



CITY OF
FOLSOM
DISTINCTIVE BY NATURE

Agenda

City Council Regular Meeting

City Council Chambers | 50 Natoma Street, Folsom CA 95630

April 25, 2023
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
City Council Chambers | 50 Natoma Street, Folsom CA 95630
www.folsom.ca.us

Tuesday, April 25, 2023 6:30 PM

Rosario Rodriguez, Mayor

YK Chalamcherla, Vice Mayor
Mike Kozlowski, Councilmember

Sarah Aquino, Councilmember
Anna Rohrbough, Councilmember

AGENDA

NOTE:

Vice Mayor YK Chalamcherla will be participating in this meeting via teleconference from the following location:

The Ferguson Group
1901 Pennsylvania Ave. NW, Suite 700
Washington, DC 20006
Telephone Number for Building Access Assistance: (707) 287-0023

Pursuant to Section 54953 et al. of the California Government Code, members of the public shall be provided an opportunity to directly address the legislative body at the teleconference location.

CALL TO ORDER

ROLL CALL:

Councilmembers: Aquino, Chalamcherla, Kozlowski, Rohrbough, Rodriguez

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.](#) Resolution of Commendation Honoring Community Emergency Response Team (CERT)'s Dedicated Service in 2022
- [2.](#) Proclamation of the Mayor of the City of Folsom Proclaiming May 21 through May 27, 2023 as "National Public Works Week" and May 17, 2023 as "City Works Day"
- [3.](#) Presentation by the Sacramento-Yolo Mosquito and Vector Control District
- [4.](#) Presentation by Housing Expert on New Housing Laws
- [5.](#) Folsom Plan Area Semi-Annual Report

CONSENT CALENDAR:

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

- [6.](#) Approval of April 11, 2023 Special and Regular Meeting Minutes
- [7.](#) Resolution No. 11017 – A Resolution Authorizing the City Manager to Execute an Agreement with the County of Sacramento, and the Cities of Citrus Heights, Elk Grove, Galt, Rancho Cordova, and Sacramento to Meet Certain SB 1383 Edible Food Recovery Regulatory Requirements
- [8.](#) Resolution No. 11024 – A Resolution Updating the City of Folsom Governance Manual
- [9.](#) Resolution No. 11025 – A Resolution Authorizing the City Manager to Execute a Construction Agreement with KYA Services, LLC for the Prospector Park Construction and Appropriation of Funds
- [10.](#) Resolution No. 11026 - A Resolution of the City Council Amending Rule 6, "Appeals", of Resolution No. 9689 Pertaining to Appeal Hearing Protocol
- [11.](#) Resolution No. 11027 – A Resolution Accepting Four Green Means Go Grant Awards to Further Housing Program Goals and Appropriation of Funds
- [12.](#) Resolution No. 11028 – A Resolution Authorizing the City Manager to Execute an Agreement with Mazingo Construction, Inc. for the Construction of the Folsom Boulevard 27-Inch Trunk Sewer Project (SECAP)
- [13.](#) Resolution No. 11029 – A Resolution Authorizing the City Manager to Execute an Agreement with Psomas for Construction Management and Inspection Services for the Folsom Boulevard 27-Inch Trunk Sewer Project (SECAP)
- [14.](#) Resolution No. 11030 – A Resolution Adopting a List of Projects for Fiscal Year 2023-24 to be Funded by Senate Bill 1: The Road Repair and Accountability Act

COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS:

CITY MANAGER REPORTS:

COUNCIL COMMENTS:

ADJOURNMENT

***NOTICE:** Members of the public are entitled to directly address the City Council concerning any item that is described in the notice of this meeting, before or during consideration of that item. If you wish to*

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

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

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

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

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

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

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

City of Folsom Resolution of Commendation

Honoring

Community Emergency Response Team (CERT)'s Dedicated Service in 2022

WHEREAS, the CERT volunteer program plays a key role in the City of Folsom's goal to protect and advance community safety; and

WHEREAS, CERT volunteers work closely with the Folsom Fire Department and help provide assistance on incidents and trainings; and

WHEREAS, last year, 43 CERT members volunteered 3,900 total hours and assisted in 418 activations; and

WHEREAS, CERT staffed cooling centers in Folsom during the heatwaves in June, August, and September of 2022. They also assisted with the severe weather conditions in December of 2022; and

WHEREAS, CERT supported our neighboring communities by assisting Incident Management Teams on the Rices Fire, the Electra Fire, and the Mosquito Fire; and

WHEREAS, CERT provided firefighter rehabilitation for several fires in Folsom and supported the Folsom Fire Department during captain training exercises, EMS testing, and burn drills.

NOW, THEREFORE, I, ROSARIO RODRIGUEZ, Mayor of the City of Folsom, on behalf of the Folsom City Council and the residents of this community, do hereby thank the Community Emergency Response Team for being an extremely valuable asset to the Folsom Fire Department and honor them for their dedicated service in 2022.

PASSED AND APPROVED, this 25th day of April 2023.



Rosario Rodriguez, MAYOR

Attest: _____
Lydia Konopka, DEPUTY CITY CLERK

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PROCLAMATION

OF THE MAYOR OF THE CITY OF FOLSOM

**Proclaiming May 21 - May 27, 2023 as “National Public Works Week”
and
May 17, 2023 as “City Works Day”**

WHEREAS, public works services provided in the Folsom community are an important part of our residents’ everyday lives; and

WHEREAS, the health, safety, and comfort of our residents greatly depends on the operational services of public works systems and programs such as traffic engineering, street maintenance, storm drainage, solid waste collection, recycling, and the management of hazardous materials; and

WHEREAS, the planning, design, construction and operation of these programs depends upon on the dedicated skills of City of Folsom staff; and

WHEREAS, the Folsom City Charter and Folsom Municipal Code encourages broad, informed public participation in civic affairs; and

WHEREAS, the City of Folsom desires to share information with the public about municipal operations; and

WHEREAS, City Works Day is designed to inspire residents to discover the City of Folsom’s wide variety of services and programs. Community members are invited to attend the May 17 City Works Day event at City Lions Park:

NOW, THEREFORE, I, Rosario Rodriguez, Mayor of the City of Folsom, on behalf of the Folsom City Council, do hereby proclaim the week of May 21 through May 27, 2023 as “National Public Works Week” and May 17, 2023 as “City Works Day” in the City of Folsom, and to recognize the contribution that Public Works and other City departments make daily to the health, safety and comfort of our residents.

PROCLAIMED this 25th day of April 2023.



Rosario Rodriguez, MAYOR

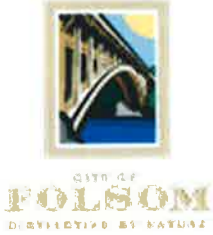
Attest:

Lydia Konopka, DEPUTY CITY CLERK

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Folsom City Council Staff Report



MEETING DATE:	4/25/2023
AGENDA SECTION:	Scheduled Presentations
SUBJECT:	Presentation by the Sacramento-Yolo Mosquito and Vector Control District
FROM:	City Clerk's Department

RECOMMENDATION / CITY COUNCIL ACTION

Staff recommends that the City Council receive an update from General Manager Gary Goodman, Sacramento-Yolo Mosquito and Vector Control District. No action is requested of the Council.

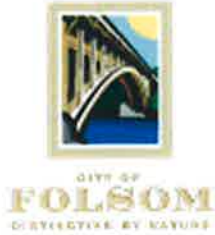
Submitted,

Christa Freemantle, CMC
City Clerk

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Folsom City Council Staff Report



MEETING DATE:	4/25/2023
AGENDA SECTION:	Scheduled Presentations
SUBJECT:	Presentation by Housing Expert on New Housing Laws
FROM:	Community Development Department

RECOMMENDATION / CITY COUNCIL ACTION

No action is requested of the City Council at this time.

BACKGROUND / ISSUE

The City retained expert legal counsel Barbara Kautz of Goldfarb & Lipman LLP to present information about new housing laws that take away or significantly constrain discretionary review of housing projects in Folsom. The presentation will address key concepts in the Housing Accountability Act, SB 330, AB 2097, AB 2011, and other relevant state laws regarding ministerial approval of housing projects, required findings for denial of housing projects, and limited ability to require parking.

Submitted,

Pam Johns, Community Development Director

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Folsom City Council Staff Report



MEETING DATE:	4/25/2023
AGENDA SECTION:	Scheduled Presentations
SUBJECT:	Folsom Plan Area Semi-Annual Report
FROM:	Community Development Department

RECOMMENDATION / CITY COUNCIL ACTION

No action is requested of the City Council at this time.

BACKGROUND / ISSUE

Community Development staff will provide an update on the planning, engineering and building activity in the Folsom Plan Area south of Highway 50 during the six-month period from October 1st through March 31st, 2023.

Submitted,

Pam Johns, Community Development Director

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CITY OF
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City Council Special Meeting

MINUTES

Tuesday, April 11, 2023 6:00 PM

CALL TO ORDER

The special City Council meeting was called to order at 6:00 p.m. with Mayor Rosario Rodriguez presiding.

ROLL CALL:

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

Councilmembers Absent: Mike Kozlowski, Councilmember

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 Legal Counsel - Existing Litigation - Pursuant to Government Code section 54956.9(d)(1): Rebecca Armstrong v. City of Folsom, Sacramento County Superior Court Case No. 34-2023-00336072
2. Conference with Legal Counsel - Existing Litigation - Pursuant to Government Code Section 54956.9(d)(1): Daniel Artherton v. City of Folsom, et al., Sacramento County Superior Court Case No. 34-2021-00293406

Motion by Councilmember Sarah Aquino, second by Vice Mayor YK Chalamcherla, to adjourn to closed session for the above referenced items. Motion carried with the following roll call vote:

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

RECONVENE

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

ADJOURNMENT

The special meeting was adjourned to the regular City Council meeting at 6:30 p.m.

SUBMITTED BY:

Christa Freemantle, City Clerk

ATTEST:

Rosario Rodriguez, Mayor

City Council Regular Meeting

MINUTES

Tuesday, April 11, 2023 6:30 PM

CALL TO ORDER

The regular City Council meeting was called to order at 6:30 pm with Mayor Rosario Rodriguez presiding.

ROLL CALL:

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

Councilmembers Absent: Mike Kozlowski, Councilmember (*arrived at 6:36 pm*)

Participating Staff: City Manager Elaine Andersen
City Attorney Steven Wang
City Clerk Christa Freemantle
CFO/Finance Director Stacey Tamagni
Arborist Aimee Nunez
Parks and Recreation Director Lorraine Poggione
Fire Division Chief Chad Wilson
Engineering Manager Brian Reed
Community Development Director Pam Johns
Principal Planner Steve Banks
Public Works Director Mark Rackovan
Senior Civil Engineer Ryan Neves
Senior Civil Engineer Zach Bosch
Senior Civil Engineer Ryan Chance

PLEDGE OF ALLEGIANCE

The pledge of allegiance was recited.

AGENDA UPDATE

City Attorney Steven Wang announced that there was a revised staff report for item 10 and additional information for items 3 and 13.

BUSINESS FROM THE FLOOR:

The following speakers addressed the City Council:

1. Steve Dick regarding traffic
2. Kaitlin Conway regarding SB-54

SCHEDULED PRESENTATIONS:

1. Proclamation of the Mayor of the City of Folsom Proclaiming April 9-15, 2023 as National Public Safety Telecommunicators Week in the City of Folsom

Mayor Rosario Rodriguez presented the proclamation to Police Department telecommunicator staff.

2. Proclamation of the Mayor of the City of Folsom Encouraging the Community to Become Involved in Arbor Day

Mayor Rosario Rodriguez presented the proclamation to Arborist Aimee Nunez.

3. Results of Historic Architectural Analysis for the Southern Pacific Railroad Depot Building and the Southern Pacific Railroad Superintendent House and Direction to Staff

Parks and Recreation Director Lorraine Poggione and Danielle Weaver representing CSHQA Consultants made a presentation and responded to questions from the City Council. Additional clarification was provided by City Manager Elaine Andersen.

The City Council provided general comments to staff that renovation funding should be part of future budget discussions, and opportunities for volunteers' assistance should be explored.

The following speakers addressed the City Council:

1. Curt Taras
2. Jim Harville

4. Presentation of the Folsom Tourism Bureau Annual Report

Choose Folsom representatives Debbie Hurst and Sally Buchanan made a presentation and responded to questions from the City Council.

CONSENT CALENDAR:

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

5. Approval of March 28, 2023 Special and Regular Meeting Minutes

- 6. Ordinance No. 1338 – An Uncodified Ordinance Levying a Special Tax for the Fiscal Year 2023-24 and Following Fiscal Years Solely within and Relating to Improvement Area No. 2 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch) (Second Reading and Adoption)
- 7. Resolution No. 11016 - A Resolution of the City Council of the City of Folsom Declaring its Intention to Renew the Historic Folsom Property and Business Improvement District
- 8. Resolution No. 11018 – A Resolution Authorizing the Public Works Department to Install All-Way Stop Sign Control at the Intersection of Carpenter Hill Road and Owl Meadow Street
- 9. Resolution No. 11019 - A Resolution Authorizing the City Manager to Execute an Agreement with Peterson Brustad, Inc. for Design and Engineering Services During Construction for the Water System Flow Control Facilities Rehabilitation Project
- 10. Resolution No. 11020 - A Resolution Authorizing the City Manager to Execute an Agreement with Water Works, LLC for Design and Engineering Services During Construction for the Basin 4 Phase 2 Sewer Rehabilitation Project
- 11. **pulled for comment**

Motion by Councilmember Mike Kozlowski, second by Vice Mayor YK Chalamcherla, to approve items 5-9 and item 10 as amended of the Consent Calendar.

Motion carried with the following roll call vote:

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

CONSENT CALENDAR ITEM PULLED FOR DISCUSSION:

- 11. Resolution No. 11022 – A Resolution Authorizing the City Manager to Execute an Agreement with D.L. Falk Construction, Inc. for the Construction of Fire Station 34 Phase-2 Project No. FD2234

Vice Mayor YK Chalamcherla pulled item 11 to comment. Fire Division Chief Chad Wilson responded, with additional clarification provided by Engineering Manager Brian Reed.

Motion by Vice Mayor YK Chalamcherla, second by Councilmember Sarah Aquino, to approve Resolution No. 11022.

Motion carried with the following roll call vote:

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

NEW BUSINESS:

12. Resolution No. 11012 – A Resolution to Dually Name the Existing Green Room within the Historic Depot Building at 200 Wool Street the “Peter T. Lewis Green Room” and Recognition of Donation of Funds for Interior Improvements by the Lewis Family

Parks and Recreation Director Lorraine Poggione made a presentation.

Councilmember Sarah Aquino asked that a letter be sent to the Lewis Family thanking them for their generous donation.

Motion by Councilmember Sarah Aquino, second by Councilmember Mike Kozlowski, to approve Resolution No. 11012.

Motion carried with the following roll call vote:

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

PUBLIC HEARING:

13. Appeal by Bob Delp of Decisions by the Historic District Commission Approving a Conditional Use Permit and Design Review for the Uncle Charlie's Firehouse and Brew Project (PN22-158) Located at 905 Leidesdorff Street and Determination that the Project is Exempt from CEQA

Mayor Rosario Rodriguez opened the public hearing and summarized the proceedings of the appeal hearing process.

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

Appellant Bob Delp made a presentation and responded to questions from the City Council.

Applicants Taryn Grows and Eric Schmid made a presentation and responded to questions from the City Council.

