Council wisely determined that through implementation of a full cost recovery system for application processing, the City "*would protect its General Fund monies from subsidizing private development applications.*"

Staff's 2011 analysis of the financial impact of the full cost recovery program found that, "*The cost recovery program would allow the City to more accurately cover the actual costs for development permits from the applicants. Although the actual savings to the General Fund are cannot be quantified, this fee recovery program will result in a positive impact to the General Fund and provide direct costs charges to contribute to the General Fund to more accurately fund development processing costs.*"

Staff's basis for its 2011 recommendation concisely described the situation that existed then and that still persists today, noting, "*the range of complexity in development applications can vary widely and some projects can remain "active" or "in process" for years because projects are substantially revised and resubmitted (sometimes with years passing in between) in an attempt by applicants to obtain City approval.*"

Staff sometimes must effectively begin processing all over with each resubmittal but is unable to request new project fees because the project is still technically active. It is these types of projects that staff seeks to target to ensure that staff costs are fully recovered." These persisting circumstances beg for a system based on actual costs, not flat fees.

Yet, the system requested by CDD and approved by the Council in 2011 still has not been implemented and CDD's current 3/12/24 staff report to the Council for agenda item 5 of tonight's meeting provides a recommendation predominated by "flat fees" which are inherently inequitable and a drain on the City's resources. The current staff report makes no mention of the 2011 Resolution and provides no compelling rationale for abandoning the sound approach that the Council directed be implemented in 2011.

Please direct staff to fulfill the directives of Resolution 8801 and implement the full cost recovery system for development application processing that requires individual applicants to fully fund the costs of processing their applications.

Thank you for considering my input.

Bob Delp
916-812-8122
bdelp@live.com

From: Bob Delp <bdelp@live.com>
Sent: Monday, November 15, 2021 11:12 AM
To: Pam Johns <pjohns@folsom.ca.us>
Cc: Elaine Andersen <eandersen@folsom.ca.us>; Steven Wang <swang@folsom.ca.us>; Scott Johnson <sjohnson@folsom.ca.us>; Sari Dierking <sdierking@folsom.ca.us>; Mike Kozlowski <mkozlowski@folsom.ca.us>; Sarah Aquino <saquino@folsom.ca.us>; Rosario Rodriguez <rrodriguez@folsom.ca.us>; YK Chalamcherla <ykchalamcherla@folsom.ca.us>; kerri@atlanticcorrosionengineers.com <kerri@atlanticcorrosionengineers.com>
Subject: Re: Funding for Development Application Processing

Thanks, Pam. I appreciate the response, but what you describe doesn't strike me as being consistent with the direction of the 2011 resolution. You state that staff doesn't have the discretion to charge more than the fees set by the counsel even if a project exceeds that cost, however, my read of the 2011 resolution is that if a full cost recovery project was being implemented as directed by that resolution, staff would not just have the authority but would also have the obligation to charge an applicant for the actual cost, including City Attorney fees, instead of subsidizing the private project's costs.

I know you'll have your hands full with other things this week, but I (and others) would like more clarity on this. Maybe in the next few weeks you could provide an example of how you track staff time/costs for application projects - perhaps Folsom Prison Brews/Barley Barn since it's a good example of the type of project described in the 2011 staff report requesting the full cost recovery program (I previously submitted a public records request for that project, but I don't recall that any of the documents I received had any records of staff time or of applicant payments).

Thanks,
-Bob

Bob Delp
 916-812-8122
bdelp@live.com

From: Pam Johns <pjohns@folsom.ca.us>
Sent: Monday, November 15, 2021 10:05 AM
To: Bob Delp <bdelp@live.com>
Cc: Elaine Andersen <eandersen@folsom.ca.us>; Steven Wang <swang@folsom.ca.us>; Scott Johnson <sjohnson@folsom.ca.us>
Subject: RE: Funding for Development Application Processing

Hi Bob,

I'm just back from unexpected leave and wanted to follow up on your email.

Development processing fees are set by the City Council in an amount that cannot exceed the reasonable cost of providing the service. Accordingly, and generally speaking, staff does not have discretion to charge more than the fees set by the Council even if a particular application takes more time to process than others. Overall, planners and engineers in Community Development track their time working on development applications and also to properly account for deposit-based fees. When it appears that the fees set by the City Council no longer reflect the reasonable cost of providing the service, staff would recommend that the fees be re-evaluated and adjusted.

Pam
 Pam Johns
 Community Development Director

From: Bob Delp <bdelp@live.com>
Sent: Friday, October 22, 2021 5:01 PM
To: Elaine Andersen <eandersen@folsom.ca.us>
Cc: Pam Johns <pjohns@folsom.ca.us>; Scott Johnson <sjohnson@folsom.ca.us>; Rosario Rodriguez <rrodriguez@folsom.ca.us>; kerri@atlanticcorrosionengineers.com; Sarah Aquino <saquino@folsom.ca.us>; Mike Kozlowski <mkozlowski@folsom.ca.us>; YK Chalamcherla <ykchalamcherla@folsom.ca.us>; Christa Freemantle <cfreemantle@folsom.ca.us>
Subject: Fw: Funding for Development Application Processing

Ms. Andersen:

City Council Resolution 8801 of 2011 is attached with the associated March 2, 2011 staff report, as provided to me by Scott Johnson on October 6, 2021. Mr. Johnson was responding to my Oct 1 request (in string below) for information regarding funding for development applications. Neither Mr. Johnson nor Ms. Johns have yet been able to tell me if or how the Community Development Department has implemented the full cost recovery program for staff time as directed by the Council in Reso 8801.

If such a program is not in place, then taxpaying members of this community have been subsidizing what I expect would amount to hundreds of thousands of dollars of staff time and expenses associated with processing private development applications over the past 10 years when, instead, as directed by the City Council in 2011, those costs should have been directly paid for by applicants.

I am asking that you investigate, provide an explanation to the community, and address this matter as a top priority and that you direct staff to immediately suspend any further processing of current and future applications until a reimbursement agreement for full cost recover is in place.

Thank you,
-Bob Delp

Bob Delp
916-812-8122
bdelp@live.com

From: Bob Delp <bdelp@live.com>
Sent: Sunday, October 17, 2021 7:34 PM
To: Scott Johnson <sjohnson@folsom.ca.us>; Pam Johns <pjohns@folsom.ca.us>
Cc: Elaine Andersen <eandersen@folsom.ca.us>
Subject: Re: Funding for Development Application Processing

Hi, Pam and Scott (Elaine now cc'd). I'm concerned that you haven't yet been able to confirm that the full cost recovery system is in place and being implemented. This is likely a matter of tens of thousands of dollars each year for staff costs that - based on city council 2011 direction - should be covered by applicant reimbursements. Please confirm ASAP that the system is in place.

-Bob
916-812-8122
bdelp@live.com

On Oct 6, 2021, at 8:59 PM, Bob Delp <bdelp@live.com> wrote:

Thanks, Scott. The key thing I see from the 2011 staff report and resolution is the council's direction for staff to implement a full cost recovery fee system. The staff report describes precisely the type of situation I was asking about and seems to provide a clear remedy - full cost recovery. Was that full cost recovery system implemented and where would I find a description of how it's implemented?

-Bob
916-812-8122
bdelp@live.com

On Oct 6, 2021, at 9:36 PM, Scott Johnson <sjohnson@folsom.ca.us> wrote:

Mr. Delp,

Attached is the staff report and resolution adopted by the City Council on 3-08-11 relative to Planning Fees. Approval of this resolution changed our fee structure for planning services to be deposit based for the majority of entitlements.

Scott A. Johnson, AICP
Planning Manager

From: Pam Johns <pjohns@folsom.ca.us>
Sent: Tuesday, October 5, 2021 1:17 PM
To: Bob Delp <bdelp@live.com>

Cc: Scott Johnson <sjohnson@folsom.ca.us>
Subject: RE: Funding for Development Application Processing

Hi Bob.

I've copied Scott Johnson here so he can respond or call you about our planning entitlement fee structure. Thank you.

Pam

From: Bob Delp <bdelp@live.com>
Sent: Tuesday, October 5, 2021 11:50 AM
To: Pam Johns <pjohns@folsom.ca.us>
Subject: Re: Funding for Development Application Processing

Thanks, Pam. That's good to know and answers part of my question. But I'm also interested in knowing if staff time/costs are tracked and reimbursed by applicants. In particular, projects like 603 Sutter Street and 608 1/2 Sutter Street (*Catchy-Name-Here* Brews) have been submitted with substantial staff time invested in reviews, preparing staff reports, preparing for hearings, etc., but then the applicants have decided to pull back the projects and make substantial revisions. I'm sure that even a once-through application requires substantial staff time, and layering in multiple rounds obviously then takes that much more time. So I'm interested in knowing if applicants are funding staff costs for their projects or if I and other taxpayers are paying for staff time to review private projects.

Bob Delp
916-812-8122
bdelp@live.com

From: Pam Johns <pjohns@folsom.ca.us>
Sent: Tuesday, October 5, 2021 11:22 AM
To: Bob Delp <bdelp@LIVE.COM>
Subject: RE: Funding for Development Application Processing

Hi Bob.

Consultant costs are covered entirely by applicant. Contracts are run through the City because we manage the consultant work consistent with approved scopes of work. Just like any city-run project, any cost overages by a consultant for work that is out of scope must be approved by the city in advance of the work and additional costs are the responsibility of the developer. Does that answer your question?

Pam

From: Bob Delp <bdelp@LIVE.COM>
Sent: Friday, October 1, 2021 10:46 AM

To: Pam Johns <pjohns@folsom.ca.us>

Subject: Funding for Development Application Processing

Pam:

I'm interested in understanding the source of funding for City and any City-retained consultant costs associated with your Department's review of development projects. I know there are established fees for certain project types, but I also know that the actual time/cost can be much higher than those fees would cover. Does the City absorb that cost or do you require reimbursement agreements with applicants for them to cover the actual cost?

Thanks,

-Bob

Bob Delp

916-812-8122

bdelp@live.com

<Planning Fees CC 3-08-11.pdf>

PUBLIC HEARING
Agenda Item No.: 8a
CC Mtg.: 03/08/2011

DATE: March 2, 2011
TO: Mayor and City Council Members
FROM: David E. Miller, AICP, Community Development Director
SUBJECT: **RESOLUTION NO. 8801 - A RESOLUTION MODIFYING RESOLUTION NO. 8301 TO CONVERT NOTED PLANNING FEES TO DEPOSITS AND DIRECTING STAFF TO IMPLEMENT A PROGRAM FOR FULL COST PLANNING SERVICE FEES**

BACKGROUND /ISSUE

The Planning Department Service Fees were last updated in October 2008. The fees generally reflect the average cost to provide development application processing services. However, the range of complexity in development applications can vary widely and some projects can remain "active" or "in process" for years because projects are substantially revised and resubmitted (sometimes with years passing in between) in an attempt by applicants to obtain City approval. Staff sometimes must effectively begin processing all over with each resubmittal but is unable to request new project fees because the project is still technically active. It is these types of projects that staff seeks to target to ensure that staff costs are fully recovered. As the Council is well aware, in our current fiscal climate the General Fund is unable to cover any unnecessary development service related costs.

Another major issue associated with development application fees is the continuing reduction in General Fund revenues. Over the past three years, the City's General Fund expenses have exceeded the General Fund revenue by approximately \$13 million. The City's General Fund cannot subsidize development applications. Given significant increases in productivity and expediting development permits, the expense to process development permits has dropped in many cases. Nevertheless, the General Fund continues to significantly subsidize development permit activity.

Therefore, staff is proposing to implement a program where staff would track time spent on each planning application and begin charging applicants monthly if and when the application fees were exceeded. In addition, a fee would be implemented to cover planning staff time to review building permits. In this manner, the City would protect its General Fund monies from subsidizing private development applications.

POLICY / RULE

Folsom Municipal Code Section 3.50.020 directs the City Manager to recommend to the Council the adjustment of fees and charges to recover the percentage of costs reasonably borne in providing the regulation, products or services enumerated in Chapter 3.50.

Folsom Municipal Code Section 3.50.030 provides direction on calculating “costs reasonably borne” to include the following elements: direct costs (wages, overtime, benefits, overhead, etc), indirect costs (building maintenance, computers, printing, etc.), fixed assets, general overhead, department overhead, and any debt service costs.

Folsom Municipal Code Section 3.50.040 requires fee adjustments be approved by the City Council. It also specifies the percentage of City service costs to be recovered through fees. The majority of Planning Service Fees are directed to be 100% cost recoverable through its fee structure. Building Permit fees are also directed to be 100% cost recovered.

ANALYSIS

Staff recommends that the City Council direct staff to implement a full cost recovery program modeled after one that’s been used by the City of Roseville Planning and Redevelopment Department since 2003. The following is the proposed program outline:

Base Cost

The base cost for processing a full cost application represents the minimum amount of staff time invested by City staff. This base cost is determined by an analysis of actual costs and is non-refundable. Staff recommends that Folsom’s existing fee structure adopted October 1, 2008 be used as this base cost so that no new costly analysis process is required.

Project Initiation

Concurrent with the start-up of a project, the applicant enters into an agreement for full cost billing. Per this agreement, the applicant would pay the base costs associated with the individual entitlements associated with the project.

Full Cost Billing

Following project initiation and payment of the base cost fee, staff will record time spent working on the project against the base cost. If staff time exceeds that covered under the base cost, the applicant shall be billed an hourly rate thereafter on a monthly basis.

The hourly billing rate charged to projects would be a factor of the staff salary to cover costs as enumerated in Folsom Municipal Code Section 3.50.030, including: direct costs (wages, overtime, benefits, overhead, etc), indirect costs (building maintenance, computers, printing, etc.), fixed assets, general overhead, department overhead, and any debt service costs. The Finance Department has completed a full analysis of overhead charges and has submitted rates for all Community Development staff.

