



CITY OF
FOLSOM
DISTINCTIVE BY NATURE

Agenda

City Council Regular Meeting

City Council Chambers | 50 Natoma Street, Folsom CA 95630

November 10, 2020

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 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



City Council Regular Meeting

Folsom City Council Chambers
50 Natoma Street, Folsom, CA
www.folsom.ca.us

Tuesday, November 10, 2020 6:30 PM

Sarah Aquino, Mayor

Ernie Sheldon, Vice Mayor
Kerri Howell, Council Member

Mike Kozlowski, Council Member
Andy Morin, Council Member

REGULAR CITY COUNCIL AGENDA

Pursuant to Governor Newsom's Executive Order N-29-20, members of the Folsom City Council and staff may participate in this meeting via teleconference.

Due to the coronavirus (COVID-19) public health emergency, the City of Folsom is allowing for remote public input during City Council meetings. Members of the public are encouraged to participate by emailing comments to CityClerkDept@folsom.ca.us. Emailed comments must be received no later than thirty minutes before the meeting and will be read aloud at the meeting during the agenda item. Please make your comments brief. Written comments submitted and read into the public record must adhere to the principles of the three-minute speaking time permitted for in-person public comment at City Council meetings. Members of the public wishing to participate in this meeting via teleconference may email CityClerkDept@folsom.ca.us no later than thirty minutes before the meeting to obtain call-in information. Each meeting may have different call-in information. Verbal comments via teleconference must adhere to the principles of the three-minute speaking time permitted for in-person public comment at City Council meetings.

Members of the public may continue to participate in the meeting in person at Folsom City Hall, 50 Natoma Street, Folsom, CA while maintaining appropriate social distancing and wearing face coverings.

CALL TO ORDER

ROLL CALL:

Council Members: Sheldon, Howell, Kozlowski, Morin, Aquino

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

AGENDA UPDATE

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 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.

SCHEDULED PRESENTATIONS:

- [1.](#) Proclamation of the City of Folsom Proclaiming November 16 - 20, 2020 as School Worker Appreciation Week in Folsom
- [2.](#) Proclamation of the Mayor of the City of Folsom Proclaiming November 28, 2020 as Small Business Saturday in the City of Folsom
- [3.](#) Veteran's Day Event Celebration Introduction

CONSENT CALENDAR:

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

- [4.](#) Approval of the October 27, 2020 Special/Regular Meeting Minutes
- [5.](#) Resolution No. 10550 - A Resolution Authorizing Submission of Folsom Transportation Development Act Claim for Pedestrian and Bicycle Facilities Fiscal Year 2020-21 to the Sacramento Area Council of Governments
- [6.](#) Resolution No. 10551 - A Resolution Authorizing the City Manager to Execute a Design Consulting Services Agreement with RRM Design Group for the Trail Connection Projects
- [7.](#) Resolution No. 10552 - A Resolution Accepting the Proposed "Shell of Thrones" Sculpture and Approving the Location of the Art Piece at the Steve Miklos Aquatic Center
- [8.](#) Resolution No. 10553 - A Resolution Authorizing the City Manager to Execute an Amendment to the Professional Services Agreement with Ascent Environmental for the Housing Element Update and Appropriation of Funds
- [9.](#) Resolution No. 10554 – A Resolution Authorizing Payment from the Water Operating Fund for Permit and Inspection Fees Associated with Pinhole Leak Repairs
- [10.](#) Resolution No. 10555 – A Resolution Rescinding and Replacing Resolution No.10506 and Authorizing the Police Department to Accept a Sacramento Regional Office of Homeland Security Grant in the Amount of \$250,000, Authorizing the City Manager to Execute an Agreement with the City of Sacramento for the Sacramento Regional Office of Homeland Security Grant and Appropriation of Funds

CITY MANAGER REPORTS:

COUNCIL COMMENTS:

ADJOURNMENT

The City Council's regular meeting of November 24, 2020 is canceled.

The City Council will hold a special meeting on Monday, December 7 at 5:30 pm to swear in newly-elected City Council members.

The City Council will hold its regularly scheduled meeting on Tuesday, December 8, 2020.

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.

PROCLAMATION

OF THE MAYOR OF THE CITY OF FOLSOM PROCLAIMING NOVEMBER 16 – 20, 2020 as SCHOOL WORKER APPRECIATION WEEK in the City of Folsom

WHEREAS, the education of our youth is imperative to our neighborhoods, our city, our state, and our nation and Folsom schools are consistently recognized as among the highest achieving in the region; and

WHEREAS, schools are a key pillar in our local community and economy and quality schools is a primary reason why residents choose to call Folsom home; and

WHEREAS, Folsom educators and education staff have one of the most important jobs in Folsom, and they provide students with the education and support they need to thrive; and

WHEREAS, educators and school employees play a vital role in the lives of their students and lay the foundation for lifelong success and educators and school employees nurture, inspire, educate, and encourage our youth and mold future citizens through guidance and education; and

WHEREAS, this year, we faced unprecedented times in our community and in our schools and educators and school staff have demonstrated tremendous dedication to educating our youth during this challenging time; and

WHEREAS, schools throughout our community had to abruptly adapt and transition from traditional classroom teaching to remote learning, setting up new lesson plans, utilizing new technology, and finding new ways to check on the well-being of students... while juggling the effects of COVID-19 in their own personal lives; and

WHEREAS, teachers and staff are not just teaching classroom lessons; they are teachers of technology and the digital communication systems they were thrust into using. They are also providing emotional support to the students and families they serve.

NOW, THEREFORE, I, Sarah Aquino, Mayor of the City of Folsom on behalf of the Folsom City Council, do hereby proclaim the week of **November 16 - 20, 2020 as SCHOOL WORKER APPRECIATION WEEK** in recognition and appreciation of the outstanding work and dedication of all Folsom educators and school staff.

PROCLAIMED this 10th day of November 2020.

Sarah Aquino, MAYOR

Attest:

Christa Freemantle, CITY CLERK

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PROCLAMATION

OF THE MAYOR OF THE CITY OF FOLSOM

PROCLAIMING NOVEMBER 28, 2020

as

SMALL BUSINESS SATURDAY

in the City of Folsom

WHEREAS, the City of Folsom celebrates its local small businesses and the contributions they make to our local economy and community; according to the United States Small Business Administration, there are 30.7 million small businesses in the United States, they represent 99.7 percent of all firms with paid employees in the United States, are responsible for 64.9 percent of net new jobs created from 2000 to 2018; and

WHEREAS, small businesses employ 47.3% of the employees in the private sector in the United States, 62% of U.S. small businesses reported that they need to see consumer spending return to pre-COVID levels by the end of 2020 in order to stay in business, 65% of U.S. small business owners said it would be most helpful to their business to have their "regulars" return and start making purchases again, and three-quarters of U.S. consumers are currently looking for ways to Shop Small® and support their community; and

WHEREAS, 94% of consumers in the United States value the contributions small businesses make in their community; and

WHEREAS, 96% of consumers who plan to shop on Small Business Saturday® said the day inspires them to go to small, independently owned retailers or restaurants that they have not been to before, or would not have otherwise tried; and

WHEREAS, 95% of consumers who shopped on Small Business Saturday reported the day makes them want to shop or eat at small, independently-owned businesses all year long, not just during the holiday season; and

WHEREAS, the City of Folsom supports its local businesses; and

WHEREAS, advocacy groups, as well as public and private organizations, across the country have endorsed the Saturday after Thanksgiving as Small Business Saturday.

NOW, THEREFORE, I, SARAH AQUINO, Mayor of the City of Folsom, on behalf of the Folsom City Council, do hereby proclaim **November 28, 2020, as SMALL BUSINESS SATURDAY**, and urge the residents of our community, and communities across the country, to support small businesses and merchants on Small Business Saturday and throughout the year.

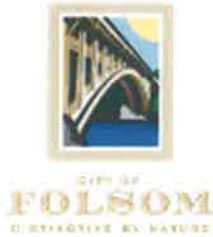
PROCLAIMED this 10th day of November 2020.

Sarah Aquino, MAYOR

Attest:

Christa Freemantle, CITY CLERK

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Folsom City Council Staff Report

MEETING DATE:	11/10/2020
AGENDA SECTION:	Scheduled Presentations
SUBJECT:	Veteran's Day Event Celebration Introduction
FROM:	Parks and Recreation Department

BACKGROUND / ISSUE

Parks and Recreation will make a brief presentation about the upcoming Veteran's Day Event Celebration.

Submitted,

Lorraine Poggione,
Parks and Recreation Director

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City Council Special Meeting

MINUTES

Tuesday, October 27, 2020 5:30 PM

Pursuant to Governor Newsom's Executive Order N-29-20, members of the Folsom City Council and staff may participate in this meeting via teleconference.

CALL TO ORDER

The special City Council meeting was called to order at 5:30 p.m. in City Council Chambers, 50 Natoma Street, Folsom, California, with Mayor Sarah Aquino presiding.

ROLL CALL:

Council Members Present: Kerri Howell, Council Member
Mike Kozlowski, Council Member
Andy Morin, Council Member
Sarah Aquino, Mayor

Council Members Absent: Ernie Sheldon, Vice Mayor

Participating Staff: City Manager Elaine Andersen
City Attorney Steve Wang
City Clerk Christa Freemantle

ADJOURNMENT TO CLOSED SESSION FOR THE FOLLOWING PURPOSES:

1. Conference with Real Property Negotiator - Pursuant to Government Code section 54956.8: One parcel of vacant real property located at 805 Bidwell Street in Folsom, APN 071-0190-003. Negotiating Parties: City Manager Elaine Andersen on behalf of the City of Folsom, and Moe Hirani representing interested purchaser. Under Negotiation: Price and Terms of Sale
2. Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(d)(2): Pinhole leak

Motion by Council Member Kerri Howell, second by Council Member Andy Morin to adjourn to closed session for the above referenced item. Motion carried with the following roll call vote:

AYES: Council Member(s): Morin, Howell, Kozlowski, Aquino
NOES: Council Member(s): None
ABSENT: Council Member(s): Sheldon
ABSTAIN: Council Member(s): None

RECONVENE, ANNOUNCEMENT OF ANY ACTION

City Attorney Steve Wang advised that no final action was taken during closed session.

ADJOURNMENT

There being no further business to come before the Folsom City Council, the meeting was adjourned at 5:31 p.m.

SUBMITTED BY:

Christa Freemantle, City Clerk

ATTEST:

Sarah Aquino, Mayor

City Council Regular Meeting

MINUTES

Tuesday, October 27, 2020 6:30 PM

Pursuant to Governor Newsom's Executive Order N-29-20, members of the Folsom City Council and staff may participate in this meeting via teleconference.

CALL TO ORDER

The regular City Council meeting was called to order at 6:31 p.m. in City Council Chambers, 50 Natoma Street, Folsom, California, with Mayor Sarah Aquino presiding.

ROLL CALL:

Council Members Present: Kerri Howell, Council Member
Mike Kozlowski, Council Member
Andy Morin, Council Member
Sarah Aquino, Mayor

Council Members Absent: Ernie Sheldon, Vice Mayor

Participating Staff: City Manager Elaine Andersen
City Attorney Steve Wang
City Clerk Christa Freemantle
Finance Director/CFO Stacey Tamagni
Environmental and Water Resources Director Marcus Yasutake
Community Development Director Pam Johns

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

AGENDA UPDATE

City Clerk Christa Freemantle advised that there were no agenda updates.

BUSINESS FROM THE FLOOR:

City Clerk Christa Freemantle read an email into the record from Flora Wong regarding State Measure 16.

SCHEDULED PRESENTATIONS:

1. Presentation Regarding the Sustainable Groundwater Management Act and the Groundwater Sustainability Plan

Environmental and Water Resources Director Marcus Yasutake introduced John Woodling from the Sacramento Groundwater Authority who made a presentation.

2. Copper Pipe Pinhole Leak Investigation - Update

Environmental and Water Resources Director Marcus Yasutake made a presentation and responded to questions from the City Council.

The following speakers addressed the City Council regarding this item:

1. Philip Miller
2. Rebecca Neider
3. Lynn Gardner
4. Ruth Anderson

City Clerk Christa Freemantle read an email regarding this item into the record from the following individual:

1. Michael Biggs

Environmental and Water Resources Director Marcus Yasutake responded to comments and questions. Community Development Director Pam Johns provided additional information in response to questions from the City Council.

CONSENT CALENDAR:

3. Approval of the October 13, 2020 Regular Meeting Minutes
4. Ordinance No. 1309 – An Ordinance of the City of Folsom Amending Sections 12.20.020 and 12.20.030 of the Folsom Municipal Code Governing Encroachments on Public Property (Second Reading and Adoption)
5. Resolution No. 10506 – A Resolution Authorizing the Police Department to Accept a Sacramento Regional Office of Homeland Security Grant in the Amount of \$250,000 and Appropriation of Funds
6. Resolution No. 10536 – A Resolution Authorizing the City Manager to Execute an Agreement with Water Systems Consulting, Inc. for Professional Services for the 2020 Urban Water Management Plan
7. Resolution No. 10537 – A Resolution Authorizing the City Manager to Execute an Agreement with Badger Meter, Inc. to Purchase Badger Cellular Endpoints for a Three

Year Pilot Automated Metering Infrastructure Network for the City of Folsom Water Meter Division

8. Resolution No. 10538 - A Resolution Authorizing the City Manager to Execute an Agreement with West Yost & Associates, Inc. for Construction Management, and Inspection Services for the Water Treatment Plant Pre-Treatment System Improvement Project
9. Resolution No. 10539 - A Resolution Authorizing the City Manager to Execute an Agreement with Lorang Brothers Construction, Inc. for the Construction of the Water Treatment Plant Pre-Treatment System Improvement Project
10. Resolution No. 10543 - A Resolution Authorizing the City Manager to Execute an Agreement with Western Water Features, Inc. for the Steve Miklos Aquatic Center Swimming Pool Renovation Project
11. Resolution No. 10547 - A Resolution of the City Council of the City of Folsom Designating Green Zones Within the City to Promote Infill Development and Reduce Existing Barriers and Provide New Transportation Options
12. Resolution No. 10548 - A Resolution of the City Council of the City of Folsom Approving Application(s) for Per Capita Grant Funds
13. Resolution No. 10540 – A Resolution Authorizing the City Manager to Execute a Memorandum of Understanding Agreement with the Capital SouthEast Connector Joint Powers Authority for the Capital SouthEast Connector Segment D3(A), Project No. PW1607, Federal Project No. 5288(046)
14. Resolution No. 10541 – A Resolution Authorizing the City Manager to Execute Updated Program Supplement Agreement with Caltrans for the Capital SouthEast Connector Segment D3(A), Project No. PW1607, Federal Project No. 5288(046)
15. Resolution No. 10542 - A Resolution Authorizing the City Manager to Execute a Consultant Agreement with Dokken Engineering, Inc. for the Capital SouthEast Connector Segment D3(A), Project No. PW1607, Federal Project No. 5288(046)
16. Resolution No. 10544 - A Resolution Authorizing the City Manager to Execute a Consultant Agreement with Salaber Associates, Inc. for the Capital Southeast Connector Segment D3(A), Project No. PW1607, Federal Project No. 5288(046)
17. Resolution No. 10545 - A Resolution Authorizing the City Manager to Execute a Construction Agreement with Goodfellow Brothers, LLC for the Capital SouthEast Connector Segment D3(A), Project No. PW1607, Federal Project No. 5288(046)

Motion by Council Member Kerri Howell, second by Council Member Andy Morin to approve the Consent Calendar.

