



CITY OF
FOLSOM
DISTINCTIVE BY NATURE

Agenda

City Council Regular Meeting

City Council Chambers | 50 Natoma Street, Folsom CA 95630

October 27, 2020

6:30 PM

Welcome to Your City Council Meeting

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

Participation

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




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

Reasonable Accommodations

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

How to Watch

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

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

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



City Council Regular Meeting

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

Tuesday, October 27, 2020 6:30 PM

Sarah Aquino, Mayor

Ernie Sheldon, Vice Mayor
Kerri Howell, Council Member

Mike Kozlowski, Council Member
Andy Morin, Council Member

REGULAR CITY COUNCIL AGENDA

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

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

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

CALL TO ORDER

ROLL CALL:

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

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

PLEDGE OF ALLEGIANCE

AGENDA UPDATE

BUSINESS FROM THE FLOOR:

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

SCHEDULED PRESENTATIONS:

- [1.](#) Presentation Regarding the Sustainable Groundwater Management Act and the Groundwater Sustainability Plan
- [2.](#) Copper Pipe Pinhole Leak Investigation - Update

CONSENT CALENDAR:

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

- [3.](#) Approval of the October 13, 2020 Regular Meeting Minutes
- [4.](#) Ordinance No. 1309 – An Ordinance of the City of Folsom Amending Sections 12.20.020 and 12.20.030 of the Folsom Municipal Code Governing Encroachments on Public Property (Second Reading and Adoption)
- [5.](#) Resolution No. 10506 – A Resolution Authorizing the Police Department to Accept a Sacramento Regional Office of Homeland Security Grant in the Amount of \$250,000 and Appropriation of Funds
- [6.](#) Resolution No. 10536 – A Resolution Authorizing the City Manager to Execute an Agreement with Water Systems Consulting, Inc. for Professional Services for the 2020 Urban Water Management Plan
- [7.](#) Resolution No. 10537 – A Resolution Authorizing the City Manager to Execute an Agreement with Badger Meter, Inc. to Purchase Badger Cellular Endpoints for a Three Year Pilot Automated Metering Infrastructure Network for the City of Folsom Water Meter Division
- [8.](#) Resolution No. 10538 - A Resolution Authorizing the City Manager to Execute an Agreement with West Yost & Associates, Inc. for Construction Management and Inspection Services for the Water Treatment Plant Pre-Treatment System Improvement Project
- [9.](#) Resolution No. 10539 - A Resolution Authorizing the City Manager to Execute an Agreement with Lorang Brothers Construction, Inc. for the Construction of the Water Treatment Plant Pre-Treatment System Improvement Project
- [10.](#) Resolution No. 10543 - A Resolution Authorizing the City Manager to Execute an Agreement with Western Water Features, Inc. for the Steve Miklos Aquatic Center Swimming Pool Renovation Project
- [11.](#) Resolution No. 10547 - A Resolution of the City Council of the City of Folsom Designating Green Zones Within the City to Promote Infill Development and Reduce Existing Barriers and Provide New Transportation Options
- [12.](#) Resolution No. 10548 - A Resolution of the City Council of the City of Folsom Approving Application(s) for Per Capita Grant Funds
- [13.](#) Resolution No. 10540 – A Resolution Authorizing the City Manager to Execute a Memorandum of Understanding Agreement with the Capital SouthEast Connector Joint Powers Authority for

the Capital SouthEast Connector Segment D3(A), Project No. PW1607, Federal Project No. 5288(046)

- [14.](#) Resolution No. 10541 – A Resolution Authorizing the City Manager to Execute Updated Program Supplement Agreement with Caltrans for the Capital SouthEast Connector Segment D3(A), Project No. PW1607, Federal Project No. 5288(046)
- [15.](#) Resolution No. 10542 - A Resolution Authorizing the City Manager to Execute a Consultant Agreement with Dokken Engineering, Inc. for the Capital SouthEast Connector Segment D3(A), Project No. PW1607, Federal Project No. 5288(046)
- [16.](#) Resolution No. 10544 - A Resolution Authorizing the City Manager to Execute a Consultant Agreement with Salaber Associates, Inc. for the Capital Southeast Connector Segment D3(A), Project No. PW1607, Federal Project No. 5288(046)
- [17.](#) Resolution No. 10545 - A Resolution Authorizing the City Manager to Execute a Construction Agreement with Goodfellow Brothers, LLC for the Capital SouthEast Connector Segment D3(A), Project No. PW1607, Federal Project No. 5288(046)

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.