These charges are based on the current staff costs per adopted City labor contracts, plus a factor for direct and indirect costs. Included in the monthly billing would be any costs incurred by other departments such as the City Attorney’s Office, Public Works, Utilities, Housing and Redevelopment, Parks and Recreation, etc.

Consultants

As may be required for project evaluation or environmental review, all consultant work shall be paid for by the project applicant and would be included in the payment agreement. The City would charge an administrative cost equal to 10% of the contract amount, which is a typical markup rate industry wide.

Non-Residential Plan Check Fee

Planning staff must review every building permit for compliance with conditions of any project approval (such as a Design Review or Planned Development Permit) to ensure all the Planning Commission and City Council conditions have been complied with. In addition, permits must be reviewed for compliance with the Zoning Code and any other applicable ordinance. Staff recommends that an additional planning review fee equal to 15% of the permit fee (same as City of Roseville fee) be charged to cover planning staff review time for non-residential projects because currently this cost is not being covered and is a drain on the General Fund.

Residential Landscape Review Fee

Due to recent state legislation (AB 1881) all landscape plans are required to be reviewed for water conservation standards. While commercial landscape plan review is covered by the existing fee structure, residential landscaping plans are not. Staff proposes to require a residential fee for each residential landscape plan review and inspection based on the hourly rate of the City Arborist.

As shown in the table below, the proposed fee deposits for typical entitlements are similar to other jurisdictions in the region.

Entitlement	Folsom	Roseville	Sacramento	Elk Grove	Rancho Cordova
General Plan Amendment	\$3,651-\$7,300	\$4,934-\$13,074	\$20,000	\$12,371	\$15,000
Rezone	\$2,502-\$4,997	\$5,154-\$13,338	\$8,000-\$20,000	\$10,176	\$15,000
Specific Plan Amendment	\$5,892	\$5,139-\$13,075	\$10,000	\$3,443	\$5,000
Tentative Parcel Map	\$4,754	\$1,698	\$500 per lot	\$4,854	\$10,000
Tentative Subdivision Map	\$5,721+\$30 per lot	\$3,338-\$4,832	\$500 per lot	\$7,533	\$10,000-\$20,000
Planned Development Permit	\$7,640+\$38 2 per acre	\$4,627	\$6,200	\$5,281	\$10,000
Conditional Use Permit	\$4,954	\$4,085	\$4,000-\$9,000	\$5,223	\$10,000
Variance	\$1,405	\$2,430	\$3,000	\$3,228	\$10,000

Staff recommends the Planning Service Fees convert to this deposit/cost recovery system in accordance with those services specifically identified in Section 3.50.040 to be full cost recovery. Exceptions to full cost recovery identified in this section include appeals (identified costs to be 10% recovered) and tree removal permits/special events permits (by omission from the schedule of Development Services to recover costs reasonably borne).

FINANCIAL IMPACT

The cost recovery program would allow the City to more accurately cover the actual costs for development permits from the applicants. Although the actual savings to the General Fund are cannot be quantified, this fee recovery program will result in a positive impact to the General Fund and provide direct costs charges to contribute to the General Fund to more accurately fund development processing costs.

ENVIRONMENTAL REVIEW

This Resolution is categorically exempt from the California Environmental Quality Act under Public Resources Code §21080, sub. (b)(8) and CEQA Guidelines §15273, establishment, modification, structuring or approval of rates, tolls fares, or other charges by public agencies which the public agency finds are for the purpose of meeting operating expenses. The modification of permit fees has not potential environmental impact upon the environment so does not constitute a project under CEQA.

ATTACHMENTS

1. Resolution No. 8801 – A Resolution Modifying Resolution No. 8301 to Convert Noted Planning Fees to Deposits and Directing Staff to Implement a Program for Full Cost Planning Service Fees
2. City of Roseville Planning Fee Schedule – Effective July 1, 2010 (which includes procedures for Full Cost Fees)
3. City of Roseville Planning Department Sample Agreement for Full Cost Billing.

RECOMMENDATION/CITY COUNCIL ACTION

Staff recommends that the City Council adopt Resolution No. 8801 – A Resolution Modifying Resolution No. 8301 to Convert Noted Planning Fees to Deposits and Directing Staff to Implement a Program for Full Cost Planning Fees.

Submitted,



David E. Miller, AICP
Community Development Director

Attachment #1 City Council Resolution

RESOLUTION NO. 8801

A RESOLUTION MODIFYING RESOLUTION NO. 8301 AS SHOWN IN THE ATTACHED FEE SCHEDULE AND DIRECTING STAFF TO IMPLEMENT A PROGRAM FOR FULL COST PLANNING SERVICE FEES

WHEREAS, Folsom Municipal Code Section 3.50.020 directs the City Manager to recommend to the Council the adjustment of fees and charges to recover the percentage of costs reasonably borne in providing the regulation, products or services as enumerated in Chapter 3.50; and

WHEREAS, Folsom Municipal Code Section 3.50.030 provides direction on calculating costs reasonably borne to include the following elements: direct costs (wages, overtime, benefits, overhead, etc.), indirect costs (building maintenance, computers, printing, etc.), fixed assets, general overhead, department overhead, and any debt service costs; and

WHEREAS, Folsom Municipal Code Section 3.50.040 requires fee adjustments be approved by the City Council; and

WHEREAS, Folsom Municipal Code Section 3.50.040 also directs that the majority of Planning Service Fees and Building Permit Fees shall be 100% cost recoverable through its fee structure; and

WHEREAS, the range of complexity in Planning Department development applications can vary widely; and

WHEREAS, in our current fiscal climate the General Fund is unable to cover any unnecessary development service related costs; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Folsom that Resolution No. 8301 be modified as shown in the attached fee schedule, effective 60 days from the date of adoption of this Resolution on May 8, 2011 and directs City staff to implement a program for full cost planning service fees as attached and described in the staff report.

PASSED AND ADOPTED this 8th day of March 2011, by the following roll-call vote:

- AYES: Council Member(s):
- NOES: Council Member(s):
- ABSENT: Council Member(s):
- ABSTAIN: Council Member(s):

Andrew J. Morin, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

Resolution No. 8801
Page 1 of 2

#	Department Service	Base Fee (Non-Refundable Deposit)
	Planning	
PE-1	Preliminary Project Review (deposit)	\$ 545
PE-2	Tentative Parcel Map Review (Deposit)	\$ 4,754
PE-3	Tentative Subdivision Map Review (deposit)	\$5,751 + \$30/Lot
PE-4	Tentative Map Amendment Review (deposit)	\$ 7,923
PE-5	Final Map Amend/Cert of Correction	\$ 2,599
PE-6	Tentative Map Extension Review (deposit)	\$ 3,404
PE-7	Site Design Review - Planning Comm. (deposit)	\$ 3,992
PE-8	Planned Development review (deposit)	\$7,640 + \$382/acre
PE-9	Planned Development Mod. Review (deposit)	\$ 7,628
PE-10	Planned Development Ext. Review (deposit)	\$ 2,678
PE-11	Specific Plan Review (deposit)	\$ 5,356
PE-12	Specific Plan Amend. Review (deposit)	\$ 5,892
PE-13	Initial Environmental Study/Assmnt (deposit)	\$ 5,423
PE-15	Environmental Impact Review & Report*	\$ 7,285
PE-16	Notice of CEQA determination	\$ 252
PE-18	Envntl Mitigation Prog. Monitoring*	\$ 5,369
PE-20	Historic Dist SFD Design Rvw (deposit)	\$ 54
PE-21	H.D. Mult Fam/Comm Design Rvw (deposit)	\$ 1,841
PE-22	Arch Review - SFD (deposit)	\$ 54
PE-23	Arch Review - Mult-Fam/Comm. (deposit)	\$ 1,841
PE-24	Historic Dist Sign Review (deposit)	\$ 54
PE-25	Sign Permit - Staff	\$ 107
PE-26	PD Permit Sign Only (deposit)	\$ 1,071
PE-27	Zoning Verification Review (deposit)	\$ 258
PE-28	Rezoning Request Review- < 5 acres (deposit)	\$ 2,502
PE-29	Rezoning Request Review- 5+ acres (deposit)	\$ 4,997
PE-20	Lot Line Adj./Parcel Merger (planning) (deposit)	\$ 844
PE-31	Annexation Processing (deposit)*	\$ 4,280
PE-32	Variance Review- SFD (deposit)	\$ 1,405
PE-33	Variance Review- Other (deposit)	\$ 1,405
PE-35	Appeal - Admin	\$ 214
PE-36	Appeal - by other (deposit)	\$ 429
PE-37	Code Amendment (deposit)*	\$ 1,912
PE-38	General Plan Amendment <5 acres (deposit)	\$ 3,651
PE-39	General Plan Amendment >5 acres (deposit)	\$ 7,300
PE-40	Temporary Use Permit Review	\$ 54
PE-41	Conditional Use Permit Review (deposit)	\$ 4,954
PE-43	Street Name Review/Change (deposit)	\$ 1,071
PE-44	Devl. Agreement Processing (deposit)*	\$ 4,607
PE-45	Non-residential Plan Check Fee	15% of building permit fee
PE-46	Residential Landscape Review Fee	Hourly rate of City Arborist

Attachment #2
City of Roseville Planning Fee Schedule
Effective July 1, 2010



PLANNING and REDEVELOPMENT
311 VERNON STREET * ROSEVILLE, CA 95678

Planning Fee Schedule - Effective July 1, 2010

Adopted by Resolution No. 96-239 - Amended by Resolution No. 97-287 - Amended by Resolution No. 99-507 - Amended by Resolution No. 02-02 - Amended by Resolution No. 02-224
Amended by Resolution No. 04-485 - Amended by Resolution No. 05-176, Amended by resolution 09-124

ENTITLEMENT (APPLICATION TYPE):	FEE	Full Cost Base Cost	ENTITLEMENT (APPLICATION TYPE):	FEE	Full Cost Base Cost
APPEALS			SIGNS		
1. Planning Director's Decision	\$454		1. Standard Sign Permit	\$117	
2. PC/DC Decision to City Council	\$425		2. Planned Sign Permit Program	\$512	
ANNEXATIONS			3. Sign Permit/Program - Public Hearing Req.	\$1,010	
1. Annex/PZ/Detach/SOI/(FULL COST/Deposit) ¹		\$11,786	4. Administrative Permit for Sign Exception ²	\$717	
DEVELOPMENT AGREEMENTS			5. PSP Minor Modification ³	\$58	
1. Adoption of Specific Plan (FULL COST/Deposit) ¹		\$6,837	SPECIFIC PLAN AMENDMENT		
2. Amendment of SPA (FULL COST/Deposit) ¹		\$6,837	1. SPA Adoption, Map/Text (FULL COST/Deposit) ¹		\$11,786
3. Associated with Affordable Housing	\$1,244		2. SPA 10 Acres or LESS, Map or Text	\$5,139	
4. Associated with Single Topic Item	\$2,474		3. SPA 11+ Acres, Map/Text (FULL COST/Deposit) ¹		\$13,075
ENVIRONMENTAL REVIEW			4. SPA Text/Policy Deposit (FULL COST/Deposit) ¹		\$13,075
1. Exemption WITHOUT Initial Study	\$176		SUBDIVISIONS/CONDOMINIUMS*		
2. Exemption WITH Initial Study	\$425		1. Grading Plan / Minor	\$1,201	
3. Negative Declaration with NO Mitigation	\$630		2. Grading Plan / Major	\$2,489	
4. Tiered Negative Declaration WITH Mitigation	\$1,288		3. Lot Line Adjustment	\$1,201	
5. EIR Deposit (FULL COST/Deposit) ¹		\$11,786	4. Extension to a Tentative Map	\$1,201	
GENERAL PLAN AMENDMENT			5. Voluntary Merger	\$1,201	
1. Entitlement Fee - GPA 10 Acres of LESS, Map/Text	\$4,934		6. Reversion to Acreage	\$1,698	
2. GPA 11+ Acres, Map/Text (FULL COST/Deposit) ¹		\$13,074	7. Minor Modification to a Tentative Map	\$1,201	
3. GPA - Text Policy Amend (FULL COST/Deposit) ¹		\$13,074	8. Major Modification to a Tentative Map	\$2,796	
PUBLIC UTILITY EASEMENT ABANDONMENT			9. Tentative Parcel Map with 4 or fewer Lots	\$1,698	
1. Summary Vacation	\$1,259		10. Tentative Map, 5 through 99 Lots	\$3,338	
2. General Vacation	\$1,772		11. Tentative Map, 100 through 499 Lots	\$4,832	
			12. Tentative Map, 500+ Lots (FULL COST/Deposit) ¹		\$12,254

KEY: ¹Full Cost/Base Cost to be collected at submittal. An estimate of processing cost will be provided at PEM. Applicant to pay 100% of Actual Cost to process requested Entitlement.