Motion carried with the following roll call vote:

AYES: Council Member(s): Morin, Howell, Kozlowski, Aquino
NOES: Council Member(s): None
ABSENT: Council Member(s): Sheldon
ABSTAIN: Council Member(s): None

CITY MANAGER REPORTS:

City Manager Elaine Andersen commented on the Veteran’s Day Commemoration and provided a brief history of this year’s Grand Marshal, Vice Mayor Ernie Sheldon. She spoke of the reopening of the Andy Morin Sports Complex, encouraged residents to shop local at Folsom businesses, and announced that the Oak Parkway Trail Undercrossing project was awarded the APWA Project of the Year award. .

COUNCIL COMMENTS:

Council Member Andy Morin wished the best to Vice Mayor Ernie Sheldon and to all the City Council candidates in the upcoming election.

Council Member Kerri Howell provided updates on recent Regional Sanitation District and Regional Transit actions and commented on the SouthEast Connector project. She encouraged everyone to drive safely and sent best wishes to the City Council candidates.

Mayor Sarah Aquino commented regarding the SouthEast Connector project and thanked the JPA Board. She expressed best wishes to Vice Mayor Ernie Sheldon wished good luck to all the City Council candidates and encouraged everyone to vote.

ADJOURNMENT

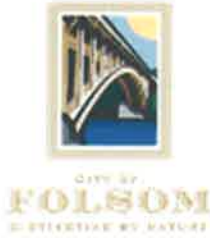
There being no further business to come before the Folsom City Council, the meeting was adjourned at 7:47 p.m.

SUBMITTED BY:

Christa Freemantle, City Clerk

ATTEST:

Sarah Aquino, Mayor



Folsom City Council Staff Report

MEETING DATE:	11/10/2020
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10550 - A Resolution Authorizing Submission of Folsom Transportation Development Act Claim for Pedestrian and Bicycle Facilities Fiscal Year 2020-21 to the Sacramento Area Council of Governments
FROM:	Parks and Recreation Department

RECOMMENDATION / CITY COUNCIL ACTION

The Parks and Recreation Department recommends that the City Council pass and adopt Resolution No. 10550 – A Resolution Authorizing Submission of Folsom Transportation Development Act Claim for Pedestrian and Bicycle Facilities Fiscal Year 2020-21 to the Sacramento Area Council of Governments.

BACKGROUND / ISSUE

The Sacramento Area Council of Governments (SACOG) requires annual submission of funding claims regarding the use of Transportation Development Act (TDA) funds in the form of Local Transportation Funds (LTF). These funds are used by the City of Folsom for pedestrian and bicycle facilities.

POLICY / RULE

SACOG requires City Council approval for Transportation Development Act Claim submissions.

ANALYSIS

The portion of LTF funds for pedestrian and bicycle facilities available to the City of Folsom is calculated on a percentage of sales tax based on population. The amount of \$59,494, which includes all LTF pedestrian and bicycle funds, is the amount available for Fiscal Year 2020-21.

FINANCIAL IMPACT

Approval of the Fiscal Year 2020-21 TDA claim, in the amount of \$59,494, by the City of Folsom and the SACOG Board of Directors will provide additional funding for pedestrian and bicycle facility projects without reliance on the City's General Fund.

ATTACHMENTS

1. Resolution No. 10550 - A Resolution Authorizing Submission of Folsom Transportation Development Act Claim for Pedestrian and Bicycle Facilities Fiscal Year 2020-21 to the Sacramento Area Council of Governments
2. Transportation Development Act Claim Packet

Submitted,

Lorraine Poggione, Parks and Recreation Department Director

ATTACHMENT 1

Resolution No. 10550

RESOLUTION NO. 10550

A RESOLUTION AUTHORIZING SUBMISSION OF FOLSOM TRANSPORTATION DEVELOPMENT ACT CLAIM FOR PEDESTRIAN AND BICYCLE FACILITIES FISCAL YEAR 2020-21 TO THE SACRAMENTO AREA COUNCIL OF GOVERNMENTS

WHEREAS, the Transportation Development Act (TDA) of 1974 allows two percent (2%) of the Local Transportation Fund apportionment to be made available exclusively for pedestrian and bicycle facilities; and

WHEREAS, the City desires to utilize these authorized TDA funds for design, construction, maintenance, and repair of existing and future bicycle and pedestrian facilities throughout the City of Folsom; and

WHEREAS, the Sacramento Area Council of Governments has estimated the amount of TDA funds available to the City of Folsom for bicycle and pedestrian facilities in Fiscal Year 2020-21 to be \$59,494; and

WHEREAS, the Sacramento Area Council of Governments requires a claim package be submitted to receive the TDA allocation, including a resolution approved by the City Council authorizing the filing of the claim; 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 submission of Folsom Transportation Development Act Claim for Pedestrian and Bicycle Facilities Fiscal Year 2020-21 in the amount of \$59,494, along with any subsequent amendments should the amount of requested funds be adjusted.

PASSED AND ADOPTED this 10th day of November 2020, by the following roll-call vote:

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

Sarah Aquino, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

Attachment 2



TRANSPORTATION

DEVELOPMENT ACT

CLAIM PACKET

Sacramento Area Council of Governments
1415 L Street, Suite 300
Sacramento, CA 95814

**TRANSPORTATION DEVELOPMENT ACT
CLAIM CHECKLIST**

Please check the following items as either included with the attached TDA claim package or on file at SACOG.

Item	Claimant	Attached	On File
TDA-1 Annual Transportation Development Claim	All Claimants	X	N/A
TDA-2 Project and Expenditure Plan (for the fiscal year of this claim and prior fiscal year)	All Claimants	X	N/A
TDA-3 Status of Previously Approved Projects	All Claimants	X	N/A
TDA-4 Statement of Conformance	All Claimants	X	N/A
TDA-5 TDA Claim Certification	All Claimants	X	N/A
Resolution by governing body that authorized the claim	All Claimants	X	N/A
CHP Safety Compliance Report (completed within the last 13 months)	Claimants for transit service		
Adopted or proposed budget for the fiscal year of the claim	Claimants for transit service		
Signed copy of transit service contract	Claimants for transit service		
Area wide transfer agreement and resolution	Claimants that allow inter-system transfers		
Information establishing eligibility under efficiency criteria - STA Operator Qualifying Criteria calculation based on Section 99314.6	Claimants for revenue-based STA funds		
Certification that claim is consistent with Capital Improvement Program	Claimants for bike/ped facilities		
Compliance with PUC Sections 99155 and 99155.5	Claimants for transit service		
Copy of Ten-Year Capital & Operations Program	Claimants for transit service		

**TDA-1
TRANSPORTATION DEVELOPMENT ACT CLAIM**

TO: Sacramento Area Council of Governments
1415 L Street, Suite 300
Sacramento, CA 95814

FROM:

Claimant	City of Folsom, Parks and Recreation Department		
Address	50 Natoma Street		
City	Folsom	Zip Code	95630
Contact Person	Brett Bollinger		
Telephone	(916) 461-6632		
E-Mail	bbollinger@folsom.ca.us		

The above claimant hereby requests, in accordance with authority granted under the Transportation Development Act and applicable rules and regulations adopted by the Sacramento Area Council of Governments (SACOG), that its request for funding be approved as follows:

LTF: \$59,494.00

FY 2020/2021

STA: None

Submitted by: Lorraine Poggione

Title: Parks and Recreation Director

Date: _____

**TDA-2
ANNUAL PROJECT AND EXPENDITURE PLAN**

Claimant: City of Folsom

Fiscal Year: FY 20-21

Project Title and TDA Article Number	TDA LTF FY 20-21	TDA STA FY 20-21	TDA STA-SGR FY 20-21	Transit Fares	General Fund	Fund Balance- Transit	Federal/State	Other Income and Interest	Total
Article 8 Section 9923(c) Pedestrian and Bikes	\$59,494.00								\$59,494.00
Total	\$59,494.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$59,494.00

TDA-3
STATUS OF PREVIOUSLY APPROVED PROJECTS

Instructions — Describe the status of all prior fiscal year TDA claim projects and any projects from previous years that are still active, as follows:

- Include both operating and capital budgets
- Approved amounts should be specified in TDA claims approved by SACOG
- Expenditures should be to date
- Project status should be either “Complete” or “Active”

Fiscal Year	Project Title	Amount Approved	Expenditures	Project Status
FY 2021-22	Folsom-Placerville Rail Trail (PK1604)	\$36,000	\$0	Active
FY 2020-21	Trail Connection Projects Design	\$110,000	\$0	Active
FY 2018-19	Lake Natoma Class I Trail – Phase II (PK0902)	\$124,900	\$124,900	Complete
FY 2018-19	Johnny Cash Trail – Phase II (PK2711)	\$96,660	\$44,439	Complete
TOTAL		\$367,560	\$169,339	

TDA-4
STATEMENT OF CONFORMANCE

Form TDA-4 must be completed and signed by the Administrative Office of the submitting claimant.

The City of Folsom hereby certifies that the Transportation Development Act claim for fiscal year FY 20-21 in the amount of **\$59,494** (LTF) and **\$0** (STA) for a total of **\$59,494** conforms to the requirements of the Transportation Development Act and applicable rules and regulations. (See Attachment A for listing of conformance requirements)

Certified by the Finance Director _____
Stacey Tamagni

Date _____

Certified by City Clerk _____
Christa Freemantle

Date _____

TDA-5
TDA CLAIM CERTIFICATION FORM

I, Stacey Tamagni, Finance Director for the City of Folsom,

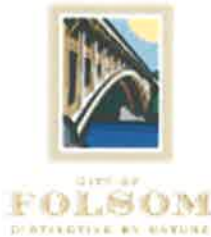
do hereby attest, as required under the California Code of Regulations, Title 21, Division 3, Chapter 2, Section 6632, to the reasonableness and accuracy of the following:

- (a) The attached budget or proposed budget for FY 2020-2021
- (b) The attached certification by the Department of the California Highway Patrol verifying that The City of Folsom is in compliance with Section 1808.1 of the Vehicle Code, as required in Public Utilities Code Section 99251.
- (c) The estimated amount of FY 2020-2021 maximum eligibility for moneys from the Local Transportation Fund and State Assistance Fund, as defined in Section 6634 is \$59,494

Signature of Finance Director _____
Stacey Tamagni

Agency Name City of Folsom

Date _____



Folsom City Council Staff Report



MEETING DATE:	11/10/2020
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10551 – A Resolution Authorizing the City Manager to Execute a Design Consulting Services Agreement with RRM Design Group for the Trail Connection Projects
FROM:	Parks and Recreation Department

RECOMMENDATION / CITY COUNCIL ACTION

Staff recommends the City Council approve Resolution No. 10551– A Resolution Authorizing the City Manager to Execute a Design Consulting Services Agreement with RRM Design Group for the Trail Connection Projects.

BACKGROUND / ISSUE

As part of the City Bikeway Master Plan, there are three trail connection projects being proposed that would fill important gaps in the city-wide trail network. Two of the connections being proposed are along the Oak Parkway Trail and the third is along the Humbug-Willow Creek Trail at the East Bidwell Street undercrossing.

The Class I trail connection projects include:

Oak Parkway Trail - Willow Creek Drive Connection – Complete the Class I Oak Parkway Trail connection to Willow Creek Drive. When this Oak Parkway trail segment was constructed funding was limited and the trail came 900-feet short of connecting to Willow Creek Drive. Cyclists and pedestrians currently share a 4-foot wide sidewalk through BT Collins Park, which creates unnecessary conflicts. The project would be to complete the remaining 900-feet of trail to connect with the Willow Creek Drive crosswalk.

HBWC Trail - East Bidwell Street Connection - Provide a much-needed Class I trail connection from the Humbug-Willow Creek trail undercrossing to East Bidwell Street Class II bike lanes.

Oak Parkway Trail - McFarland Drive Connection - Provide a 100-foot long Class I trail connection from the Oak Parkway Trail to McFarland Drive for the neighborhood south of the trail corridor. Currently pedestrians and cyclists use an unpaved access to the trail.

POLICY / RULE

In accordance with Chapter 2.36 of the Folsom Municipal Code, Public Works projects or purchases costing \$62,014 or greater shall be awarded by the City Council.

ANALYSIS

Parks and Recreation Department staff prepared a Request for Proposal (RFP) for the three trail connection projects. On August 4, 2020, the RFP was distributed to qualified design consultants and on August 31, 2020, five proposals were received. A full review was performed by staff from both the Public Works and Parks and Recreation departments. While all of the consultants met the minimum qualifications, one was determined to be more qualified than the others based on ranking and cost proposal for all three trail connection projects. RRM Design Group’s proposal was selected due to their expertise, understanding of the projects, identification of potential issues, and cost proposal.