This page is intentionally left blank.



Folsom City Council Staff Report

MEETING DATE:	10/27/2020
AGENDA SECTION:	Scheduled Presentations
SUBJECT:	A Presentation Regarding the Sustainable Groundwater Management Act and the Groundwater Sustainability Plan
FROM:	Environmental and Water Resources Department

BACKGROUND / ISSUE

In 1998, as part of the Sacramento Area Water Forum (Water Forum), the City of Folsom began implementing the groundwater management element included in the Water Forum Agreement (WFA). This element of the WFA provided for the formation of a groundwater management authority for the South American Subbasin (SASb) called the Sacramento Central Groundwater Authority (SCGA). SASb is within an area south of the American River within the County of Sacramento. Sacramento Central Groundwater Authority (SCGA) was created pursuant to a joint powers agreements (JPA) between the City of Elk Grove, the City of Folsom, the City of Rancho Cordova, the City of Sacramento and the County of Sacramento,

In 2014, the state signed into law the Sustainable Groundwater Management Act (SGMA). SGMA aims for local and regional agencies to develop and implement sustainable groundwater management plans. The Executive Director of Sacramento Central Groundwater Authority, John Woodling, will provide an update to the City Council on the SGMA regulations, status of the groundwater management plan and overall schedule. This discussion will include the sustainability of the SASb, the Sustainable Groundwater Management Act (SGMA), the management and use of groundwater in SCGA, and future direction of SCGA.

Submitted,

Marcus Yasutake, Director
ENVIRONMENTAL AND WATER RESOURCES DEPARTMENT

This page is intentionally left blank.

South American Subbasin Groundwater Sustainability Plan Development

CITY OF FOLSOM CITY COUNCIL BRIEFING

SASb GSPWG:

- County of Sacramento
- Northern Delta
- Omochumne-Hartnell Water District
- Sacramento Central Groundwater Authority
- Sloughouse RCD

Oct. 27, 2020



Overview

- Sacramento Central Groundwater Authority
- SGMA Requirements
- South American Subbasin Background
- Groundwater Sustainability Plan (GSP) Development
- Sustainable Management Criteria, Monitoring, and Projects and Actions
- Public Outreach
- Q&A

Sacramento Central Groundwater Authority

10/27/2020 Item No. 1.