The following speakers addressed the City Council:

1. Terry Sorensen in support of the appeal
2. Josh Teel in opposition of the appeal
3. Robert Leach in opposition of the appeal
4. Martin Jimenez in opposition of the appeal
5. Ian McAdam in opposition of the appeal
6. Adrian Blanco in opposition of the appeal
7. Kimberly Morphis in opposition of the appeal
8. Loretta Hettinger regarding Folsom history
9. Beth Kelly in support of the appeal
10. Deborah Grassl in support of appeal
11. Samantha Davidson in opposition of the appeal
12. Joe Gagliardi in opposition of the appeal

13. Curt Taras in opposition of the appeal
14. Phil Scott in opposition of the appeal
15. Evangeline Scott in opposition of the appeal
16. Adam Frick in opposition of the appeal
17. Karen West in opposition of the appeal
18. Dean Hiatt in opposition of the appeal
19. Todd White in opposition of the appeal
20. Quinn Gardner in opposition of the appeal
21. Jeremy Bernau in opposition of the appeal

Appellant Bob Delp made rebuttal comments.

Applicant Taryn Grows made rebuttal comments.

Steve Banks responded to questions from the City Council. City Attorney Steven Wang provided legal clarification regarding CEQA and the City's appeal process. Additional clarification was provided by Public Works Director Mark Rackovan regarding noise. The City Council commented and discussed the project. The applicant and appellant responded to questions from the City Council. City Attorney Steven Wang provided additional clarification.

Mayor Rosario Rodriguez closed the public hearing.

Motion by Councilmember Mike Kozlowski, second by Vice Mayor YK Chalamcherla, to deny the appeal, eliminate Condition No. 24 regarding dancing prohibition, and modify Condition No. 25 to reflect the allowed brewing time as 5:00 am - 6:00 pm.

The City Council discussed the motion and commented. Councilmember Sarah Aquino asked Councilmember Mike Kozlowski if he would consider an amendment to his motion changing Condition No. 25 to a brewing time of 7:00 am - 6:00 pm. Councilmember Mike Kozlowski and Vice Mayor YK Chalamcherla concurred. Councilmember Sarah Aquino requested that Resolution No. 9689 be updated with the City's current appeal process. There was more discussion by the City Council.

Amended Motion by Councilmember Mike Kozlowski, second by Vice Mayor YK Chalamcherla, to deny the appeal, eliminate Condition No. 24 regarding dancing prohibition, and modify Condition No. 25 to reflect the brewing time as 7:00 am - 6:00 pm.

Motion carried with the following roll call vote:

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

Motion by Councilmember Sarah Aquino, second by Councilmember Mike Kozlowski, to waive the 10:30 rule and continue the meeting.

Motion carried with the following roll call vote:

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

Mayor Rosario Rodriguez called for a five-minute recess at 10:03 pm and reconvened the City Council meeting at 10:08 pm.

OLD BUSINESS:

14. Study Session: Public Works Department’s Five-Year Capital Improvement Program

Public Works Director Mark Rackovan made a presentation and responded to questions from the City Council. Senior Civil Engineer Ryan Neves continued the presentation and responded to questions from the City Council with clarification from City Attorney Steven Wang. Senior Civil Engineer Zach Bosch, Senior Civil Engineer Ryan Chance and Engineering Manager Brian Reed continued the presentation and responded to questions from the City Council.

COUNCIL REQUEST FOR FUTURE AGENDA ITEMS

Mayor Rosario Rodriguez requested a future agenda item to consider the retention of economic development professional services. City Council consensus was to discuss this item during upcoming budget discussions. Mayor Rodriguez also requested a study of economic development and the impact it has on the City Council. There was City Council consensus to add this item to a future agenda.

Councilmember Anna Rohrbough asked about the status of her earlier request for a joint meeting with the Traffic Safety Committee. City Manager Elaine Andersen confirmed that the joint meeting has been scheduled for the June 13th City Council meeting.

COUNCIL COMMENTS:

Mayor Rosario Rodriguez announced that she appointed Samantha Davidson as her direct Parks and Recreation Commissioner, which leaves an at-large vacancy.

Vice Mayor YK Chalamcherla stated he will participate in the next City Council meeting by telephone because he will be attending Cap to Cap in Washington DC.

ADJOURNMENT

There being no further business to come before the Folsom City Council, Mayor Rosario Rodriguez adjourned the meeting at 11: 51 pm.

SUBMITTED BY:

Christa Freemantle, City Clerk

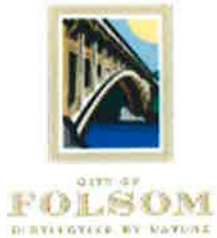
ATTEST:

Rosario Rodriguez, Mayor

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Folsom City Council Staff Report



MEETING DATE:	4/25/2023
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 11017 – A Resolution Authorizing the City Manager to Execute an Agreement with the County of Sacramento, and the Cities of Citrus Heights, Elk Grove, Galt, Rancho Cordova, and Sacramento to Meet Certain SB 1383 Edible Food Recovery Regulatory Requirements
FROM:	Public Works Department

RECOMMENDATION / CITY COUNCIL ACTION

The Public Works Department recommends that the City Council pass and adopt Resolution No. 11017 - A Resolution Authorizing the City Manager to Execute an Agreement with the County of Sacramento, and the Cities of Citrus Heights, Elk Grove, Galt, Rancho Cordova, and Sacramento to Meet Certain SB 1383 Edible Food Recovery Regulatory Requirements.

BACKGROUND / ISSUE

Senate Bill 1383, California’s Short-lived Climate Pollutant Reduction Strategy (SB 1383) requires jurisdictions to have programs that recover 20% of the edible food being disposed of, for human consumption by 2025. Programs must include education, inspections, and enforcement for edible food generators and provide for increased capacity at food recovery organizations, including funding the additional capacity if needed. This law required large commercial edible food generators, namely grocery stores, supermarkets, and wholesale distributors, identified as Tier 1 generators, to donate food beginning in 2022, and expands edible food recovery requirements to restaurants, hotels, health facilities, and schools, identified as Tier 2 generators, beginning in 2024.

In November 2021 the city, in partnership with other Sacramento County jurisdictions, entered into an agreement with R3 Consulting Group (R3) to complete several of the SB 1383 edible food recovery preliminary planning tasks. R3 identified all Tier 1 and Tier 2 edible food generators, identified all food recovery organizations and their food recovery capacity, and prepared a draft budget and implementation schedule for a regional program. R3 Consulting Group concluded that

regionally there is minimal need for additional capacity to support edible food recovery for Tier 1 generators through the Sacramento Food Bank and Family Services (SFBFS) of which Folsom's Twin Lakes Food Bank is a member. However, significantly expanded food recovery capacity will be needed to support food recovery activities from Tier 2 generators (Exhibit A).

Notably, the identified Tier 2 generators largely generate prepared foods, which SFBFS or its partner agencies does not currently or expect to be able to handle. This means, regionally there is not yet enough food recovery capacity to accept this type of donation and recovery infrastructure is needed. R3 has identified several "fee for service" type businesses that specifically focus on recovery of prepared foods from Tier 2 generators and recommends contracting regionally with one of these services to collect and transport edible food between jurisdictional boundaries. These business models are app based, which easily connect edible food generators with prepared foods for donation to people in need.

Following R3's capacity study, the jurisdictions of Sacramento County and the Cities of Folsom, Sacramento, Elk Grove, Citrus Heights, Galt, and Rancho Cordova, collectively known as the Edible Food Recovery Working Group (EFRWG) have been participating in a regional effort to meet edible food recovery requirements outlined by SB 1383 and ensure adequate regional capacity to preserve, store, and distribute this additional food.

POLICY / RULE

Section 2.36.120 of the Folsom Municipal Code states, in part, that contracts for supplies, equipment, services, and construction with an estimated value of \$70,952 or greater shall be awarded by the City Council.

ANALYSIS

R3 Consulting Group recommends that the best way for all jurisdictions to meet the edible food recovery requirements will be to create a regional program that involves participation in an EFRWG Memorandum of Understanding (MOU). The MOU will formally establish the EFRWG consisting of members from all participating jurisdictions. The agreement includes hiring a regional Edible Food Recovery (EFR) Consultant to complete certain program tasks such as maintaining a current list of edible food generators, coordinating with food recovery organizations to ensure capacity is maintained or expanded where needed, applying for grants, administering a grant program established by the EFRWG, and preparing an annual budget and work plan. The EFRWG will oversee the work of the EFR Consultant and vote on the annual budget and work plan.

Participating jurisdictions will fund the MOU based equally on two factors, population, and the total number of edible food generators within each jurisdiction (Exhibit B). Folsom's share is 6.39%. Each year the budget is subject to change based on program needs. The shared expenses include hiring a consultant, support for capital replacement at food recovery organizations, support for expanding capacity at existing food recovery organizations, and other administrative and program costs including contracting with a service(s) to collect and distribute edible food from Tier 2 businesses.

Participation in the MOU has several advantages, including access to food recovery expertise, a regional outreach campaign, the ability for edible food to reach those in need without the barrier of city and county boundaries, leverage in procuring a Tier 2 vendor to transport prepared food in a timely manner, and a program consultant who will take direction from the EFRWG and administer all elements of the program. Folsom's Waste and Recycling staff will still be responsible for education, inspections, enforcement, and related recordkeeping and reporting for edible food generators within our jurisdiction.

If the city elected not to participate in the MOU, the city would need to hire a new full-time employee with the expertise to create and manage a Folsom specific food recovery program. We would also be solely responsible to fund any additional edible food recovery capacity in Folsom and support expenses to maintain current capacity. Currently, the city of Folsom does not have any capacity to recover prepared foods from Tier 2 generators. Furthermore, operating outside of this group, Folsom would not have access to economies of scale present with the EFRWG.

Edible food recovery is not an enterprise fund expense. To become compliant and avoid fines, general funds are needed to support this program. SB 1383 suggests franchise fees or local assessments as funding sources. While Folsom does not receive significant franchise fees, local assessments may be an option. However, Folsom only has 35 total Tier 1 and Tier 2 generators that are required to donate edible food which means that a significant charge to businesses would be needed to fund this program if general funds are not available.

FINANCIAL IMPACT

The EFRWG budgets have been established for the first two years of the agreement. Folsom's share in year one is \$94,245 and in year two \$124,089. In subsequent years the budget will be created by the EFR Consultant and voted on by the EFRWG. Funding is only committed for the first two years after which continued participation will be determined annually. Year one of the agreement is fiscal year 2023-24 and funding has been requested from the general fund through the budget process. Pending approval by CalRecycle, it is the intention of the department to reimburse the general fund in year one using SB 1383 grant funding.

ENVIRONMENTAL REVIEW

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

ATTACHMENTS

1. Resolution No. 11017 - A Resolution Authorizing the City Manager to Execute an Agreement with the County of Sacramento, and the Cities of Citrus Heights, Elk Grove,

Galt, Rancho Cordova, and Sacramento to Meet Certain SB 1383 Edible Food Recovery
Regulatory Requirements

2. Exhibit A – SB 1383 Tier 1 and Tier 2 Edible Food Generators
3. Exhibit B – Expense Allocation Edible Food Recovery Regional Program

Submitted,

Mark Rackovan, Public Works Director

Attachment 1
Resolution No. 11017

RESOLUTION NO. 11017

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE COUNTY OF SACRAMENTO, AND THE CITIES OF CITRUS HEIGHTS, ELK GROVE, GALT, RANCHO CORDOVA, AND SACRAMENTO TO MEET CERTAIN SB 1383 EDIBLE FOOD RECOVERY REGULATORY REQUIREMENTS

WHEREAS, Senate Bill 1383, California's Short-lived Climate Pollutant Reduction Strategy (SB 1383) requires jurisdictions to have programs to recover 20% of edible food being disposed of, for human consumption; and

WHEREAS, SB 1383 defines edible food generators who are required to donate edible food; and

WHEREAS, jurisdictions are required to increase edible food capacity to ensure all captured edible food generators have access to sufficient recovery services; and

WHEREAS, jurisdictions are required to provide education, monitor and enforce edible food requirements for generators within their boundaries; and

WHEREAS, staff have participated in planning efforts with a regional Edible Food Recovery Working Group (EFRWG) consisting of jurisdictions within Sacramento County; and

WHEREAS, the EFRWG hired an outside consultant to analyze edible food capacity and ongoing program needs; and

WHEREAS, staff recommend participating in an agreement with the EFRWG to establish a regional program to meet certain edible food requirements of SB 1383; and

WHEREAS, the initial program cost is \$94,245 in year one and \$124,089 in year two; and

WHEREAS, funding in the amount of \$94,245 for the first year of the agreement is proposed in the Fiscal Year 2023-24 Budget in the General Fund. If the funding is not approved the expense will be another unfunded mandate. Budgeting for subsequent years will be budgeted on an annual basis during the budget process; and

WHEREAS, if a grant is approved by CalRecycle, the General Fund will be reimbursed for the year one costs; and

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

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Folsom authorizes the City Manager to execute an Agreement with the County of Sacramento, and Cities of Citrus Heights, Elk Grove, Galt, Rancho Cordova, and Sacramento to Meet Certain SB 1383 Edible Food Recovery Regulatory Requirements.

PASSED AND ADOPTED this 25th day of April 2023, by the following roll-call vote:

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

Rosario Rodriguez, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

Attachment 2

Exhibit A - SB 1383 Tier 1 and Tier 2 Edible Food Generators

Exhibit A

SB 1383 Tier 1 and Tier 2 Edible Food Generators

Tier 1

Bel-Air	2760 E Bidwell St
Costco Wholesale	1800 Cavitt Dr
Raley's	25025 Blue Ravine Rd
Raley's	715 E Bidwell St
Safeway	1850 Prairie City Rd
Sam's Club	2495 Iron Point Rd
Sprouts Farmers Market	905 E Bidwell St
Walmart Supercenter	1018 Riley St
Winco Foods	200 Blue Ravine Rd
99 Ranch Market	25000 Blue Ravine Rd
Grocery Outlet	671 E Bidwell St
Trader Joe's	850 E Bidwell St
Whole Foods Market	270 Palladio Pkwy

TIER 2

BJ'S Restaurant & Brewhouse	2730 E Bidwell St
Fat's Asia Bistro	2585 Iron Point Rd
Olive Garden Italian Kitchen	2485 Iron Point Rd
Dos Coyotes Border Cafe	13385 Folsom Blvd # 100
Chili's Grill & Bar	161 Iron Point Rd
Red Robin Gourmet Burgers	360 Palladio Pkwy # 410
Mimi's Bistro + Bakery	2719 E Bidwell St
Scott's Seafood Grill & Bar	824 Sutter St
Hacienda Del Rio Restaurant	702 Sutter St
Buffalo Wild Wings Grill & Bar	2759 E Bidwell St
Catch A Wave By Blue Nami	330 Palladio Pkwy # 2045
Cliff House-Folsom Brew Hse	9900 Greenback Ln
Skipolinis Pizza	191 Blue Ravine Rd
Denny's	1011 Riley St
Mikuni Japanese Rstrnt-Sushi	185 Placerville Rd # 100
Lazy Dog Restaurant & Bar	Palladio Pkwy #800
In-N-Out Burger	Placerville Rd
MERCY HOSPITAL OF FOLSOM	1650 Creekside Drive
Folsom Pro Rodeo, Jul	403 Stafford St
Folsom Renaissance Faire, Sep	403 Stafford St
Folsom State Prison	300 Prison Rd
Folsom State Prison - Woman's Prison Culinary Arts Mgmt.	Folsom

Attachment 3

Exhibit B – Expense Allocation Edible Food Recovery Regional Program

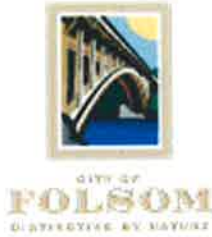
Exhibit B – Expense Allocation
 Edible Food Recovery Regional Program

Jurisdiction	Collection Component										Distribution Component		50% - 50% Allocation
	1A Supermarkets + 1B Grocery Stores		1D Food Distributors + 1E Wholesale Food Vendors		Tier 1		Tier 2		Tier 1 + Tier 2		Population		
	1B Grocery Stores	% of Total									Residents	% of Total	
Citrus Heights	10	6%	0	0%	10	4%	17	9%	27	6%	87,811	6%	6%
Elk Grove	15	10%	8	7%	23	8%	28	14%	51	11%	176,154	11%	11%
Folsom	13	8%	0	0%	13	5%	22	11%	35	8%	81,610	5%	6%
Galt	4	3%	0	0%	4	1%	3	2%	7	2%	25,849	2%	2%
Rancho Cordova	8	5%	2	2%	10	4%	8	4%	18	4%	78,381	5%	4%
Sacramento	85	54%	93	82%	178	66%	82	42%	260	56%	510,931	33%	44%
County	22	14%	11	10%	33	12%	34	18%	67	14%	593,801	38%	26%
Total	157	100%	114	100%	271	100%	194	100%	465	100%	1,554,537	100%	100%

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to facilitate double-sided printing.*



CITY OF
FOLSOM
DISTINCTIVE BY NATURE



Folsom City Council Staff Report

MEETING DATE:	4/25/2023
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 11024 – A Resolution Updating the City of Folsom Governance Manual
FROM:	City Manager's Office

RECOMMENDATION / CITY COUNCIL ACTION

Staff recommends the City Council approve Resolution No. 11024 – A Resolution Updating the City of Folsom Governance Manual.