The five proposals received with rankings are as follows:

Firm	RRM Design Group	Wood Rodgers	Dokken Engineering	Kimley-Horn	TJKM
Ranking	1	2	3	4	5
Cost Proposal	\$105,110	\$93,660	\$192,870	\$186,425	\$122,533

While Wood Rodgers provided the lowest cost proposal, their proposal did not include topographic surveys and geotechnical reports for all three trail connection projects. Therefore, selection of RRM Design Group is preferred as their proposal includes topographic surveys and geotechnical reports for all three trail connection projects.

FINANCIAL IMPACT

The design portion of the trail connection projects will be funded through the Fiscal Year 2020-21 Operating Budget, which included this project in the amount of \$110,000 in the Parks and Recreation Department Budget in the General Fund (Fund 010).

ENVIRONMENTAL REVIEW

The California Environmental Quality Act (CEQA) only applies to projects that have the potential for causing a significant effect on the environment. The requested action is not considered a project under CEQA pursuant to Section 15061(b)(3).

ATTACHMENT

1. Resolution No. 10551 – A Resolution Authorizing the City Manager to Execute a Design Consulting Services Agreement with RRM Design Group for the Trail Connection Projects

Submitted,

Lorraine Poggione,
Parks and Recreation Department Director

RESOLUTION NO. 10551

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A DESIGN CONSULTING SERVICES AGREEMENT WITH RRM DESIGN GROUP FOR THE TRAIL CONNECTION PROJECTS

WHEREAS, on August 4, 2020, staff released a Request for Proposal to qualified consultants for design services for the Trail Connection Projects; and

WHEREAS, on August 31, 2020, staff received five qualified proposals; and

WHEREAS, on October 2, 2020, RRM Design Group was selected based on their qualifications and experience in planning and engineering design services; and

WHEREAS, the agreement shall be in a form acceptable to the City Attorney; and

WHEREAS, the trail connection projects will be funded through the Fiscal Year 2020-21 Operating Budget, which included this project in the amount of \$110,000 in the Parks and Recreation Department Budget in the General Fund (Fund 010); and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Folsom authorizes the City Manager to execute a Design Consulting Services Agreement with RRM Design Group for planning and design services for the Trail Connection Projects for a total not-to-exceed amount of \$105,110.

PASSED AND ADOPTED this 10th day of November 2020, by the following roll-call vote:

AYES: Council Member(s):

NOES: Council Member(s):

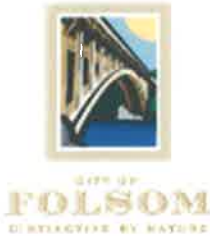
ABSENT: Council Member(s):

ABSTAIN: Council Member(s):

Sarah Aquino, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK



Folsom City Council Staff Report



MEETING DATE:	11/10/2020
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10552 – A Resolution Accepting the Proposed “Shell of Thrones” Sculpture and Approving the Location of the Art Piece at the Steve Miklos Aquatic Center
FROM:	Parks and Recreation Department

RECOMMENDATION / CITY COUNCIL ACTION

Staff recommends the City Council Approve Resolution No. 10552 – A Resolution Accepting the Proposed “Shell of Thrones” Sculpture and Approving the Location of the Art Piece at the Steve Miklos Aquatic Center.

BACKGROUND / ISSUE

The City was first contacted by artist, Geo Graening who attended the September 12, 2019 Arts and Cultural Commission meeting and spoke from the floor to ask about the City’s interest to accept a donation of his sculpture entitled, “Shell of Thrones.” Since then, City staff have remained in contact with Mr. Graening regarding this initial offer to donate this sculpture to the City.

Pursuant to the City’s Art Donation Policy, staff has reviewed the application and supporting documentation for the proposed donation and found that the application is complete (Attachments 3 - 5). This item was presented to the Arts and Cultural Commission at their September 10, 2020 meeting and received unanimous approval with a recommendation to bring it before the Parks and Recreation Commission. At the October 6, 2020 Parks and Recreation Commission meeting, the commission voted unanimously to approve the location of the art piece at the Steve Miklos Aquatic Center.

POLICY / RULE

The City of Folsom Art Donation Policy as approved by Resolution No. 8509 states that “all proposals for donations of art to the City shall be reviewed by the Folsom Arts and Cultural Commission for recommendation to the City Council.”

ANALYSIS

Mr. Graening, a local artist, spoke from business from the floor at the September 12, 2019 Arts and Cultural Commission meeting to present his proposal of wanting to donate the Shell of Thrones sculpture to the City of Folsom with the intent to place it at the Steve Miklos Aquatic Center. After that meeting, staff and the artist remained in contact and now that the City is proceeding with the renovation of the second phase of the Steve Miklos Aquatic Center, it is great timing for consideration of this proposal.

The Shell of Thrones sculpture is a large scallop shell made from marble aggregate, white sand, white Portland cement, steel rebar, and chopped fiberglass. It stands 7-feet tall, 8-feet wide and 4-feet deep. It is estimated to weigh 5,000 pounds. The artist would like to donate this sculpture to the City of Folsom to help beautify the aquatic center and give swimmers, visitors, and families a unique rest area with a photographic focal point.

Mr. Graening specializes in 3-dimensional sculptures and works out of his home studio in Folsom. He combines his training in biology and engineering to produce organic art forms that mimic natural growth forms and earth processes. The Shell of Thrones sculpture has an approximate value of \$20,000 and would require annual maintenance which would include pressure washing and possible buffing of the shell at an annual estimated cost of \$300. This would be paid for out of the existing budget from the Aquatic Division and Community Cultural Service Fund (Fund 219) which is available for public art maintenance.

With the addition of this public art piece, it brings the City-owned pieces to 31 works of art that are owned and maintained by the City. There are also privately owned art pieces that exist in the public realm that can be viewed when at the Palladio and other private businesses and developments that are owned and maintained by others.

With the approval from the City Council for acceptance of the proposed art sculpture, staff will prepare a donation agreement and work with Mr. Graening on its execution and implementation of the project.

FINANCIAL IMPACT

Project installation will be funded by the City of Folsom at an estimated cost of \$10,000 and will be added to the scope of work during the renovation project at the Steve Miklos Aquatics Center. There will be minimal annual maintenance expenses that will be necessary for general upkeep of the sculpture that will be paid for out of the Parks and Recreation Department budget and/or the Community Cultural Service Fund (Fund 219).

ATTACHMENTS

1. Resolution No. 10552 - A Resolution Accepting the Proposed "Shell of Thrones" Sculpture and Approving the Location of the Art Piece at the Steve Miklos Aquatic Center
2. Resolution No. 8509 – Art Donation Policy
3. Donation of Art Application
4. Site Map

5. Image of sculpture, "Shell of Thrones"

Submitted,

Lorraine Poggione, Parks & Recreation Director

ATTACHMENT 1

Resolution No. 10552

RESOLUTION NO. 10552

RESOLUTION ACCEPTING THE PROPOSED “SHELL OF THRONES” SCULPTURE AND APPROVING THE LOCATION OF THE ART PIECE AT THE STEVE MIKLOS AQUATIC CENTER

WHEREAS, the City Council adopted the Arts and Cultural Master Plan and Goal 7 of the plan is to encourage the development of public art; and

WHEREAS, Geo Graening would like to donate a sculpture to the City of Folsom; and

WHEREAS, the Shell of Thrones Sculpture would be placed at the Steve Miklos Aquatics Center at an estimated cost of \$10,000; and

WHEREAS, the Folsom Arts and Cultural Commission reviewed the application and voted unanimously to accept the art sculpture; and

WHEREAS, the Parks and Recreation Commission voted unanimously to accept the proposed placement of the art piece.

WHEREAS, sufficient funds are available in the Community Cultural Service Fund (Fund 219) for annual maintenance of the sculpture; and

WHEREAS, the donation 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 approves the acceptance of the “Shell of Thrones” sculpture and placement of the art piece at the Steve Miklos Aquatic Center.

PASSED AND ADOPTED this 10th day of November 2020, by the following roll-call vote:

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

Sarah Aquino, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

ATTACHMENT 2

Resolution No. 8509 – Art Donation Policy

RESOLUTION NO. 8509

A RESOLUTION APPROVING AN ART DONATION POLICY FOR THE CITY OF FOLSOM

WHEREAS, the City Council recognizes that the expansion of arts and cultural activities will benefit the residents of Folsom; and

WHEREAS, the City Council approved Resolution No. 7856 in 2006 adopting the Arts and Cultural Master Plan Update; and

WHEREAS, the City Council and the Arts and Cultural Commission believe that art placed in public sites or in public buildings increases the aesthetic appeal and beauty of such public sites and buildings, and of the City in general; and

WHEREAS, a well defined Arts Donation Policy will benefit the City of Folsom.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Folsom hereby approved the attached Art Donation Policy.

PASSED AND ADOPTED on this 23rd day of June 2009, by the following roll-call vote:

AYES: Council Member(s): Morin, Sheldon, Starsky, Miklos

NOES: Council Member(s): None

ABSENT: Council Member(s): Howell

ABSTAIN: Council Member(s): None



Stephen E. Miklos, MAYOR

ATTEST:



Christa Schmidt, CITY CLERK

DONATION OF ART TO CITY OF FOLSOM

(Approved by Resolution No. 8509)

1. **The Folsom City Council and the Folsom Arts and Cultural Commission (FACC)** have determined that the expansion of arts and cultural activities within the City will benefit the citizens and will further economic development of the City. The City believes that art placed in public sites or in public buildings increases the aesthetic appeal and beauty of such public sites and buildings, and of the City in general.
2. **Statement of Purpose:** The purpose of this policy is to set forth standardized policies and procedures for consideration and acceptance of donated artworks offered to the City by a donor.
3. **Statement of Policy:** It is the policy of the City to methodically evaluate proposed donations of artwork displaying high aesthetic and technical competence to add to its collection that meet the provisions of the policy.
4. **Review and Acceptance Procedure:** All proposals for donations of art to the City shall be reviewed by the FACC for recommendation to the City Council.
 - a. Any donor wishing to donate artwork to the City must submit an application to the Parks and Recreation Department in the form attached hereto. The application shall be accompanied by the following:
 - i. Photo, plans, model, or maquette of proposed donation
 - ii. Technical description of the work
 - iii. Any special care, maintenance, mounting, or display requirements
 - iv. Artists resume
 - v. Statement of value of the proposed donation
 - vi. A document showing that the artwork is free of encumbrance.
 - vii. A release of ownership
 - b. City staff shall review the application and supporting documentation for the proposed donation. Upon finding that the application is complete, City staff shall place the application on the FACC agenda for consideration.
 - c. The FACC shall review the application for donation and shall make a recommendation to the City Council for acceptance or rejection of the donation. In considering the acceptance or rejection of donated artwork, the FACC shall consider the following areas:
 - i. Style and nature of the artwork. The art should add significantly to the balanced inventory of the City's collection, representing a variety of style, design and media.
 - ii. Professional and technical competence with which the artwork was executed.
 - iii. Durability of artwork. The art should be of satisfactory physical condition, be sufficiently durable as to not be easily damaged or destroyed, should not require restoration or extensive long term conservation, and should be of a physical size and weight that it can be managed in storage, transport and public display without difficulty.
 - iv. Overall quality and excellence of the artwork. The art should be an original creation, and be of high quality and a high level of artistic excellence.

- v. Overall appropriateness of the artwork in the context of the City's existing collection and available display locations. The art should be consistent with and relevant to the civic interests and broad variety of tastes within the Folsom community.
- vi. Installation and ongoing maintenance costs. The artwork should not require extensive installation or maintenance costs unless these costs are being donated with the work. The composition of the artwork shall be of a permanent durable and (if an outdoor placement) weather resistant material that requires a low level of maintenance.
- vii. Projects that reflect the rich history of the Folsom community are encouraged.
- viii. The artwork will not portray themes that may be interpreted as derogatory as to race, religion, sexual orientation, natural origin, or physical or mental disability.
- ix. Public safety concerns, if any. The artwork's physical or structural condition may not pose a threat to public safety.

5. The Responsibility of The FACC:

- a. Advise the City Council of the artistic merit and value of paintings, sculpture, drawings and other art offered to the City as donations.
- b. Advise the City Council regarding appropriate public sites or buildings for display of such art, in conjunction with any City department which has responsibility for planning or maintaining the proposed location.
- c. The recommendation of the FACC shall be presented to the City Council at a regular meeting of the City Council. The City Council shall review the recommendation of the FACC and may, thereafter, accept or reject the donation.

6. Acceptance of Artwork: If the City Council votes to accept the donated artwork, the artist shall enter into a written donation agreement satisfactory to the City Attorney.

- a. Upon execution of the donation agreement by the artist, title, possession, and all rights to the artwork shall be assigned and transferred to the City of Folsom.
- b. Acceptance of a donated artwork shall not obligate the City under any circumstances to display the artwork in any facility or on any property. Art accepted into the City collection is done with the condition that the City reserves the right to display the artwork on either a permanent or temporary basis, and to store the work when not on display, all in the City's sole and complete discretion.
- c. No art donation will be accepted with the condition the art will be displayed in any manner, place, or perpetuity.
- d. Unless agreed to in writing, the City is not obligated to maintain accepted artwork in any specific manner.
- e. Art being considered for donation to the City Art in Public Places Program must conform to the tenets of the approved Art in Public Places Guidelines.

7. Valuations or Appraisals: The City does not provide valuations or appraisals of art being donated to the City. The value of a work should be presented by the donor to the City at the time of donation. It is the responsibility of the donor to furnish a valuation to the appropriate government tax agency.