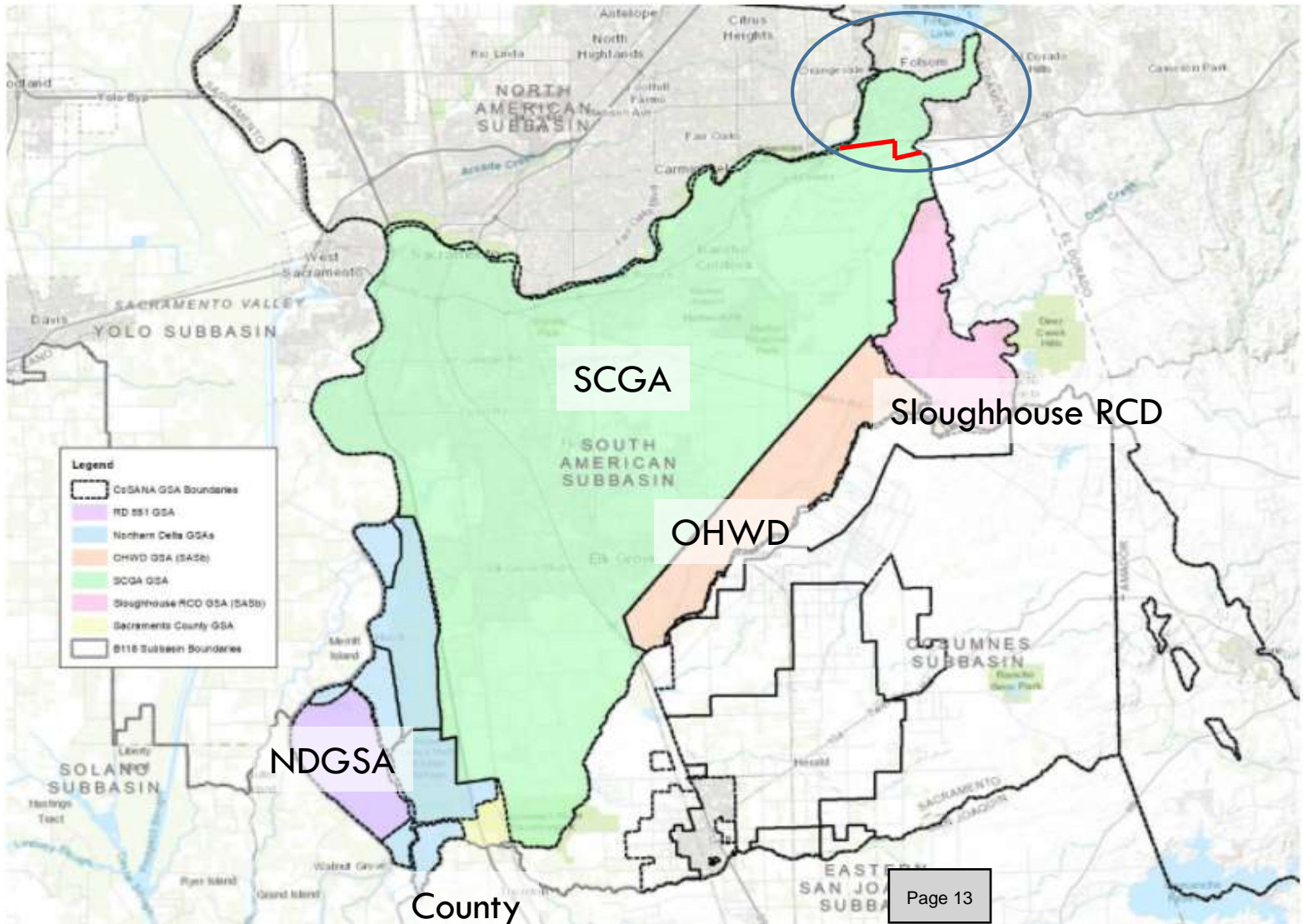
- SCGA was formed in 2006
- Joint Powers Agreement among County of Sacramento and Cities of Folsom, Elk Grove, Rancho Cordova and Sacramento
- 16 member Board of Directors including municipal and agricultural water suppliers, agriculture, ag-residential, conservation landowners, and self supplied industry
- JPA amendments will be coming to the City Council later this year

Sustainable Groundwater Management Act (SGMA)