*Condominium subdivision category has been added to assist in the processing and tracking of condominium units

² Previously processed as Sign Variance

³ Previously processed as ZCC

600000

0000010

ENTITLEMENT (APPLICATION TYPE:	FEE	Full Cost Base Cost
ZONING ORDINANCE ENTITLEMENTS		
1. Administrative Permit	\$717	
2. Conditional Use Permit	\$4,085	
3. CUP Extension or Modification	\$2,650	
4. Design Review Permit	\$4,627	
5. DRP/Minor Approved at Public Counter	\$102	
6. DRP/Residential Subdivision w/other Permit	\$2,870	
7. DRP Extension or Modification	\$2,650	
8. CUP/DRP Process with another Permit	\$2,225	
9. Flood Encroachment Permit	\$3,719	
10. MPP Stage 1 or Stages 1 & 2 (FULL COST/Deposit) ¹		\$14,846
11. MPP Stage 2, Mod/Exten of Stage 1 &/or 2	\$2,650	
12. MPP Administrative Modification	\$776	
13. Planned Development Permit	\$4,627	
14. TP Admin - Approved at Public Counter	\$88	
15. TP - Req. Public Hear for SFD or 10 trees/Less	\$1,772	
16. TP - Req. Public Hear for DRP/TM or 11+ trees	\$2,723	
17. Administrative Variance	\$600	
18. Variance to Develop Standards Req. Public Hearing	\$2,035	
19. Variance to Parking Standards	\$2,430	
20. Zoning Clearance Approved Public Counter	\$58	
21. Zoning Interpretation - Hearing Required	\$1,537	
22. Zoning Interpretation - Non Hearing Item	\$73	
ZONING ORDINANCE AMENDMENTS		
1. Zoning Text Amend (Zoning, Subd, Sign) (FULL COST/Deposit) ¹		\$7,965
2. Zoning Map Change (RZ) 10 Acres or LESS	\$5,154	
3. Zoning Map Change (RZ) 11+ Acres (FULL COST/Deposit) ¹		\$13,338
OTHER		
1. New Non-Residential Plan Check ²		15% of Building Plan Check Fee
2. Commercial Plan Check - TI ²	\$58	
2. Planning Dept. Plot Plan Review (Bundles of 10)	\$58	
3. Radius List Prep-Previously Developed Area	\$58	
4. Preparation Undeveloped Area/Mailing	\$146	
5. Farmer's Market Permit	\$410	

PROCEDURES FOR FULL COST FEES

I. Base Cost

The base costs for processing a full cost application represents the minimum amount of staff time invested by the Planning and Redevelopment Department in processing a certain entitlement. This base fee has been generated based on a time-motion analysis that is available upon request from the Planning and Redevelopment Department. This base cost is non-refundable.

II. Project Initiation

Concurrent with the start-up of a Full Cost project, the applicant shall enter into an agreement for Full Cost billing. This agreement shall be provided to the applicant from the Planning and Redevelopment Department. Per the provisions of this agreement, the applicant shall pay the base costs associated with the individual entitlements associated with the project.

III. Full Cost Billing

Following project initiation and payment of the base cost fee, Planning and Redevelopment staff will record time spent working on the project against the base cost. Once staff time exceeds that covered under the base cost, the applicant shall be billed on a monthly basis. These charges will be based on current staff costs per adopted City labor contracts, plus a factor for direct and indirect costs. The Planning and Redevelopment Department can be contacted for current rates.

Included in the monthly billing will be the costs incurred by the following City departments: City Attorney, Housing, Community Development, Parks and Recreation and Planning and Redevelopment. These costs are outside of what is reflected in the Base Cost.

IV. Consultants

As may be required by the Planning Department for project evaluation or environmental review, all consultant work shall be paid for by the project applicant and shall be included in the payment agreement. The City shall charge 10% of the contract amount for City action. The cost for consultant fees will be paid as a one time cost.

V. Plan Check Fee

This fee shall be 15% of the building Plan Check Fee for New Non-Residential construction (Commercial and Multi-family). Fee to be collected with Building's Plan Check Fee.

REFUND POLICY

Application fees are not refundable except as follows:

1. Refund of 100% shall be made if a determination is made by the Planning Director that the permit and associated fee are not required by the City of Roseville Municipal Code or adopted City Resolution.
2. If an applicant requests withdrawal of a permit prior to the PEM, refund of 50% of the applicable fee shall also be refunded.
3. No refund of application fees shall be made after a Project Evaluation Meeting has been held, unless a fee waiver is approved by the Roseville City Council.

KEY

¹Full Cost/Deposit to be collected at submittal. Applicant to pay 100% of Actual Cost to process requested Entitlement. -See FULL COST Discussion

²Non-Residential - Per Building Code, this includes Commercial and Multi-family developments. Plan Check Fees to be assessed as part of Building Department Plan Check Fee.

³Parking In Lieu Fee is an optional fee that non-residential uses in the Downtown Specific Plan Area can utilize instead of providing required parking on-site. Fees for the 1st stall will be \$800 (10%), 2nd stall \$2,000 (25%), 3rd stall (50%), 4th stall \$6,000(75%) and 5 or more stalls \$8,000 (100%) of the in lieu fee.

E:/budget/Fee Schedule Effective 07/01/2010

Attachment #3
City of Roseville Planning Department
Sample Agreement for Full Cost Billing



PLANNING DEPARTMENT

311 Vernon Street, Roseville, CA 95678 (916) 774-5276

Agreement for Full Cost Billing

I understand that charges for staff time spent processing this application will be based on the current staff costs per adopted City labor contracts plus a factor for direct and indirect costs. Please contact the Planning Division for a handout of current billing rates.

I understand that my initial fee is considered to be a base cost for processing. This initial fee will set up an account that shall be charged at the current rate for all staff processing time. I understand that should the final costs be more than the initial fee, I will be billed quarterly for the additional charges. I also understand that payments received after the due date will be assessed a late fee equal to ten percent (10%) of the amount past due.

I understand that staff processing time may include, but is not limited to: Planning and Other City Departments: City Attorney, Housing, Community Development, and Parks & Recreation. This also includes but is not limited to; Pre-application review of plans; reviewing plans / submittal packages; routing plans to, and communicating with inter-office departments and outside agencies; researching documents relative to site history; site visits; consulting with applicant and/or other interested parties either in person by phone; preparing environmental documents; drafting of staff reports and resolutions; preparing pertinent maps, graphs and exhibits; and attending meetings / public hearings before the Design Committee/Planning Commission/City Council.

I also understand that receipt of all discretionary approvals does not constitute an entitlement to begin work. Non-discretionary approvals may be required from City development departments and outside agencies. I understand additional fees will be assessed for these approvals. Please refer to the City's Residential or Commercial Fee Schedule for other fees to be assessed prior to the issuance of project permits. These fees may include, but are not limited to: Building Permit fees; Improvement plan fees; Traffic Impact fees; Drainage fees; Parkland Dedication fees; Park Construction fees; Utility fees; Filing fees; and Mapping fees.

As applicant, I assume full responsibility for all costs leading to discretionary approvals (as listed above, incurred by the City in processing this application(s)).

PROJECT NAME: _____

PROJECT DESCRIPTION: _____

BILLING CONTACT INFORMATION:

NAME: _____
 COMPANY: _____
 ADDRESS: _____
 CITY, STATE: _____ ZIP: _____
 PHONE #: _____ FAX #: _____
 CELL #: _____ EMAIL: _____

- OWNER ARCHITECT
 ENGINEER OTHER: _____

BILLING ADDRESS, IF DIFFERENT FROM CONTACT:

NAME: _____
 COMPANY: _____
 ADDRESS: _____
 CITY, STATE: _____ ZIP: _____
 PHONE #: _____ FAX #: _____
 CELL #: _____ EMAIL: _____

- OWNER ARCHITECT
 ENGINEER OTHER: _____

PROPERTY OWNER OR AGENT AUTHORIZATION:

NAME: _____
 COMPANY: _____
 ADDRESS: _____
 CITY, STATE: _____ ZIP: _____
 PHONE #: _____ FAX #: _____
 EMAIL: _____

CHOOSE ONE:

- I am the property owner and hereby authorize the filling of this agreement.
 I am the applicant and am authorized by the owner to file this agreement.

SIGNATURE: _____

DATE: _____

For Staff Use Only	(Date Stamp)
PROJECT ADDRESS: _____	
JOB NUMBER: _____	
Total Deposit Fee: \$ _____	
Receipt #: _____	
Received By: _____	
E:\forms\FULLCOSTBILLINGAGREEMENT.doc	

Desmond Parrington

From: Bob Delp <bdelp@live.com>
Sent: Tuesday, April 23, 2024 4:18 PM
To: Desmond Parrington
Cc: Pam Johns; Stephanie Henry; Christa Freemantle
Subject: Re: City of Folsom - Major Planning Items on 4/22 and 4/23

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank you, Desmond.

Bob Delp
916-812-8122
bdelp@live.com

From: Desmond Parrington <dparrington@folsom.ca.us>
Sent: Tuesday, April 23, 2024 11:46 AM
To: Bob Delp <bdelp@live.com>
Cc: Pam Johns <pjohns@folsom.ca.us>; Stephanie Henry <shenry@folsom.ca.us>; Christa Freemantle <cfreemantle@folsom.ca.us>
Subject: RE: City of Folsom - Major Planning Items on 4/22 and 4/23

Bob:

The public notice, which was printed over 10 days ago in the *Folsom Telegraph* included a link to the fee study and also mentioned that a copy of the fee study is available at the Community Development Department permit counter. Attached is the public notice and proof of publication.

-Desmond



CITY OF
FOLSOM
DISTINCTIVE BY NATURE



Desmond Parrington, AICP
Planning Manager
City of Folsom
50 Natoma Street, Folsom, CA 95630
dparrington@folsom.ca.us
o:916-461-6233 c:916-216-2813
www.folsom.ca.us

From: Bob Delp <bdelp@live.com>
Sent: Tuesday, April 23, 2024 7:32 AM
To: Desmond Parrington <dparrington@folsom.ca.us>; Christa Freemantle <cfreemantle@folsom.ca.us>
Cc: Pam Johns <pjohns@folsom.ca.us>; Stephanie Henry <shenry@folsom.ca.us>
Subject: Re: City of Folsom - Major Planning Items on 4/22 and 4/23

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Desmond and/or Christa:

The Staff Report for Item 9 of tonight's City's Council meeting is dated with today's date, 4/23/2024. That item is for a hearing to consider amendments to Building and Engineering fees and my understanding is that such a hearing is subject to Folsom Municipal Code section 3.50.060 which states, "[p]ursuant to the California Government Code, **at least ten days prior to the required public hearing set out herein**, the city manager shall make available to the public appropriate data indicating the cost, or estimated cost required to support the fees and charges for which changes are proposed to be made or fees or charges imposed."

Can you confirm that the staff report (dated 4/23/2024) or the data required pursuant to 3.50.060 was made available to the public at least ten days ago and, if so, can you let me know when and how that was accomplished?

Thank you,
-Bob

Bob Delp
916-812-8122
bdelp@live.com

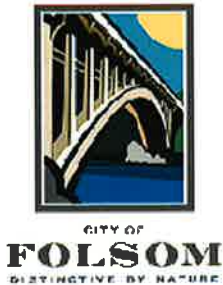
From: Desmond Parrington <dparrington@folsom.ca.us>
Sent: Monday, April 22, 2024 2:17 PM
To: Desmond Parrington <dparrington@folsom.ca.us>
Cc: Pam Johns <pjohns@folsom.ca.us>; Stephanie Henry <shenry@folsom.ca.us>
Subject: City of Folsom - Major Planning Items on 4/22 and 4/23

The City of Folsom has three major upcoming planning items including: 1) a proposed annexation concept; 2) recommended Building and Engineering fee changes, and 3) an EIR and proposed amendments to the City's General Plan for additional housing capacity. Of those three items, two (conceptual annexation proposal and recommended fee changes) will be going before the City Council for consideration tomorrow, **Tuesday, April 23 at 6:30 pm in Council Chambers at City Hall** (50 Natoma St.). The third is available for review for next 45 days.

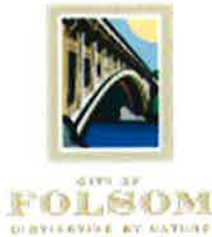
1. **Community for Health and Independence – Conceptual Annexation Proposal:** The Folsom City Council will hold a public workshop on Tuesday, April 23 to consider a preliminary request from AKT and UC Davis Health for their conceptual annexation proposal. The proposed project is a master-planned community south of Folsom, located in Sacramento and El Dorado counties. The developer will present the project concept and request feedback from both the El Dorado County Board of Supervisors and the Folsom City Council at separate meetings on April 23 to inform future decisions and any necessary next steps. No formal action by City Council is required or allowed at this time. Instead, this workshop creates an early vetting opportunity for the developer to hear from the community and City Council about the proposed annexation proposal. Learn more: [Conceptual Annexation Proposal | Folsom, CA](#). Refer to [Item #11 for the staff report in the agenda packet](#).
2. **Community Development Department – Recommended Building and Engineering Fee Changes:** The Folsom City Council will hold a public hearing on proposed fee changes to CDD's Building and Engineering user and processing fees. The Building and Engineering fee recommendations come out of a Council workshop on the user fee study held on March 12. The changes are designed to better reflect the scope of work involved and to cover staff costs associated with the processing and review of permits. No impact

fees are proposed for change. If approved, these new Building and Engineering user and processing fees would go into effect on July 1, 2024. For a copy of the fee study and the staff report, see [Item # 9 in the staff report](#) (PDF). Planning fees, including Special Event Permit fees, are not proposed to change at this time. Planning fee changes will be presented to City Council in the first quarter of 2025.

- 3. **Notice of Availability – Public Review Draft of General Plan Amendments and EIR for Increased Housing Capacity:** As part of the implementation for the City’s 2021-2029 Housing Element, the City is amending the General Plan and Folsom Plan Area Specific Plan (FPASP) to allow for more intensive multi-family residential development in targeted areas including the East Bidwell Corridor, areas near the Glenn and Iron Point light rail stations and in the Folsom Plan Area. An environmental impact report (EIR) along with the amended General Plan and FPASP documents are available for review and comment for 45 days between April 22 and Friday, June 6, 2024. The Notice of Availability is attached and the documents along with more information about the project and how to submit a comment is available at www.folsom.ca.us/housingstudy.