8. **Rights:** The artist shall assign and transfer to City all rights to the artwork donated to the City, including but not limited to intellectual, copyright, and photographic property rights.
9. **Removing (Deaccessioning) Artwork:** Removal should be a seldom-employed action that operates with a strong presumption against removing works from the collection. Removal will be undertaken only in extreme circumstances, and primarily when the condition of the artwork makes conservation impossible for technical or financial reason.
- a. Artwork may be removed from the City of Folsom's art collection following review by the staff or FACC if:
 - i. The artwork's physical or structural condition poses a threat to public safety.
 - ii. The artwork requires excessive maintenance, has faulty design or workmanship, and repair or remedy is impractical or unfeasible.
 - iii. The artwork has been damaged and repair or remedy is impractical or unfeasible.
 - iv. The condition or security of the artwork cannot be reasonably guaranteed.
 - v. Significant changes in the use, character or design of the site have occurred which affects the integrity of the artwork.
 - vi. Significant, adverse public reaction has continued unabated over an extended period of time.
10. **Waiver of Rights:** Artist(s) will waive against City, its City Council, boards, commissions, officers, agents and employees, and all of their respective successors in interest, any and all rights which Artist(s) may have or which are created under California Civil Code Sections 980, etc seq., the Federal Visual Rights Act, and all other similar laws, and agree that under no circumstances will title and rights to the Artwork revert to Artist(s), their heirs, legatees, assignees or personal representatives.
11. **Notification:** The City shall attempt to notify Artist(s), in writing at the address set forth herein, of its intent to sell, remove or destroy the Artwork at least 30 days prior to the intended date of sale or removal/destruction; however, such notice shall not be required if an emergency situation exists in which public safety is in jeopardy.
- a. It shall be the responsibility of the donor to provide the Parks and Recreation Department with a current address for purposes of notification regarding the donation. For the purposes of notification, the City will attempt to send a certified letter to the donor, notifying the donor of changes related to the status of the donation (i.e. a need to remove, relocate, or comply with conditions set forth in this Policy).

ATTACHMENT 3
Donation of Art Application



FOLSOM
CITY OF
RENEGATIVE INSPIRATION

City of Folsom Donation of Art Application

(Please complete this application as fully as possible)

Submittal Date: August 19, 2020

Project Name or Art Title

Shell of Thrones

Date of Creation: Month: January Year: 2019

Proposed Location/Address

1200 Riley Street, Folsom, CA 95630

Steve Miklos Aquatics Center

Proposed Donor

Gary "Geo" Graening

Phone: (916) 452-5442 **Email:** geo@geo-art-studio.com

Address: ~~485 Faithome Lane~~ 520 Wallingford Lane

City: Folsom **Zip:** 95630

Reason for donation

To help beautify the park facilities and give swimmers a playful rest area and photographic focal point.

Artist Name: Gary "Geo" Graening, Sculptor

Address: 520 Wallingford Lane

City: Folsom **Zip:** 95630

Description of Artwork (Include finish, and color)

"Shell of Thrones" is a stylized bench/alcove made out of reinforced concrete that was cast inside a fiberglass mold.

Approximate Weight: 5,000lbs

Approximate Dimensions: 7' High x 8' Wide x 4' Deep

Maintenance, Mounting or Display Requirements

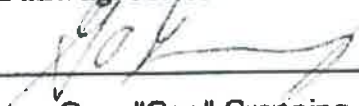
The sculpture should be mortared to a reinforced concrete foundation (minimum of 48 inches of reinforced concrete).

Approximate Value: \$20,000.00

(The City of Folsom will acknowledge receipt of the donated artwork without valuation for tax purposes. The donor must find other means of establishing the value of the artwork)

Approximate Annual Maintenance Costs: \$ 100 to 300 (pressure wash)

I have read and agreed to the terms of the Arts in Public Places Donation Policy:

Signature  Date 8/20/2020

Printed Name Gary "Geo" Graening

Please attach

- Photo, plans, model or other representation of proposed artwork
- Artist biography
- Signage proposed for the artwork, including size, lettering and material
- A document showing that the artwork is free of encumbrance
- A release of ownership letter by the donor.
- A copy of the purchase and sale agreement or transfer document if artwork was previously purchased or acquired from the original artist

Artist Biography

G.O. "Geo" Graening

Education

1991 Bachelor of Arts in Creative Studies, University of California at Santa Barbara, College of Creative Studies

1994 Master of Science in Engineering, University of Arkansas at Fayetteville.

2000 Ph.D. in Biological Sciences, University of Arkansas at Fayetteville.

Showings

March 4-8, 1991, Senior Exhibition, College of Creative Studies Art Gallery, UC Santa Barbara

January 10-20, 2005, Phoenix Gallery, 1801 L Street #211, Sacramento (group show)

October 1- November 30, 2018, Big Stump Brewery, Sacramento

July-August 2019, California Fine Arts Exhibit, Cal Expo, Sacramento (juried show)

June-present, 2020, Bushnell Gardens, Granite Bay

Bio

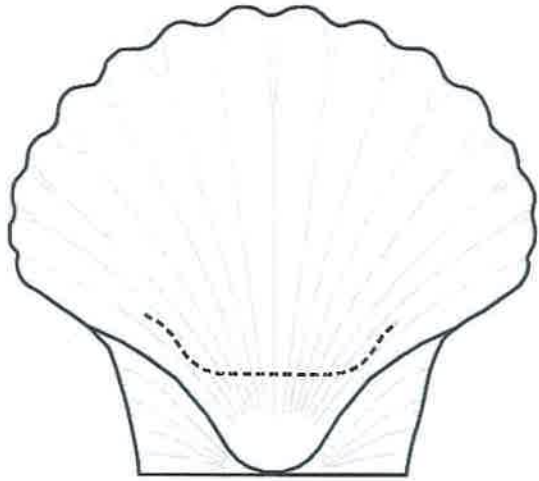
Geo Graening is a 3-dimensional artist who works out of his backyard studio in Folsom, California. He combines his training in biology and engineering to produce organic art forms that mimic natural growth forms and earth processes. Sources of inspiration are fractal patterns, seashells, Greco-Roman statuary, and the physical properties of raw materials.

Creative concepts are explored by drawing on graphite and paper, and then models are constructed in hand-formed clay or carved in rigid foam. Once a sculpted shape is finalized and sealed in resin, fiberglass molds are constructed around the model. Once the fiberglass molds are finished and bolted together, the hollow form is filled with a proprietary blend of ultra-white concrete. The casting is then polished with grinders.

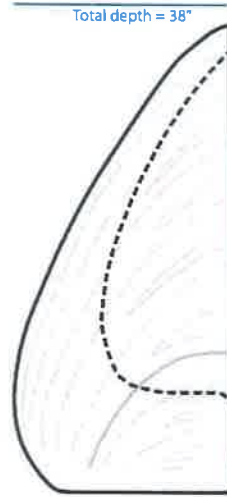


Geo's Art Studio

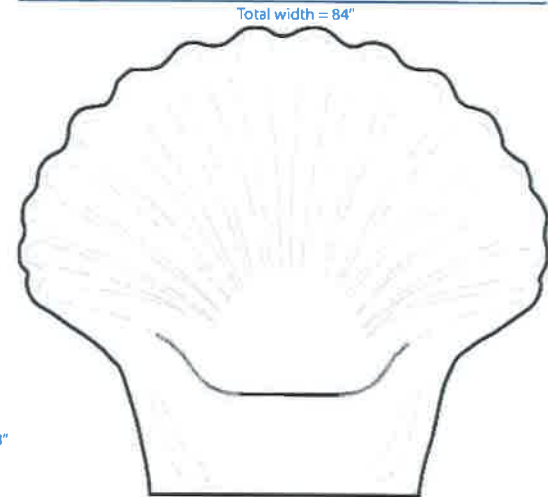
Profile View: Back



Profile View: Side



Profile View: Front



Total height = 96"

Seat height = 18"

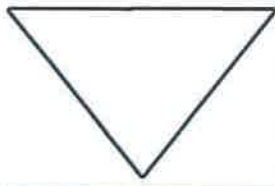
Base depth = 30"

Base width = 48"

Inner depth = 22"

Inner depth = 22"

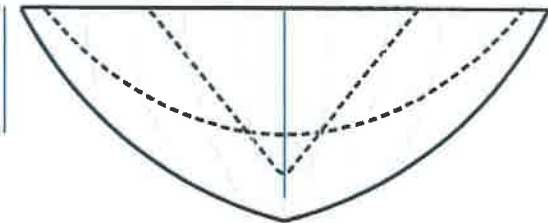
Total depth = 38"



Base depth = 30"

Base width = 48"

Plan View: Base only



Plan View: Entire

**Dr. Gary O. "Geo" Graening
Geo's Art Studio
(916) 452-5442
520 Wallingford Lane, Folsom
ggraening@gmail.com**



Release of Ownership for Art Donation: "Shell of Thrones"

I am the creator and owner of the cast concrete scallop sculpture entitled "Shell of Thrones."

I hereby release ownership of this sculpture to the City of Folsom.

I am donating this sculpture to the City of Folsom and I am not receiving any monetary compensation.

I waive rights and claims against City of Folsom, its City Council, boards, commissions, officers, agents and employees, and all of their respective successors in interest, any and all rights which donor may have or which are created under California Civil Code Sections 980, et seq., the Federal Visual Artists Rights Act, and all other similar laws, and agree that under no circumstances will title and rights to the artwork revert to donor(s), their heirs, legatees, assignees or personal representatives.

The estimated retail cost of the sculpture is \$20,000.



Gary O. "Geo" Graening

August 27, 2020
Date

ATTACHMENT 4

Site Map



Folsom Aquatic Center

Shell of Thrones
Location

ATTACHMENT 5

Image of Sculpture, "Shell of Thrones"

Shell of Thrones

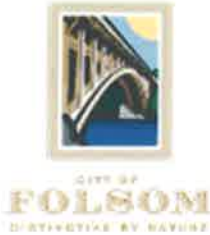
Product Details

- Dimensions: 7 feet tall, 8 feet wide, 4 feet deep
- Weight: 1.5 tons.
- Construction method: concrete cast in fiberglass molds
- Materials: marble aggregate, white sand, white Portland cement, steel rebar, chopped fiberglass
- List Price: \$20,000.00

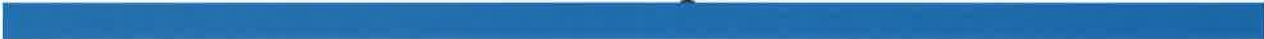




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Folsom City Council Staff Report



MEETING DATE:	11/10/2020
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10553 – A Resolution Authorizing the City Manager to Execute an Amendment to the Professional Services Agreement with Ascent Environmental for the Housing Element Update and Appropriation of Funds
FROM:	Community Development Department

RECOMMENDATION / CITY COUNCIL ACTION

Staff respectfully requests that the City Council pass and adopt Resolution No. 10553 A Resolution Authorizing the City Manager to Execute an Amendment to the Professional Services Agreement with Ascent Environmental for the Housing Element Update and Appropriation of Funds.

BACKGROUND / ISSUE

The City’s Housing Element is one of seven (7) mandatory elements of the City of Folsom General Plan and is a critical component of the City’s blueprint to providing affordable housing opportunities in the community. Unlike the other mandatory general plan elements, the housing element is required to be updated every eight years. It is also subject to detailed statutory requirements and mandatory review and certification by the State Department of Housing and Community Development (HCD).

The City’s current Housing Element was adopted in August 2013 and covers the January 1, 2013 through October 31, 2021 planning period. The upcoming sixth cycle Housing Element will cover the 2021 through 2029 planning period and will reassess the city’s housing-related goals and objectives, while addressing issues and establishing objectives with respect to a wide range of possible housing related programs. The sixth cycle also presents several new challenges for the City in terms of meeting an increased Regional Housing Needs Assessment (RHNA) and navigating new state laws pertaining to housing.

On January 28, 2020 the City Council approved Resolution No. 10383, which authorized a contract with Ascent Environmental (Ascent) in the amount of \$158,153 for the Housing Element Update.

During preparation of the draft Housing Element Update, Ascent and staff have had to expend additional efforts to coordinate and prepare the draft Housing Element and respond to the new state mandates associated with the update. As a result, staff is requesting an additional \$29,550 to cover the cost associated with extra coordination, outreach efforts and analysis.

POLICY / RULE

In accordance with Chapter 2.36 of the Folsom Municipal Code, professional services contracts of \$62,014 or greater shall be approved by the City Council.

ANALYSIS

During the Housing Element Update process, Ascent has held additional project coordination calls with City staff and has provided additional project management. For preparation of the Housing Element Background Report, extra efforts to coordinate and prepare the sites inventory has been necessary. These efforts have been challenging in light of the new state mandates and included greater than anticipated analysis of potential rezone strategies, buffer sites, and coordination on changes in project status. Furthermore, the proposed rezone strategy has triggered additional consultation with the environmental review team to discuss potential vehicle miles traveled impacts associated with the proposed strategy. In addition, Assembly Bill 686 requires each city or county to administer its programs and activities relating to housing in a manner to affirmatively further fair housing which has resulted in an expanded effort and consultation with HCD on the fair housing assessment. Ascent also assisted in greater than anticipated property owner outreach and stakeholder meetings and provided additional preparation support for the July 28, 2020 City Council Housing Element study session. Finally, Ascent and city staff anticipate that additional public engagement efforts will be necessary for the upcoming Planning Commission and City Council hearings. To cover the costs associated with these additional efforts, staff is requesting a budget amendment in the amount of \$29,550.

FINANCIAL IMPACT

The Community Housing Fund (Fund 238) currently has funds available to cover the cost associated with the agreement amendment in the amount of \$29,550 for a not to exceed amount of \$187,703. An additional appropriation will be required for this agreement.

ENVIRONMENTAL REVIEW

The execution of a professional service agreement amendment to update the City Housing Element is not considered a project under the California Environment Quality Act (CEQA) in accordance with CEQA Guidelines Section 15061(b)(3). As a result, these actions are exempt from environmental review. The Housing Element Update itself will be required to include environmental review and thus prior to adoption of the updated Housing element, environmental review will be conducted and the appropriate environmental document prepared. This will be presented to the City Council at the time of adoption.