BACKGROUND / ISSUE

In June 2021, the City Council approved the City of Folsom Governance Manual to establish and clarify mutually agreed upon governance norms. The Governance Manual clarifies roles and responsibilities, establishes specific processes, and documents governing protocols. The Governance Manual is not punitive, nor is it intended to stifle councilmembers' individualism in their representative role. Instead, the Governance Manual's purpose is to establish uniform standards that help form governance norms and provide clear guidance in procedural areas of uncertainty.

POLICY / RULE

Folsom Municipal Code section 2.06.070(C) provides that the City Council may adopt rules governing its meetings, proceedings, and business.

ANALYSIS

The Governance Manual is divided into four sections:

Section 1. Effective Governance - summarizes the core principles of good governance and describes the characteristics of both an effective City Council and an effective Councilmember.

Section 2. Roles and Responsibilities - clarifies the roles and responsibilities of the City Councilmembers and the City Manager. This section presents an overview of roles, describes the limitation of noninterference with the City Manager's role, gives guidelines for responding to public complaints, and directs an orientation process for new Councilmembers. It also offers helpful tips on the City Council's informal role.

Section 3. Communications Protocols - provides communication norms between the City Council and the City Manager and between individual City Council members. This section addresses communication parameters within the legal confines of the Brown Act and provides related safe conduct guidelines for communication on social media platforms. This section suggests that City Council members proactively keep each other informed of their City-related activities in the community and the region and includes a collaborative reminder that all City Council members have an equal voice and standing on all matters affecting the City and that no single City Council member “owns” a particular issue. This section provides guidance for speaking on behalf of the city and speaking as individual. Lastly, this section addresses Councilmembers’ representation of the city on regional agencies and recommends proactive sharing of activity information from regional agencies.

Section 4 - Meeting Protocols - documents authority for development of the agenda and addresses requests by external parties for agenda items and ceremonial documents. This section supports the use of Robert’s Rules of Order, memorializes meeting norms, and provides motion guidelines. This section also provides an overview of how to address conflicts of interest. In closing, this section acknowledges other policy documents (related to City Council meetings and code of ethics) that should be considered as companion documents to the Governance Manual.

The Governance Manual is intended to be updated periodically to ensure that it remains in alignment with current laws and City practices. During the City Council’s strategic planning workshop in February 2023, Councilmembers discussed “Council norms” as agreed upon standards of behavior and practices. The City Council provided direction to staff to incorporate the below newly agreed upon norms into the Governance Manual:

- 1) Maintain a citywide perspective toward all of our residents and constituents while being mindful of our districts.
- 2) Move from *I to we*, and from campaigning to governing.
- 3) Work together as a body, modeling teamwork and civility for our community.

- 4) Assume good intent.
- 5) Disagree agreeably and professionally, then commit to the decision once made.
- 6) Utilize long-range plans to provide big picture context that is realistic and achievable.
- 7) Stay focused on the topic at hand. Ensure each member of Council has an opportunity to speak.
- 8) Demonstrate respect, consideration and courtesy to all.
- 9) Share information and avoid surprises.
- 10) Keep confidential things confidential.
- 11) Respect the Council/Manager form of government and the roles of each party.
- 12) Communicate concerns about staff to the City Manager; do not criticize staff in public.

The twelve norms listed above have been incorporated into Governance Manual Section 1 – Effective Governance. These additions to Section 1 are shown in redline as attachment 2 for clarity.

FINANCIAL IMPACT

This action has no financial impact.

ENVIRONMENTAL REVIEW

This action is not considered a project under Section 15061(b)(3) of the California Environmental Quality Act Guidelines, and as such is exempt from environmental review.

ATTACHMENTS

1. Resolution No. 11024 – A Resolution Updating the City of Folsom Governance Manual
2. Redline of Section 1. Effective Governance edits
3. City of Folsom Governance Manual (2021 Adopted Version)

Submitted,

Elaine Andersen
City Manager

Attachment 1

Resolution No. 11024 – A Resolution Updating the City of Folsom Governance Manual

RESOLUTION NO. 11024**A RESOLUTION UPDATING THE
CITY OF FOLSOM GOVERNANCE MANUAL**

WHEREAS, a governance manual benefits the City organization and the community by clarifying roles and responsibilities, clarifying specific processes, and documenting governing protocols; and

WHEREAS, a governance manual establishes and clarifies mutually agreed upon governance norms and establishes uniform standards that provide clear guidance in areas of procedural uncertainty; and

WHEREAS, the Folsom City Council adopted a Governance Manual in June 2021; and

WHEREAS, the governance manual may be updated periodically to ensure that it remains in alignment with current laws and City practices; and

WHEREAS, during the City Council's strategic planning workshop in February 2023, Councilmembers discussed "Council norms" as agreed upon standards of behavior and practices and provided direction to staff to incorporate the below twelve newly agreed upon norms into the Governance Manual:

1. Maintain a citywide perspective toward all of our residents and constituents while being mindful of our districts.
2. Move from *I to we*, and from campaigning to governing.
3. Work together as a body, modeling teamwork and civility for our community.
4. Assume good intent.
5. Disagree agreeably and professionally, then commit to the decision once made.
6. Utilize long-range plans to provide big picture context that is realistic and achievable.
7. Stay focused on the topic at hand. Ensure each member of Council has an opportunity to speak.
8. Demonstrate respect, consideration and courtesy to all.
9. Share information and avoid surprises.
10. Keep confidential things confidential.
11. Respect the Council/Manager form of government and the roles of each party.
12. Communicate concerns about staff to the City Manager; do not criticize staff in public.

NOW, THEREFORE, BE IT RESOLVED that the Folsom City Council updates the City of Folsom Governance Manual to incorporate the above Council norms.

PASSED AND ADOPTED this 25th day of April 2023, by the following roll-call vote:

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

Rosario Rodriguez, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

Attachment 2

Redline of Section 1. Effective Governance edits

Section 1. Effective Governance



The Folsom City Council is committed to good governance. Together, the City Council works as a cohesive unit to make decisions in the city's best interest. While individual Councilmembers each bring their unique background and expertise to their role as an elected official, it is only by working together rather than as individuals that the City Council can achieve the greatest good for the greatest number of people.



Effective Governance as the Core Principle of the City of Folsom

The City Council's core principle of effective governance is transforming the community's needs and desires into policies that direct the City's functions. As the City Council fulfills the responsibility of setting policy direction, how City Council members perform their governance role is critical. Whether meeting in Council Chambers, serving in the community, or working with city staff, Councilmembers are always stewards of public trust. The wellbeing of the City depends upon the responsible and professional manner in which each Councilmember and the City Council collectively fulfill their governance roles and responsibilities.

The City Council members and City Manager work in a coordinated manner to achieve their common purpose of effective governance. Together, they function collaboratively with a high degree of respect, trust, and openness. Notably, the City Council and City Manager value diversity in style and perspective and are open to new ideas. While individuals may have potential biases or policy preferences, all team members listen with an open mind and are willing to have preconceived notions challenged or changed. The City Council and City Manager strategically examine issues and situations and decide on a course of action serving the city's mission and goals.

Effective City Councils understand that a good working relationship with each other and staff is vital for the city to run successfully. Therefore, the City Council acts with integrity,

civility, and a high level of professional decorum. City Council members build trust by striving to have a “no secrets, no surprises” approach as the operating norm.

Characteristics of an Effective Council

An effective Council:

1. Works together as a body, modeling teamwork and civility for our community.
- ~~1.2.~~ Follows the legal requirements of the City Charter, Municipal Code, State and Federal law and regulations
- ~~2.3.~~ Makes decisions that are in the best interest of the City and considers that short-term decisions often have long-term consequences
- ~~3.4.~~ Provides clear direction to the City Manager to ensure clarity of direction, specificity in scope, and mutual understanding.
5. Stays focused on the topic at hand. Ensure each member of Council has an opportunity to speak.
- ~~4.6.~~ Seeks consensus and common ground knowing there are rarely perfect solutions
7. Respects the governing process and follows implementation of the will of the majority.
8. Disagrees agreeably and professionally, then commit to the decision once made.
- ~~5.9.~~ Utilizes long-range plans to provide big picture context that is realistic and achievable.
- ~~6.10.~~ Represents all residents and knows that a vocal minority does not necessarily reflect the view of a quiet majority

Characteristics of an Effective Council Member

An effective Council member:

1. Maintains a citywide perspective toward all of our residents and constituents while being mindful of our districts.
2. Moves from I to we, and from campaigning to governing.
3. Assumes good intent.
4. Demonstrates respect, consideration and courtesy to all.
5. Shares information and avoid surprises.
6. Keeps confidential things confidential.
- ~~4.7.~~ Commits the time necessary to understand issues

- 2.8. Acknowledges their own potential biases, listens with an open mind, and is willing to have preconceived ideas challenged
9. Respects the role and function of the public, city staff, and the City Manager
10. Respects the Council/Manager form of government and the roles of each party.
- 3.11. Communicates concerns about staff to the City Manager; does not criticize staff in public.
- 4.12. Recognizes that their colleagues were also elected, and all deserve equal levels of respect
- 5.13. Understands that authority rests with the Council as a whole and not with individual Council members.
- 6.14. Limits their critique to the idea being proposed and not to the person proposing it, and accepts criticism of a policy or proposal without taking it personally
- 7.15. Respects the expertise of city staff and understands staff's desire to provide factual, neutral information to the Council

Attachment 3

City of Folsom Governance Manual (2021 Adopted Version)

City of Folsom Governance Manual



Adopted June 2021



Governance Manual

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###

Section 1. Effective Governance



The Folsom City Council is committed to good governance. Together, the City Council works as a cohesive unit to make decisions in the city's best interest. While individual Councilmembers each bring their unique background and expertise to their role as an elected official, it is only by working together rather than as individuals that the City Council can achieve the greatest good for the greatest number of people.



Effective Governance as the Core Principle of the City of Folsom

The City Council's core principle of effective governance is transforming the community's needs and desires into policies that direct the City's functions. As the City Council fulfills the responsibility of setting policy direction, how City Council members perform their governance role is critical. Whether meeting in Council Chambers, serving in the community, or working with city staff, Councilmembers are always stewards of public trust. The wellbeing of the City depends upon the responsible and professional manner in which each Councilmember and the City Council collectively fulfill their governance roles and responsibilities.

The City Council members and City Manager work in a coordinated manner to achieve their common purpose of effective governance. Together, they function collaboratively with a high degree of respect, trust, and openness. Notably, the City Council and City Manager value diversity in style and perspective and are open to new ideas. While individuals may have potential biases or policy preferences, all team members listen with an open mind and are willing to have preconceived notions challenged or changed. The City Council and City Manager strategically examine issues and situations and decide on a course of action serving the city's mission and goals.

Effective City Councils understand that a good working relationship with each other and staff is vital for the city to run successfully. Therefore, the City Council acts with integrity,

civility, and a high level of professional decorum. City Council members build trust by striving to have a “no secrets, no surprises” approach as the operating norm.

Characteristics of an Effective Council

An effective Council:

1. Follows the legal requirements of the City Charter, Municipal Code, State and Federal law and regulations
2. Makes decisions that are in the best interest of the City and considers that short-term decisions often have long-term consequences
3. Provides clear direction to the City Manager to ensure clarity of direction, specificity in scope, and mutual understanding.
4. Seeks consensus and common ground knowing there are rarely perfect solutions
5. Respects the governing process and follows implementation of the will of the majority
6. Represents all residents and knows that a vocal minority does not necessarily reflect the view of a quiet majority

Characteristics of an Effective Council Member

An effective Council member:

1. Commits the time necessary to understand issues
2. Acknowledges their own potential biases, listens with an open mind, and is willing to have preconceived ideas challenged
3. Respects the role and function of the public, city staff, and the City Manager
4. Recognizes that their colleagues were also elected, and all deserve equal levels of respect
5. Understands that authority rests with the Council as a whole and not with individual Council members.
6. Limits their critique to the idea being proposed and not to the person proposing it, and accepts criticism of a policy or proposal without taking it personally
7. Respects the expertise of city staff and understands staff's desire to provide factual, neutral information to the Council

Section 2. Roles and Responsibilities



The City Council's role is to act as a public policy-setting body. It is the City Manager's role to implement public policy. With a strong guiding belief that all benefit from a clear understanding of their respective roles, this Governance Manual establishes the normative framework under which the City Council can perform in the most effective manner possible.



Policy Setting and Policy Implementation

One of the essential characteristics of an effective Council is their understanding and agreement on roles and responsibilities. Generally, governance is about setting policy by defining what the organization will do, and administration focuses on how to do it. Discerning the difference can sometimes be challenging. If the City Council discussion focuses on long-term outcomes, it tends to be policy setting; if it focuses on short-term objectives or incremental steps, it tends to be administrative. Since the distinction between policy and administration is sometimes challenging to identify, the City Council and the City Manager must clearly understand their roles and responsibilities.

Council-Manager Form of Government

Folsom is governed under the council-manager form of government. In a council-manager government, an elected City Council serves as the city's primary legislative body. It appoints a city manager to oversee day-to-day municipal operations, craft the budget, and implement and enforce the City Council's policies and direction.

Mayor's Role

Folsom's Charter defines the Mayor's role and establishes the selection of the Mayor by the City Council. The Mayor's primary responsibilities include:

1. Presiding at meetings of the Council;
2. Meeting regularly and as appropriate with the City Manager to provide policy guidance relative to the actions of the Council, expressing the desires of the Council and its members, and monitoring the administrative implementation of Council policies;

3. Recommending City policy, legislation, and programs, subject to approval by a majority of the City Council;
4. Representing the City for ceremonial purposes;
5. Represent the City in intergovernmental relations, personally or by a designated representative with the concurrence of the Council; and
6. Establishing and dissolving limited-term ad hoc committees, subject to the approval of the Council

Vice Mayor's Role

Folsom's Charter defines the Vice Mayor's role and establishes the selection of the Vice Mayor by the City Council. The Vice Mayor's primary responsibility is to perform the Mayor's duties in the Mayor's absence.