Desmond Parrington, AICP
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 o:916-461-6233 c:916-216-2813
www.folsom.ca.us



Folsom City Council Staff Report

MEETING DATE:	5/28/2024
AGENDA SECTION:	New Business
SUBJECT:	Resolution No. 11207 - A Resolution Submitting the Folsom Residents Public Safety and Quality of Life Measure to the Qualified Voters of the City to Add a Special Transactions and Use Tax at the Rate of One Percent (1%), Authorizing the Filing of Written Arguments Regarding the City's Revenue Measure, and Directing the City Attorney to Prepare an Impartial Analysis for Said Measure
FROM:	City Attorney's Office

RECOMMENDATION / CITY COUNCIL ACTION

Staff recommends that the City Council pass and adopt Resolution No. 11207 - A Resolution Submitting the Folsom Residents Public Safety and Quality of Life Measure to the Qualified Voters of the City to Add a Special Transactions and Use Tax at the Rate of One Percent (1%), Authorizing the Filing of Written Arguments Regarding the City's Revenue Measure, and Directing the City Attorney to Prepare an Impartial Analysis for Said Measure.

BACKGROUND / ISSUE

A group of Folsom residents submitted a Notice of Intent to Circulate Petition to the City on December 4, 2023, proposing through a citizens' initiative to impose a new 1% special sales tax where the tax revenue may only be spent on specific purposes specified in the measure. The proponents submitted signatures they have gathered in support of the citizens' initiative to the City Clerk on April 30, 2024. The Sacramento County Registrar of Voters verified signatures and opined on May 9, 2024 that the number of signatures collected by the citizens' initiative meets and surpasses the 10% voter threshold requirement, thereby qualifying the citizens' initiative to be placed on the ballot for the November 5, 2024 General Municipal Election.

A General Municipal Election for the City of Folsom may be consolidated with the Statewide General Election for the purpose of electing members of the City Council in Council Districts 2 and 4 to fill openings due to the expiration of the current term of two Councilmembers this December, as well as submitting ballot measures to the voters as desired by the City Council.

While the election of two City Councilmembers will be by-district (i.e., only eligible voters in Council Districts 2 and 4 will vote for a Councilmember in their respective Districts), all eligible voters throughout the City will be able to vote to approve or reject the proposed revenue measure.

POLICY / RULE

Elections Code Sections 9201 and 9215 authorize citizens to submit a proposed ordinance to the City Council after being signed by not less than 10 percent of the voters of the City according to the last report of registration by the Sacramento County elections official. Once qualified, the City Council may submit the ordinance without alteration to the voters.

As a citizens' initiative, the proposed ordinance shall become a valid and binding ordinance of the City if a majority of the voters voting on it vote in its favor pursuant to Elections Code Section 9217.

ANALYSIS

A. General Municipal Election

At the November 5, 2024 General Municipal Election, the qualified voters of the City will be asked to elect two Councilmembers in Council Districts 2 and 4 to fill the seats following the expiration of the current terms of two Councilmembers. The election will be by-district. Additionally, the City Council may submit ballot measures to all voters of the City at said election for consideration.

B. Citizens' Initiative

The proponents of the citizens' initiative, "Folsom Residents Public Safety and Quality of Life Act", have gathered sufficient number of signatures to qualify it for the November 5, 2024 election ballot. The City Council is ministerially required to submit the ordinance to the voters of the City at a General Municipal Election to be held on November 5, 2024.

The initiative measure asks voters to authorize the enactment of a new transactions and use (sales) tax on the sale and/or use of all tangible personal property sold at retail in the City and online sellers, at the rate of one cent for every dollar spent (or one percent), on an ongoing basis.

The measure proposes a "special sales tax," from which the revenue would be deposited into a special City account separate from the general fund for the City to use only for the

following specific purposes, and in their respective percentages of expenditure, authorized in the measure:

1. Twenty percent (20%) for “**Police and Crime Reduction**” to maintain and improve police services and additional staffing, and to provide equipment and facilities for Folsom Police.
2. Twenty percent (20%) for “**Fire, Rescue, and Emergency Medical Services**” to maintain and improve fire, rescue and emergency medical services, and to provide equipment and facilities for Folsom firefighters and paramedics.
3. Fifteen percent (15%) for “**Parks, Recreation Facilities and Trails**” to maintain and renovate existing parks, trails, and other recreation facilities, including sports facilities used jointly with the Folsom-Cordova Unified School District and provide for funding to complete identified incomplete parks and trails in Folsom.
4. Fifteen percent (15%) for “**Traffic Mitigation and Environmental Water Quality**” to improve traffic congestion and safety, street maintenance, storm system repair and maintenance, and to maintain creek corridor and water quality in Folsom.
5. Fifteen percent (15%) for “**Community Enhancement and Economic Development**” to be used for investments, job creation and projects to enhance quality of life and long-term economic viability for the City, such as those consistent with a City adopted master plan.
6. Fifteen percent (15%) for “**Major Capital Improvement Projects**” to help fund major improvements to City infrastructure or facilities, including transportation/traffic safety, stormwater systems, parks and recreation facilities, public safety facilities, parking facilities, libraries and large capital equipment.

The measure requires annual audits and appointment by the City Council of a Citizens Oversight Committee to ensure that funds generated by the special tax are and will be used as specified by the measure. No proceeds from the special tax will be used to enhance existing public employee retirement benefits, replace existing developer obligations, or substitute existing funding mechanisms.

Although the proposed citizens’ initiative proposes a “special tax” which normally would require 2/3 votes to pass, as a citizens’ initiative, the measure would become operative if passed by a *simple majority* vote of the voters voting on the measure.

If passed, the Folsom Municipal Code would be amended by the enactment of an ordinance imposing the new special sales tax; however, the tax will be administered by the California Department of Tax and Fee Administration in the same manner that sales tax is currently administered in order to reduce the cost of collecting the tax and to minimize the burden of record-keeping upon retailers subject to the tax.

C. Effect on Sales Tax Rate and Tax Revenue

Currently, the cumulative tax rate on retail sales in Folsom is 7.75% of the purchase price. The tax revenue is allocated among the State, Sacramento County, the City of Folsom, and other public agencies. Folsom's share is 1.0% of the purchase price. The initiative measure would increase the cumulative tax rate in Folsom to 8.75%, with all proceeds from the special tax to remain in Folsom, and Folsom's share would increase from 1% to 2%.

Staff estimates that a one cent measure would initially generate approximately \$29 million per year. Collection of the proposed tax would begin on April 1, 2025 and would continue until repealed by voters of the City in a future election.

A copy of the proposed text of the proposed citizens' initiative revenue measure can be found in Attachment 2 of this Staff Report.

D. Written Ballot/Rebuttal Arguments

According to Section 9282 of the Elections Code, for measures placed on the ballot by petition, the person filing an initiative petition may file a written argument in favor of the ordinance, and the legislative body may submit an argument against the ordinance. While the Elections Code provides that the City Council may argue against the citizens' initiative, it provides no authority for the City Council to submit an argument in favor of the measure.

Accordingly, the proposed Resolution authorizes the filing of written arguments and rebuttals for the citizens' initiative revenue measure in accordance with Section 9282 of the Elections Codes, as well as directing the City Attorney to prepare an impartial analysis for the ballot measure.

Pursuant to the timeline set forth in Elections Code Sections 9286 and 9295, written ballot arguments for or against a ballot measure must be filed no later than June 11, 2024. The public examination period for arguments would be from June 12, 2024 to June 21, 2024.

Pursuant to Elections Code Section 9285, rebuttal arguments must be filed no later than June 21, 2024. The public examination period would be from June 22, 2024 to July 1, 2024.

FINANCIAL IMPACT

The Sacramento County Registrar of Voters has estimated the election cost at approximately \$55,000 for the election of two City Council candidates. Adding an additional contest to the ballot will cost approximately an additional \$6,000 based on the County's fee schedule of \$0.1035 per registered voter for "additional contests". Funds will be in the City Clerk's proposed FY 2024-25 budget to cover this expense.

ENVIRONMENTAL REVIEW

Under Election Code Section 9215, the City Council's decision to submit a voter-proposed initiative measure to the voters is ministerial and not subject to the California Environmental Quality Act. No environmental review is required.

ATTACHMENTS

1. Resolution No. 11207 - A Resolution Submitting the Folsom Residents Public Safety and Quality of Life Measure to the Qualified Voters of the City to Add a Special Transactions and Use Tax at the Rate of One Percent (1%), Authorizing the Filing of Written Arguments Regarding the City's Revenue Measure, and Directing the City Attorney to Prepare an Impartial Analysis for Said Measure
2. The Folsom Residents Public Safety and Quality of Life Act
3. City Attorney Ballot Title and Summary
4. Sacramento County Voter Registration and Elections Signature Verification Calculations and Certificate

Respectfully submitted,

Steven Wang, City Attorney

Attachment 1

Resolution No. 11207 - A Resolution Submitting the Folsom Residents Public Safety and Quality of Life Measure to the Qualified Voters of the City to Add a Special Transactions and Use Tax at the Rate of One Percent (1%), Authorizing the Filing of Written Arguments Regarding the City's Revenue Measure, and Directing the City Attorney to Prepare an Impartial Analysis for Said Measure

RESOLUTION NO. 11207

A RESOLUTION SUBMITTING THE FOLSOM RESIDENTS PUBLIC SAFETY AND QUALITY OF LIFE MEASURE TO THE QUALIFIED VOTERS OF THE CITY TO ADD A SPECIAL TRANSACTIONS AND USE TAX AT THE RATE OF ONE PERCENT (1%), AUTHORIZING THE FILING OF WRITTEN ARGUMENTS REGARDING THE MEASURE, AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS FOR SAID MEASURE

WHEREAS, under the provisions of the Folsom City Charter and the Folsom Municipal Code, a General Municipal Election shall be held on November 5, 2024 for the election of two City Councilmembers; and,

WHEREAS, Elections Code Sections 9201 and 9215 authorize citizens to submit a proposed ordinance to the City Council after being signed by not less than 10 percent of the voters of the City according to the last report of registration by the Sacramento County elections official; and

WHEREAS, pursuant to authority provided by statute, a petition has been filed with the City Clerk of the City of Folsom, California, signed by not less than 10 percent of the registered voters of the City, to submit a proposed ordinance entitled "Folsom Residents Public Safety and Quality of Life Act"; and

WHEREAS, the City Clerk has caused to be examined, through the office of the Sacramento County Voter Registration and Elections Office, the records of voter registration and is in receipt of that certain "Signature Verification Certificate" and "Signature Verification Calculations" from said Office, and has accepted as true and correct the findings contained therein, and thereby ascertained that the petition is signed by the requisite number of voters; and

WHEREAS, the City Council wishes to submit the proposed ordinance to the voters of the City of Folsom at a General Municipal Election to be held in the City on November 5, 2024; and

WHEREAS, pursuant to Section 9217 of the California Elections Code, the proposed ordinance shall become a valid and binding ordinance of the City if a majority of the voters voting on it vote in its favor.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Folsom as follows:

SECTION 1. Pursuant to Article II, Sections 10 and 11 of the California Constitution, Elections Code Sections 9200 et. seq., and Folsom Municipal Code Section 2.40.010, a General Municipal Election is called and ordered to be held in the City of Folsom, California, on Tuesday, November 5, 2024 for the purpose of submitting the following proposed ordinance to the voters of the City:

CITY OF FOLSOM	
MEASURE “ ___ ”	YES
FOLSOM RESIDENTS PUBLIC SAFETY AND QUALITY OF LIFE ACT	NO
<p>Shall the measure to enact a 1 percent transaction and use tax (sales tax), providing approximately \$29 million annually until ended by voters, requiring local control, citizen oversight, independent annual audits, all funds staying in Folsom and the proceeds used only for the following: 20% - police services, 20% - fire protection, 15% - parks/trail improvement, 15% - traffic/street maintenance, 15% - community enhancement/economic development, and 15% - major capital improvement projects, be adopted?</p>	

SECTION 2. The complete text of the proposed ordinance to be submitted to the voters in Section 1 hereof is attached hereto as Exhibit “A”. **The full text of the Ordinance will not be printed in its entirety in the County Voter Information Guide.** Relevant information will be provided within the Impartial Analysis, and a full copy of the text is on file in the Office of the City Clerk.

SECTION 3. The vote requirement for the measure submitted to the voters in Section 1 hereof to pass is a simple majority (50% + 1) of the votes cast.

SECTION 4. The City Council affirms for measures placed on the ballot by petition, the persons filing the initiative petition, pursuant to Elections Code Section 9282(a), may file a written argument in favor of the ordinance, not exceeding 300 words, and the legislative body may submit an argument against the initiative not exceeding 300 words. Arguments shall be accompanied by the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers who is the author of the argument. The arguments shall be accompanied by the Form of Argument/Rebuttal Signature Statement Form, in accordance with California Elections Code Section 9282, and may be changed or withdrawn until and including the date fixed by this Resolution after which no arguments for or against the City measure may be submitted to the City Clerk.

SECTION 5. The City Council adopts Elections Code Section 9285 to accept rebuttal arguments. The rebuttal arguments shall be filed with the City Clerk, signed, with the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers who is the author of the argument. Rebuttal arguments shall not exceed 250 words. The arguments shall be accompanied by the Form of Argument/Rebuttal Signature Statement Form.

SECTION 6. The date for submission of primary arguments (for and against) for said proposition is hereby set for June 11, 2024; the date for submission of the City Attorney's impartial analysis of said proposition is hereby set for May 31, 2024; and the date for submission of rebuttal arguments to said primary arguments is hereby set for June 21, 2024.

SECTION 7. The City Council directs the City Clerk to transmit a copy of the measure to the City Attorney, unless the organization or salaries of the Office of the City Attorney are affected. The City Attorney shall prepare an impartial analysis of said measure not exceeding 500 words showing the effect of the measure on the existing law and the operation of said measure. If any measure affects the organization or salaries of the Office of the City Attorney, the City Clerk shall prepare the impartial analysis. The analysis shall include a statement indicating whether any measure was placed on the ballot by a petition signed by the requisite number of voters or by the governing body of the City. In the event the entire text of the measure is not printed on the ballot, nor in the voter information portion of the sample ballot, there shall be printed immediately below the impartial analysis, in no less than 10-point, the following: "The above statement is an impartial analysis of the measure. If you desire a copy of the measure, please call the election official's office at: 916-461-6035 and a copy will be provided at no cost to you."