ATTACHMENT

Resolution No. 10553 – A Resolution Authorizing the City Manager to Execute an Amendment to the Professional Services Agreement with Ascent Environmental for the Housing Element Update and Appropriation of Funds

Submitted,



Pam Johns, Community Development Director

RESOLUTION NO. 10553

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH ASCENT ENVIRONMENTAL FOR THE HOUSING ELEMENT UPDATE AND APPROPRIATION OF FUNDS

WHEREAS, the City of Folsom desires to update the City’s Housing Element; and

WHEREAS, the City Council approved Resolution No. 10383 on January 28, 2020 authorizing the City Manager to execute a professional services agreement with Ascent Environmental for the Housing Element Update; and

WHEREAS, the California State Legislature in recent years has enacted a number of new laws designed to increase affordable housing supply and, as a result, requires additional update to the Housing Element; and

WHEREAS, the total cost of the original scope of work from Ascent Environmental was \$158,153 The additional tasks needed to address the additional State mandates and provide for additional outreach and education is \$29,550 for a total not to exceed amount of \$187,703 for this project; and

WHEREAS, adequate funds are available in the Community Housing Fund (Fund 238) for the update; and

WHEREAS, approval of the amendment and the allocation of funding is exempt from the California Environmental Quality Act (CEQA):

NOW, THEREFORE, BE IT RESOLVED that the City Manager is hereby authorized to execute Amendment No. 1 to the Consultant and Professional Services Agreement with Ascent Environmental for the Housing Element Update in the amount of \$29,550 for a total not-to-exceed amount of \$187,703, in a form acceptable to the City Attorney; and

BE IT FURTHER RESOLVED that the Chief Financial Officer is directed to appropriate \$29,550 in the Community Housing Fund (Fund 238) for Housing Element Update. The appropriation will be from the Community Housing Fund current fund balance.

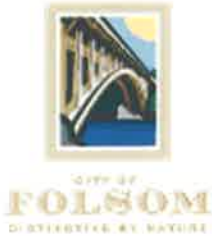
PASSED AND ADOPTED this 10th day of November 2020, by the following roll-call vote:

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

Sarah Aquino, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK



Folsom City Council Staff Report

MEETING DATE:	11/10/2020
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10554 – A Resolution Authorizing Payment from the Water Operating Fund for Permit and Inspection Fees Associated with Pinhole Leak Repairs
FROM:	Community Development Department

RECOMMENDATION / CITY COUNCIL ACTION

Staff respectfully requests that the City Council pass and adopt Resolution No. 10554 - A Resolution Authorizing Payment from the Water Operating Fund for Permit and Inspection Fees Associated with Pinhole Leak Repairs.

BACKGROUND / ISSUE

The City has received multiple reports of small pinhole water leaks in local residential and business copper pipes starting in July 2020. There are currently more than 1,100 reported incidents in the City. As presented at City Council meetings on October 13th and 27th 2020, the City has consistently followed and met (and often exceeded) all federal and state drinking water regulatory requirements. Notwithstanding the safe and high-quality drinking water delivered by the City to Folsom residents and businesses, the City’s consultant recommended, and the City promptly commenced, the addition of orthophosphate in the water treatment process in an effort to inhibit pit initiation and slow or mitigate pit propagation on the interior of copper pipes.

As communicated by residents, many of those impacted by pinhole leaks have completed or planned plumbing repairs to mitigate leaks. The California Plumbing Code (CPC) requires a permit for the installation, alteration, repair, replacement, or remodel of a portion or a full plumbing system. The CPC does allow for clearing of stoppages and repairing of leaks as long as the work does not include the replacement or rearrangement of valves, pipes, or fixtures.

Several residents impacted by pinhole leaks have expressed frustration with permit and fee requirements and have requested or recommended that permit and inspection fees for repairs for re-piping be waived.

POLICY / RULE

City Council approved Ordinance No. 1298 adopting California Building Codes, including the California Plumbing Code establishing the permit and inspection requirements for re-piping. Additionally, City Council approved Resolution No. 10479 establishing fees for building permits and inspections.

ANALYSIS

Section 104 of the California Plumbing Code establishes that a permit is required for the installation, alteration, repair, replacement, or remodel of a portion or a full plumbing system. In addition, gaining access to the plumbing system inside of walls, floors and roofs often require the removal of gypsum board, tile, and may affect other building systems such as shear walls and fire assemblies that require permits and inspections.

While a permit is required, the plans submitted for this work do not provide the level of detail to determine where the pipes are located in the house. This work is customarily performed by a contractor, and inspected by the City in the field, without “as built” plans being generated. Typically, only the plumbing components that would be on the “as built” plan would be locations of fixtures such as sinks, water closets and the water heater.

Over the last three months, there has been an increase in re-pipe permits submitted to the City’s Community Development Department. The table below summarizes the number of permits, average valuation, and average permit cost (which is based in part on the valuation of work). The valuations vary substantially presumably due to the amount of plumbing in the house, the difficulty of the access to the plumbing, the cost of the finishes being disrupted, and the material being used to replace the plumbing. In addition, some of the valuations include replacement of the water heater and installation of a filtration system. Most valuations were in the \$8,000 to \$16,000 range with a high near \$30,000.

Month	August	September	October (to date)
Number of Re-pipe Permits	10	36	53
Average Valuation	\$9,664	\$11,945	\$12,695
Average Permit Cost	\$217	\$238	\$248

A typical re-piping job requires two or three inspections. The first is when the chases are opened up and the plumbing is installed allowing the inspector to verify the plumbing is installed and secured properly. If there is a substantial amount of surfaces removed or the removal affected a shear wall or fire assembly (this should be determined at the first inspection), an intermediate inspection would be required to verify the re-construction is

Code compliant before finishes are installed. The final inspection verifies the work is complete and no code violations exist. Of course, if work is found to be in violation of the code or they only do a portion of the work at a time, additional inspections would be required.

The City’s Water Operating Fund (Fund 520) accounts for expenses related to water utility operations. Staff respectfully recommends that the City’s permitting and inspection fees related to pinhole leak repairs be determined a water utility expense payable by the Water Operating Fund to the General Fund. Furthermore, if authorized by the Council, applicants who have already paid the permit and inspection fees for pinhole leak repairs may receive a refund of their fees from the Water Operating Fund.

FINANCIAL IMPACT

Sufficient funds are available in the FY 2020-21 Water Operating Fund (Fund 520) budget for permit fees and inspections associated with pinhole leak repairs. Given an average repipe permit fee of \$235, permit and corresponding inspections for 1,500 permits could have a potential financial impact on the Water Operating Fund of approximately \$353,000.

ENVIRONMENTAL REVIEW

The authorization of funds is not considered a project under the California Environment Quality Act (CEQA) in accordance with CEQA Guidelines Section 15061(b)(3). Additionally, repair of existing facilities is a categorical exemption under CEQA. As a result, these actions are exempt from environmental review.

ATTACHMENT

- 1. Resolution No. 10554 – A Resolution Authorizing Payment from the Water Operating Fund for Permit and Inspection Fees Associated with Pinhole Leak Repairs

Submitted,

Submitted,

Pam Johns, Community Development
Director

Marcus Yasutake, Environmental and Water
Resources Director

RESOLUTION NO. 10554

**A RESOLUTION AUTHORIZING PAYMENT FROM THE
WATER OPERATING FUND FOR PERMIT AND INSPECTION FEES
ASSOCIATED WITH PINHOLE LEAK REPAIRS**

WHEREAS, the City of Folsom has received multiple reports of small pinhole water leaks in local residential and business copper pipes starting in July 2020; and

WHEREAS, the City of Folsom has consistently followed and met (and often exceeded) all federal and state drinking water regulatory requirements; and

WHEREAS, notwithstanding the safe and high-quality drinking water delivered by the City to Folsom residents and businesses, the City has taken consultant recommended steps to inhibit pit initiation and slow or mitigate pit propagation on the interior of copper pipes; and

WHEREAS, many of those residents and business owners impacted by pinhole leaks have completed or planned plumbing repairs to mitigate leaks; and

WHEREAS, the California Plumbing Code requires a permit for the installation, alteration, repair, replacement, or remodel of a portion or a full plumbing system; and

WHEREAS, the City's Community Development Department has seen an increase in repipe permits over the last three-month period at an average permit cost of \$240; and

WHEREAS, the City's Water Operating Fund (Fund 520) accounts for expenses related to water utility operations; and

WHEREAS, sufficient funds are available in the FY 2020-21 Water Operating Fund (Fund 520) budget for permit fees and inspections associated with pinhole leak repairs.

NOW, THEREFORE, BE IT RESOLVED that the permitting and inspection fees collected by the Community Development Department related to pinhole leak repairs are a water utility expense payable by the Water Operating Fund to the General Fund.

BE IT FURTHER RESOLVED that permit applicants who have already paid the permit and inspection fees for pinhole leak repairs may receive a refund of their fees from the Water Operating Fund.

PASSED AND ADOPTED this 10th day of November 2020, by the following roll-call vote:

AYES: Council Member(s):

NOES: Council Member(s):

ABSENT: Council Member(s):

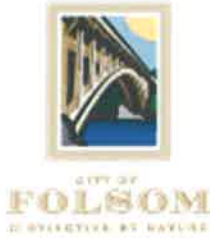
ABSTAIN: Council Member(s):

Sarah Aquino, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

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Folsom City Council Staff Report

MEETING DATE:	11/10/2020
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10555 – A Resolution Rescinding and Replacing Resolution No.10506 and Authorizing the Police Department to Accept a Sacramento Regional Office of Homeland Security Grant in the Amount of \$250,000, Authorizing the City Manager to Execute an Agreement with the City of Sacramento for the Sacramento Regional Office of Homeland Security Grant and Appropriation of Funds
FROM:	Police Department

RECOMMENDATION / CITY COUNCIL ACTION

Staff recommends the City Council approve Resolution No. 10555 - A Resolution Rescinding and Replacing Resolution No.10506 and Authorizing the Police Department to Accept a Sacramento Regional Office of Homeland Security Grant in the Amount of \$250,000, Authorizing the City Manager to Execute an Agreement with the City of Sacramento for the Sacramento Regional Office of Homeland Security Grant and Appropriation of Funds.

BACKGROUND / ISSUE

The Folsom Mobile Command and Communications Unit (MCCU) is a regional asset that was originally built in 2006 by LDV Custom Specialty Vehicles. The MCCU has been deployed to numerous critical incidents since its original construction. It has served as a back-up dispatch center, and part of the command center for incidents such as: the Roseville Galleria fire, the Camp fire, the Amgen Tour of California, a potential breach in the Folsom Dam structure, Sacramento PD Officer Tara O’Sullivan murder, Sacramento County Sheriff Deputy Alex Ladwig shooting, Placer County Sheriff Mike Davis murder, a SWAT standoff in El Dorado County (El Dorado County Sheriff), during the Stephon Clark civil unrest in Sacramento (joint Sacramento Sheriff / Sacramento Police command), during a large scale fire

in Sacramento County and most recently it was deployed to a barricaded suspect standoff in El Dorado County to name a few.

The vehicle has been used during regional police motor competitions, regional S.W.A.T. team trainings and is a resource available to critical incident negotiation teams in three counties. The MCCU has also been deployed to assist the Placerville Police Department (El Dorado County) and the Placer County Sheriff's Office during special events. The radio interoperability system contained in this vehicle allows communication between local, state, and federal law enforcement entities which currently operate under different radio systems/frequencies. The vehicle contains VHF, UHF, 800 megahertz, and shortwave radio systems.

Although the radio interoperability system (RIOS) has been continually upgraded since the vehicle was first built, other systems have not. Technology has changed tremendously since 2006 and some of the systems are no longer manufactured or supported. Unmanned Aerial Vehicles (Drones) were not commonly used in 2006 and video downlink systems in place currently only work with Sacramento County Sheriff Department's helicopter/plane assets. Upgrades to the satellite communication dish, the video surveillance system, and other critical components need to be performed. The cost of a new mobile command vehicle is well over \$1,000,000 while the upgrades are less than a quarter of that dollar amount.

Once approved, the monies will fund the following vehicle upgrades:

- Replacing outdated/no longer supported control modules.
- Replacing/upgrading mast camera surveillance system.
- Replacing outdated light mast and controller to LED.
- Replacing existing 8 single band Motorola XTL 5000 radios with tri-band APX 8500 radios.
- Replacing outdated/no longer supported satellite communications dish.
- Retrofit exterior scene/security lighting to LED.
- Replacing broken emergency lighting.
- Replacing components of the onboard air system to optimize mast performance.
- Purchase additional dispatch equipment (headsets / "walk-up" cables).

The manufacturer of the vehicle (LDV) utilizes Public Safety Innovation Incorporated as a sole source, west coast vendor to perform upgrades to their vehicles.

POLICY / RULE

In accordance with Chapter 2.36 of the Folsom Municipal Code, supplies, equipment, services and construction with a value of \$62,014 or greater shall be awarded by City Council.

ANALYSIS

During the grant contract approval process, it was identified required language was not listed in Resolution No. 10506. Resolution No. 10555 corrects this issue by adding the appropriate language.

Having access to the Mobile Command and Communications Unit allows regional public safety agencies the ability to rapidly deploy and set up field command/control areas during natural disasters, terrorist attacks, high risk operations, and highly volatile incidents. Once on scene, this platform provides an infrastructure to patch various local, state and federal communication systems together during critical incidents. The Folsom Police Department repeatedly offers the use of the MCCU to our regional partners.

As stated above, the City of Folsom could attempt to purchase a new vehicle ranging in price from \$1,000,000 to \$2,000,000. Although the vehicle is over 14 years old, the MCCU is in excellent condition and remains in a deployment ready state. The Folsom Police Department continually seeks funding opportunities to keep the vehicle technologically sound and ready for future deployments. We have utilized our current police department budget for upgrades in the past but do not have the fiscal ability to pay for the technological improvements available through this grant.

There are numerous potential terrorist targets both within and surrounding the City of Folsom. These targets include Western Area Power Administration, California Independent Switching Operator, Folsom Dam, California State Capital, and multiple power transfer stations. Should some type of critical incident occur, the MCCU is able to quickly respond and provide an onsite platform for command, control and communications. The radio interoperability component of this vehicle allows local, state, and federal agencies seamless communications while operating on otherwise incompatible radio frequencies. Keeping the vehicle up to current technological standards is imperative during any critical incident.