City Manager's Role

Folsom's Charter identifies the City Manager's role as the administration of all affairs of the City, and as such, the City Manager holds many powers and duties. This role includes, but is not limited to:

1. Appointing and removing all assistants to the city manager and all department heads;
2. Appointing, removing, and disciplining all employees of the city (the city manager may delegate this authority to the several department heads, but retains certain authorities;
3. Directing the administration of all departments;
4. Preparing the City's budget;
5. Keeping the City Council fully informed and advised of the financial, administrative, physical, and operational condition of the City and of its future needs in each area, and make such recommendations and present such plans and programs concerning the affairs of the City;
6. Providing for the enforcement and faithful execution of all laws, ordinances, rules, regulations, acts of the City council, the City Charter and such other actions as the City council shall direct;
7. Attending all City council meetings and taking part in the discussions of the City council (but having no vote);
8. Investigating all complaints in relation to matters concerning the administration of the City;

9. Exercising general supervision of all public buildings, parks, real and personal property, assets, utilities, streets, and other public properties which are under the ownership, control, or jurisdiction of the city;
10. Carrying out and enforcing all policies of the City council and all rules, regulations and ordinances adopted by it;
11. Cooperating with all community organizations whose purpose is to serve the welfare and best interests of the City and of its people, business, and organizations;
12. Preparing the City council agenda in such a manner to ensure that all matters concerning the attention of the City council are included thereon in a timely manner;

Noninterference with City Manager's Administrative Role

The City Manager's administrative role is distinct and separate from the City Council's role. As prescribed by the City's Charter, neither the Mayor nor any Councilmember shall interfere with the execution of the City Manager's powers and duties. Except for purposes of inquiry, the Mayor and Councilmembers shall deal with the administrative services of the City solely through the City Manager, and neither the Mayor nor any Councilmember shall give orders to any subordinate of the City Manager, either publicly or privately. The City Council may express its views and fully and freely discuss with the City Manager anything pertaining to appointment and removal of any department head or employee, but neither the Mayor nor any Councilmember shall in any manner control or demand the appointment or removal of any City department head or employee.

Responding to Public Complaints

It is important that when Councilmembers receive a complaint or inquiry from a member of the public, the Councilmember should acknowledge the requestor's communication without making promises or jumping to conclusions. As the City Manager's role is to investigate and resolve these issues with city staff, all complaints should be forwarded to the City Manager for a response. The City Manager will keep the City Council informed regarding administrative actions.

New Councilmember Orientation

Welcoming newly elected Councilmembers and providing them with the appropriate orientation and resources is crucial to developing an effective, cohesive governance team.

1. With the Brown Act limitations in mind, current Councilmembers are encouraged to reach out to newly elected members to welcome them and build productive working relationships.
2. The City Manager will provide a formal orientation for new Councilmembers to:

- a. Explain roles and responsibilities;
 - b. Introduce department heads;
 - c. Provide practical information such as access to City Hall, office space, security procedures, meeting protocols;
 - d. Study a typical City Council meeting agenda and explain the order of business, consent calendar, business from the floor, and other meeting sections and protocols such as making motions and providing direction to the City Manager and staff during a City Council meeting.
 - e. Review rules regarding confidentiality, the Brown Act, and gift reporting;
3. Councilmembers shall work through the City Manager to schedule additional meetings with department heads and/or tours of city facilities to gain a better understanding of city services and operations.

City Council's Informal Role – Some Helpful Tips to Keep in Mind

1. *Lead by example. Be honest, consistent, and flexible.*
2. *Do not get stampeded into action by the strong demands of special interest groups. Your job is to find the entire community's long-term public interest, and you may be hearing from a vocal minority.*
3. *Be clear on what you stand for and what is important to you.*
4. *Think about what you want to accomplish. Do not act rashly and assume that only you know the best way to accomplish things. Every issue will benefit from additional discussion. Your perceptions may change.*
5. *Sometimes we underestimate the potential impact of a strong leadership voice. Use the dignity of your office to help the community get past contentious issues.*
6. *There can be a tremendous amount of discomfort in making very public decisions. It is important to take a long-term perspective, weigh everything, and reach good decisions.*
7. *Know that you will not be able to satisfy everyone. If you try, you will not be able to demonstrate leadership. Listen fairly, listen thoughtfully, and then do what is best.*
8. *Most of the easy decisions were made a long time ago. Many decisions that need to be made can be difficult – but you cannot always solve those big problems easily.*

Section 3. Communication Protocols



Effective communication brings individuals together to achieve desired outcomes, and it requires clear sharing of information and attentive listening. Successful communication builds and maintains strong relationships, develops reciprocal trust, promotes transparency, supports understanding with the community, and facilitates good decision-making. As importantly, effective communication reduces misunderstanding and decreases the potential for conflict.



Communication between the City Council and the City Manager

Folsom's council-manager form of government directs the City Council to communicate with the City Manager on all matters related to City operations, and City Council members are therefore encouraged to contact the City Manager with questions about city operations or issues. The City Manager will obtain the requested information or direct the appropriate staff member to assist. When an individual City Council member seeks information that the City Manager believes may be of interest or use to other City Council members, the City Manager may share that information with the entire City Council to keep all members equally informed. The City Council should be aware that the City Manager may not readily share some items due to employment law, privacy rights, investigations, etc.

Agenda review sessions with the City Manager and individual City Council members are scheduled in advance of each City Council meeting. City Council members are strongly encouraged to ask questions about agenda items during their agenda review session, as this allows staff time to perform additional research if necessary before the Council meeting. City Council members are welcome to ask the questions again at the Council meeting to benefit other Council members and the public.

Direction to City Manager at City Council Meetings

In providing direction to the City Manager and staff during City Council meetings, the City Council should ensure that direction and motions provide unambiguous policy direction,

including specificity and scope of the desired action. If a motion seems unclear, City Council members should ask for clarification to be sure all agree on the proposed direction.

Communication between City Council Members

City Council Members should treat each other with dignity and respect and observe a high level of professional decorum both on and off the dais. This respectful approach supports a productive sense of camaraderie and sets an example for civil decorum in City Council meetings.

Brown Act

The California open meeting law, commonly known as the "Brown Act," requires all City Council meetings to be open to the public (subject to a few limited exceptions). A meeting is defined as any congregation of a majority of the members of a legislative body at the same time and place to hear, discuss, and deliberate upon any item that is within the subject matter jurisdiction of the legislative body. Accordingly, meetings or discussions between three or more members of the Folsom City Council could violate the Brown Act if such meeting is to discuss any matter within the subject matter jurisdiction of the City Council (e.g., City parks and recreation programs, budget, staffing, streets and traffic, public improvements, or private development projects, etc.) without first complying with agenda-posting and noticing requirements of the Brown Act.

Meetings subject to the Brown Act are not limited to face-to-face gatherings. They also include any communication medium or device (for example, telephone conversations, text messages, social media postings, etc.) through which a majority of the City Council discusses, deliberates, or acts on an item of business outside of a noticed meeting. Communication technologies present particular Brown Act challenges. For example, standard email practices of forwarding or replying to messages can easily lead to a serial meeting prohibited by the Brown Act, as can participation by a majority of the Council members in an internet chatroom, social media format, a Facebook page posting, or blog dialogue.

Social Media

City Council members should use the same professionalism and sound judgment exercised in public meetings when communicating on social media. Beyond standards of professionalism, City Council members should also be mindful of legal restrictions on their social media activity.

In 2020, State legislation (AB 992) amended the Brown Act to address public officials' use of social media, and two particular elements are essential to keep in mind. First, AB 992 clarifies that a public official may have their separate conversation on social media platforms to answer questions, provide information to the public, or solicit information

from the public regarding a matter within the legislative body's subject matter jurisdiction. However, this is legally permissible as long as a majority of the members of the legislative body do not use the social media platform to discuss among themselves of the same matter, including making posts, commenting, and even using digital icons that express reactions (i.e., emojis, "liking", thumbs up, thumbs down, etc.) to the discussion made by other members of the legislative body.

Key Point: *A City Council member may have their own conversation on social media about a matter within the City Council's subject matter jurisdiction, up to the point when a majority of the City Council members starts to have the same conversation on their own. Once there is a majority of City Council members having their own "separate" conversation on social media about the same subject matter, then those conversations must cease altogether. Simply using a digital icon (such as emojis) constitutes having a conversation under AB 992.*

Secondly, AB 992 goes further by prohibiting a member of a legislative body from responding directly to any communication on an internet-based social media platform regarding a matter that is within the subject matter jurisdiction of the legislative body that is made, posted, or shared by any other member of the legislative body. In other words, if a public official posts a comment in response to another public official's social media post about an agency issue, that could be a Brown Act violation under AB 992 (assuming both public officials serve on the same legislative body). AB 992 covers commonly used social media platforms such as Facebook, Instagram, Snapchat, Twitter, blogs, TiKTok, and Reddit.

Key Point: *Be careful not to comment on another City Council member's posting on social media, including posting comments, retweeting, "liking," "disliking," responding with positive or negative emojis, and reposting. Violations of the Brown Act can potentially lead to invalidation of future City Council actions, payment of a challenger's attorney fees, and even criminal prosecution for the offender.*

Keeping Each Other Informed of Activities and Reporting on Regional Agency Action

City Council members should proactively keep each other informed of their City-related activities in the community and the region. City Council members should also report on important discussions and actions from the regional agencies they serve. This reporting of activities and actions is best accomplished at a City Council meeting either during discussion of related agendized items or during the Council Comments segment of a meeting.

The proactive sharing of activities contributes to the collaborative nature of the City Council's work and respects the role of all members. Importantly, this sharing of information honors the standard that no single City Council member "owns" a particular

issue or effort. It also reinforces the notion that all members have an equal voice and standing on all matters affecting the City.

Communication between City Council Members and the Public

Speaking for "the City"

When a City Council Member is requested to speak to a group or is asked the Council's position on an issue, the response should reflect the Council's position as a whole as taken in open session. Of course, a member may clarify their vote on a matter by stating, "While I voted against 'X,' the City Council voted in support of it." When representing the City at meetings or other venues, those in attendance must understand the Council's position as well as the position of an individual member.

Safeguarding Confidential, Sensitive and Closed Session Information

Confidential or sensitive City information, including closed session materials and discussions, shall not be disclosed in any circumstances, including via electronic communication.

Correspondence

Members of the City Council will often be called upon to write letters to residents, businesses, or other public agencies. Typically, the Mayor will transmit the City's position on policy matters to outside agencies on behalf of the City Council. Individual members of the Council will often prepare letters for constituents to respond to inquiries or provide requested information. City letterhead is available for this purpose, and staff can assist in the preparation of such correspondence. Requests for assistance should be made to the City Manager.

On occasion, members may wish to transmit correspondence on an issue upon which the Council has yet to take a position or has no position. In these circumstances, members should indicate either in correspondence or verbally that they are not speaking for the City Council as a whole, but for themselves as a private citizen or as one member of the Council. Council Members should avoid expressing opinions that could be perceived as biased or creating an appearance of bias when communicating about a matter that has the potential of coming before the Council for action.

After the City Council has taken a position on an issue, official City correspondence related to the issue should reflect this position. Similar to verbal communication standards, a City Council member who disagrees with the majority opinion may express their position by indicating that, "While I voted against 'X,' the City Council voted in support of it." In

addition, City letterhead and staff support cannot be utilized for any personal purpose or in the Council Member's own campaign, including letters of recommendation.

Representing the City on Regional Agencies

City Council members are assigned to represent the City on a variety of regional agency boards and commissions. Active participation by City Council members on regional agencies ensures the City's interests are adequately represented, advances Folsom's standing in the region, and allows City Council members to gain additional experience while developing connections with leaders from other jurisdictions. City Council members should exhibit the same dedication to regional agency meetings as they do to Council meetings through regular attendance, knowledge of the agenda, and engagement in policy discussions. If a City Council member is unable to attend a meeting, they should advise the alternative representative.

Assignments to regional agencies are generally proposed by the Mayor and require the concurrence of the City Council. Care should be taken to distribute the workload as evenly as possible and capitalize on subject matter expertise. Keeping regional assignments as consistent as possible year-to-year maintains the City's knowledge and seniority on regional agency.

Council meetings provide an opportunity to "report out" on regional activity so that all City Council members, staff, and the public are fully informed. See "[Keeping Each Other Informed of Activities and Reporting on Regional Agency Action](#)" earlier in this section for additional details.

###

Section 4. Council Meeting Protocols



The people of this State do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.

California Brown Act



Conducting Open Meetings

Folsom City Council meetings are held in compliance with the California Brown Act, which prescribes requirements for open and public meetings, notice of meetings, public participation, and general agenda title guidelines.

Placing an Item on the Agenda

Folsom Municipal Code section 2.06.070(A)(1) places the responsibility to develop the agenda for City Council meetings on the Mayor and the City Manager. Generally, items placed on the agenda will be generated by staff, but occasionally items may be proposed by either a City Council member or a member of the public.

Agenda Items Proposed by a City Council Member

A City Council member may request an item be placed on a future agenda by contacting the Mayor or City Manager. When the proposal entails wholly new policy direction or an issue that has not previously been considered, the Mayor and City Manager may place the item on an agenda to seek preliminary consensus from the City Council whether to investigate the proposal further. Staff will not conduct research or prepare a staff report until receiving direction to do so from the City Manager.

Agenda Items Proposed by Members of the Public

A member of the public may propose an item be placed on a future agenda by contacting a City Council member, pursuant to Folsom Municipal Code section 2.06.070(A)(2). The City Council member should communicate the request to the Mayor and City Manager for appropriate handling and scheduling.

Rules of Order

The City Council generally meets twice per month to conduct the public's business, and it is essential that meetings be orderly, efficient, and well-run. The City Council may establish and adopt by resolution its meeting procedures, and as to matters not covered by Council-adopted procedures, the Folsom Municipal Code provides that those matters shall be governed under the most current edition of Robert's Rules of Order. The Mayor presides over meetings of the City Council; in the absence of the Mayor, the Vice Mayor shall preside. In the absence of the Mayor and Vice Mayor, the City Council may designate a senior member of the City Council to serve as temporary presiding officer to facilitate the conduct of the meeting.

City Council Meeting Norms

For most agenda items, the following sequence of steps will occur:

1. Staff presentation
2. Questions from the City Council
3. Public hearing or public comment (depending upon the nature of the item)
4. Follow up questions from the City Council, if any
5. Motion or proposed direction to staff (see below for more detail regarding motions)
6. Discussion by the City Council
7. Vote on motion, or verbal expression of consensus

Certain hearings (such as appeals, community facility district formations, utility rate increases, etc.) may require additional procedures, and the City Attorney will provide appropriate instructions to guide the City Council's sequence of steps in those instances.

Making and Seconding Motions

Direction is given by the City Council through motions, which are verbal tools to focus discussion on proposed action and, eventually, to memorialize City Council direction. A motion supports orderly deliberation and ensures all voices are heard.

Motions should begin with “I move . . .” to make it clear that this is a motion for action. Most staff reports contain staff’s suggested motion-ready language within the “recommendation” section at the beginning of each staff report, but City Council members may make any desired motion. Motions require another City Council member to “second” the motion, which indicates there is interest in taking action on the motion. Motions are seconded by verbalizing “I second the motion”. Any City Council member or the Mayor may make or second a motion.

Before the Mayor asks the City Clerk to call the question, the City Council may continue to discuss and deliberate on the merit of the motion. The maker of a motion has the right to speak so the City Council understands the basic premise of the motion, and to address any argument or opposition to the motion.