SECTION 8. The ballots to be used at the election shall be in form and content as required by law.

SECTION 9. Said General Municipal Election hereby called shall be held and conducted, and the votes there at received and canvassed, and the returned thereof made, and the result thereof ascertained and determined in accordance with the general election laws of the State of California, except as herein provided.

SECTION 10. All persons qualified to vote at municipal elections in the City of Folsom shall be qualified to vote at said General Municipal Election.

SECTION 11. The City Clerk is authorized, instructed, and directed to coordinate with the Clerk and Registrar of Voters of the County of Sacramento to procure and furnish any and all official ballots, notices, printed matter, and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election. Pursuant to Elections Code Section 10002, the City Manager is hereby authorized to reimburse the County for the actual cost incurred in conducting the election upon receipt of a bill stating the amount due as determined by the elections official.

SECTION 12. Unless a longer period is provided by the County Elections Department, the polls shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, pursuant to California Elections Code §10242, except as provided in California Elections Code §14401.

SECTION 13. In all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 14. Notice of the time and place of holding the election is given and the City Clerk is authorized, instructed, and directed to give further or additional notice of the election, in time, form, and manner as required by law.

SECTION 15. The full text of the revenue measure Ordinance will not be printed in its entirety in the Sample Ballot. Relevant information will be provided within the Impartial Analysis for each measure and a full copy of the text is on file in the Office of the City Clerk.

SECTION 16. The City Council authorizes the City Clerk to administer said election and all reasonable and actual election expenses shall be paid by the City upon presentation of a properly submitted bill.

SECTION 17. At the next regular meeting of this City Council occurring after the returns of said General Municipal Election have been canvassed, and the certification of the results thereof to this City Council, or at a special meeting called thereafter for such purpose, this City Council shall cause to be spread upon its minutes a statement of the results of said General Municipal Election as ascertained by said canvass.

SECTION 18. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions, and to take other appropriate actions necessary to ensure the placement of said proposition before the voters of the City of Folsom at said General Municipal Election.

PASSED AND ADOPTED this 28th day of May, 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

List of Exhibit:
Exhibit A – Folsom Residents Public Safety and Quality of Life Act

Resolution No. 11207 Exhibit A
Folsom Residents Public Safety and Quality of Life Act

FOLSOM CITY CLERK'S DEPT
4 DEC '23 PM4:24

The people of the City of Folsom ordain as follows:

SECTION 1. TITLE.

This measure shall be known as the "Folsom Residents Public Safety and Quality of Life Act."

SECTION 2. FINDINGS.

The people of the City of Folsom find:

A. For decades, the City of Folsom has led the State in safety and livability. Many residents live in the City because it offers a higher level of amenities, services, programs, and quality of life than in neighboring cities. Many businesses operate and thrive here because of the City's business-friendly environment, robust and year-round recreational activities and events, and high-quality public facilities.

B. However, the City's unique geography, with its lakes, creeks, trails, bikeways, and scenic hillsides, combined with the age of its roads, sidewalks, and public buildings make it an expensive City to maintain. While the City of Folsom has seen increased costs to preserve core essential services for its residents, revenue is projected to remain relatively flat. Because the City's population and community expectations continue to rise, the City is forced to do more with less. Without increased revenues, a reduction in City services will be required to balance future budgets.

C. The City has significantly reduced staffing levels, increased employee contributions towards retirement and health benefits, and eliminated retiree health benefits for new employees. Yet because of the City's looming fiscal crisis, core essential services for Folsom residents are in dire need of more funding:

1. Sworn officer staffing levels are below those in 2008 and below the regional average.
2. Folsom has the only fire station without a fire engine in Sacramento County and residents face an increased amount of response time for ambulances.
3. City facilities, parks, and trails are aging out, and maintenance has had to be deferred and levels of service have been and will continue to be reduced.
4. There are at least \$20 million annually in unfunded or underfunded needs, including transportation upgrades and improvements, incomplete parks and trails, and inadequately maintained city facilities, that the City is either deferring or not completing.

D. The City needs a dependable and local source of revenue to fund core essential services that Folsom residents deserve and expect.

E. For that reason, the voters of the City of Folsom seek to enact a 1-percent (one cent) special transactions and use tax (sales tax) increase to ensure that the City can maintain and improve the quality of core essential services and programs. This modest increase would bring Folsom's sales tax rate to 8.75%, consistent with or better than neighboring cities such as Rancho Cordova (8.75%), Sacramento (8.75%), Elk Grove (8.75%) and Galt (9.25%). A significant portion of the funds generated by this increase, approximately 40%, would be paid for by visitors, not the residents of the City of Folsom. All of the funds generated by this increase would remain in Folsom to be used for the betterment of our community.

SECTION 3. PURPOSE AND INTENT.

In enacting this measure, it is the intent of the people of the City of Folsom to maintain and improve the safety and quality of life for City residents and to provide for core essential services in the community for decades to come, by doing the following:

A. Expressly providing that the funds generated by this Special Sales Tax are to be used for core essential City services as set forth in the measure and generally as follows:

1. Twenty (20%) percent to maintain and improve police services and additional staffing, and to provide equipment and facilities for our police force.
2. Twenty (20%) percent to maintain and improve fire, rescue and emergency medical services, and to provide equipment and facilities for our firefighters and paramedics.
3. Fifteen (15%) percent to maintain and renovate existing parks, trails, and other recreation facilities, including sports facilities used jointly with the Folsom-Cordova Unified School District and provide for funding to complete identified incomplete parks and trails.
4. Fifteen (15%) percent to improve traffic congestion and safety, street maintenance, storm system repair, and to maintain creek corridor and water quality.
5. Fifteen (15%) percent for investments and projects to enhance quality of life and long-term economic viability for the City, such as those consistent a City adopted master plan.
6. Fifteen (15%) percent for major improvements to City infrastructure or facilities, including transportation/traffic safety, stormwater systems, parks and recreation facilities, public safety facilities, parking facilities, libraries and large capital equipment.

B. Expressly requiring an annual audit and an active and dedicated Citizen's Oversight Committee to ensure that funds generated by this measure are used consistently with the will of the voters and the needs of the City as a whole. This Committee will be charged with

examining the funds received from this tax, recommending a spending plan for these funds to the Folsom City Council, examining how those funds are spent, and submitting a report to the residents of the City of Folsom and the City Council each year.

C. Expressly providing that none of the revenues can be used to enhance existing public employee retirement benefits or to replace existing funding from developer requirements.

SECTION 4. FOLSOM RESIDENTS PUBLIC SAFETY AND QUALITY OF LIFE ACT.

Chapter 3.140, "Folsom Residents Public Safety and Quality of Life Act", is hereby added to the Folsom Municipal Code to read as follows:

Chapter 3.140 Folsom Residents Public Safety and Quality of Life Act.

- 3.140.010 Title.**
- 3.140.020 Definitions.**
- 3.140.030 Purpose.**
- 3.140.040 Folsom Residents Supporting Public Safety and Quality of Life Initiative Fund.**
- 3.140.050 Receipt of Proceeds.**
- 3.140.060 Use of Proceeds.**
- 3.140.070 Maintenance of Effort.**
- 3.140.080 Contract with State.**
- 3.140.090 Transactions Tax Rate.**
- 3.140.100 Place of Sale.**
- 3.140.110 Use Tax Rate.**
- 3.140.120 Adoption of Provisions of State Law.**
- 3.140.130 Limitations on Adoption of State Law and Collection of Use Taxes.**
- 3.140.140 Permit Not Required.**
- 3.140.150 Exemptions and Exclusions.**
- 3.140.160 Amendments.**
- 3.140.170 Enjoining Collection Forbidden.**
- 3.140.180 Annual Independent Audit.**
- 3.140.190 Citizens' Oversight Committee.**

3.140.010 Title.

This Chapter shall be known as the "Folsom Residents Public Safety and Quality of Life Act" ("Act").

3.140.020 Definitions.

"Committee" means the Citizens' Oversight Committee established as set forth in Section 3.140.190.

“City” means City of Folsom.

“City Council” means City of Folsom City Council.

“Fund” means the Folsom Residents Supporting Public Safety and Quality of Life Initiative Fund.

“Operative Date” means the first day of the first calendar quarter commencing more than one hundred ten (110) days after the adoption of this Act.

3.140.030 Purpose.

This Act is adopted to achieve the following, among other purposes, and directs that the provisions hereof be interpreted in order to accomplish those purposes:

A. To impose a retail transactions and use tax in accordance with the provisions of Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code and Section 7285.91 of Part 1.7 of Division 2 which authorizes the City to adopt this tax ordinance which shall be operative if a majority of the electors voting on the measure vote to approve the imposition of the tax.

B. To adopt a retail transactions and use tax ordinance that incorporates provisions identical to those of the Sales and Use Tax Law of the State of California insofar as those provisions are not inconsistent with the requirements and limitations contained in Part 1.6 of Division 2 of the Revenue and Taxation Code.

C. To adopt a retail transactions and use tax ordinance that imposes a tax and provides a measure therefore that can be administered and collected by the California Department of Tax and Fee Administration in a manner that adapts itself as fully as practicable to, and requires the least possible deviation from, the existing statutory and administrative procedures followed by the California Department of Tax and Fee Administration in administering and collecting the California State Sales and Use Taxes.

D. To adopt a retail transactions and use tax ordinance that can be administered in a manner that will be, to the greatest degree possible, consistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, minimize the cost of collecting the transactions and use taxes, and at the same time, minimize the burden of record keeping upon persons subject to taxation under the provisions of this ordinance.

E. This Special Transaction and Use Tax measure approved by the voters of the City of Folsom shall be used solely to sustain and improve the safety and quality of life for City residents and to provide for core essential services in the community for decades to come.

3.140.040 Folsom Residents Supporting Public Safety and Quality of Life Initiative Fund.

There is hereby established in the treasury of the City of Folsom a special fund called the Folsom Residents Supporting Public Safety and Quality of Life Initiative Fund, which shall be maintained by the City.

3.140.050 Receipt of Proceeds.

A. All revenue generated by this Act shall be deposited into the Folsom Residents Supporting Public Safety and Quality of Life Initiative Fund and shall solely be used in the City of Folsom for the purposes described in this Act.

B. Monies in the Folsom Residents Supporting Public Safety and Quality of Life Initiative Fund shall be used to reimburse the City for the costs imposed by the California Tax and Fee Administration to administer and operate this tax pursuant to Section 3.140.080 and for use for the Annual Independent Audit pursuant to Section 3.140.180.

C. The remaining monies in the Fund shall be expended pursuant to and subject to the requirements set forth in Sections 3.140.060 and 3.140.070.

3.140.060 Use of Proceeds.

The monies in the Folsom Residents Supporting Public Safety and Quality of Life Initiative Fund shall be used solely to enhance core essential City services to maintain and improve the quality of life of residents of the City for the following distinct purposes, and the revenues generated by this Act shall be utilized based on the percentages listed below. With the adoption of the City budget and quarterly as determined by the City Manager and Chief Financial Officer, the City shall apportion the revenues within the categories in this Act based on the City's anticipated needs and projects in the coming year or following years for projects spanning multiple years. The following are the allowable uses and annual percentages for the revenues generated by this measure:

A. **Police and Crime Reduction.** Twenty percent (20%) of the monies in the Folsom Residents Supporting Public Safety and Quality of Life Initiative Fund shall be used to (1) maintain and improve core essential police services through funding additional officers, crime analysts, community service officers, and non-sworn police support staff and code enforcement officers above the approved staffing levels in the 2023-2024 City Budget; (2) purchase patrol and response vehicles, equipment and supplies for police uses, information technology resources and support; (3) renovate and construct police facilities; and (4) fund a reserve for future expenditures consistent with the uses described in this section. No funds shall be used to enhance existing retirement benefits.

B. Fire, Rescue, and Emergency Medical Services. Twenty percent (20%) of the monies in the Folsom Residents Supporting Public Safety and Quality of Life Initiative Fund shall be used to (1) maintain and improve core essential fire services through funding additional firefighters, EMS, and fire support staff above the approved staffing levels in the 2023-2024 City Budget, including training resources and support, wildland fire protection, mitigation programs and resources; (2) purchase of equipment and supplies, information technology resources and support for city fire resources; (3) renovate and construct fire facilities; and (4) fund a reserve for future expenditures consistent with the uses described in this section. No funds shall be used to enhance existing retirement benefits.

C. Parks, Recreation Facilities and Trails. Fifteen percent (15%) of the monies in the Folsom Residents Supporting Public Safety and Quality of Life Initiative Fund shall be used to (1) maintain and improve core essential recreational services through renovation of existing parks and park facilities, recreation facilities, and joint-use Folsom-Cordova Unified School District sports facilities, at funding levels above approved 2023-2024 City Budget; (2) staffing or contract services to plan and construct unbuilt parks and park facilities north of Highway 50; (3) expand information technology resources and support; (4) maintain and enhance bicycle and pedestrian trails and facilities; and (5) fund a reserve for long term expenditures consistent with the uses described in this subdivision. The revenues from this Act shall not replace developer requirements or other existing funding mechanisms required as a condition of development. No funds shall be used to enhance existing retirement benefits.

D. Traffic Mitigation and Environmental Water Quality. Fifteen percent (15%) of the monies in the Folsom Residents Supporting Public Safety and Quality of Life Initiative Fund shall be used to maintain and improve core essential transportation services including (1) transportation projects to improve traffic congestion and safety; (2) street maintenance pavement/pothole repair; (3) construction or matching funds for transportation projects in the City; and (4) information technology resources and support, including intelligent traffic management systems; and (5) personnel or contractors and equipment for storm drain system repair and maintenance, creek corridor and water quality pond maintenance; and (6) funding a reserve for future expenditures consistent with the uses described in this section. The revenues from this Act shall not replace developer requirements or other existing funding mechanisms. No funds shall be used to enhance existing retirement benefits.