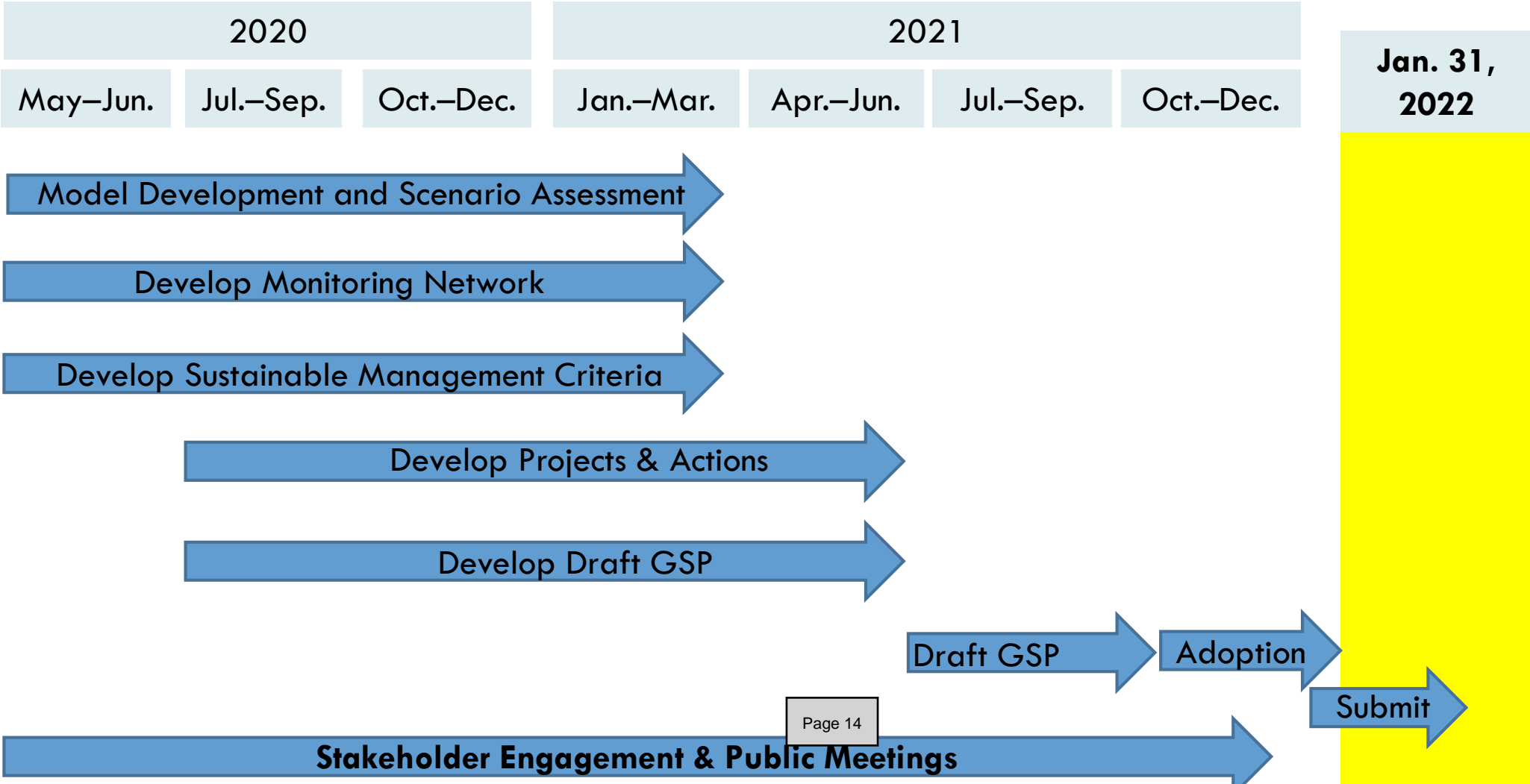
10/27/2020 Item No. 1.

- SGMA passed in 2014
- Requires
 - Creation of a Groundwater Sustainability Agency (GSA)
 - Completion of a Groundwater Sustainability Plan (GSP) by 2022
 - Achieving Sustainable Groundwater Management by 2042
- Failure to comply results in
 - State intervention
 - State fees

South American Subbasin








Groundwater Sustainability Plan Timeline



Summary of Groundwater Sustainability Plan Sections

A Groundwater Sustainability Plan has five chapters:

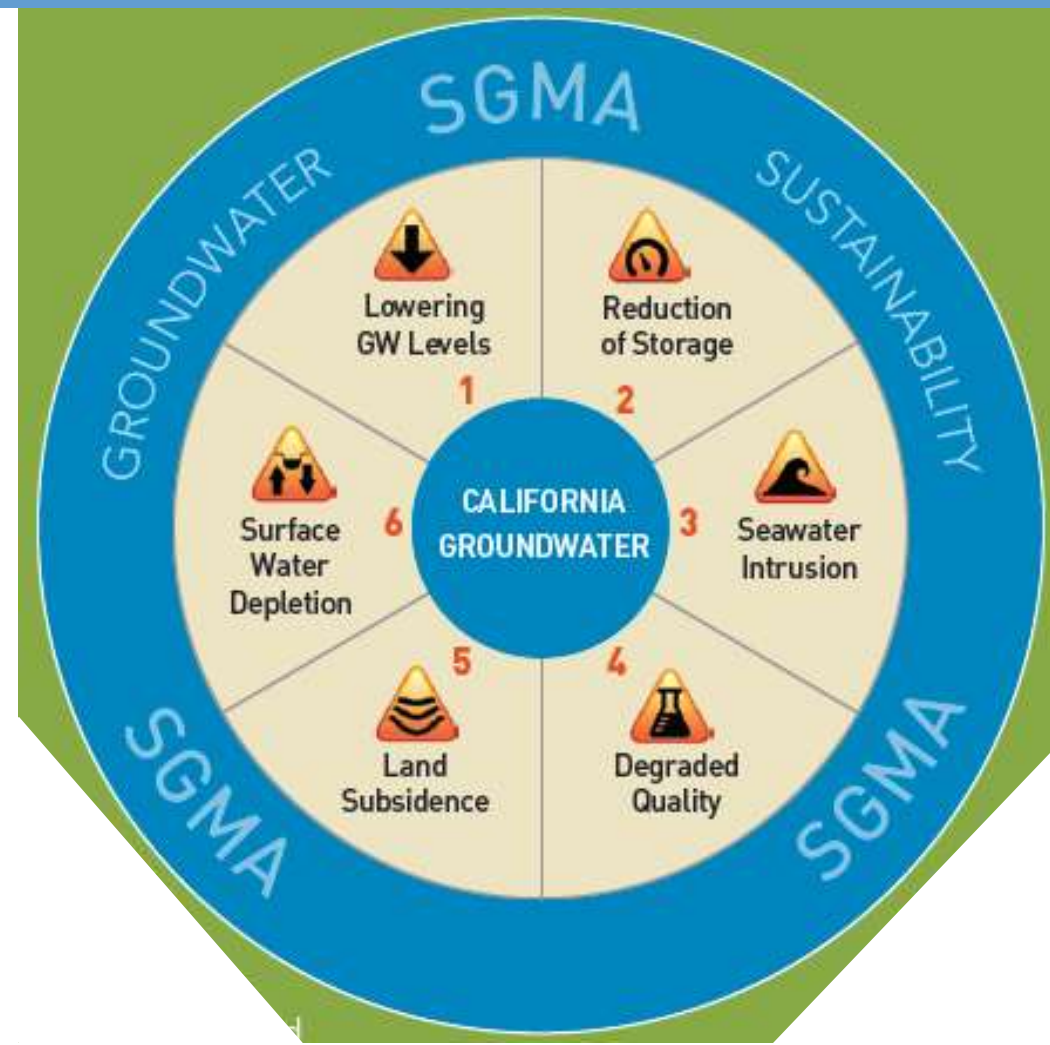
1. Introduction 
2. Plan Area and Basin Setting 
3. Sustainable Management Criteria 
4. Projects and Management Actions 
5. Plan Implementation 

Sustainability: Learning a New Language

Sustainable Management Criteria are the foundation of SGMA

- Lowering of groundwater levels
- Reduction of storage
- Depletion of surface waters
- Degraded water quality
- Land subsidence
- Seawater intrusion