The most commonly used motions are:

Motion Type	Action Accomplished	Language
Main/Original motion	The first motion made which proposes action	“I move that...”
Amending a motion	Either adds or subtracts to the preceding motion	“I move that the motion be amended by...”
Refer to a commission or committee	Refers the matter to a commission or committee	“I move that the issue be referred to the [appropriate commission or committee]”
Continue or Postpone	Continues or postpones action to a future date (this can be to a date certain, or off-calendar to indicate open-ended continuation	“I move that the issue be [continued to [specific date or off-calendar]”
Previous Question	Ends discussion and compels a vote	“I move the previous question”

Limit Debate	Re-focuses lengthy or off-topic discussion, without blocking further discussion	"I move to limit discussion to [time limit or topic]"
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In addition, a "point of order" question serves to bring discussion that has detoured away from meeting norms back to conformance with proper procedures. The Mayor or any City Council member may call a point of order.

The City Attorney provides advice during meetings in response to legal or procedural inquiries from the Mayor and City Council members. The City Attorney may also assist the City Council in framing complex motions to ensure clarity of intent and legal sufficiency.

Proclamations and Resolutions of Commendation

From time to time, the City receives requests from external parties for proclamations and resolutions of commendations. These requests are generally submitted to the Mayor, as the Folsom Municipal Code identifies the Mayor as responsible for representing the City for ceremonial purposes. If the Mayor approves the request and indicates the item should be placed on a City Council agenda, staff will prepare the appropriate item.

External presentations

From time to time, the City receives requests from external parties to make a presentation to the City Council. Similar to agenda items proposed by members of the public, requests by external parties to make a presentation before the City Council should be communicated to the Mayor and City Manager for appropriate handling and agenda scheduling.

Reporting and Avoiding Conflicts of Interest

The Political Reform Act of 1974 ("the Act") establishes conflict-of-interest laws in California. The Act limits the receipt of specified gifts and honoraria and promulgates the principle that public officials should perform their duties serving the public in an impartial manner, free from bias caused by their own financial interests or the interests of persons who have supported them. In addition, the Act

sets up a mechanism whereby assets and income of public officials which may be materially affected by their official actions shall be disclosed and in certain circumstances the officials are disqualified from acting within their official capacity so that conflicts of interest may be avoided.

To determine whether a conflict of interest exists under the Act, the California Fair Political Practices Commission (FPPC) prescribes a four-step process, which is complex and time-consuming to properly analyze. The four considerations are:

STEP 1: Is it reasonably foreseeable that the governmental decision will have a financial effect on any of the public official's financial interests?

STEP 2: Will the reasonably foreseeable financial effect be material?

STEP 3: Will the material financial effect on the public official's financial interest be indistinguishable from its effects on the public generally?

STEP 4: Is the public official "making, participating in making, or in any way attempting to use his or her official position to influence the governmental decision"?

Key Point: It is of paramount importance that City Council members consult with the City Attorney to determine the existence of a conflict of interest. This consultation should happen before a City Council meeting when a possible conflict exists related to an agenda item. The City Attorney will assist City Council members in determining whether a conflict of interest exists. If a conflict exists, and no exceptions apply, disqualification is required. The rules and interpretation are complicated, and the Act deals with conflict-of-interest situations on a transactional, or case-by-case, basis. This means that situations must be assessed for possible conflicts of interest in the light of their individual facts. The Act demands continual attention on the part of officials. They must examine each transaction to determine if a conflict of interest that triggers disqualification exists.

When a conflict is determined to exist in relation to an agenda item before the City Council, the conflicted City Council member must:

1. Publicly identify the nature of the conflict / financial interest that causes the conflict (except that he or she need not disclose the street address of a residence);

2. Recuse from discussing and voting on the matter; and
3. Leave the meeting room and refrain from participating in discussion of the item until after the decision has been made
 - a. Exception: Conflicted City Council members do not need to leave the dais for items on the Consent Calendar, but they still must disclose the nature of the conflict / financial interest and refrain from voting on that item

Companion Documents

The City Council has previously approved the below-referenced policies, which should be considered as companion documents to this Governance Manual.

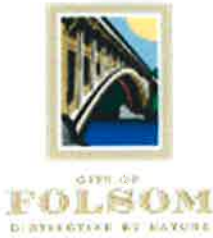
1. Resolution No. 9689 – A Resolution of the City Council of the City of Folsom Relating to City Council Meetings, Proceedings, and Business (2015)
2. Resolution No. 7788 – A Resolution Adopting a Code of Ethics Applicable to the City Council, City Commissions and Committees (2006)

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CITY OF
FOLSOM
DISTINCTIVE BY NATURE



Folsom City Council Staff Report



MEETING DATE:	4/25/2023
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 11025 - A Resolution Authorizing the City Manager to Execute a Construction Agreement with KYA Services, LLC for the Prospector Park Construction and Appropriation of Funds
FROM:	Parks and Recreation Department

RECOMMENDATION / CITY COUNCIL ACTION

The Parks and Recreation Department recommend that the City Council pass and adopt Resolution No. 11025– A Resolution Authorizing the City Manager to Execute a Construction Agreement with KYA Services, LLC for the Prospector Park Construction and Appropriation of Funds.

BACKGROUND / ISSUE

At the August 25, 2020 City Council meeting, a design contract was approved with Wilson Design Studios Landscape Architects (WDSL A) for the planning and design of Prospector Park in the Folsom Plan Area. To gather public input, park neighbors were invited to a virtual community meeting that was held June 9, 2021, and a follow-up in-person community meeting held at the future park site on July 14, 2021. Working with the community input received from those meetings, WDSL A and staff worked together to develop a preferred Master Plan that was presented to the Parks & Recreation Commission on September 22, 2021. The Parks & Recreation Commission forwarded a recommendation to the City Council to approve the Prospector Park Master Plan.

The Prospector Park Master Plan was approved by the City Council on October 12, 2022. The approved master plan includes:

Parking Lot

- Open Space Area
- Walkways
- Children’s Play Area
- Restroom Building
- Group Picnic Structure
- Multi-Use Field
- Lighted Ball Field
- Dog Park
- Lighted Tennis Courts
- Lighted Basketball Court
- Lighted Synthetic Turf Volleyball Courts
- Low Water-use Plantings

WDSL A and staff then worked together to prepare design development, engineering, construction documentation and project specifications for the construction of Prospector Park.

POLICY / RULE

Section 2.36.080, Award of Contracts of the Folsom Municipal Code states, in part, that contracts for supplies, equipment, services, and construction with an estimated value of \$70,952 or greater shall be awarded by City Council.

ANALYSIS

Parks & Recreation Department staff prepared the bid package and solicited bids via the City website and also www.CIPLIST.com. The project was issued for bids on February 27, 2023. A total of five bids were received on March 30, 2023.

The five base bids received are:

- KYA Services, LLC \$8,626,000
- Abide Builders, Inc. \$9,011,680
- Marina Landscape, Inc. \$9,580,000
- TJR Resources, Inc. \$10,303,725
- Olympic Land Construction \$11,554,425

Staff reviewed the submittal by KYA Services, LLC and found their bid to be responsive to the Request for Proposal (RFP). The Engineer’s Estimate for this project was \$8,450,000. The Parks & Recreation Department has found the bid and submittal to be in order and recommends that the contract be awarded to the responsive low-bidder, KYA Services, LLC. Staff will use the City’s standard agreement in a form acceptable to the City Attorney.

FINANCIAL IMPACT

The current approved project budget for Prospector Park is \$8,250,000, therefore an additional appropriation in the amount of \$1,746,175 will be required for a new total project budget of \$9,996,175. The revised project budget includes the contract with KYE Service, LLC in the amount of \$8,626,00 and a 10% budget contingency of \$862,600. The additional appropriation will be in the Folsom Plan Area Impact Fee Fund (Fund 472) and will utilize fund balance.

ENVIRONMENTAL REVIEW

Prospector Park was included in the Folsom Plan Area Environmental Impact Report in compliance with the California Environmental Quality Act (CEQA).

ATTACHMENT

Resolution No. 11025 – A Resolution Authorizing the City Manager to Execute a Construction Agreement with KYA Services, LLC for the Prospector Park Construction and Appropriation of Funds

Submitted,

Lorraine Poggione, PARKS AND RECREATION DIRECTOR

RESOLUTION NO. 11025

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION AGREEMENT WITH KYA SERVICES, LLC, FOR THE PROSPECTOR PARK CONSTRUCTION AND APPROPRIATION OF FUNDS

WHEREAS, the City of Folsom desires to construct Prospector Park in the Folsom Plan Area; and

WHEREAS, Parks & Recreation Staff prepared the bid package, solicited sealed bids, and received five bids on March 30, 2023, with KYA Services LLC being the lowest responsive and responsible bidder; and

WHEREAS, the current project budget is \$8,250,000 as shown in the Fiscal Year 2022-23 Capital Improvement Plan budget; and

WHEREAS, an additional appropriation in the amount of \$1,746,175 is needed, for a revised project budget of \$9,996,175 and sufficient funds are available in the Folsom Plan Area Impact Fee Fund (Fund 472) for this appropriation ; and

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

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Folsom authorizes the City Manager to execute an Agreement with KYA Services LLC for the Prospector Park construction in the amount of \$9,488,600 which includes a ten percent contingency in the amount of \$862,600.

BE IT FURTHER RESOLVED that the Finance Director is authorized to appropriate \$1,746,175 in the Folsom Plan Area Impact Fee Fund (Fund 472), for a total project budget of \$9,996,175.

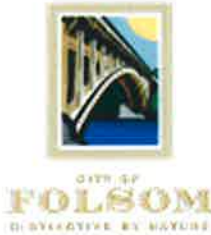
PASSED AND ADOPTED this 25th day of April, 2023, by the following roll-call vote:

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

Rosario Rodriguez, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK



Folsom City Council Staff Report



MEETING DATE:	4/25/2023
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 11026 - A Resolution of the City Council Amending Rule 6, "Appeals", of Resolution No. 9689 Pertaining to Appeal Hearing Protocol
FROM:	City Attorney's Office

RECOMMENDATION / CITY COUNCIL ACTION

Staff respectfully recommends that the City Council pass and adopt Resolution No. 11026 - A Resolution of the City Council Amending Rule 6, "Appeals", of Resolution No. 9689 Pertaining to Appeal Hearing Protocol.

BACKGROUND / ISSUE

Resolution No. 9689 was adopted by the City Council in 2015 to formalize meeting protocol and procedures for appeals and public hearings to encourage greater public participation. One of the rules contained in Resolution No. 9689 is Rule 6, "Appeals", which prescribes the procedure for conducting appeal hearings.

The City Council typically hears appeals to decisions made by City commissions such as the Planning Commission or the Historic District Commission pertaining to private development projects. While Rule 6 allows the appellant to address the City Council, it does not provide for the project applicant to similarly address the City Council in the appeal hearing.

POLICY / RULE

Pursuant to Section 2.02 of the City Charter, all powers of the City shall be vested in the City Council except as otherwise provided by the Charter, and the City Council shall provide for the exercise of its powers and for the performance of all duties and obligations imposed on the City by law.

ANALYSIS

The appeal hearing protocol in Rule 6 of Resolution No. 9689 currently states as follows:

“Rule 6. Appeals. Where the City Council is the hearing body on an appeal, the following procedure shall apply.

The sequence of the hearing on matters appealed to the City Council shall be as follows:

- a. Open the Public Hearing;
- b. Staff Report;
- c. Appellant’s Presentation. Time limit – 10 minutes;
- d. Statements from the public. Time limit – 3 minutes per speaker;
- e. Appellant makes closing remarks to the City Council. Time limit - 5 minutes;
- f. Appellant and City staff may respond to questions from the City Council;
- g. Close public hearing;
- h. City Council discussion;
- i. City Council action on the matter or continue the matter to another date or time certain.

The sequence of and speaker’s time during the hearing on matters appeals to the City Council may be adjusted by the Presiding Officer in order to preserve an orderly and efficient hearing on the matter.”

Because Rule 6 does not provide project applicants in an appeal to address the City Council, this Resolution seeks to amend Rule 6 to afford both parties to an appeal (i.e., the appellant and the project applicant) with a fair and equal opportunity to present their positions and arguments and address the City Council. Members of the public may continue to address the City Council without change.

FINANCIAL IMPACT

The proposed Council action will have no impact on the City’s General Fund.

ENVIRONMENTAL REVIEW

This action is not considered a project under Section 15061(b)(3) of the California Environmental Quality Act Guidelines, and as such is exempt from environmental review.

ATTACHMENTS

1. Resolution No. 11026 - A Resolution of the City Council Amending Rule 6, “Appeals”, of Resolution No. 9689 Pertaining to Appeal Hearing Protocol

2. Resolution No. 9689

Respectfully submitted,

Steven Wang, City Attorney

Attachment 1

RESOLUTION NO. 11026**A RESOLUTION OF THE CITY COUNCIL AMENDING RULE 6, "APPEALS", OF RESOLUTION NO. 9689 PERTAINING TO APPEAL HEARING PROTOCOL**

WHEREAS, the City Council adopted Resolution No. 9689 in 2015 to formalize meeting protocol and procedures for appeals and public hearings to encourage greater public participation; and

WHEREAS, one of the rules contained in Resolution No. 9689 is Rule 6, "Appeals", which prescribes the procedure for conducting appeal hearings; and

WHEREAS, the City Council typically hears appeal to decisions made by City commissions such as the Planning Commission or the Historic District Commission pertaining to private development projects; and

WHEREAS, the current Rule 6 allows the appellant to address the City Council but does not provide for the project applicant to similarly address the City Council in the appeal hearing; and

WHEREAS, due process and fundamental fairness in conducting the appeal hearing requires both sides to the appeal (i.e., the appellant and the project applicant) be afforded equal opportunity to present their positions and arguments and address the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Folsom that Rule 6 of Resolution No. 9689 is hereby deleted and replaced with the following:

Rule 6. Appeals. Where the City Council is the hearing body on an appeal, the following procedure shall apply.

The sequence of the hearing on matters appealed to the City Council shall be as follows:

- a. Open the Public Hearing;
- b. Presentation by City Staff;
- c. Presentation by the appellant. Time limit – 10 minutes (appellant may divide speaking time between various speakers, but cumulative total speaking time is 10 minutes);
- d. Presentation by the project applicant. Time limit – 10 minutes (project applicant may divide speaking time between various speakers, but cumulative total speaking time is 10 minutes);
- e. Statements from the public. Time limit – 3 minutes per speaker;
- f. Closing remarks by the appellant. Time limit - 5 minutes;

- g. Closing remarks by the project applicant. Time limit - 5 minutes;
- h. City staff, appellant, and project applicant respond to questions from the City Council;
- i. Close Public Hearing;
- j. City Council discussion;
- k. City Council action on the matter or continue the matter to another date or time certain.

The sequence of and speaker's time during the hearing on matters appeals to the City Council may be adjusted by the Presiding Officer to preserve an orderly and efficient hearing on the matter.

PASSED AND ADOPTED this 25th day of April, 2023 by the following roll-call vote:

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

Rosario Rodriguez, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

Attachment 2

RESOLUTION NO. 9689

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FOLSOM
RELATING TO CITY COUNCIL MEETINGS, PROCEEDINGS, AND BUSINESS**

WHEREAS, the City Council conducts its meetings in public, consistent with state law and according to a long established agenda process;

WHEREAS, the Council desires to formalize the agenda process and meeting protocol by Resolution and to adopt formal procedures for appeals and public hearings to encourage greater public participation and to process information to the public for the betterment of City operations; and

WHEREAS, the Council desires to establish rules to govern its meetings and declare its rules of procedure to the public.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Folsom does hereby establish the following rules for the conduct of its meetings, proceedings, and business.