E. Community Enhancement and Economic Development. Fifteen percent (15%) of the monies in the Folsom Residents Supporting Public Safety and Quality of Life Initiative Fund shall be used for investments, projects, and staff or contractors to maintain and enhance the quality of life and long-term economic viability of the City of Folsom. Permitted uses of these funds include economic development administration, investments that yield a net positive impact on jobs or revenues in the City, community volunteer resources and support, projects consistent with a City adopted master plan approved by the City Council, and a reserve fund for future expenditures consistent with the uses described in this subdivision.

F. **Major Capital Improvement Projects.** Fifteen percent (15%) of monies in the Folsom Residents Supporting Public Safety and Quality of Life Initiative Fund shall be used for major improvements to City infrastructure or facilities, including but not limited to transportation/traffic safety, stormwater systems, parks and recreation facilities including multi-use trails and bridges, city-owned buildings and facilities, public safety facilities, parking facilities, and libraries, and to fund a reserve for future capital projects and capital equipment with a useful life expectancy greater than five (5) years.

3.140.070 Maintenance of Effort.

The People of the City of Folsom find and declare that the funding provided by the Folsom Residents Supporting Public Safety and Quality of Life Initiative Fund to each of the city departments and budget categories for those departments as specified in this Act will supplement and not replace the existing level of General Fund contribution approved by the City Council in its 2023-2024 budget. Revenues generated by this Act shall not be used to supplant the existing General Fund contributions in the categories described in this measure without a declaration of a fiscal emergency by a four-fifths vote of the City Council, and then only for the limited duration of the fiscal emergency.

3.140.080 Contract with State.

Prior to the operative date, the City shall contract with the California Department of Tax and Fee Administration to perform all functions incident to the administration and operation of this transactions and use tax ordinance; provided, that if the City shall not have contracted with the California Department of Tax and Fee Administration prior to the operative date, it shall nevertheless so contract and in such a case the operative date shall be the first day of the first calendar quarter following the execution of such a contract.

3.140.090 Transactions Tax Rate.

For the privilege of selling tangible personal property at retail, a tax is hereby imposed upon all retailers in the incorporated territory of the City at the rate of one percent (1%) of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in said territory on and after the operative date of this ordinance.

3.140.100 Place of Sale.

For the purposes of this ordinance, all retail sales are consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. The gross receipts from such sales shall include delivery charges, when such charges are subject to the state sales and use tax, regardless of the place to which delivery is made. In the event a retailer has no permanent place of business in the State or has more than one place of business, the place or places at which the retail sales are consummated shall be

determined under rules and regulations to be prescribed and adopted by the California Department of Tax and Fee Administration.

3.140.110 Use Tax Rate.

An excise tax is hereby imposed on the storage, use, or other consumption in the City of tangible personal property purchased from any retailer on and after the operative date of this ordinance for storage, use, or other consumption in said territory at the rate of one percent (1%) of the sales price of the property. The sales price shall include delivery charges when such charges are subject to state sales or use tax regardless of the place to which delivery is made.

3.140.120 Adoption of Provisions of State Law.

Except as otherwise provided in this ordinance and except insofar as they are inconsistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, all of the provisions of Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code are hereby adopted and made a part of this ordinance as though fully set forth herein.

3.140.130 Limitations on Adoption of State Law and Collection of Use Taxes.

In adopting the provisions of Part 1 of Division 2 of the Revenue and Taxation Code:

A. Wherever the State of California is named or referred to as the taxing agency, the name of this City shall be substituted therefor. However, the substitution shall not be made when:

1. The word "State" is used as a part of the title of the State Controller, State Treasurer, State Treasury, or the Constitution of the State of California.
2. The result of that substitution would require action to be taken by or against this City or any agency, officer, or employee thereof rather than by or against the California Department of Tax and Fee Administration, in performing the functions incident to the administration or operation of this Ordinance.
3. In those sections, including, but not necessarily limited to sections referring to the exterior boundaries of the State of California, where the result of the substitution would be to:
 - a. Provide an exemption from this tax with respect to certain sales, storage, use, or other consumption of tangible personal property which would not otherwise be exempt from this tax while such sales, storage, use, or other consumption remain subject to tax by the State under the provisions of Part 1 of Division 2 of the Revenue and Taxation Code, or,

- b. Impose this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not be subject to tax by the state under the said provision of that code.
4. In Sections 6701, 6702 (except in the last sentence thereof), 6711, 6715, 6737, 6797 or 6828 of the Revenue and Taxation Code.

B. The word "City" shall be substituted for the word "State" in the phrase "retailer engaged in business in this State" in Section 6203 and in the definition of that phrase in Section 6203.

- 1. "A retailer engaged in business in the District" shall also include any retailer that, in the preceding calendar year or the current calendar year, has total combined sales of tangible personal property in this state or for delivery in the State by the retailer and all persons related to the retailer that exceeds five hundred thousand dollars (\$500,000). For purposes of this section, a person is related to another person if both persons are related to each other pursuant to Section 267(b) of Title 26 of the United States Code and the regulations thereunder.

3.140.140 Permit Not Required.

If a seller's permit has been issued to a retailer under Section 6067 of the Revenue and Taxation Code, an additional transactor's permit shall not be required by this ordinance.

3.140.150 Exemptions and Exclusions.

A. There shall be excluded from the measure of the transactions tax and the use tax the amount of any sales tax or use tax imposed by the State of California or by any city, city and county, or county pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law or the amount of any state-administered transactions or use tax.

B. There are exempted from the computation of the amount of transactions tax the gross receipts from:

- 1. Sales of tangible personal property, other than fuel or petroleum products, to operators of aircraft to be used or consumed principally outside the county in which the sale is made and directly and exclusively in the use of such aircraft as common carriers of persons or property under the authority of the laws of this State, the United States, or any foreign government.
- 2. Sales of property to be used outside the City, which is shipped to a point outside the City, pursuant to the contract of sale, by delivery to such point by the retailer or his agent, or by delivery by the retailer to a carrier for shipment to a consignee at such point. For the purposes of this paragraph, delivery to a point outside the City shall be satisfied:

- a. With respect to vehicles (other than commercial vehicles) subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, and undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code by registration to an out-of-City address and by a declaration under penalty of perjury, signed by the buyer, stating that such address is, in fact, his or her principal place of residence; and
 - b. With respect to commercial vehicles, by registration to a place of business out-of-City and declaration under penalty of perjury, signed by the buyer, that the vehicle will be operated from that address.
3. The sale of tangible personal property if the seller is obligated to furnish the property for a fixed price pursuant to a contract entered into prior to the operative date of this ordinance.
 4. A lease of tangible personal property which is a continuing sale of such property, for any period of time for which the lessor is obligated to lease the property for an amount fixed by the lease prior to the operative date of this ordinance.
 5. For the purposes of subparagraphs (3) and (4) of this section, the sale or lease of tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.
- C. There are exempted from the use tax imposed by this ordinance, the storage, use, or other consumption in this City of tangible personal property:
1. The gross receipts from the sale of which have been subject to a transactions tax under any state-administered transactions and use tax ordinance.
 2. Other than fuel or petroleum products purchased by operators of aircraft and used or consumed by such operators directly and exclusively in the use of such aircraft as common carriers of persons or property for hire or compensation under a certificate of public convenience and necessity issued pursuant to the laws of this State, the United States, or any foreign government. This exemption is in addition to the exemptions provided in Sections 6366 and 6366.1 of the Revenue and Taxation Code of the State of California.
 3. If the purchaser is obligated to purchase the property for a fixed price pursuant to a contract entered into prior to the operative date of this ordinance.

4. If the possession of, or the exercise of any right or power over, the tangible personal property arises under a lease which is a continuing purchase of such property for any period of time for which the lessee is obligated to lease the property for an amount fixed by a lease prior to the operative date of this ordinance.
5. For the purposes of subparagraphs (3) and (4) of this section, storage, use, or other consumption, or possession of, or exercise of any right or power over, tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.
6. Except as provided in subparagraph (7), a retailer engaged in business in the City shall not be required to collect use tax from the purchaser of tangible personal property, unless the retailer ships or delivers the property into the City or participates within the City in making the sale of the property, including, but not limited to, soliciting or receiving the order, either directly or indirectly, at a place of business of the retailer in the City or through any representative, agent, canvasser, solicitor, subsidiary, or person in the City under the authority of the retailer.
7. "A retailer engaged in business in the City" shall also include any retailer of any of the following: vehicles subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, or undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code. That retailer shall be required to collect use tax from any purchaser who registers or licenses the vehicle, vessel, or aircraft at an address in the city.

D. Any person subject to use tax under this ordinance may credit against that tax any transactions tax or reimbursement for transactions tax paid to a district imposing, or retailer liable for a transactions tax pursuant to Part 1.6 of Division 2 of the Revenue and Taxation Code with respect to the sale to the person of the property the storage, use or other consumption of which is subject to the use tax.

3.140.160 Amendments.

All amendments subsequent to the effective date of this Act to Part 1 of Division 2 of the Revenue and Taxation Code relating to sales and use taxes and which are not inconsistent with Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, and all amendments to Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, shall automatically become a part of this ordinance, provided however, that no such amendment shall operate so as to affect the rate of tax imposed by this ordinance.

3.140.170 Enjoining Collection Forbidden.

No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action, or proceeding in any court against the State or the City, or against any officer of the State or the City, to prevent or enjoin the collection under this ordinance, or Part 1.6 of Division 2 of the Revenue and Taxation Code, of any tax or any amount of tax required to be collected.

3.140.180 Annual Independent Audit.

The proceeds of the tax imposed by this Act, as well as the expenditures from the Folsom Residents Supporting Public Safety and Quality of Life Initiative Fund, shall be subject to the same independent annual audit requirements as other revenues in the City of Folsom. An independent auditor's report may be funded by the revenues from the Fund and shall include an accounting of the revenues received and expenditures made from the Fund and shall be presented annually to the city council by the Citizens' Oversight Committee and made available for public review. The report of such audit shall be posted on the City' website.

3.140.190 Citizens' Oversight Committee.

The City Council shall, by resolution adopted before the operative date of this Act, establish a nine-member Citizens' Oversight Committee to review the revenue and expenditure of funds from the Folsom Residents Supporting Public Safety and Quality of Life Initiative Fund, address the use of funds to assure the funds were expended consistent with the requirements of this chapter, and to make recommendations to the City Council for future expenditures. The members terms, qualifications, duties, and the scope of the Committee, shall be as established by resolution of the City Council and shall include representatives of the City Finance Department, the Police Department, the Fire Department, a representative from a recreational sports organization within the City of Folsom, a representative of a parks and trails organization within the City of Folsom, a representative focused on streets and environmental stormwater, a representative from a business community organization within the City of Folsom, and two (2) at-large members who are residents of the City of Folsom. All meetings of the Committee shall be open to the public. The Committee shall prepare an annual report to be presented and reviewed by the City Council at a City Council meeting. The report shall be available to the public.

SECTION 5. EFFECTIVE DATE.

This Act relating to the levying and collecting of the City transactions and use tax shall take effect ten (10) days after the certification by the City Council of the election returns indicating passage of the Act by a majority of the voters casting votes in the election; however, the Operative Date of the tax imposed by this act shall be the first day of the first calendar quarter commencing more than one hundred ten (110) days after the adoption of this Act.

SECTION 6. SEVERABILITY.

If any section, subsection, sentence, clause, phrase, or word of this Act is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Act. The voters of City of Folsom hereby declare they would have passed and adopted this Act and each and all provisions hereof irrespective of the fact that any one or more of said provisions be declared invalid.

SECTION 7. LIBERAL CONSTRUCTION.

This measure is an exercise of the initiative power of the People of the City of Folsom to implement a special tax to fund the purposes set forth in the Act, and it shall be liberally construed to effectuate these purposes.

SECTION 8. CONFLICTING MEASURES.

This measure is intended to be comprehensive. It is the intent of the People of the City of Folsom that, in the event this measure and one or more measures relating to a special transactions and use tax" shall appear on the same ballot, the provisions of the other measure or measures shall be deemed in conflict with this measure. In the event that this measure receives a greater number of affirmative votes, the provisions of this measure shall prevail in their entirety, and all provisions of the other measure or measures shall be null and void.

Attachment 2

The Folsom Residents Public Safety and Quality of Life Act

FOLSOM CITY CLERK'S DEPT
4 DEC '23 PM 4:24

The people of the City of Folsom ordain as follows:

SECTION 1. TITLE.

This measure shall be known as the "Folsom Residents Public Safety and Quality of Life Act."

SECTION 2. FINDINGS.

The people of the City of Folsom find:

A. For decades, the City of Folsom has led the State in safety and livability. Many residents live in the City because it offers a higher level of amenities, services, programs, and quality of life than in neighboring cities. Many businesses operate and thrive here because of the City's business-friendly environment, robust and year-round recreational activities and events, and high-quality public facilities.

B. However, the City's unique geography, with its lakes, creeks, trails, bikeways, and scenic hillsides, combined with the age of its roads, sidewalks, and public buildings make it an expensive City to maintain. While the City of Folsom has seen increased costs to preserve core essential services for its residents, revenue is projected to remain relatively flat. Because the City's population and community expectations continue to rise, the City is forced to do more with less. Without increased revenues, a reduction in City services will be required to balance future budgets.

C. The City has significantly reduced staffing levels, increased employee contributions towards retirement and health benefits, and eliminated retiree health benefits for new employees. Yet because of the City's looming fiscal crisis, core essential services for Folsom residents are in dire need of more funding:

1. Sworn officer staffing levels are below those in 2008 and below the regional average.
2. Folsom has the only fire station without a fire engine in Sacramento County and residents face an increased amount of response time for ambulances.
3. City facilities, parks, and trails are aging out, and maintenance has had to be deferred and levels of service have been and will continue to be reduced.
4. There are at least \$20 million annually in unfunded or underfunded needs, including transportation upgrades and improvements, incomplete parks and trails, and inadequately maintained city facilities, that the City is either deferring or not completing.