FINANCIAL IMPACT

There is no negative fiscal impact to the City as the Sacramento Regional Office of Homeland Security is granting the full \$250,000 to the City of Folsom for the upgrades. An additional appropriation will be required in the Police Department Operating Budget in the General Fund (Fund 010) for these improvements and the grant revenue.

ENVIRONMENTAL REVIEW

N/A.

ATTACHMENTS

1. Resolution No. 10555 – A Resolution Rescinding and Replacing Resolution No.10506 and Authorizing the Police Department to Accept a Sacramento Regional Office of Homeland Security Grant in the Amount of \$250,000, Authorizing the City Manager to Execute an Agreement with the City of

Sacramento for the Sacramento Regional Office of Homeland Security Grant and Appropriation of Funds

2. City of Sacramento grant agreement (with Exhibits A-F)
3. Resolution No. 10506 - A Resolution Authorizing the Police Department to Accept a Sacramento Regional Office of Homeland Security Grant in the Amount of \$250,000 and Appropriation of Funds

Submitted,

Richard D. Hillman, Chief of Police

ATTACHMENT 1

RESOLUTION NO. 10555

A RESOLUTION RESCINDING AND REPLACING RESOLUTION No. 10506 AND AUTHORIZING THE POLICE DEPARTMENT TO ACCEPT A SACRAMENTO REGIONAL OFFICE OF HOMELAND SECURITY GRANT IN THE AMOUNT OF \$250,000, AUTHRORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE CITY OF SACRAMENTO FOR THE SACRAMENTO REGIONAL OFFICE OF HOMELAND SECURITY GRANT AND APPROPRIATION OF FUNDS

WHEREAS, the Sacramento Regional Office of Homeland Security has funds available to help local agencies upgrade infrastructure in response to terrorist and national security events; and

WHEREAS, Folsom Police Mobile Command and Communications Unit (MCCU) is a regional public safety asset that was originally built in 2006 and has systems that are at the end of life or in need of upgrade to remain technologically current; and

WHEREAS, the MCCU platform provides an infrastructure to patch various local, state, and federal communications systems together during critical incidents and having access to the MCCU allows agencies the ability to rapidly deploy and set up field command and control areas during natural disasters, terrorist attacks, high risk operations and highly volatile incidents; and

WHEREAS, the MCCU has been deployed to numerous critical incidents and has served as a backup dispatch center and command center during such events; and

WHEREAS, an additional appropriation will be required in the FY 2020-21 Police Department Operating Budget; and

WHEREAS, the City of Folsom agrees to provide all matching funds required for the grant project and that any cash match will be appropriated as required; and

WHEREAS, any liability arising out of the performance of this agreement shall be the responsibility of the Applicant and the city council, governing board, or authorized body; and

WHEREAS, grant funds shall not be used to supplant expenditures controlled by the city council, governing board, authorized body; and

WHEREAS, the official executing this agreement is, in fact, authorized to do so; and

WHEREAS, the City of Folsom agrees 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 hereby rescinds Resolution No. 10506 and authorizes the Police Department to Accept a Sacramento Regional Office of Homeland Security Grant in the amount of \$250,000, Authorizes the City Manager to execute an agreement with the City of Sacramento for the Sacramento Regional Office of Homeland Security; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Finance Director is authorized to appropriate an additional \$250,000 to the FY 2020-21 Police Department Operating Budget in the General Fund (Fund 010) for the expenditures and the grant revenue.

PASSED AND ADOPTED this 10th day of November 2020, by the following roll-call vote:

AYES: Council Member(s):

NOES: Council Member(s):

ABSENT: Council Member(s):

ABSTAIN: Council Member(s):

Sarah Aquino, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

ATTACHMENT 2

GRANT AGREEMENT

THIS GRANT AGREEMENT ("Agreement") is made at Sacramento, California, as of _____, by and between the **CITY OF SACRAMENTO**, a municipal corporation ("GRANTOR"), and

Entity Name	City of Folsom
Entity DUNS Number	92210404

("GRANTEE"). For purposes of this Agreement, the GRANTOR and GRANTEE may collectively be referred to as "Parties."

- 1. GRANT AWARD.** Pursuant to the requirements prescribed in the exhibits attached hereto, the GRANTOR hereby awards the GRANTEE the following:

Grant Title	UASI: Folsom Police Mobile Command and Communications Unit
Grant Number	G11016918
Performance Period	October 1, 2020 – March 1, 2021
Award Amount (This Action)	\$250,000
Award Amount (Prior Actions)	\$0
Award Amount (Total)	\$250,000
Indirect Cost Rate	Not applicable
Research & Development?	No

- 2. FEDERAL AWARD IDENTIFICATION.** This grant is supported with funding authorized by the following federal program:

CFDA # and Title	97.067 – Homeland Security Grant Program (HSGP)
Awarding Agency	US Department of Homeland Security
Award Identification Number(s)	EMW-2018-SS-00054
Award Period	September 1, 2018 – August 31, 2021
Pass Through Agency	California Governor's Office of Emergency Services
Pass Through Award Number	2018-0054
Pass Through Award Period	September 1, 2018 – April 30, 2021
Pass Through Award Amount	\$2,067,500

[THE REST OF THIS PAGE IS INTENTIONALLY BLANK]

3. CONTRACT. The contract shall consist of this Agreement and each of the following exhibits, which are incorporated herein by reference:

- Exhibit A – Purpose and Term of Grant
- Exhibit B – Fee Schedule/Manner of Payment
- Exhibit C – Authorized Officials
- Exhibit D – Standard Assurances (Non-Construction) (Standard Form 424B)*
- Exhibit E – Disclosure of Lobbying Activities (Standard Form LLL)*
- Exhibit F – CalOES FY2018 Homeland Security Grant Program (HSGP) Standard Assurances*
- Exhibit G – CalOES FY2018 HSGP State Guidance**

<https://www.caloes.ca.gov/cal-oes-divisions/grants-management/homeland-security-prop-1b-grant-programs/homeland-security-grants-program>

Exhibits followed by an asterisk () must be completed and signed/initialed by a GRANTEE official. Exhibits followed by two asterisks (**) are hereby incorporated by reference and made a part of this contract as if attached hereto.*

4. PROCEDURES.

a. ADMINISTRATIVE REQUIREMENTS. Funds awarded via this Agreement are subject to the federal Uniform Administrative Requirements codified in Title 2, Part 200 of the Code of Federal Regulations (www.ecfr.gov), including its subparts and appendices, as applicable.

b. MODIFICATIONS. GRANTEE may request modifications to this Agreement that are necessary to enhance the operational efficiency of the underlying grant. This includes any changes that affect approved budgeted amounts, its Authorized Officials, and/or a significant change in goals, objectives, and/or procedures that affect the grant scope or end date. GRANTOR is under no obligation to fulfill GRANTEE requests.

Modifications must be submitted in the format provided by GRANTOR and signed by one of GRANTEE'S Authorized Officials (as noted in Exhibit C, attached hereto). The GRANTEE may not expend any funds specific to a requested modification until it has received approval from the GRANTOR.

Expenditures related to pending/unapproved modifications or those inconsistent with grant requirements, applicable law, the approved budget, or project scope will not be reimbursed.

c. PAYMENT. Requests for payment for services associated with this Agreement must be submitted as described in Exhibit B, attached hereto.

d. MONITORING AND EVALUATION. The GRANTOR has the responsibility to evaluate GRANTEE'S performance of its obligations described in this subaward in accordance with applicable laws, regulations, and policies. As such, the GRANTOR will monitor, evaluate, and provide guidance and direction to GRANTEE in the performance of this subaward. The GRANTOR may require GRANTEE to take correction action if deficiencies are found as a result of monitoring or evaluation and may report those deficiencies to the Awarding Agency or Pass-Through Agency named on Page 1.

5. INDEMNITY & INSURANCE

- a. INDEMNITY.** GRANTEE shall defend, hold harmless and indemnify GRANTOR, its officers and employees, and each and every one of them, from and against any and all actions, damages, costs, liabilities, claims, demands, losses, judgments, penalties, costs and expenses of every type and description, including, but not limited to, any fees and/or costs reasonably incurred by GRANTOR's staff attorneys or outside attorneys and any fees and expenses incurred in enforcing this provision (hereafter collectively referred to as "Liabilities"), including but not limited to Liabilities arising from personal injury or death, damage to personal, real or intellectual property or the environment, contractual or other economic damages, or regulatory penalties, arising out of or in any way connected with performance of or failure to perform this Agreement by GRANTEE, any consultant, subgrantee or agent, anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable, whether or not (i) such Liabilities are caused in part by a party indemnified hereunder or (ii) such Liabilities are litigated, settled or reduced to judgment; provided that the foregoing indemnity does not apply to liability for any damage or expense for death or bodily injury to persons or damage to property to the extent arising from the sole negligence or willful misconduct of GRANTOR, its agents, servants, or independent contractors who are directly responsible to GRANTOR, except when such agents, servants, or independent contractors are under the direct supervision and control of GRANTEE.
- b. INSURANCE OR SELF-INSURANCE REQUIREMENTS.** Each Party, at its sole cost and expense, shall carry insurance, or self-insure its activities in connection with this Agreement, and obtain, keep in force and maintain, insurance or equivalent programs of self-insurance, for general liability to cover its potential liabilities hereunder. Grantor, its officials, employees and volunteers shall be covered by policy terms or endorsement as additional insureds as respects general liability arising out of GRANTEE's performance hereunder. Each Party may request documentation from the other confirming that a party's insurance or self-insurance program adequately covers the activities in this Agreement.

These provisions shall survive the expiration or earlier termination of this Agreement.

- 6. EQUAL EMPLOYMENT OPPORTUNITY and NON-DISCRIMINATION.** During the performance of this Agreement, GRANTEE, for itself, its assignees and successors in interest, agrees as follows: A. Compliance With Regulations: GRANTEE shall comply with the Executive Order 11246 entitled "Equal Opportunity in Federal Employment", as amended by Executive Order 11375 and 12086, and as supplemented in Department of Labor regulations (41 CFR 60), hereinafter collectively referred to as the "Regulations".
- a. NONDISCRIMINATION:** This Agreement may be subject to the requirements of Sacramento City Code Chapter 3.54, Non-Discrimination in Employee Benefits by City Contractors. A summary of the requirements of Sacramento City Code Chapter 3.54, entitled "Requirements of the Non-Discrimination in Employee Benefits Code," can be viewed at:
<http://www.cityofsacramento.org/Finance/Procurement/Standard-Agreements>. By signing this Agreement, GRANTEE acknowledges and represents that it has read and understands these requirements and agrees to fully comply with all applicable requirements of Sacramento City Code Chapter 3.54. If requested by GRANTOR, GRANTEE agrees to promptly provide such documents and information as may be required by GRANTOR to verify GRANTEE'S compliance. Any violation by GRANTEE of Sacramento City Code Chapter 3.54 constitutes a material breach of this Agreement, for which the GRANTOR may terminate the Agreement and pursue all available legal and equitable remedies.

GRANTEE, with regard to the work performed by it after award with regards to the work performed by it after award and prior to completion of the work pursuant to this Agreement, shall not discriminate on the ground of race, color, religion, sex, national origin, age, marital status, physical handicap or sexual orientation in selection and retention of subcontractors, including procurement of materials and leases of equipment. GRANTEE shall not participate either directly or indirectly in discrimination prohibited by the Regulations.

- b. SOLICITATIONS OF GRANTEE:** In and prior to completion of the work pursuant to this Agreement, GRANTEE shall not discriminate on the ground of race, color, religion, sex, national origin, age, marital status, physical handicap or sexual orientation in selection and retention of contractors, including procurement of materials and leases of equipment. GRANTEE shall not participate either directly or indirectly in discrimination prohibited by the Regulations. All solicitations either by competitive bidding or negotiations made by GRANTEE for work to be performed under any contract, including all procurement of materials or equipment, each potential contractor, consultant or supplier shall be notified by GRANTEE of GRANTEE'S obligation under this Agreement and the Regulations relative to nondiscrimination on the ground of race, color, religion, sex, national origin, age, marital status, physical handicap or sexual orientation.
- c. INFORMATION AND REPORTS.** GRANTEE shall provide all information and reports required by the Regulations, or by any orders or instructions issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information and its facilities as may be determined by the GRANTOR to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of GRANTEE is in the exclusive possession of another who fails or refuses to furnish this information, GRANTEE shall so certify to the GRANTOR, and shall set forth what efforts it has made to obtain the information.
- 7. LIMITATION and REIMBURSEMENT.** In the event of noncompliance by GRANTEE with any of the requirements of this Agreement or applicable law or regulations, the GRANTOR reserves the right to withhold payments to GRANTEE and to cancel, terminate, or suspend the Agreement, in whole or in part.

The GRANTEE agrees that if it receives funds from the GRANTOR for an expenditure that is later disallowed for noncompliance, the GRANTEE shall promptly refund that amount to the GRANTOR, upon request.

[THE REST OF THIS PAGE IS INTENTIONALLY BLANK]

8. AUTHORITY. The signatories below hereby represent and certify they are fully authorized to sign this Agreement on behalf of each's respective organization and to bind said organizations to the performance of obligations described herein.

Executed as of the day and year above first stated.

CITY OF SACRAMENTO

GRANTEE

By: _____
Chris Conlin, Assistant City Manager

By: _____
Rick Hillman, Chief of Police

For: Howard Chan, City Manager

For: _____

APPROVED AS TO FORM:

APPROVED AS TO FORM:

City Attorney

Legal Counsel

ATTEST:

City Clerk

Exhibit A – Purpose and Term of Grant

Purpose: To enhance regional multi-jurisdictional all-hazard incident response capabilities by upgrading equipment, including, but not limited to, satellite communication, video surveillance, and radio systems in the Folsom Police Department's Mobile Command and Communication Unit (MCCU). As a regional asset built in 2006, the MCCU has served as a command and back-up dispatch center for numerous regional critical incidents, special events, and training activities, including large-scale fire response. The MCCU also provides radio interoperability for local, state, and federal law enforcement agencies that operate under different radio systems and frequencies. The MCCU allows agencies to rapidly deploy and establish field command communication during a critical event.