Rule 1. Presiding Officer. The Mayor, or in the absence of the Mayor, the Vice Mayor shall take the chair at the hour set for the meeting and shall call the Council to order. In the absence of the Mayor and Vice Mayor, the Council may designate a senior member of the Council to serve as temporary Presiding Officer to facilitate the conduct of the meeting. Upon the arrival of the Mayor or the Vice Mayor, the temporary Presiding Officer shall relinquish the chair at the conclusion of the business item then before the Council.

Rule 2. Quorum. A majority of the Council constitutes a quorum for the transaction of business, but a lesser number may adjourn from time to time, and may continue any hearing scheduled for the approximate time and place of any meeting adjourned for lack of a quorum. If all Councilmembers are absent from any regular meeting, the City Clerk shall declare the meeting adjourned to a stated day, hour and place.

Rule 3. Business Matters. The business of the Council, at its meetings, may include the following major categories and shall be organized into an agenda to facilitate the conclusion of business within a reasonable period of time following public inquiries and comments on said items.

The agenda may consist of the following sections and be presented in this order, however, the Presiding Officer may in his or her discretion, rearrange the order:

- A. Pledge of Allegiance to the Flag
- B. Roll Call. The roll call shall be made by the City Clerk.

- C. Scheduled Presentations. This category shall include such items as ceremonial presentations, proclamations, introductions, and informational presentations.
- D. Business from the Floor. This item relates to matters within the jurisdiction of the City Council and for matters not on the regular agenda. No action is taken on business from the floor and limited discussion of these items shall occur.
1. The person wishing to address the Council shall stand to be recognized by the Presiding Officer and then proceed to the podium. The person addressing the Council shall be requested to complete a "blue card" and state his/her name and address for the record.
 2. The speaker shall be requested to address the Council for not more than three minutes, unless the Presiding Officer rules otherwise.
 3. Any such matter heard under this category also may be referred to the City Manager for investigation and either of disposition or report. No action or discussion occurs on a Business from the Floor item, however, requests to staff to follow up on an item may be provided by the City Council.
- E. Consent Calendar. This agenda category shall include items that are considered to be routine and ministerial business matters only. Such items may include, but are not limited to, approval of minutes, award of bids, award of contracts, approval of resolutions, second reading of ordinances, and other generally non-controversial matters.
1. One motion, duly seconded, will be considered adoption of all matters listed under the consent calendar, unless a member of the Council or the public specifically requests a specific item be removed from the consent calendar vote.
 2. Following the vote on the consent calendar, the business matter(s) removed from the consent calendar shall be considered and disposed of by motion and vote of the Council.
- F. Public Hearings. This category shall include advertised public hearings, which shall be commenced at the time specified for each said hearing, or as soon thereafter as is reasonably possible.
- G. Old Business. This category may include, but is not limited to such items as status reports, continued business matters, and other matters previously addressed by the City Council.
- H. New Business. This category may include, but is not limited to such items as written communications from the public or specific written request made of the Council, ordinances, and resolutions.

- I. City Manager Reports. This agenda category shall contain reports from the City Manager.
- J. Council Comments. This agenda category is set aside as a specific opportunity for each of the Councilmembers to address items of information for all, or requesting matters to be addressed by the City Manager or City staff members regarding items of public interest or of significance to the Councilmember. City Councilmembers will also address any travel at the public expense as required by law.
- K. Adjournment. This item may include adjournment of a meeting, adjournment to a Closed Session regarding personnel, litigation, labor relations, or instructions to negotiators, or adjournment to a specific future date and time.

Rule 4. Speakers Time and Spokesperson for a Group. Generally, a speaker on an item is afforded three (3) minutes for his/her presentation. The Presiding Officer may adjust a speaker's time in his/her discretion based on the item presented, number of speakers and other factors consistent with an orderly and efficient meeting. Whenever any group of persons wishes to address the Council on the same subject matter, the Presiding Officer may request that a spokesperson be chosen by the group to address the Council, and in case additional data or argument is to be presented at the time by any other member of said group, to limit the number of persons so addressing the Council and the scope of their remarks so as to avoid unnecessary repetitions before the Council. Speakers may not transfer any time remaining to another speaker.

Rule 5. Public Hearings. The following is the procedure for a Public Hearing before the City Council; however, the Presiding Officer may alter the order or procedure depending on the nature of the public hearing:

- a. Open the public hearing;
- b. Staff Report;
- c. Applicant's statement;
- d. Statements from the public;
- e. Close the public hearing;
- f. If determined by the Presiding Officer to be necessary, invite the applicant to address questions and/or issues raised during public hearing;
- g. City Council discussion;
- h. City Council action on the matter or continue the matter to another date or time certain or indefinitely.

Rule 6. Appeals. Where the City Council is the hearing body on an appeal, the following procedure shall apply.

The sequence of the hearing on matters appealed to the City Council shall be as follows:

- a. Open the Public Hearing;

- b. Staff Report;
- c. Appellant's Presentation. Time limit – 10 minutes;
- d. Statements from the public. Time limit – 3 minutes per speaker;
- e. Appellant make closing remarks to the City Council. Time limit – 5 minutes;
- f. Appellant and City staff may respond to questions from the City Council;
- g. Close public hearing;
- h. City Council discussion;
- i. City Council action on the matter or continue the matter to another date or time certain.

The sequence of and speaker's time during the hearing on matters appealed to the City Council may be adjusted by the Presiding Officer in order to preserve an orderly and efficient hearing on the matter.

Rule 7. Documents and Material Presented to the City Council.

Documentary Evidence. Any documents, writings, pictures, exhibits or other forms of tangible expression should be submitted to the City Council at the earliest opportunity. Once submitted to the City Council, submitted materials shall become the property of the City and part of the public record.

Persons desiring to submit documents or other information to the City Council shall submit the information to the City Clerk for the record and dissemination. Any person desiring to present information electronically by PowerPoint or other electronic means must present the information to the department responsible for the City Council item in the proper electronic format for City equipment at least 24 hours in advance of the City Council meeting so the City shall assure that it can safely be processed through the City's computer system and relates to the subject of the matter. The City may determine that some electronic information is not safe for the City's system and therefore, not permit access. The person requesting submittal may then present the information in paper copy.

Rule 8. Decorum. The Presiding Officer shall preserve decorum before the City Council.

- A. By Council. While the Council is in session, the members shall preserve order and decorum consistent with its adopted Ethics Policy.
- B. By Other Persons. The Presiding Officer may take appropriate action to prevent actions that pose a safety hazard to attendees, including limiting items that may be brought into the City Council Chambers.
- C. Disorderly Conduct. The Presiding Officer shall have the authority to preserve order at all meetings of the City Council, to request the City Manager to direct appropriate staff remove or cause the removal of any person from any meeting of the Council for conduct as hereinabove, to enforce the rules of the Council, and to restore order at the City Council meeting.

Rule 9. Council Voting. All votes taken by the City Council shall be taken as set out herein.

- A. **General.** A roll call vote shall be taken on the adoption of all items before the City Council, the results of which shall be entered in the minutes of the proceedings of the Council.
- B. **Name Rotation.** The Council may direct the City Clerk to rotate the order of Council names each meeting so that the position of each member of the Council, other than the Mayor, shall vary each meeting. The Mayor shall vote last in all votes.
- C. **Tie Vote.** In case of a tie vote on any motion, the motion shall be considered lost.

Rule 10. Rules of Order. As provided in Folsom Municipal Code Section 2.06.070(C) the Council shall be governed by the current edition of "Robert's Rules of Order".

Rule 11. Conflicts with Other Statutes or Ordinances. In the event of a conflict with state statutes governing the City of Folsom or ordinances adopted by the City Council, such statutes and ordinances shall be controlling over the Rules in this Resolution.

Any prior Resolutions relating to procedures and protocols governing meetings of the City Council are hereby repealed and all other Resolutions inconsistent herewith are hereby superseded.

PASSED AND ADOPTED on this 8th day of December 2015, by the following roll-call vote:

AYES: Council Member(s): Starsky, Howell, Miklos, Sheldon, Morin
NOES: Council Member(s): None
ABSENT: Council Member(s): None
ABSTAIN: Council Member(s): None


 Andrew J. Morin, MAYOR

ATTEST:


 Christa Saunders, CITY CLERK



Folsom City Council Staff Report

MEETING DATE:	4/25/2023
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 11027 – A Resolution Accepting Four Green Means Go Grant Awards to Further Housing Program Goals and Appropriation of Funds
FROM:	Community Development Department

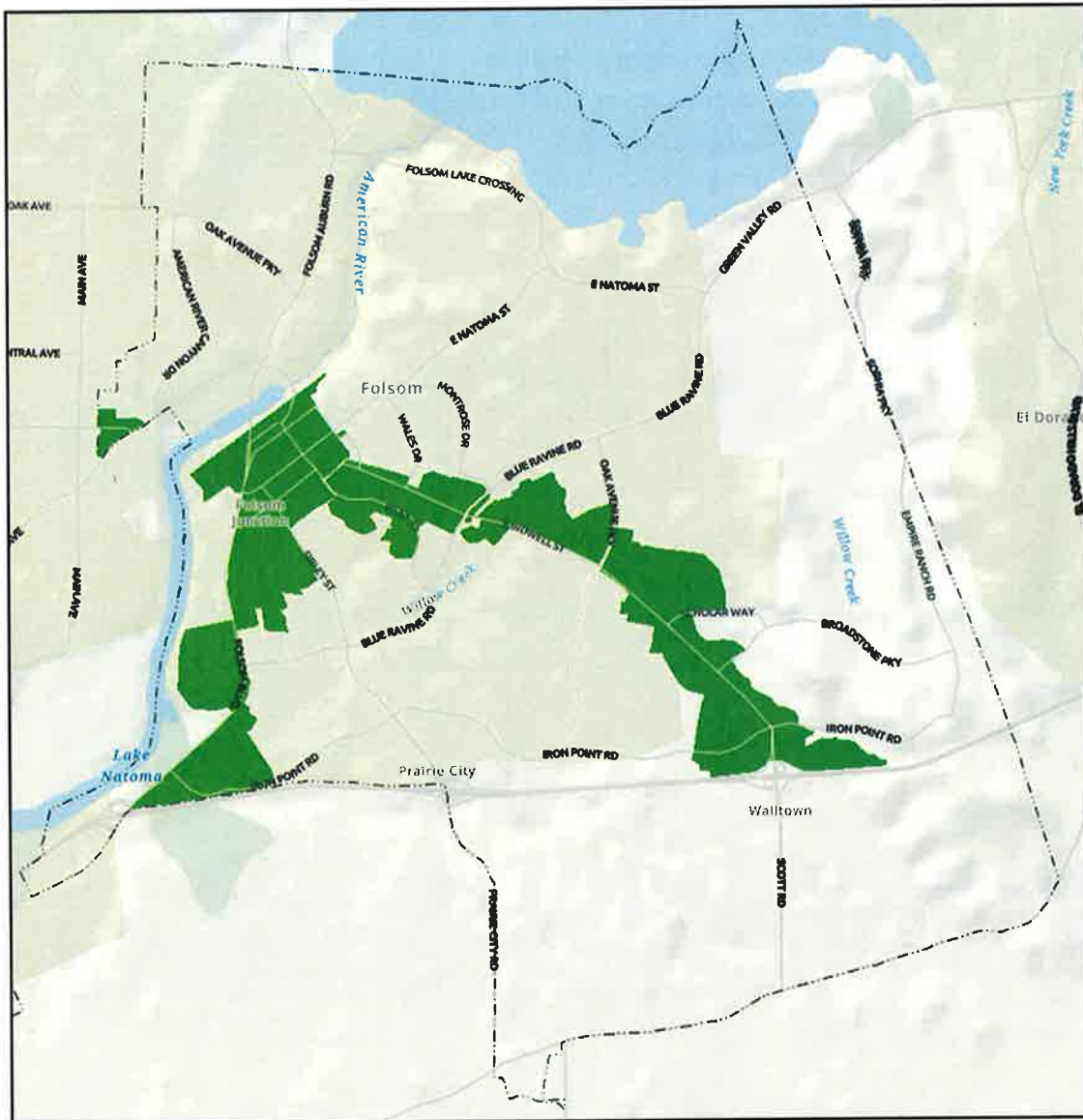
RECOMMENDATION / CITY COUNCIL ACTION

Approve Resolution No. 11027- A Resolution Accepting Four Green Means Go Grant Awards to Further Housing Program Goals and Appropriation of Funds.

BACKGROUND / ISSUE

The Sacramento Area Council of Governments (SACOG) 2022 Green Means Go grant program is designed to fund non-transportation infrastructure and planning that accelerates infill housing within locally adopted Green Zones (shown below) and supports housing affordability. Eligible project sponsors (i.e., lead applicants) are the 22 cities and six counties within the SACOG region. Partnerships between lead agencies and other public agencies, nonprofits, or community groups are highly encouraged. For the 2022 funding round, the grant program included three competitive grant categories associated with this funding as described in this section: Early Activation, Planning, and Capital.

Folsom Green Means Go Areas



Early Activation Category

On September 13, 2022, City Council approved Resolution No. 10916 authorizing a grant application for the Early Activation category for on-site infrastructure and planning activities associated with the Habitat for Humanity of Greater Sacramento (Habitat) development of ten for-sale affordable housing units at 300 Persifer Street. As part of the grant request, the City (in partnership with Habitat) requested \$730,000 in funding for eligible non-transportation infrastructure costs, planning design costs, and a storm drain/hydraulic analysis. In November of 2022, SACOG announced a partial award of \$374,000 for non-transportation infrastructure costs associated with the 300 Persifer Street project. Since the storm/drain hydraulic analysis portion of the grant application was not funded by SACOG under the Early Activation grant, staff re-applied for funding for the storm/drain hydraulic analysis for the Persifer Street project under the Planning category.

Planning and Capital Categories

On October 25, 2022, the City Council approved Resolution No. 10937 authorizing additional Green Means Go grant applications under the Planning and Capital categories. Under the Planning category, the Council authorized a grant application to offset the cost associated with development of targeted Multi-Family and Mixed-Use Objective Design and Development Standards to supplement the City’s Zoning Code Update.

Under the Capital category, the Council authorized a grant application for replacement of the existing storm drain system along Bidwell Street between Wool Street and Decatur Street. Applications were completed for these additional projects and the City was successful in receiving full funding awards for these projects. The table below summarizes each of the City’s Green Means Go Grant Applications that were submitted to SACOG and includes the amount requested and the amount awarded.

Green Means Go Grant Summary			
Grant	Project Description	Grant Request	Grant Award
Grant #1 Early Activation	300 Persifer Street Non-Transportation Infrastructure	\$730,000	\$374,000
Grant #2 Planning	Natoma St/Persifer St Alley Storm Drain Hydraulic Analysis	\$40,000	\$40,000
Grant #3 Planning	Multi-Family and Mixed-Use Objective Design and Development Standards	\$243,000	\$243,000
Grant #4 Capital	Bidwell Street Storm Drain Replacement	\$325,000	\$325,000
Total Grant Awards			\$982,000

As shown above, the City was successful in receiving one partial grant award under the Early Activation category and will receive three full grant awards under the Planning and Capital categories, subject to HCD approving SACOG’s Green Means Go program. The total amount of the awards for all four grants is \$982,000. For the Early Activation Grant, all funds must be fully expended by October 2024. The Planning and Capital Grants must be fully spent by June 2026. A resolution (refer to Attachment 1) has been prepared to accept each of the grant awards and appropriate the funds.