D. The City needs a dependable and local source of revenue to fund core essential services that Folsom residents deserve and expect.

E. For that reason, the voters of the City of Folsom seek to enact a 1-percent (one cent) special transactions and use tax (sales tax) increase to ensure that the City can maintain and improve the quality of core essential services and programs. This modest increase would bring Folsom's sales tax rate to 8.75%, consistent with or better than neighboring cities such as Rancho Cordova (8.75%), Sacramento (8.75%), Elk Grove (8.75%) and Galt (9.25%). A significant portion of the funds generated by this increase, approximately 40%, would be paid for by visitors, not the residents of the City of Folsom. All of the funds generated by this increase would remain in Folsom to be used for the betterment of our community.

SECTION 3. PURPOSE AND INTENT.

In enacting this measure, it is the intent of the people of the City of Folsom to maintain and improve the safety and quality of life for City residents and to provide for core essential services in the community for decades to come, by doing the following:

A. Expressly providing that the funds generated by this Special Sales Tax are to be used for core essential City services as set forth in the measure and generally as follows:

1. Twenty (20%) percent to maintain and improve police services and additional staffing, and to provide equipment and facilities for our police force.
2. Twenty (20%) percent to maintain and improve fire, rescue and emergency medical services, and to provide equipment and facilities for our firefighters and paramedics.
3. Fifteen (15%) percent to maintain and renovate existing parks, trails, and other recreation facilities, including sports facilities used jointly with the Folsom-Cordova Unified School District and provide for funding to complete identified incomplete parks and trails.
4. Fifteen (15%) percent to improve traffic congestion and safety, street maintenance, storm system repair, and to maintain creek corridor and water quality.
5. Fifteen (15%) percent for investments and projects to enhance quality of life and long-term economic viability for the City, such as those consistent a City adopted master plan.
6. Fifteen (15%) percent for major improvements to City infrastructure or facilities, including transportation/traffic safety, stormwater systems, parks and recreation facilities, public safety facilities, parking facilities, libraries and large capital equipment.

B. Expressly requiring an annual audit and an active and dedicated Citizen's Oversight Committee to ensure that funds generated by this measure are used consistently with the will of the voters and the needs of the City as a whole. This Committee will be charged with

examining the funds received from this tax, recommending a spending plan for these funds to the Folsom City Council, examining how those funds are spent, and submitting a report to the residents of the City of Folsom and the City Council each year.

C. Expressly providing that none of the revenues can be used to enhance existing public employee retirement benefits or to replace existing funding from developer requirements.

SECTION 4. FOLSOM RESIDENTS PUBLIC SAFETY AND QUALITY OF LIFE ACT.

Chapter 3.140, "Folsom Residents Public Safety and Quality of Life Act", is hereby added to the Folsom Municipal Code to read as follows:

Chapter 3.140 Folsom Residents Public Safety and Quality of Life Act.

- 3.140.010 Title.**
- 3.140.020 Definitions.**
- 3.140.030 Purpose.**
- 3.140.040 Folsom Residents Supporting Public Safety and Quality of Life Initiative Fund.**
- 3.140.050 Receipt of Proceeds.**
- 3.140.060 Use of Proceeds.**
- 3.140.070 Maintenance of Effort.**
- 3.140.080 Contract with State.**
- 3.140.090 Transactions Tax Rate.**
- 3.140.100 Place of Sale.**
- 3.140.110 Use Tax Rate.**
- 3.140.120 Adoption of Provisions of State Law.**
- 3.140.130 Limitations on Adoption of State Law and Collection of Use Taxes.**
- 3.140.140 Permit Not Required.**
- 3.140.150 Exemptions and Exclusions.**
- 3.140.160 Amendments.**
- 3.140.170 Enjoining Collection Forbidden.**
- 3.140.180 Annual Independent Audit.**
- 3.140.190 Citizens' Oversight Committee.**

3.140.010 Title.

This Chapter shall be known as the "Folsom Residents Public Safety and Quality of Life Act" ("Act").

3.140.020 Definitions.

"Committee" means the Citizens' Oversight Committee established as set forth in Section 3.140.190.

“City” means City of Folsom.

“City Council” means City of Folsom City Council.

“Fund” means the Folsom Residents Supporting Public Safety and Quality of Life Initiative Fund.

“Operative Date” means the first day of the first calendar quarter commencing more than one hundred ten (110) days after the adoption of this Act.

3.140.030 Purpose.

This Act is adopted to achieve the following, among other purposes, and directs that the provisions hereof be interpreted in order to accomplish those purposes:

- A. To impose a retail transactions and use tax in accordance with the provisions of Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code and Section 7285.91 of Part 1.7 of Division 2 which authorizes the City to adopt this tax ordinance which shall be operative if a majority of the electors voting on the measure vote to approve the imposition of the tax.
- B. To adopt a retail transactions and use tax ordinance that incorporates provisions identical to those of the Sales and Use Tax Law of the State of California insofar as those provisions are not inconsistent with the requirements and limitations contained in Part 1.6 of Division 2 of the Revenue and Taxation Code.
- C. To adopt a retail transactions and use tax ordinance that imposes a tax and provides a measure therefore that can be administered and collected by the California Department of Tax and Fee Administration in a manner that adapts itself as fully as practicable to, and requires the least possible deviation from, the existing statutory and administrative procedures followed by the California Department of Tax and Fee Administration in administering and collecting the California State Sales and Use Taxes.
- D. To adopt a retail transactions and use tax ordinance that can be administered in a manner that will be, to the greatest degree possible, consistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, minimize the cost of collecting the transactions and use taxes, and at the same time, minimize the burden of record keeping upon persons subject to taxation under the provisions of this ordinance.
- E. This Special Transaction and Use Tax measure approved by the voters of the City of Folsom shall be used solely to sustain and improve the safety and quality of life for City residents and to provide for core essential services in the community for decades to come.

3.140.040 Folsom Residents Supporting Public Safety and Quality of Life Initiative Fund.

There is hereby established in the treasury of the City of Folsom a special fund called the Folsom Residents Supporting Public Safety and Quality of Life Initiative Fund, which shall be maintained by the City.

3.140.050 Receipt of Proceeds.

A. All revenue generated by this Act shall be deposited into the Folsom Residents Supporting Public Safety and Quality of Life Initiative Fund and shall solely be used in the City of Folsom for the purposes described in this Act.

B. Monies in the Folsom Residents Supporting Public Safety and Quality of Life Initiative Fund shall be used to reimburse the City for the costs imposed by the California Tax and Fee Administration to administer and operate this tax pursuant to Section 3.140.080 and for use for the Annual Independent Audit pursuant to Section 3.140.180.

C. The remaining monies in the Fund shall be expended pursuant to and subject to the requirements set forth in Sections 3.140.060 and 3.140.070.

3.140.060 Use of Proceeds.

The monies in the Folsom Residents Supporting Public Safety and Quality of Life Initiative Fund shall be used solely to enhance core essential City services to maintain and improve the quality of life of residents of the City for the following distinct purposes, and the revenues generated by this Act shall be utilized based on the percentages listed below. With the adoption of the City budget and quarterly as determined by the City Manager and Chief Financial Officer, the City shall apportion the revenues within the categories in this Act based on the City's anticipated needs and projects in the coming year or following years for projects spanning multiple years. The following are the allowable uses and annual percentages for the revenues generated by this measure:

A. **Police and Crime Reduction.** Twenty percent (20%) of the monies in the Folsom Residents Supporting Public Safety and Quality of Life Initiative Fund shall be used to (1) maintain and improve core essential police services through funding additional officers, crime analysts, community service officers, and non-sworn police support staff and code enforcement officers above the approved staffing levels in the 2023-2024 City Budget; (2) purchase patrol and response vehicles, equipment and supplies for police uses, information technology resources and support; (3) renovate and construct police facilities; and (4) fund a reserve for future expenditures consistent with the uses described in this section. No funds shall be used to enhance existing retirement benefits.

B. Fire, Rescue, and Emergency Medical Services. Twenty percent (20%) of the monies in the Folsom Residents Supporting Public Safety and Quality of Life Initiative Fund shall be used to (1) maintain and improve core essential fire services through funding additional firefighters, EMS, and fire support staff above the approved staffing levels in the 2023-2024 City Budget, including training resources and support, wildland fire protection, mitigation programs and resources; (2) purchase of equipment and supplies, information technology resources and support for city fire resources; (3) renovate and construct fire facilities; and (4) fund a reserve for future expenditures consistent with the uses described in this section. No funds shall be used to enhance existing retirement benefits.

C. Parks, Recreation Facilities and Trails. Fifteen percent (15%) of the monies in the Folsom Residents Supporting Public Safety and Quality of Life Initiative Fund shall be used to (1) maintain and improve core essential recreational services through renovation of existing parks and park facilities, recreation facilities, and joint-use Folsom-Cordova Unified School District sports facilities, at funding levels above approved 2023-2024 City Budget; (2) staffing or contract services to plan and construct unbuilt parks and park facilities north of Highway 50; (3) expand information technology resources and support; (4) maintain and enhance bicycle and pedestrian trails and facilities; and (5) fund a reserve for long term expenditures consistent with the uses described in this subdivision. The revenues from this Act shall not replace developer requirements or other existing funding mechanisms required as a condition of development. No funds shall be used to enhance existing retirement benefits.

D. Traffic Mitigation and Environmental Water Quality. Fifteen percent (15%) of the monies in the Folsom Residents Supporting Public Safety and Quality of Life Initiative Fund shall be used to maintain and improve core essential transportation services including (1) transportation projects to improve traffic congestion and safety; (2) street maintenance pavement/pothole repair; (3) construction or matching funds for transportation projects in the City; and (4) information technology resources and support, including intelligent traffic management systems; and (5) personnel or contractors and equipment for storm drain system repair and maintenance, creek corridor and water quality pond maintenance; and (6) funding a reserve for future expenditures consistent with the uses described in this section. The revenues from this Act shall not replace developer requirements or other existing funding mechanisms. No funds shall be used to enhance existing retirement benefits.

E. Community Enhancement and Economic Development. Fifteen percent (15%) of the monies in the Folsom Residents Supporting Public Safety and Quality of Life Initiative Fund shall be used for investments, projects, and staff or contractors to maintain and enhance the quality of life and long-term economic viability of the City of Folsom. Permitted uses of these funds include economic development administration, investments that yield a net positive impact on jobs or revenues in the City, community volunteer resources and support, projects consistent with a City adopted master plan approved by the City Council, and a reserve fund for future expenditures consistent with the uses described in this subdivision.

F. **Major Capital Improvement Projects.** Fifteen percent (15%) of monies in the Folsom Residents Supporting Public Safety and Quality of Life Initiative Fund shall be used for major improvements to City infrastructure or facilities, including but not limited to transportation/traffic safety, stormwater systems, parks and recreation facilities including multi-use trails and bridges, city-owned buildings and facilities, public safety facilities, parking facilities, and libraries, and to fund a reserve for future capital projects and capital equipment with a useful life expectancy greater than five (5) years.

3.140.070 Maintenance of Effort.

The People of the City of Folsom find and declare that the funding provided by the Folsom Residents Supporting Public Safety and Quality of Life Initiative Fund to each of the city departments and budget categories for those departments as specified in this Act will supplement and not replace the existing level of General Fund contribution approved by the City Council in its 2023-2024 budget. Revenues generated by this Act shall not be used to supplant the existing General Fund contributions in the categories described in this measure without a declaration of a fiscal emergency by a four-fifths vote of the City Council, and then only for the limited duration of the fiscal emergency.

3.140.080 Contract with State.

Prior to the operative date, the City shall contract with the California Department of Tax and Fee Administration to perform all functions incident to the administration and operation of this transactions and use tax ordinance; provided, that if the City shall not have contracted with the California Department of Tax and Fee Administration prior to the operative date, it shall nevertheless so contract and in such a case the operative date shall be the first day of the first calendar quarter following the execution of such a contract.

3.140.090 Transactions Tax Rate.

For the privilege of selling tangible personal property at retail, a tax is hereby imposed upon all retailers in the incorporated territory of the City at the rate of one percent (1%) of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in said territory on and after the operative date of this ordinance.

3.140.100 Place of Sale.

For the purposes of this ordinance, all retail sales are consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. The gross receipts from such sales shall include delivery charges, when such charges are subject to the state sales and use tax, regardless of the place to which delivery is made. In the event a retailer has no permanent place of business in the State or has more than one place of business, the place or places at which the retail sales are consummated shall be

determined under rules and regulations to be prescribed and adopted by the California Department of Tax and Fee Administration.

3.140.110 Use Tax Rate.

An excise tax is hereby imposed on the storage, use, or other consumption in the City of tangible personal property purchased from any retailer on and after the operative date of this ordinance for storage, use, or other consumption in said territory at the rate of one percent (1%) of the sales price of the property. The sales price shall include delivery charges when such charges are subject to state sales or use tax regardless of the place to which delivery is made.

3.140.120 Adoption of Provisions of State Law.

Except as otherwise provided in this ordinance and except insofar as they are inconsistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, all of the provisions of Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code are hereby adopted and made a part of this ordinance as though fully set forth herein.