Term: The performance period for the project is October 1, 2020 – April 30, 2021.

EXHIBIT B – FEE SCHEDULE/MANNER OF PAYMENT

1. **GRANTEE'S Compensation.** The total of all fees paid to the GRANTEE for the performance of the subaward obligations set forth in **Exhibit A**, including normal revisions (hereafter the "Agreement"), and for all authorized Reimbursable Expenses, shall not exceed the total sum of **\$250,000**.
2. **GRANTEE'S Reimbursable Expenses.** Reimbursable Expenses shall be limited to actual expenditures of GRANTEE for the following:

Description:	Authorized Equipment List Items per Federal Emergency Management Agency Grant Guidance
1. OPM Control Modules	04HW-01-MOBL
2. Mast Camera Surveillance System	06CP-03-TOWR & 14SW-01-VIDA
3. Fluorescent Light Mast & LED Controller	03OE-03-LTPA
4. APX 8500 Radios, Programming and Installation (7-800/UHF/VHF)	06CP-01-MOBL, 18AC-00-ACUP, 21GN-00-INST
5. Satellite Communications Dish	06CC-04-EQSD
6. Exterior LED lighting	14SW-01-LITE
7. Radio RPU Control Cables	18AC-00-ACUP & 06CP-02-BRDG
8. Air System for Mast Antenna	18AC-00-ACUP
9. Dispatch Headsets	06CP-01-MOBL
10. Dispatch Computer Monitors	06CP-02-BRDG
11. Emergency Lighting	19AF-01-COMM & 12VE-00-CMDV
Total Project Cost	\$250,000

3. **Payments to GRANTEE.**

- A. Payments to GRANTEE shall be made within a reasonable time after receipt of GRANTEE'S invoice, said payments to be made in proportion to services performed or as otherwise specified. GRANTEE shall be responsible for the cost of supplying all documentation necessary to verify the monthly billings to the satisfaction of CITY. GRANTEE must request payment no less frequently than quarterly, in accordance with the below schedule:

Payment Period	Due Date
January 1 – March 31	April 15
July 1 – September 30	October 15
October 1 – December 31	January 15

- B. All invoices submitted by GRANTEE shall contain the following information:
 - (1) Award Title
 - (2) Date of Invoice Issuance
 - (3) Sequential Invoice Number
 - (4) CITY'S Purchase Order Number
 - (5) Total Award Amount

- (6) Amount of this Invoice, itemized as described in Paragraph 2 – Billable Rates
- (7) Total Billed to Date
- (8) Total Remaining on Award
- (9) Attachment: Description of invoiced services and overall status of the grant, itemized as described in Paragraph 2 – Billable Rates
- (10) All invoices and documentation required for final project reimbursement must be submitted no later than May 1, 2021.

C. Requests for payment shall be sent to:

*A/P Processing Center
City of Sacramento
915 I Street, Floor 4
Sacramento, CA 95814-2608*

Or via email: apinvoices@cityofsacramento.org

- 4. **Additional Services.** Additional Services are those services related to the GRANTEE'S obligations set forth in Exhibit A, but not anticipated at the time of execution of this Agreement. Additional Services shall be provided only when a Supplemental Agreement authorizing such Additional Services is approved by CITY in accordance with CITY'S Supplemental Agreement procedures. CITY reserves the right to perform any Additional Services with its own staff or to retain other subrecipients to perform said Additional Services.
- 5. **Records of GRANTEE.** During performance of this Agreement and for a period of three (3) years after closeout of the grant, GRANTEE shall maintain all records and data related to this grant, including, but not limited to, records of GRANTEE'S costs for all amounts claimed for reimbursement under this Agreement, in accordance with generally accepted accounting practices, and shall keep and make such records available for inspection and audit by representatives of the CITY upon reasonable written notice.
- 6. **Taxes.** GRANTEE shall pay, when and as due, any and all taxes incurred as a result of GRANTEE'S compensation hereunder, including estimated taxes, and shall provide CITY with proof of such payment upon request. GRANTEE hereby agrees to indemnify CITY for any claims, losses, costs, fees, liabilities, damages or injuries suffered by CITY arising out of GRANTEE'S breach of this Section 6.

Exhibit C – Authorized Officials*

In addition to the signatories of the Agreement, the following representatives are duly authorized to act on behalf of each's respective agency in the performance of this subaward:

City of Sacramento

Name & Title	Signature
Neil Cybulski, Lieutenant	
Craig Mohar, Program Manager	
Der Xiong, Program Analyst	

Grantee

Name & Title	Signature

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed.

CONTRACTOR:

(If a corporation, must be signed by two officers of the corporation per Corporations Code section 313.)

Date

Tax I.D. Number

Signature

Signature

Print Name

Print Name

Title

Title

CITY OF FOLSOM, A Municipal Corporation:

Date

Elaine Andersen, City Manager

ATTEST:

FUNDING AVAILABLE:

Christa Freemantle, City Clerk Date

Stacey Tamagni, Finance Director Date

ORIGINAL APPROVED AS TO CONTENT:

ORIGINAL APPROVED AS TO FORM:

Richard D. Hillman, Police Chief Date

Steven Wang, City Attorney Date

NOTICE: SIGNATURE(S) ON BEHALF OF CONSULTANT MUST BE NOTARIZED.

A certificate of acknowledgment in accordance with the provisions of California Civil Code section 1189 must be attached for each person executing this agreement on behalf of consultant. This section provides, at part (b): "Any certificate of acknowledgment taken in another place shall be sufficient in this state if it is taken in accordance with the laws of the place where the acknowledgment is made.

CONTRACT NAME

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.





PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
19. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
	
APPLICANT ORGANIZATION	DATE SUBMITTED
	

Standard Form 424B (Rev. 7-97) Back

DISCLOSURE OF LOBBYING ACTIVITIES OMB Control Number: 4040-0013

Expiration Date: 2/28/2022

Complete this form to disclose lobbying activities pursuant to 31 U.S.C.1352

<p>1. * Type of Federal Action:</p> <input type="checkbox"/> a. contract <input checked="" type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	<p>2. * Status of Federal Action:</p> <input type="checkbox"/> a. bid/offer/application <input checked="" type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	<p>3. * Report Type:</p> <input checked="" type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change
<p>4. Name and Address of Reporting Entity:</p> <input type="checkbox"/> Prime <input checked="" type="checkbox"/> SubAwardee Tier if known: <input type="checkbox"/>		
<p>* Name: City of Folsom</p> <p>* Street 1: 50 Natoma Street Street 2: _____</p> <p>* City: Folsom State: CA: California Zip: 95630</p> <p>Congressional District, if known: _____</p>		
<p>5. If Reporting Entity in No.4 is Subawardee, Enter Name and Address of Prime:</p> <p>* Name: State of California, Office of Emergency Services</p> <p>* Street 1: 3650 Schriber Avenue Street 2: _____</p> <p>* City: Mather State: CA: California Zip: 95655</p> <p>Congressional District, if known: _____</p>		
<p>6. * Federal Department/Agency:</p> <p>Department of Homeland Security (FEMA)</p>		<p>7. * Federal Program Name/Description:</p> <p>Homeland Security Grant Program</p> <p>CFDA Number, if applicable: 97.067</p>
<p>8. Federal Action Number, if known:</p> <p>_____</p>		<p>9. Award Amount, if known:</p> <p>\$ 250,000.00</p>
<p>10. a. Name and Address of Lobbying Registrant:</p> <p>Prefix _____ * First Name _____ Middle Name _____</p> <p>* Last Name _____ Suffix _____</p> <p>* Street 1 _____ Street 2 _____</p> <p>* City _____ State _____ Zip _____</p>		
<p>b. Individual Performing Services (including address if different from No. 10a)</p> <p>Prefix _____ * First Name _____ Middle Name _____</p> <p>* Last Name _____ Suffix _____</p> <p>* Street 1 _____ Street 2 _____</p> <p>* City _____ State _____ Zip _____</p>		
<p>11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when the transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.</p> <p>* Signature: _____</p> <p>* Name: Prefix _____ * First Name _____ Middle Name _____</p> <p>* Last Name _____ Suffix _____</p> <p>Title: _____ Telephone No.: _____ Date: _____</p>		
<p>Federal Use Only:</p>		<p>STANDARD FORM LLL (REV. 7/1997) Authorized for Local Reproduction</p>



**Standard Assurances
For All Cal OES Federal Grant Programs**

As the duly authorized representative of the Applicant, I hereby certify that the Applicant has the legal authority to apply for federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay any non-federal share of project cost) to ensure proper planning, management, and completion of the project described in this application, within prescribed timelines.

I further acknowledge that the Applicant is responsible for reviewing and adhering to all requirements within the:

- (a) Applicable Federal Regulations (see below);
- (b) Federal Program Notice of Funding Opportunity (NOFO);
- (c) California Supplement to the NOFO; and
- (d) Federal and State Grant Program Guidelines.

Federal Regulations

Government cost principles, uniform administrative requirements, and audit requirements for federal grant programs are set forth in Title 2, Part 200 of the Code of Federal Regulations (C.F.R.). Updates are issued by the Office of Management and Budget (OMB) and can be found at <http://www.whitehouse.gov/omb/>.

Significant state and federal grant award requirements (some of which appear in the documents listed above) are set forth below. The Applicant hereby agrees to comply with the following:

1. Proof of Authority

The Applicant will obtain written authorization from the city council, governing board, or authorized body in support of this project. This written authorization must specify that the Applicant and the city council, governing board, or authorized body agree:

- (a) To provide all matching funds required for the grant project and that any cash match will be appropriated as required;
- (b) Any liability arising out of the performance of this agreement shall be the responsibility of the Applicant and the city council, governing board, or authorized body;
- (c) Grant funds shall not be used to supplant expenditures controlled by the city council, governing board, or authorized body, and
- (d) The official executing this agreement is, in fact, authorized to do so.

This Proof of Authority must be maintained on file and readily available upon request.

2. Period of Performance

The Applicant will initiate work after approval of the award and complete all work within the period of performance specified in the grant.

3. Lobbying and Political Activities

As required by Section 1352, Title 31 of the United States Code (U.S.C.), for persons entering into a contract, grant, loan, or cooperative agreement from an agency or requests or receives from an agency a commitment providing for the United States to insure or guarantee a loan, the Applicant certifies that:

- (a) No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
- (b) If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.
- (c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

The Applicant will also comply with provisions of the Hatch Act (5 U.S.C. §§ 1501-1508 and §§ 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with federal funds.

Finally, the Applicant agrees that federal funds will not be used, directly or indirectly, to support the enactment, repeal, modification or adoption of any law, regulation or policy without the express written approval from the California Governor's Office of Emergency Services (Cal OES) or the federal awarding agency.

4. Debarment and Suspension

As required by Executive Orders 12549 and 12689, and 2 C.F.R. § 200.213 and codified in 2 C.F.R. Part 180, Debarment and Suspension, the Applicant will provide protection against waste, fraud, and abuse by debarring or suspending those persons deemed irresponsible in their dealings with the federal government. The Applicant certifies that it and its principals, subgrantees, recipients or subrecipients:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency;
- (b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any of the offenses enumerated in paragraph (2)(b) of this certification; and
- (d) Have not within a three-year period preceding this application had one or more public transaction (federal, state, or local) terminated for cause or default.

Where the Applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

5. **Non-Discrimination and Equal Employment Opportunity**

The Applicant will comply with all federal statutes relating to non-discrimination. These include, but are not limited to, the following:

- (a) Title VI of the Civil Rights Act of 1964 (Public Law (P.L.) 88-352 and 42 U.S.C. § 2000d et. seq.) which prohibits discrimination on the basis of race, color, or national origin and requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services;
- (b) Title IX of the Education Amendments of 1972, (20 U.S.C. §§ 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex in any federally funded educational program or activity;
- (c) Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794), which prohibits discrimination against those with disabilities or access and functional needs;
- (d) Americans with Disabilities Act (ADA) of 1990, which prohibits discrimination on the basis of disability and requires buildings and structures be accessible to those with disabilities and access and functional needs (42 U.S.C. §§ 12101-12213);
- (e) Age Discrimination Act of 1975, (42 U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age;
- (f) Public Health Service Act of 1912 (42 U.S.C. §§ 290 dd—2), relating to confidentiality of patient records regarding substance abuse treatment;
- (g) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), relating to nondiscrimination in the sale, rental or financing of housing as implemented by the Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units—i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)— be designed and constructed with certain accessible features (See 24 C.F.R. § 100.201);

- (h) Executive Order 11246, which prohibits federal contractors and federally assisted construction contractors and subcontractors, who do over \$10,000 in Government business in one year from discriminating in employment decisions on the basis of race, color, religion, sex, sexual orientation, gender identification or national origin;
- (i) Executive Order 11375, which bans discrimination on the basis of race, color, religion, sex, sexual orientation, gender identification, or national origin in hiring and employment in both the United States federal workforce and on the part of government contractors;
- (j) California Public Contract Code § 10295.3, which prohibits discrimination based on domestic partnerships and those in same sex marriages;
- (k) DHS policy to ensure the equal treatment of faith-based organizations, under which all applicants and recipients must comply with equal treatment policies and requirements contained in 6 C.F.R. Part 19;
- (l) Any other nondiscrimination provisions in the specific statute(s) under which application for federal assistance is being made; and
- (m) The requirements of any other nondiscrimination statute(s) which may apply to the application.

In addition to the items listed in (a) through (m), the Applicant will comply with California's Fair Employment and Housing Act (FEHA). FEHA prohibits harassment and discrimination in employment because of ancestry, familial status, race, color, religious creed (including religious dress and grooming practices), sex (which includes pregnancy, childbirth, breastfeeding and medical conditions related to pregnancy, childbirth or breastfeeding), gender, gender identity, gender expression, sexual orientation, marital status, national origin, ancestry, mental and physical disability, genetic information, medical condition, age, pregnancy, denial of medical and family care leave, or pregnancy disability leave (California Government Code §§12940, 12945, 12945.2), military and veteran status, and/or retaliation for protesting illegal discrimination related to one of these categories, or for reporting patient abuse in tax supported institutions.