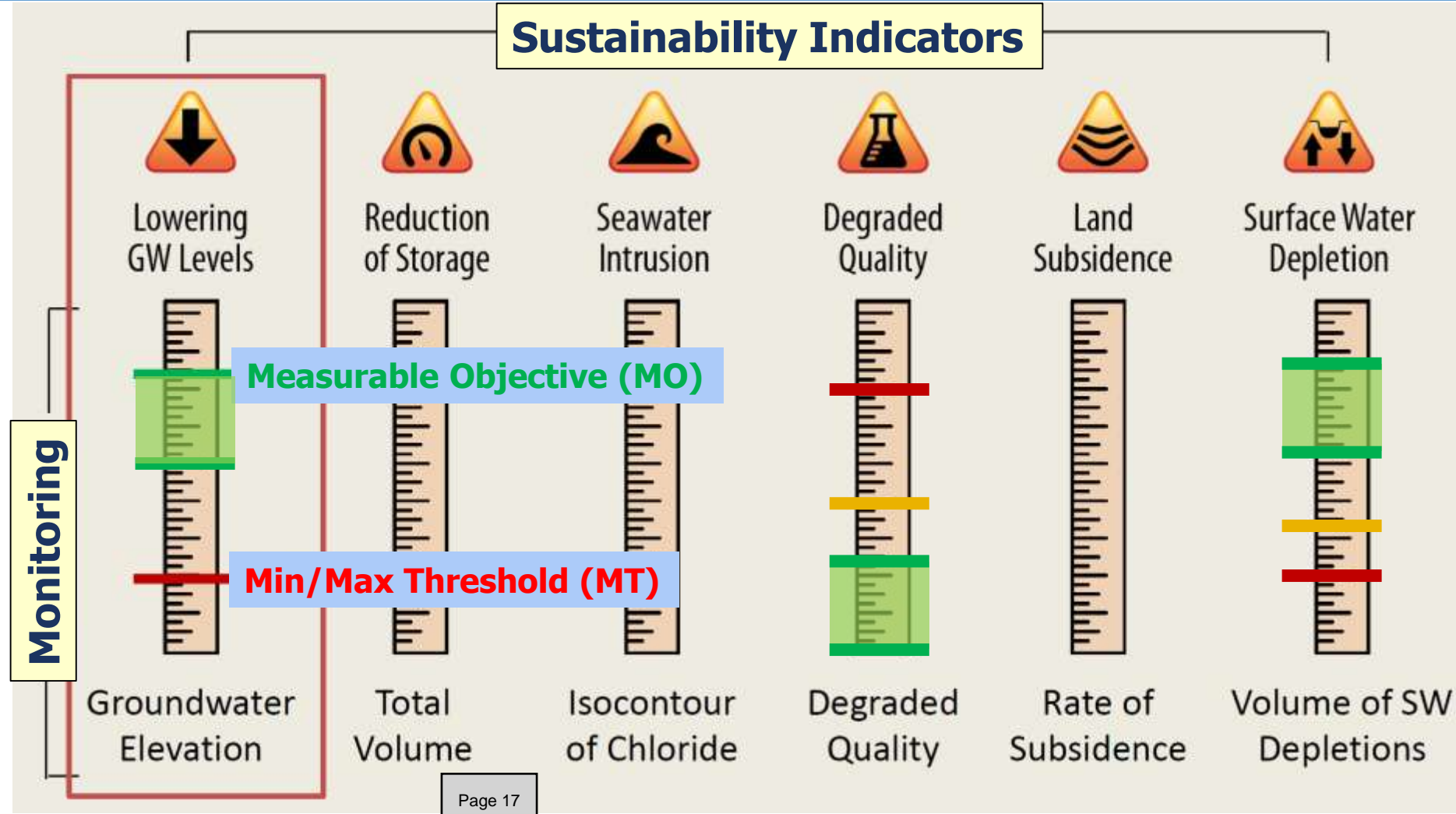
Undesirable Results are “significant and unreasonable” impacts of the above conditions



SASb will develop metrics for each applicable underlying result

10/27/2020 Item No. 1.