POLICY / RULE

The City Council Adopted Resolution No. 7332 - Financial Policies of the City of Folsom on May 25, 2004. Section D - Intergovernmental Revenues, Paragraph C - Grant Project Resolutions states, "All grants received from the Federal or State government for operating or capital purposes shall be recognized in separate grant project resolutions. A balanced grant project resolution must be adopted prior to beginning the project."

ANALYSIS

The four Green Means Go grant projects awarded to the City by SACOG will advance the City's Housing Element goal of facilitating affordable housing opportunities. Each of these grant projects is summarized below.

Grant #1 SACOG Green Means Go Grant – Early Activation (Category A) - On December 14, 2021 and in compliance with the State's Surplus Land Act, the City Council approved the sale of surplus land located at 300 Persifer Street to Habitat for the purpose of developing affordable housing. Part of the property sale negotiations included City support of efforts to assist Habitat in securing future grant funding and/or fee reductions for infrastructure improvements, design, and permitting associated with the project.

The Early Activation category is designed to fund either planning or infrastructure activities that accelerate infill residential development in the near term. Project scopes submitted to the Early Activation category must be for specific non-transportation (defined as water, wastewater, stormwater, electricity/dry utilities, and/or broadband) infrastructure components and can include site-specific activities. Under this grant category, the City submitted a grant application to SACOG requesting \$730,000 in eligible costs (non-transportation infrastructure costs, planning design costs, storm drain/hydraulic study costs, and planning design costs) to assist with development of ten for-sale affordable housing units at 300 Persifer Street. As previously indicated in the background section of this report, the project received a partial award of \$374,000 to assist with non-transportation infrastructure costs associated with the project. Acceptance of this partial grant award helped Habitat secure a portion of the gap financing necessary to fund the project. Furthermore, financial support of affordable housing projects is consistent with the City's Housing Element Goal of facilitating affordable housing.

Grants #2 and #3 SACOG Green Means Go Grant – Planning (Category B) – The Planning category is designed to fund planning activities that accelerate infill residential development. Some of the eligible uses include rezoning and updating planning documents and zoning ordinances that accelerate infill development in Green Zones. As previously indicated in the background section, two grant applications were submitted and awarded under the Planning category: *Natoma St/Persifer St Alley Storm Drain Hydraulic Analysis* and the *Targeted Multi-Family and Mixed-Use Objective Design and Development Standards*.

Natoma St/Persifer St Alley Storm Drain Hydraulic Analysis - The storm drain in the Natoma St/Persifer St alley, which is adjacent to the Habitat Persifer Project site, is not to current standards and results in a conflict with standard sewer ties-ins for the project. Acceptance of the \$40,000 Planning grant provides necessary funding for a hydraulic analysis and evaluation of the existing storm drain system to identify any necessary improvements to resolve potential sewer tie-in issues for the project, bring the storm drain system up to current standards, and will benefit the future development of an additional 10 affordable for-sale housing units in the City's Historic District.

Multi-Family and Mixed-Use Objective Design and Development Standards - Recently adopted Senate Bill 330 (2019) and Senate Bill 8 (2021) require that jurisdictions conduct design review for all residential projects, especially for multi-family development, using objective design standards. Along with the City's current Zoning Code Update effort and as part of the implementation of the Targeted Multi-family and Mixed-Use Housing Study, staff is analyzing the potential to increase residential capacity and maximum densities in key areas of Folsom (along the East Bidwell Corridor, areas around the Glenn and Iron Point light rail stations, and in the Folsom Plan Area). To ensure high quality design for new residential development, the City plans to develop form-based objective design and development standards that will result in attractive and appropriate development in these areas. To this end, on October 25, 2022, the City Council approved Resolution 10936 authorizing the City Manager to execute a Professional Services Agreement with Opticos for the development of the objective design and development standards. Acceptance of the fully awarded \$243,000 Planning grant provides necessary funding to support the Zoning Code Update effort and fulfills Housing Element Program H-8 (Objective Design Standards for Multifamily Housing).

Grant #4 SACOG Green Means Go Grant – Capital (Category C) - The largest category, Capital, of the Green Means Go funding program will fund non-transportation infrastructure that accelerates residential infill development. Replacement of the existing storm drain system along Bidwell Street between Wool Street and Decatur Street is an eligible Capital grant project. The existing storm drain system along Bidwell Street is failing and is no longer able to adequately convey runoff. Acceptance of the \$325,000 fully funded Capital grant award provides funding for the replacement of approximately 500 linear feet of the 18-inch storm drain line, the re-grading of the roadside ditch, and the addition of asphalt or rip rap to minimize any future potential erosion. Given infill opportunities for residential development along this section of the Bidwell Street corridor, replacing the existing drainage system will aid future infill residential development.

Each of the four grant funded projects assist with City efforts to further the City's goal of *facilitating efforts for additional opportunities for multi-family infill housing and ensure the City maintains an adequate capacity to meet the lower-income RHNA.*

FINANCIAL IMPACT

The Green Means Go Grants Program award total is \$982,000. None of the four grant applications require a financial match. The Early Activation grant award for 300 Persifer Street non-transportation infrastructure must be fully expended by October 2024. The remaining Planning and Capital grant funds are required to be fully obligated by June of 2024 and expended by June, 2026.

Professional services supporting each of the four projects would be funded initially through the General Plan Fund and reimbursed by the Green Means Go Grants Program funds in accordance with the reimbursement schedules.

Under Resolution No. 10936, an appropriation to the General Plan Fund (Fund 225) in an amount of up to \$250,000 was previously authorized for the Targeted Multi-Family and Mixed-Use Objective Design and Development Standards project. The remaining three grant awards require additional appropriations. For the two drainage related projects (Bidwell Street Storm Drain Replacement and Natoma St/Persifer St Alley Storm Drain Hydraulic Analysis) an appropriation to the Drainage Improvement Fund (Fund 448) in an amount up to \$365,000 is required. For the 300 Persifer Street Non-Transportation Infrastructure project an appropriation to the General Fund in Community Development (Fund 01) in an amount up to \$374,000 is required.

ENVIRONMENTAL REVIEW

Grant acceptance 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.

ATTACHMENT

Attachment 1 - Resolution No. 11027 - A Resolution Accepting Four Green Means Go Grant Awards to Further Housing Program Goals and Appropriation of Funds.

Submitted,



Pam Johns,
Community Development Director

ATTACHMENT 1

**RESOLUTION NO. 11027 - A RESOLUTION ACCEPTING FOUR GREEN MEANS GO
GRANT AWARDS TO FURTHER HOUSING PROGRAM GOALS AND APPROPRIATION
OF FUNDS**

RESOLUTION NO. 11027**A RESOLUTION ACCEPTING FOUR GREEN MEANS GO GRANT AWARDS TO FURTHER HOUSING PROGRAM GOALS AND APPROPRIATION OF FUNDS**

WHEREAS, the Sacramento Area Council of Governments (SACOG) 2022 Green Means Go grant program is designed to fund non-transportation infrastructure and planning that accelerates infill housing within locally adopted Green Zones and supports housing affordability; and

WHEREAS, eligible project sponsors (i.e., lead applicants) are the 22 cities and six counties within the SACOG region; and

WHEREAS, for the 2022 funding round, the grant program included three competitive grant categories associated with this funding: Early Activation, Planning, and Capital; and

WHEREAS, on September 13, 2022, City Council approved Resolution No. 10916 authorizing an application for the Early Activation grant category for on-site infrastructure and planning activities associated with the Habitat for Humanity of Greater Sacramento (Habitat) development of ten for-sale affordable housing units at 300 Persifer Street; and

WHEREAS, on October 25, 2022, the City Council approved Resolution No. 10937 authorizing additional Green Means Go grant applications under the Planning and Capital categories; and

WHEREAS, the total requested in Green Means Go grants was \$1,338,000 for the following projects:

1. 300 Persifer Street Non-Transportation Infrastructure (Early Activation \$730,000)
2. Natoma St/Persifer St Alley Storm Drain Hydraulic Analysis (Planning \$40,000)
3. Multi-Family and Mixed-Use Objective Design and Development Standards (Planning \$243,000)
4. Bidwell Street Storm Drain Replacement (Capital \$325,000)

WHEREAS, the City received a partial award for the Early Activation grant (\$374,000) and full award for the remaining three Planning and Capital Green Means Go grants requested (\$608,000) for qualifying projects in the total combined amount of \$982,000, with no City match required; and

WHEREAS, under Resolution No. 10936, an appropriation to the General Plan Fund (Fund 225) in an amount of up to \$250,000 was previously authorized for the Multi-Family and Mixed-Use Objective Design and Development Standards project; and

WHEREAS, the two drainage related projects (Bidwell Street Storm Drain Replacement and Natoma St/Persifer St Alley Storm Drain Hydraulic Analysis) require an appropriation to the Drainage Improvement Fund (Fund 448) in an amount up to \$365,000; and

WHEREAS, the 300 Persifer Street Non-Transportation Infrastructure project requires an appropriation to the General Fund in Community Development (Fund 010.2300) in an amount up to \$374,000; and

WHEREAS, grant acceptance is not considered a project under the California Environmental Quality Act (CEQA).

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Folsom hereby:

1. Approves the acceptance of four grant awards from the SACOG Green Means Go Grant Program in the total amount of \$982,000;
2. Appoints the Community Development Director, as agent of the City of Folsom to conduct all negotiations, execute and submit all documents, including, but not limited to applications, agreements, amendments, payment requests, which may be necessary for the completion of the aforementioned projects;
3. Authorizes the Chief Financial Officer to increase revenue estimates and expenditure appropriations by \$365,000 to the Drainage Improvement Fund (Fund 448); and
4. Authorizes the Chief Financial Officer to increase revenue estimates and expenditure appropriations by \$374,000 to the General Fund in Community Development (Fund 010).

PASSED AND ADOPTED this 25th day of April 2023, by the following roll-call vote:

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

Rosario Rodriguez, MAYOR

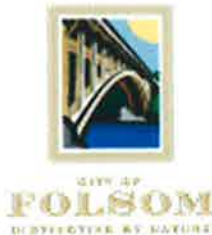
ATTEST:

Christa Freemantle, CITY CLERK

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CITY OF
FOLSOM
DISTINCTIVE BY NATURE



Folsom City Council Staff Report

MEETING DATE:	4/25/2023
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 11028 – A Resolution Authorizing the City Manager to Execute an Agreement with Mozingo Construction, Inc. for the Construction of the Folsom Boulevard 27-Inch Trunk Sewer Project (SECAP)
FROM:	Environmental and Water Resources Department

RECOMMENDATION / CITY COUNCIL ACTION

The Environmental and Water Resources Departments recommends that the City Council pass and adopt Resolution No. 11028 – A Resolution Authorizing the City Manager to Execute an Agreement with Mozingo Construction, Inc. for the Construction of the Folsom Boulevard 27-Inch Trunk Sewer Project (SECAP).

BACKGROUND / ISSUE

The Environmental and Water Resources (EWR) Department identifies sewer infrastructure rehabilitation and replacement projects through sewer master plans and ongoing sewer condition assessment programs. As part of the City's Sewer System Management Plan for its wastewater collection system, the EWR Department performs ongoing condition assessments on the wastewater system and corrects any defects/deficiencies identified through this process. Through these efforts, City staff identified the Folsom Boulevard 27-inch Trunk Sewer Project as needing improvements.

This project involves the construction and operation of a parallel 21-inch sewer line adjacent to the City's existing 27-inch Folsom Boulevard Trunk Sewer. The existing sewer line has potential near-term capacity concerns due to rain derived inflow and infiltration conditions, and in the long-term, requires additional capacity to provide General Plan and ultimate build-out growth capacity. The purpose of the parallel 21-inch gravity sewer line is to provide wet weather flow capacity/redundancy.

This resolution authorizes the City Manager to execute an agreement with Mozingo Construction, Inc. for the construction of the Folsom Boulevard 27-Inch Trunk Sewer Project (SECAP) in the amount of \$4,918,900, and the budget for this agreement to include a 10% contingency in the amount of \$491,890.

POLICY / RULE

Section 2.36.120 of the Folsom Municipal Code states, in part, that contracts for supplies, equipment, services, and construction with an estimated value of \$70,952 or greater shall be awarded by the City Council.

ANALYSIS

The City completed plans and specifications for the Folsom Boulevard 27-Inch Trunk Sewer Project (SECAP) and publicly advertised for bids in the February 28th, 2023 edition of the Sacramento Bee. In addition, the City provided these documents to www.ciplist.com which is picked up by several area builders' exchanges.

Bids were submitted by ARB, Inc., Mozingo Construction, Inc., Mountain Cascade, Inc., and McGuire and Hester on March 28th, 2023. At the time of bid opening, ARB, Inc. was the apparent low bidder. On March 29th, 2023, ARB, Inc. notified city staff of a material mistake in their bid and requested in writing relief of their bid in accordance with the city's general provisions and public contract code. Therefore, ARB Inc.'s bid was withdrawn from consideration for the Folsom Boulevard 27-Inch Trunk Sewer Project (SECAP).

The EWR Department received the following bids on March 28th, 2023, for construction of the Folsom Boulevard 27-Inch Trunk Sewer Project (SECAP):

Contractor	Bid Amount
ARB, Inc.	\$3,799,400 (withdrawn)
Mozingo Construction, Inc.	\$4,918,900
Mountain Cascade, Inc.	\$6,165,390
McGuire and Hester	\$6,190,765

Staff has reviewed the bids submitted and has determined that Mozingo Construction, Inc. is the lowest responsible and responsive bidder who meets the requirements and specifications set forth in the invitation for bids.

FINANCIAL IMPACT

The EWR Department recommends that the contract be awarded to the lowest responsible, responsive bidder, Mozingo Construction, Inc. for \$4,918,900 with the project budgeted for this agreement in the amount of \$5,410,790 which will include a 10% contingency in the amount of \$491,890.

Approximate project costs to date include design, construction administration services, and construction management and inspection services, and total approximately \$1,399,382. The Folsom Boulevard 27-Inch Trunk Sewer Project (SECAP) is included in the Capital Improvement Plan with a Fiscal Year 2022-23 project budget of \$7,471,945. Sufficient funds are budgeted and available in the Sewer Operating (Fund 530) and the Sewer Capital Fund (Fund 531) in Fiscal Year 2022-23.

ENVIRONMENTAL REVIEW

The Folsom Boulevard 27-Inch Trunk Sewer Project (SECAP) was designed to avoid direct and indirect impacts to the environment. Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15303 (d), the proposed project consists of construction and installation of a sewer line of reasonable length to serve the needs of the City of Folsom. Pursuant to CEQA Guidelines Section 15301 (b), the project will accommodate current flow conditions and provide redundancy to the existing sewer system in the City of Folsom. Each segment of the proposed project was designed and will be constructed to avoid environmentally sensitive areas. The project design placed the pipeline mainly within roadways and as far away as possible from environmentally sensitive areas. The proposed new pipeline will be located on the same site as the existing public utilities pipeline. The overall design of the project has no significant impacts to the environment and will be exempt from CEQA review.