6. Drug-Free Workplace

As required by the Drug-Free Workplace Act of 1988 (41 U.S.C. § 701 et seq.), the Applicant certifies that it will maintain a drug-free workplace and a drug-free awareness program as outlined in the Act.

7. Environmental Standards

The Applicant will comply with state and federal environmental standards, which may be prescribed pursuant to the following, as applicable:

- (a) California Environmental Quality Act (CEQA) (California Public Resources Code §§ 21000- 21177), to include coordination with the city or county planning agency;
- (b) CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, §§ 15000- 15387);
- (c) Federal Clean Water Act (CWA) (33 U.S.C. § 1251 et seq.), which establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters;
- (d) Federal Clean Air Act of 1955 (42 U.S.C. § 7401) which regulates air emissions from stationary and mobile sources;

- (e) Institution of environmental quality control measures under the National Environmental Policy Act (NEPA) of 1969 (P.L. 91-190); the Council on Environmental Quality Regulations for Implementing the Procedural Provisions of NEPA; and Executive Order 12898 which focuses on the environmental and human health effects of federal actions on minority and low-income populations with the goal of achieving environmental protection for all communities;
- (f) Evaluation of flood hazards in floodplains in accordance with Executive Order 11988;
- (g) Executive Order 11514 which sets forth national environmental standards;
- (h) Executive Order 11738 instituted to assure that each federal agency empowered to enter into contracts for the procurement of goods, materials, or services and each federal agency empowered to extend federal assistance by way of grant, loan, or contract shall undertake such procurement and assistance activities in a manner that will result in effective enforcement of the Clean Air Act and the Federal Water Pollution Control Act Executive Order 11990 which requires preservation of wetlands;
- (i) The Safe Drinking Water Act of 1974, (P.L. 93-523);
- (j) The Endangered Species Act of 1973, (P.L. 93-205);
- (k) Assurance of project consistency with the approved state management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.);
- (l) Conformity of Federal Actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.);
- (m) Wild and Scenic Rivers Act of 1968 (16 U.S.C. § 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

The Applicant shall not be: 1) in violation of any order or resolution promulgated by the State Air Resources Board or an air pollution district; 2) subject to a cease and desist order pursuant to § 13301 of the California Water Code for violation of waste discharge requirements or discharge prohibitions; or 3) determined to be in violation of federal law relating to air or water pollution.

8. Audits

For subrecipients expending \$750,000 or more in federal grant funds annually, the Applicant will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and Title 2 of the Code of Federal Regulations, Part 200, Subpart F Audit Requirements.

9. Access to Records

In accordance with 2 C.F.R. § 200.336, the Applicant will give the awarding agency, the Comptroller General of the United States and, if appropriate, the state, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award. The Applicant will require any subrecipients, contractors, successors, transferees and assignees to acknowledge and agree to comply with this provision.

10. Conflict of Interest

The Applicant will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.

11. Financial Management**False Claims for Payment**

The Applicant will comply with 31 U.S.C §§ 3729-3733 which sets forth that no subgrantee, recipient, or subrecipient shall submit a false claim for payment, reimbursement or advance.

12. Reporting - Accountability

The Applicant agrees to comply with applicable provisions of the Federal Funding Accountability and Transparency Act (FFATA) (P.L. 109-282), specifically (a) the reporting of subawards obligating \$25,000 or more in federal funds and (b) executive compensation data for first-tier subawards. This includes the provisions of FFATA, which includes requirements for executive compensation, and also requirements implementing the Act for the non-federal entity at 2 C.F.R. Part 25 Financial Assistance Use of Universal Identifier and Central Contractor Registration and 2 C.F.R. Part 170 Reporting Subaward and Executive Compensation Information.

13. Whistleblower Protections

The Applicant also must comply with statutory requirements for whistleblower protections at 10 U.S.C. § 2409, 41 U.S.C. § 4712, and 10 U.S.C. § 2324, 41 U.S.C. § 4304 and § 4310.

14. Human Trafficking

The Applicant will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act of 2000, as amended (22 U.S.C. § 7104) which prohibits grant award recipients or a subrecipient from: (1) engaging in trafficking in persons during the period of time that the award is in effect; (2) procuring a commercial sex act during the period of time that the award is in effect; or (3) using forced labor in the performance of the award or subawards under the award.

15. Labor Standards

The Applicant will comply with the following federal labor standards:

- (a) The Davis-Bacon Act (40 U.S.C. §§ 276a to 276a-7), as applicable, and the Copeland Act (40 U.S.C. § 3145 and 18 U.S.C. § 874) and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327-333), regarding labor standards for federally-assisted construction contracts or subcontracts, and
- (b) The Federal Fair Labor Standards Act (29 U.S.C. § 201 et al.) as they apply to employees of institutes of higher learning (IHE), hospitals and other non-profit organizations.

16. Worker's Compensation

The Applicant must comply with provisions which require every employer to be insured to protect workers who may be injured on the job at all times during the performance of the work of this Agreement, as per the workers compensation laws set forth in California Labor Code §§ 3700 et seq.

17. Property-Related

If applicable to the type of project funded by this federal award, the Applicant will:

- (a) Comply with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of federal participation in purchase;
- (b) Comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires subrecipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more;
- (c) Assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. § 470), Executive Order 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §469a-1 et seq.); and
- (d) Comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. § 4831 and 24 CFR Part 35) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.

18. Certifications Applicable Only to Federally-Funded Construction Projects

For all construction projects, the Applicant will:

- (a) Not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the federal awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with federal assistance funds to assure nondiscrimination during the useful life of the project;
- (b) Comply with the requirements of the awarding agency with regard to the drafting, review and approval of construction plans and specifications; and
- (c) Provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.

19. Use of Cellular Device While Driving is Prohibited

Applicants are required to comply with California Vehicle Code sections 23123 and 23123.5. These laws prohibit driving motor vehicle while using an electronic wireless communications device to write, send, or read a text-based communication. Drivers are also prohibited from the use of a wireless telephone without hands-free listening and talking, unless to make an emergency call to 911, law enforcement, or similar services.

20. California Public Records Act and Freedom of Information Act

The Applicant acknowledges that all information submitted in the course of applying for funding under this program, or provided in the course of an entity's grant management activities that are under Federal control, is subject to the Freedom of Information Act (FOIA), 5 U.S.C. § 552, and the California Public Records Act, California Government Code section 6250 et seq. The Applicant should consider these laws and consult its own State and local laws and regulations regarding the release of information when reporting sensitive matters in the grant application, needs assessment, and strategic planning process.

HOMELAND SECURITY GRANT PROGRAM - PROGRAM SPECIFIC ASSURANCES / CERTIFICATIONS**21. Reporting Accusations and Findings of Discrimination**

If during the past three years the recipient has been accused of discrimination on any basis the recipient must provide a list of all such proceedings, pending or completed, including outcome and copies of settlement agreements to the DHS Financial Assistance Office and the DHS Office for Civil Rights and Civil Liberties (CRCL) by e-mail at CRCL@hq.dhs.gov or by mail at U.S. Department of Homeland Security, Office for Civil Rights and Civil Liberties, Building 410, Mail Stop #0190, Washington, D.C. 20528.

In the courts or administrative agencies make a finding of discrimination on grounds of race, color, national origin (including LEP), sex, age, disability, religion, or familial status against the recipient, or the recipients settle a case or matter alleging such discrimination, recipients must forward a copy of the complaint and findings to the DHS Financial Assistance Office and the CRCL by e-mail or mail at the addresses listed above.

The United States has the right to seek judicial enforcement of these obligations.

22. Acknowledgment of Federal Funding from DHS

All recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with federal funds.

23. Activities Conducted Abroad

All recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

24. Best Practices for Collection and Use of Personally Identifiable Information (PII)

DHS defines personally identifiable information (PII) as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. All recipients who collect PII are required to have a publically-available privacy policy that describes standards on the usage and maintenance of PII they collect. Recipients may also find the DHS Privacy Impact Assessments: Privacy Guidance and Privacy template a useful resource respectively.

25. Copyright

All recipients must affix the applicable copyright notices of 17 U.S.C. §§ 401 or 402 and an acknowledgement of U.S. Government sponsorship (including the award number) to any work first produced under federal financial assistance awards.

26. Duplication of Benefits

Any cost allocable to a particular federal financial assistance award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other federal financial assistance awards to overcome fund deficiencies, to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions, or for other reasons. However, these prohibitions would not preclude recipients from shifting costs that are allowable under two or more awards in accordance with existing federal statutes, regulations, or the federal financial assistance award terms and conditions.

27. Energy Policy and Conservation Act

All recipients must comply with the requirements of 42 U.S.C. § 6201 which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.

28. Federal Debt Status

All recipients are required to be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. See OMB Circular A-129.

29. Fly America Act of 1974

All recipients must comply with Preference for U.S. Flag Air Carriers: (air carriers holding certificates under 49 U.S.C. § 41102) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974 (49 U.S.C. § 40118) and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B-138942.

30. Hotel and Motel Fire Safety Act of 1990

In accordance with Section 6 of the Hotel and Motel Fire Safety Act of 1990, all Applicants must ensure that all conference, meeting, convention, or training space funded in whole or in part with federal funds complies with the fire prevention and control guidelines of the Federal Fire Prevention and Control Act of 1974, as amended, 15 U.S.C. § 2225a.

31. Non-supplanting Requirement

All recipients who receive federal financial assistance awards made under programs that prohibit supplanting by law must ensure that federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-federal sources.

32. Patents and Intellectual Property Rights

Unless otherwise provided by law, recipients are subject to the Bayh-Dole Act, Pub. L. No. 96-517, as amended, and codified in 35 U.S.C. § 200 et seq. All recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from financial assistance awards located at 37 C.F.R. Part 401 and the standard patent rights clause located at 37 C.F.R. § 401.14.

33. SAFECOM

All recipients who receive federal financial assistance awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

34. Terrorist Financing

All recipients must comply with Executive Order 13224 and U.S. law that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Recipients are legally responsible to ensure compliance with the Order and laws.

35. Reporting of Matters Related to Recipient Integrity and Performance

If the total value of the recipient's currently active grants, cooperative agreements, and procurement contracts from all federal assistance offices exceeds \$10,000,000 for any period of time during the period of performance of this federal financial assistance award, you must comply with the requirements set forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated here by reference in the award terms and conditions.

36. USA Patriot Act of 2001

All recipients must comply with requirements of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT Act), which amends 18 U.S.C. §§ 175–175c.

37. Use of DHS Seal, Logo, and Flags

All recipients must obtain permission from their DHS Financial Assistance Office, prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

IMPORTANT

The purpose of the assurance is to obtain federal and state financial assistance, including any and all federal and state grants, loans, reimbursement, contracts, etc. The Applicant recognizes and agrees that state financial assistance will be extended based on the representations made in this assurance. This assurance is binding on the Applicant, its successors, transferees, assignees, etc. Failure to comply with any of the above assurances may result in suspension, termination, or reduction of grant funds.

All appropriate documentation, as outlined above, must be maintained on file by the Applicant and available for Cal OES or public scrutiny upon request. Failure to comply with these requirements may result in suspension of payments under the grant or termination of the grant or both and the subrecipient may be ineligible for award of any future grants if the Cal OES determines that any of the following has occurred: (1) the recipient has made false certification, or (2) violates the certification by failing to carry out the requirements as noted above.

All of the language contained within this document must be included in the award documents for all subawards at all tiers. All recipients are bound by the Department of Homeland Security Standard Terms and Conditions 2018, Version 8.1, hereby incorporated by reference, which can be found at: <https://www.dhs.gov/publication/fy15-dhs-standard-terms-and-conditions>.

The undersigned represents that he/she is authorized to enter into this agreement for and on behalf of the Applicant.

Subrecipient: _____

Signature of Authorized Agent: _____

Printed Name of Authorized Agent: _____

Title: _____ Date: _____

ATTACHMENT 3

RESOLUTION NO. 10506

A RESOLUTION AUTHORIZING THE POLICE DEPARTMENT TO ACCEPT A SACRAMENTO REGIONAL OFFICE OF HOMELAND SECURITY GRANT IN THE AMOUNT OF \$250,000 AND APPROPRIATION OF FUNDS

WHEREAS, the Sacramento Regional Office of Homeland Security has funds available to help local agencies upgrade infrastructure in response to terrorist and national security events; and

WHEREAS, Folsom Police Mobile Command and Communications Unit (MCCU) is a regional public safety asset that was originally built in 2006 and has systems that are at the end of life or in need of upgrade to remain technologically current; and

WHEREAS, the MCCU platform provides an infrastructure to patch various local, state, and federal communications systems together during critical incidents and having access to the MCCU allows agencies the ability to rapidly deploy and set up field command and control areas during natural disasters, terrorist attacks, high risk operations and highly volatile incidents; and

WHEREAS, the MCCU has been deployed to numerous critical incidents and has served as a backup dispatch center and command center during such events; and

WHEREAS, an additional appropriation will be required in the FY 2020-21 Police Department Operating 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 Police Department to Accept a Sacramento Regional Office of Homeland Security Grant in the amount of \$250,000; and


NOW, THEREFORE, BE IT FURTHER RESOLVED that the Finance Director is authorized to appropriate an additional \$250,000 to the FY 2020-21 Police Department Operating Budget in the General Fund (Fund 010) for the expenditures and the grant revenue.

PASSED AND ADOPTED this 27th day of October 2020, by the following roll-call vote:

AYES:	Council Member(s):	Morin, Howell, Kozlowski, Aquino
NOES:	Council Member(s):	None
ABSENT:	Council Member(s):	Sheldon
ABSTAIN:	Council Member(s):	None


Sarah Aquino, MAYOR

ATTEST:


Christa Freemantle, CITY CLERK