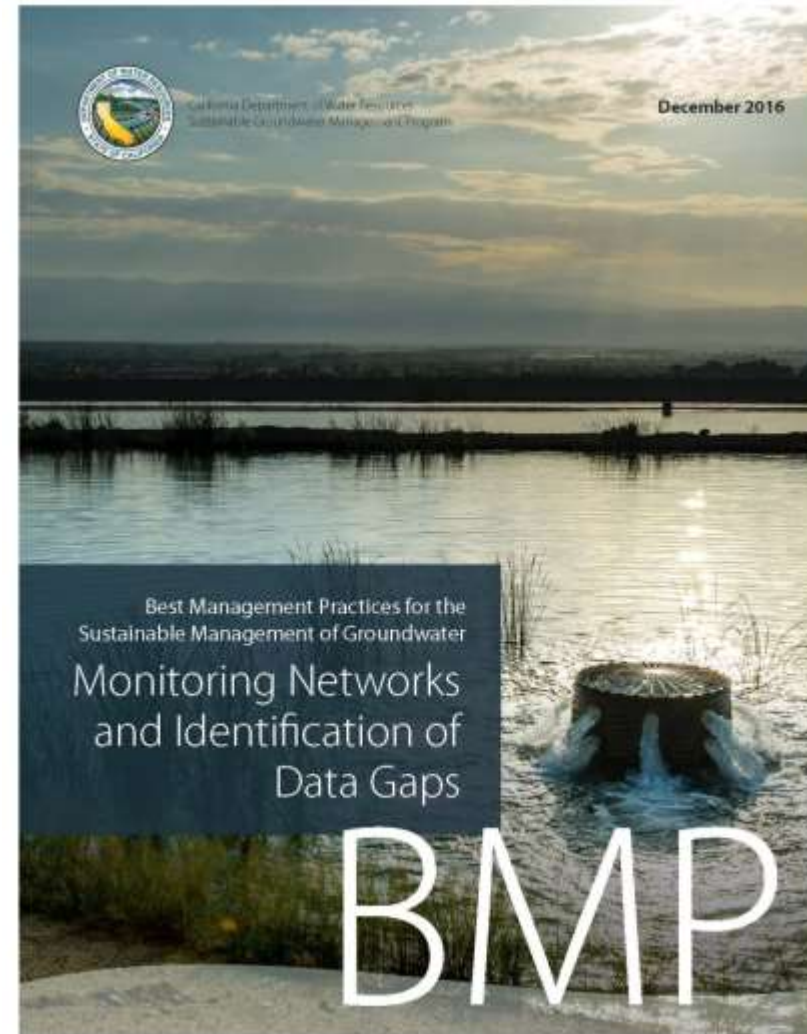
- **Measurable Objective:**
Goal that we want to strive for.
- **Minimum Threshold:**
Quantitative value reflecting what is significant and unreasonable. *The line we don't want to cross.*



The Monitoring Network will be the key Tool to Demonstrate Sustainability

10/27/2020 Item No. 1.

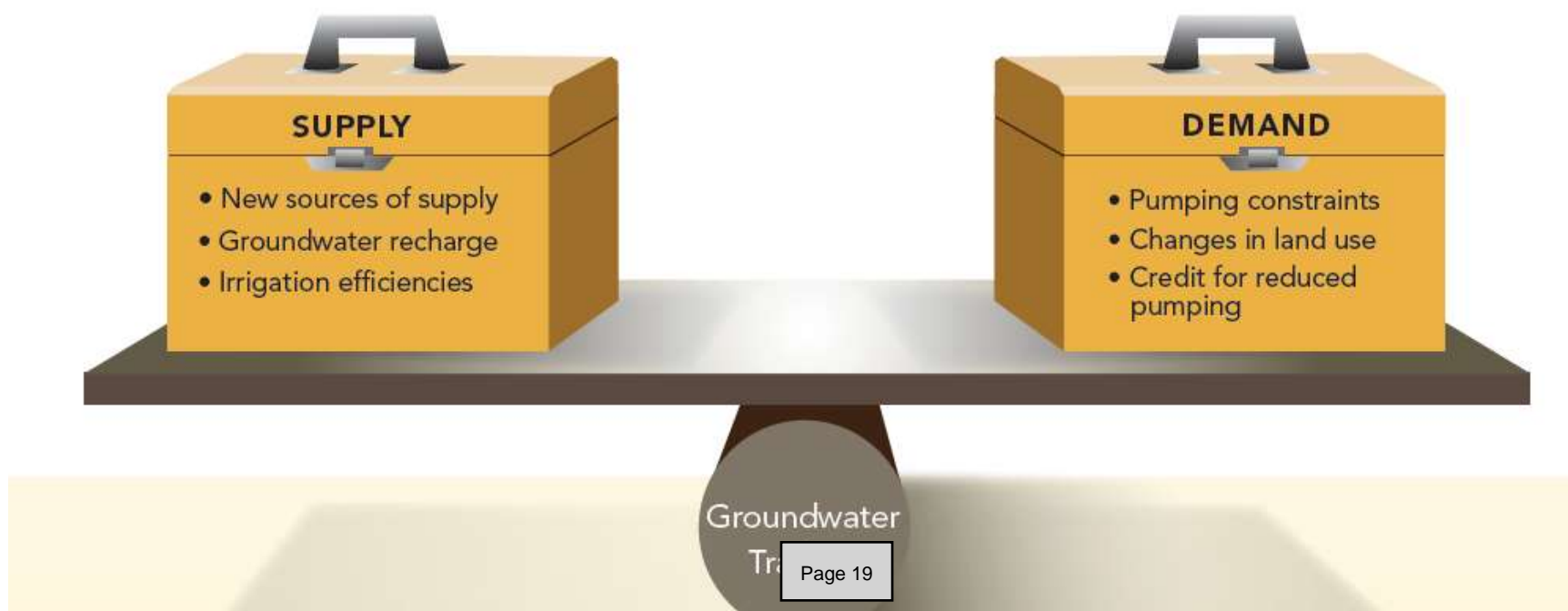
- Build on **existing** monitoring networks
- Select appropriate monitoring points for **representative** sampling
- Identify large gaps to be filled during **implementation**
- **We need stakeholder input and engagement!**