ATTACHMENT

Resolution No. 11028 – A Resolution Authorizing the City Manager to Execute an Agreement with Mazingo Construction, Inc. for the Construction of the Folsom Boulevard 27-Inch Trunk Sewer Project (SECAP)

Submitted,

Marcus Yasutake, Director
ENVIRONMENTAL AND WATER RESOURCES DEPARTMENT

RESOLUTION NO. 11028

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH MOZINGO CONSTRUCTION, INC. FOR THE CONSTRUCTION OF THE FOLSOM BOULEVARD 27-INCH TRUNK SEWER PROJECT (SECAP)

WHEREAS, the City is currently implementing its Sanitary Sewer System Management Plan which consists of condition assessment, as well as operation and system improvements; and

WHEREAS, the City is continuing to update its System Evaluation and Capacity Assurance Plan to identify recommended system capacity improvements; and

WHEREAS, the City has identified this project to help proactively ensure that future General Plan and build out sewer flow conditions are accounted for in the ultimate operation of the sanitary sewer collection system; and

WHEREAS, the project is categorically exempt from environmental review under the California Environmental Quality Act; and

WHEREAS, plans and specifications were prepared for this work and publicly advertised for bids on February 28, 2023; and

WHEREAS, Mozingo Construction, Inc. was the lowest responsible and responsive bidder, with an amount of \$4,918,900; and

WHEREAS, this project is included in the FY 2022-23 Capital Improvement Plan with a project budget of \$7,471,945; and

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

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Folsom authorizes the City Manager to execute an Agreement with Mozingo Construction, Inc. for the Construction of the Folsom Boulevard 27-Inch Trunk Sewer Project (SECAP) for a not-to-exceed amount of \$4,918,900 with the budgeted amount to include a 10% contingency of \$491,890 for a total of \$5,410,790.

PASSED AND ADOPTED this 25th day of April 2023, by the following roll-call vote:

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

Rosario Rodriguez, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

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CITY OF
FOLSOM
DISTINCTIVE BY NATURE



CITY OF
FOLSOM
DISTINGUISHED BY NATURE

Folsom City Council Staff Report

MEETING DATE:	4/25/2023
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 11029 - A Resolution Authorizing the City Manager to Execute an Agreement with Psomas for Construction Management and Inspection Services for the Folsom Boulevard 27-Inch Trunk Sewer Project (SECAP)
FROM:	Environmental and Water Resources Department

RECOMMENDATION / CITY COUNCIL ACTION

The Environmental and Water Resources Department recommends the City Council pass and adopt Resolution No. 11029 - A Resolution Authorizing the City Manager to Execute an Agreement with Psomas for Construction Management and Inspection Services for the Folsom Boulevard 27-Inch Trunk Sewer Project (SECAP).

BACKGROUND / ISSUE

The Environmental and Water Resources (EWR) Department identifies sewer infrastructure rehabilitation and replacement projects through sewer master plans and ongoing sewer condition assessment programs. As a condition of the City’s State permit for its wastewater collection system, the EWR Department is required to perform ongoing condition assessments on the wastewater system and correct any defects/deficiencies identified through this process. Through these efforts, City staff identified the Folsom Boulevard 27-Inch Trunk Sewer Project (SECAP) as needing improvement.

This project involves the construction and operation of a parallel 21-inch sewer line adjacent to the City’s existing 27-inch Folsom Boulevard Trunk Sewer. The existing sewer line has potential near-term capacity concerns due to rain derived inflow and infiltration conditions, and in the long-term, requires additional capacity to provide General Plan and ultimate build-out growth capacity. The purpose of the parallel 21-inch gravity sewer line is to provide wet weather flow capacity/redundancy.

This resolution will authorize the City Manager to execute an agreement with Psomas for Construction Management and Inspection Services for the Folsom Boulevard 27-Inch Trunk Sewer Project (SECAP) in the amount of \$403,145, and the budget for this agreement to include a 10% contingency in the amount of \$40,34.50 for a total not-to-exceed amount of \$443,459.50.

POLICY / RULE

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

ANALYSIS

In October 2018, the EWR Department completed a pre-qualification process for consultants for design and construction administration services for water and wastewater projects. The consulting firms Hydrosience Engineers, Psomas, and West Yost & Associates, Inc. were among a group of firms selected to provide these services for this type of project through this previously completed pre-qualification process.

On February 24th, 2023, the City requested proposals from consultants to provide construction management services consisting of full-time, on-site inspection, project schedule tracking, review and/or coordination of project submittals, coordination with the other on-going City construction projects, labor compliance review, customer coordination, materials testing, and overall owner representation throughout construction of the Folsom Boulevard 27-Inch Trunk Sewer Project. On March 23rd, 2023, EWR received proposals from Psomas and West Yost & Associates, Inc. HydroScience informed the City that they would pass on the Folsom Boulevard Construction Management and Inspection Project due to their current workload and resource constraints.

The two other proposals were evaluated by three EWR staff members for technical evaluation prior to reviewing project costs. The proposals were reviewed and scored for project understanding, project team staffing, and recent relevant experience. The technical evaluations were scored as shown in Table 1.

Consultant	EWR 1	EWR 2	EWR 3	Total	Average
Psomas	62.0	63.0	73.0	198.0	66.0
West Yost & Associates	58.0	58.0	71.0	187	62.3
HydroScience Engineers	N/A	N/A	N/A	N/A	N/A

Table 1: Consultant Technical Scores without Costs

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

Consultant	Fee Amount
Psomas	\$403,145
West Yost & Associates	\$519,382
HydroScience Engineers	N/A

Table 2: Consultant Project Costs

Psomas was determined to provide the best value to the City based on the fee amount, past municipal project experience involving work of similar scope and complexity including staff coordination and technical knowledge and expertise for these types of projects. Psomas included a detailed and thorough project understanding as well as past relevant construction project experience. Table 3 shows the overall total scores including project costs based on a maximum score of 100.

Consultant	Technical Score (Avg.)	Cost Score	Total Score
Psomas	66.0	25.0	91.0
West Yost & Associates	62.3	19.4	81.7
HydroScience Engineers	N/A	N/A	N/A

Table 3: Consultant Overall Scoring Including Project Costs

This resolution will authorize the City Manager to execute an agreement with Psomas for Construction Management & Inspection services during construction for the Folsom Boulevard 27-Inch Trunk Sewer Project (SECAP) in the amount of \$403,145. Staff is requesting the budget for the project and this agreement to include a 10% contingency in the amount of \$40,314 for a total not-to-exceed amount of \$443,459.

FISCAL IMPACT

The Folsom Boulevard 27-Inch Trunk Sewer Project (SECAP) is included in the Capital Improvement Plan with a Fiscal Year 2022-23 project budget of \$7,471,945. Sufficient funds are budgeted and available in the Sewer Operating (Fund 530) and the Sewer Capital Fund (Fund 531) in Fiscal Year 2022-23 and the EWR Department recommends that the contract be awarded to Psomas in the amount of \$403,145, and the budget for this agreement to include a 10% contingency in the amount of \$40,314 for a total not-to-exceed amount of \$443,459.

ENVIRONMENTAL REVIEW

The Folsom Boulevard 27-Inch Trunk Sewer Project (SECAP) was designed to avoid direct and indirect impacts to the environment. Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15303 (d), the proposed project consists of construction and installation of a sewer line of reasonable length to serve the needs of the City of Folsom. Pursuant to CEQA Guidelines Section 15301 (b), the project will accommodate current flow conditions and provide redundancy to the existing sewer system in the City of Folsom. Each segment of the proposed project was designed and will be constructed to avoid environmentally sensitive areas. The project

design placed the pipeline mainly within roadways and as far away as possible from environmentally sensitive areas. The proposed new pipeline will be located on the same site as the existing public utilities pipeline. The overall design of the project has no significant impacts to the environment and will be exempt from CEQA review.

ATTACHMENT

Resolution No. 11029 - A Resolution Authorizing the City Manager to Execute an Agreement with Psomas for Construction Management & Inspection services during construction for the Folsom Boulevard 27-Inch Trunk Sewer Project (SECAP)

Submitted,

Marcus Yasutake, Director
ENVIRONMENTAL AND WATER RESOURCES DEPARTMENT

RESOLUTION NO. 11029

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH PSOMAS FOR CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES FOR THE 27-INCH TRUNK SEWER PROJECT (SECAP)

WHEREAS, the City is currently implementing its Sanitary Sewer System Management Plan which consists of condition assessment, as well as operation and system improvements; and

WHEREAS, the City is continuing to update its System Evaluation and Capacity Assurance Plan to identify recommended system capacity improvements; and

WHEREAS, the City has identified this project to help proactively ensure that future General Plan and build out sewer flow conditions are accounted for in the ultimate operation of the sanitary sewer collection system; and

WHEREAS, the project is categorically exempt from environmental review under the California Environmental Quality Act; and

WHEREAS, PSOMAS by reason of their past experience and abilities for performing these types of services, are qualified to perform the required construction management and inspection services for the project; and

WHEREAS, sufficient funds are budgeted and available in the Sewer Operating Fund (Fund 530) and the Sewer Capital Fund (Fund 531) in the amount of \$403,145; and

WHEREAS, staff is requesting a contingency of 10% be added for unforeseen conditions during construction and the contingency amount would be \$40,314; and

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

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Folsom authorizes the City Manager to execute an agreement with PSOMAS for Construction Management and Inspection Services for the Folsom Boulevard 27-Inch Trunk Sewer Project (SECAP) for a not-to-exceed amount of \$403,145 with the budgeted amount to include a 10% contingency of \$40,314, for a total of \$443,459; and

PASSED AND ADOPTED this 25th day of April 2023, by the following roll-call vote:

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

Rosario Rodriguez, MAYOR

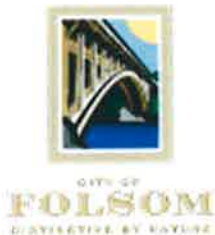
ATTEST:

Christa Freemantle, CITY CLERK

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CITY OF
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Folsom City Council Staff Report

MEETING DATE:	4/25/2023
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 11030 - A Resolution Adopting a List of Projects for Fiscal Year 2023-24 to be Funded by Senate Bill 1: The Road Repair and Accountability Act
FROM:	Public Works Department

RECOMMENDATION / CITY COUNCIL ACTION

The Public Works Department recommends that the City Council pass and adopt Resolution No. 11030 - A Resolution Adopting a List of Projects for Fiscal Year 2023-24 to be Funded by Senate Bill 1: The Road Repair and Accountability Act.

BACKGROUND / ISSUE

On April 28, 2017, California Governor Brown signed into law Senate Bill 1 (SB-1) which establishes the Road Maintenance and Rehabilitation Account (RMRA) to address deferred maintenance on the state highway and local street and road systems. The Bill states that funds shall be used for projects that include, but are not limited to, the following:

- Road maintenance and rehabilitation
- Safety projects
- Railroad grade separations
- Complete street components, including active transportation purposes, pedestrian and bicycle safety projects, transit facilities, and drainage and stormwater capture projects
- Traffic control devices
- Match for state/federal funds for eligible projects

The City of Folsom is estimated to receive approximately \$2.09 million of RMRA funds for Fiscal Year 2023-24.

The Fiscal Year 2022-23 SB-1 funds will be utilized for the On-Call Concrete and Asphalt Repair Project FY22-23 and the Pavement Resurfacing Project Fiscal Year 2022-23 which includes Blue Ravine Road between Prairie City Road and East Bidwell Street. The City of Folsom currently has an overall Pavement Condition Index (PCI) value of 70, which is described as “Good” according to StreetSaver, the software program that is utilized by the Public Works Department to manage the City’s Pavement Management Program. Future projections show that at the pre-SB-1 funding level, this PCI value would degrade to 42 (Poor) by year 2037, and the value 32 (Very Poor) by the year 2045. Due to this rapid, yet expected, degradation of the pavement system, this SB-1 funding source is valuable in helping to maintain the City of Folsom’s overall pavement network. Natoma Street Drainage Project (Phase 3) and Willow Creek Estates Storm Drain Lining are required to maintain the roads above the drainage systems due to the degradation of each drainage facility.

In order to receive SB-1 funds, local agencies are required by the California Transportation Commission (CTC) to annually submit a list of projects that may be constructed and funded with RMRA funds, and the list must be part of an approved Resolution. The list of projects allows the City to scope the Capital Improvements to meet the available funding.

The Public Works Capital Improvement Projects identified to utilize SB-1 funding are as follows:

Project	Project Completion	Estimated Useful Life
Pavement Resurfacing Project FY 23-24	June 2024	25 year life
<ul style="list-style-type: none"> • Blue Ravine Road (East Bidwell Street to Oak Avenue Parkway) • Willow Creek Estates East • Briggs Ranch • Rancho Diablo 		
On-Call Concrete & Asphalt Repair FY23-24	June 2024	50 year life
Natoma Street Drainage Project (Phase 3)	June 2024	50 year life
Willow Creek Estates Storm Drain Lining (Phase 3)	June 2024	50 year life

POLICY / RULE

The California Transportation Commission (CTC) requires any agency that will receive funding from SB-1 to submit a list of projects that is part of an adopted Resolution.

ANALYSIS

Staff has reviewed the most recent SB-1 reporting and spending requirements and found them to be reasonable and realistic to achieve.

FINANCIAL IMPACT

RMRA revenue for Fiscal Year 2023-24 is estimated to be \$2.09 million. Adopting this list of eligible projects authorizes staff to use the Fiscal Year 2023-24 funding for the projects on the list.

ENVIRONMENTAL REVIEW

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

ATTACHMENTS

Resolution No. 11030- A Resolution Adopting a List of Projects for Fiscal Year 2023-24 to be Funded by Senate Bill 1: The Road Repair and Accountability Act

Submitted,

Mark Rackovan, PUBLIC WORKS DIRECTOR

RESOLUTION NO. 11030

**A RESOLUTION ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2023-24 TO
BE FUNDED BY SENATE BILL 1: THE ROAD REPAIR AND ACCOUNTABILITY
ACT**

WHEREAS, Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017) was passed by the Legislature and signed into law by California Governor Brown in April 2017 in order to address the significant multi-modal transportation funding shortfalls statewide; and

WHEREAS, SB 1 includes accountability and transparency provisions that will ensure that Folsom residents are aware of the projects proposed for funding in their community and which projects have been completed each Fiscal Year; and

WHEREAS, the City must pass a resolution adopting a list of eligible projects proposed to receive funding from the Road Maintenance and Rehabilitation Account (RMRA), created by SB 1, which must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement; and

WHEREAS, the list of projects will include projects that may not be completed in the fiscal year allotted due to available funding; and

WHEREAS, the City will receive an estimated \$2.09 million in RMRA funding from SB 1 in Fiscal Year 2023-24; and

WHEREAS, this is the seventh year in which the City is receiving SB 1 funding that will enable the City to continue essential pavement resurfacing and drainage projects that would not have otherwise been possible without SB 1; and

WHEREAS, the City used a combination of the Pavement Management System and known priorities to develop the SB 1 project list to ensure revenues are being used on the most high-priority and cost-effective pavement resurfacing projects that also meet Folsom's priorities for transportation investment; and

WHEREAS, the SB 1 project list and overall investment in Folsom's local streets and roads infrastructure — with a focus on basic maintenance and safety, investing in the complete streets infrastructure, and using cutting edge technology, materials and practices — will have significant positive co-benefits citywide:

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 approves this Resolution adopting the below list of projects to be funded in FY 2023-24 by Senate Bill 1: The Road Repair and Accountability Act.

Project	Project Completion	Estimated Useful Life
Pavement Resurfacing Project FY 23-24	June 2024	25 year life
<ul style="list-style-type: none"> • Blue Ravine Road (East Bidwell Street to Oak Avenue Parkway) • Willow Creek Estates East • Briggs Ranch • Rancho Diablo 		
On-Call Concrete & Asphalt Repair FY23-24	June 2024	50 year life
Natoma Street Drainage Project (Phase 3)	June 2024	50 year life
Willow Creek Estates Storm Drain Lining (Phase 3)	June 2024	50 year life

PASSED AND ADOPTED this 25th day of April 2023, by the following roll-call vote:

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

Rosario Rodriguez, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

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