3.140.130 Limitations on Adoption of State Law and Collection of Use Taxes.

In adopting the provisions of Part 1 of Division 2 of the Revenue and Taxation Code:

A. Wherever the State of California is named or referred to as the taxing agency, the name of this City shall be substituted therefor. However, the substitution shall not be made when:

1. The word "State" is used as a part of the title of the State Controller, State Treasurer, State Treasury, or the Constitution of the State of California.
2. The result of that substitution would require action to be taken by or against this City or any agency, officer, or employee thereof rather than by or against the California Department of Tax and Fee Administration, in performing the functions incident to the administration or operation of this Ordinance.
3. In those sections, including, but not necessarily limited to sections referring to the exterior boundaries of the State of California, where the result of the substitution would be to:
 - a. Provide an exemption from this tax with respect to certain sales, storage, use, or other consumption of tangible personal property which would not otherwise be exempt from this tax while such sales, storage, use, or other consumption remain subject to tax by the State under the provisions of Part 1 of Division 2 of the Revenue and Taxation Code, or,

- b. Impose this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not be subject to tax by the state under the said provision of that code.
4. In Sections 6701, 6702 (except in the last sentence thereof), 6711, 6715, 6737, 6797 or 6828 of the Revenue and Taxation Code.

B. The word "City" shall be substituted for the word "State" in the phrase "retailer engaged in business in this State" in Section 6203 and in the definition of that phrase in Section 6203.

- 1. "A retailer engaged in business in the District" shall also include any retailer that, in the preceding calendar year or the current calendar year, has total combined sales of tangible personal property in this state or for delivery in the State by the retailer and all persons related to the retailer that exceeds five hundred thousand dollars (\$500,000). For purposes of this section, a person is related to another person if both persons are related to each other pursuant to Section 267(b) of Title 26 of the United States Code and the regulations thereunder.

3.140.140 Permit Not Required.

If a seller's permit has been issued to a retailer under Section 6067 of the Revenue and Taxation Code, an additional transactor's permit shall not be required by this ordinance.

3.140.150 Exemptions and Exclusions.

A. There shall be excluded from the measure of the transactions tax and the use tax the amount of any sales tax or use tax imposed by the State of California or by any city, city and county, or county pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law or the amount of any state-administered transactions or use tax.

B. There are exempted from the computation of the amount of transactions tax the gross receipts from:

- 1. Sales of tangible personal property, other than fuel or petroleum products, to operators of aircraft to be used or consumed principally outside the county in which the sale is made and directly and exclusively in the use of such aircraft as common carriers of persons or property under the authority of the laws of this State, the United States, or any foreign government.
- 2. Sales of property to be used outside the City, which is shipped to a point outside the City, pursuant to the contract of sale, by delivery to such point by the retailer or his agent, or by delivery by the retailer to a carrier for shipment to a consignee at such point. For the purposes of this paragraph, delivery to a point outside the City shall be satisfied:

- a. With respect to vehicles (other than commercial vehicles) subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, and undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code by registration to an out-of-City address and by a declaration under penalty of perjury, signed by the buyer, stating that such address is, in fact, his or her principal place of residence; and
 - b. With respect to commercial vehicles, by registration to a place of business out-of-City and declaration under penalty of perjury, signed by the buyer, that the vehicle will be operated from that address.
3. The sale of tangible personal property if the seller is obligated to furnish the property for a fixed price pursuant to a contract entered into prior to the operative date of this ordinance.
 4. A lease of tangible personal property which is a continuing sale of such property, for any period of time for which the lessor is obligated to lease the property for an amount fixed by the lease prior to the operative date of this ordinance.
 5. For the purposes of subparagraphs (3) and (4) of this section, the sale or lease of tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.
- C. There are exempted from the use tax imposed by this ordinance, the storage, use, or other consumption in this City of tangible personal property:
1. The gross receipts from the sale of which have been subject to a transactions tax under any state-administered transactions and use tax ordinance.
 2. Other than fuel or petroleum products purchased by operators of aircraft and used or consumed by such operators directly and exclusively in the use of such aircraft as common carriers of persons or property for hire or compensation under a certificate of public convenience and necessity issued pursuant to the laws of this State, the United States, or any foreign government. This exemption is in addition to the exemptions provided in Sections 6366 and 6366.1 of the Revenue and Taxation Code of the State of California.
 3. If the purchaser is obligated to purchase the property for a fixed price pursuant to a contract entered into prior to the operative date of this ordinance.

4. If the possession of, or the exercise of any right or power over, the tangible personal property arises under a lease which is a continuing purchase of such property for any period of time for which the lessee is obligated to lease the property for an amount fixed by a lease prior to the operative date of this ordinance.
5. For the purposes of subparagraphs (3) and (4) of this section, storage, use, or other consumption, or possession of, or exercise of any right or power over, tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.
6. Except as provided in subparagraph (7), a retailer engaged in business in the City shall not be required to collect use tax from the purchaser of tangible personal property, unless the retailer ships or delivers the property into the City or participates within the City in making the sale of the property, including, but not limited to, soliciting or receiving the order, either directly or indirectly, at a place of business of the retailer in the City or through any representative, agent, canvasser, solicitor, subsidiary, or person in the City under the authority of the retailer.
7. "A retailer engaged in business in the City" shall also include any retailer of any of the following: vehicles subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, or undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code. That retailer shall be required to collect use tax from any purchaser who registers or licenses the vehicle, vessel, or aircraft at an address in the city.

D. Any person subject to use tax under this ordinance may credit against that tax any transactions tax or reimbursement for transactions tax paid to a district imposing, or retailer liable for a transactions tax pursuant to Part 1.6 of Division 2 of the Revenue and Taxation Code with respect to the sale to the person of the property the storage, use or other consumption of which is subject to the use tax.

3.140.160 Amendments.

All amendments subsequent to the effective date of this Act to Part 1 of Division 2 of the Revenue and Taxation Code relating to sales and use taxes and which are not inconsistent with Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, and all amendments to Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, shall automatically become a part of this ordinance, provided however, that no such amendment shall operate so as to affect the rate of tax imposed by this ordinance.

3.140.170 Enjoining Collection Forbidden.

No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action, or proceeding in any court against the State or the City, or against any officer of the State or the City, to prevent or enjoin the collection under this ordinance, or Part 1.6 of Division 2 of the Revenue and Taxation Code, of any tax or any amount of tax required to be collected.

3.140.180 Annual Independent Audit.

The proceeds of the tax imposed by this Act, as well as the expenditures from the Folsom Residents Supporting Public Safety and Quality of Life Initiative Fund, shall be subject to the same independent annual audit requirements as other revenues in the City of Folsom. An independent auditor's report may be funded by the revenues from the Fund and shall include an accounting of the revenues received and expenditures made from the Fund and shall be presented annually to the city council by the Citizens' Oversight Committee and made available for public review. The report of such audit shall be posted on the City' website.

3.140.190 Citizens' Oversight Committee.

The City Council shall, by resolution adopted before the operative date of this Act, establish a nine-member Citizens' Oversight Committee to review the revenue and expenditure of funds from the Folsom Residents Supporting Public Safety and Quality of Life Initiative Fund, address the use of funds to assure the funds were expended consistent with the requirements of this chapter, and to make recommendations to the City Council for future expenditures. The members terms, qualifications, duties, and the scope of the Committee, shall be as established by resolution of the City Council and shall include representatives of the City Finance Department, the Police Department, the Fire Department, a representative from a recreational sports organization within the City of Folsom, a representative of a parks and trails organization within the City of Folsom, a representative focused on streets and environmental stormwater, a representative from a business community organization within the City of Folsom, and two (2) at-large members who are residents of the City of Folsom. All meetings of the Committee shall be open to the public. The Committee shall prepare an annual report to be presented and reviewed by the City Council at a City Council meeting. The report shall be available to the public.

SECTION 5. EFFECTIVE DATE.

This Act relating to the levying and collecting of the City transactions and use tax shall take effect ten (10) days after the certification by the City Council of the election returns indicating passage of the Act by a majority of the voters casting votes in the election; however, the Operative Date of the tax imposed by this act shall be the first day of the first calendar quarter commencing more than one hundred ten (110) days after the adoption of this Act.

SECTION 6. SEVERABILITY.

If any section, subsection, sentence, clause, phrase, or word of this Act is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Act. The voters of City of Folsom hereby declare they would have passed and adopted this Act and each and all provisions hereof irrespective of the fact that any one or more of said provisions be declared invalid.

SECTION 7. LIBERAL CONSTRUCTION.

This measure is an exercise of the initiative power of the People of the City of Folsom to implement a special tax to fund the purposes set forth in the Act, and it shall be liberally construed to effectuate these purposes.

SECTION 8. CONFLICTING MEASURES.

This measure is intended to be comprehensive. It is the intent of the People of the City of Folsom that, in the event this measure and one or more measures relating to a special transactions and use tax" shall appear on the same ballot, the provisions of the other measure or measures shall be deemed in conflict with this measure. In the event that this measure receives a greater number of affirmative votes, the provisions of this measure shall prevail in their entirety, and all provisions of the other measure or measures shall be null and void.

Attachment 3

City Attorney Ballot Title and Summary

INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

The City Attorney has prepared the following title and summary of the chief purpose and points of the proposed ballot measure:

FOLSOM RESIDENTS PUBLIC SAFETY AND QUALITY OF LIFE MEASURE

The Residents Supporting Public Safety and Quality of Life Committee has petitioned, through a local citizens initiative, that the "Folsom Residents Public Safety and Quality of Life Measure" be placed on the November 5, 2024 ballot ("Measure"). The Measure asks voters to authorize the enactment of a new transactions and use (sales) tax on the sale and/or use of all tangible personal property sold at retail stores in the City and on-line sellers, at the rate of one cent for every dollar spent (or one percent), on an ongoing basis.

The Measure proposes a "special sales tax," from which the revenue would remain in Folsom and be deposited into a special City account separate from the general fund for the City to used only for the following specific purposes, and in their respective percentages of expenditure, authorized in the Measure:

1. Twenty percent (20%) for "**Police and Crime Reduction**" to maintain and improve police services and additional staffing, and to provide equipment and facilities for Folsom Police.
2. Twenty percent (20%) for "**Fire, Rescue, and Emergency Medical Services**" to maintain and improve fire, rescue and emergency medical services, and to provide equipment and facilities for Folsom firefighters and paramedics.
3. Fifteen percent (15%) for "**Parks, Recreation Facilities and Trails**" to maintain and renovate existing parks, trails, and other recreation facilities, including sports facilities used jointly with the Folsom-Cordova Unified School District and provide for funding to complete identified incomplete parks and trails in Folsom.
4. Fifteen percent (15%) for "**Traffic Mitigation and Environmental Water Quality**" to improve traffic congestion and safety, street maintenance, storm system repair and maintenance, and to maintain creek corridor and water quality in Folsom.
5. Fifteen percent (15%) for "**Community Enhancement and Economic Development**" to be used for investments, job creation and projects to enhance quality of life and long-term economic viability for the City, such as those consistent a City adopted master plan.
6. Fifteen percent (15%) for "**Major Capital Improvement Projects**" to help fund major improvements to City infrastructure or facilities, including transportation/traffic safety, stormwater systems, parks and recreation facilities, public safety facilities, parking facilities, libraries and large capital equipment.

No proceeds from the special tax will be used to enhance existing public employee retirement benefits, replace existing developer obligations, or substitute existing funding mechanisms.

The Measure requires annual audits and appointment by the City Council of a Citizens Oversight Committee to ensure that funds generated by the special tax are and will be used as specified in the Measure.

As a citizens initiative, the Measure would become operative if passed by a simple majority vote of the voters voting on the Measure, and the Folsom Municipal Code would be amended by the enactment of an ordinance imposing the new special sales tax.

By: _____
Steven Wang, City Attorney
City of Folsom

Dated: December 5, 2023

Attachment 4

Sacramento County Voter Registration and Elections Signature Verification Calculations and Certificate

Signature Verification Calculations

County Measures Submitted to Voters

EC Div. 9, Ch. 2, Art. 1 -- §§ 9100-9190

Petition Title: City of Folsom Residents Public Safety and Quality of Life Measure

Initiative Petition Calculations

Number of votes last cast for governor: 50,711
EC 9107

Total Signatures Submitted: 8,298

Signatures needed to qualify for election: 5,071
10% threshold -- EC 9118

The random sample shall include 500 signatures or 3% of those submitted, whichever is greater. EC 9115(a)

Number of signatures to verify: 500

Number of valid signatures: 396

Number of duplicate signatures: 3

SOS Signature Validation Formula

Factors	Description
A	Value of each signature
B	Penalty value for duplicate signature
C	Total value of all duplicate signatures
V	Adjusted number of valid signatures

Factor	Formula	
A	Total Signatures/signatures to verify = A	16.596
B	$A \times (A - 1) = B$ Penalty value for duplicate signatures	258.83
C	$B \times \text{duplicate penalty value} = C$	776.49
V	Signatures submitted \times (valid signatures in sample/sample size) = V	6,572
V - C = Statistically valid total		5,796

If the statistical sample is within 95% to 110% of the required number signatures, the elections official must verify ALL petition signatures. EC 9115(b)

Statistical total as percent of total needed: 114.29%

Measure Qualifies for Election

Voter Registration & Elections
Hang Nguyen
Director



County of Sacramento

Divisions
Administrative Services
Campaign Services
Precinct Operations
Registration & Outreach
Vote by Mail
Voting Systems & Technology

SIGNATURE VERIFICATION CERTIFICATE

I, Karalyn Fox, Election Manager of the County of Sacramento, State of California, hereby certify:

RE: City of Folsom Initiative Petition, Folsom Residents Public Safety and Quality of Life Measure (VRE #5128)

The above petition was filed with this office on April 30, 2024.

That said petition consists of 471 sections with 8,298 signatures.

Number of Unverified Signatures Filed by Proponent (raw count)	8,298
Number of Signatures Checked	500
• Number of Signatures Found SUFFICIENT	396
• Number of Signatures Found INSUFFICIENT	104
• Number of Signatures Found INSUFFICIENT DUPLICATE	3
• Number of Signatures Withdrawn	0

IN WITNESS THEREOF,

I have hereunto set my hand and affixed my official seal on this 9th day of May 2024.

HANG NGUYEN
Director, Registrar of Voters, Sacramento County



Karalyn Fox, Elections Manager