Projects and Management Actions

- Projects and Management Actions are the things we will do to achieve and maintain sustainability

Tools to balance supply and demand and help your
GSA reach sustainability



Public Outreach

SGMA has stringent requirements for stakeholder involvement

SASb will undertake

- Meetings of a GSP Working Group
- Public Informational Meeting
- Website and Fact Sheets
- Public meetings of GSA Boards
- Meetings with adjacent basins
- Meetings with targeted stakeholder groups, e.g. Ag-res, remediation sites.



What does this mean for Folsom

- SCGA's sustainable management of groundwater improves reliability of all the region's water supplies through conjunctive use
- Local control of water resources is maintained by SGMA compliance
- SCGA costs stabilize as agricultural, ag-res, and self-supplied users cover a share of costs

Questions?





CITY OF
FOLSOM
DISTINCTIVE BY NATURE

Folsom City Council Staff Report

MEETING DATE:	10/27/2020
AGENDA SECTION:	Scheduled Presentations
SUBJECT:	Copper Pipe Pinhole Leak Investigation - Update
FROM:	Environmental and Water Resources Department

BACKGROUND / ISSUE

Environmental and Water Resources Director, Marcus Yasutake, provide an update to the information shared with City Council on September 8, 2020 and October 13, 2020 related to the copper pipe pinhole leaks occurring within residences and businesses. The discussion will include information from the reports developed by Black and Veatch and Virginia Tech University. This will include information related to the water quality analysis and pipe forensics analysis.

Submitted,

 Marcus Yasutake, Director
 ENVIRONMENTAL AND WATER RESOURCES DEPARTMENT

This page is intentionally left blank.



City Council

Copper Pinhole Leaks – Consultant Report

October 27, 2020



CITY OF
FOLSOM

Consultant Analysis

10/27/2020 Item No.2.



CITY OF
FOLSOM

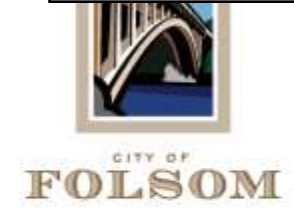
- **Water Quality Analysis – Black & Veatch**
 - Examined 10 years worth of City data
 - Chlorine, pH, sulfates, alkalinity, water hardness, metals
 - Regulatory compliance – State and Federal Drinking Water Standards
 - Specifically Lead and Copper Rule (LCR)
- **Pipe Forensics Analysis – Virginia Tech**
 - Pipe scale imagery
 - Associated elemental composition of the pipe scale
 - Percent composition of the scale

Lead and Copper Rule

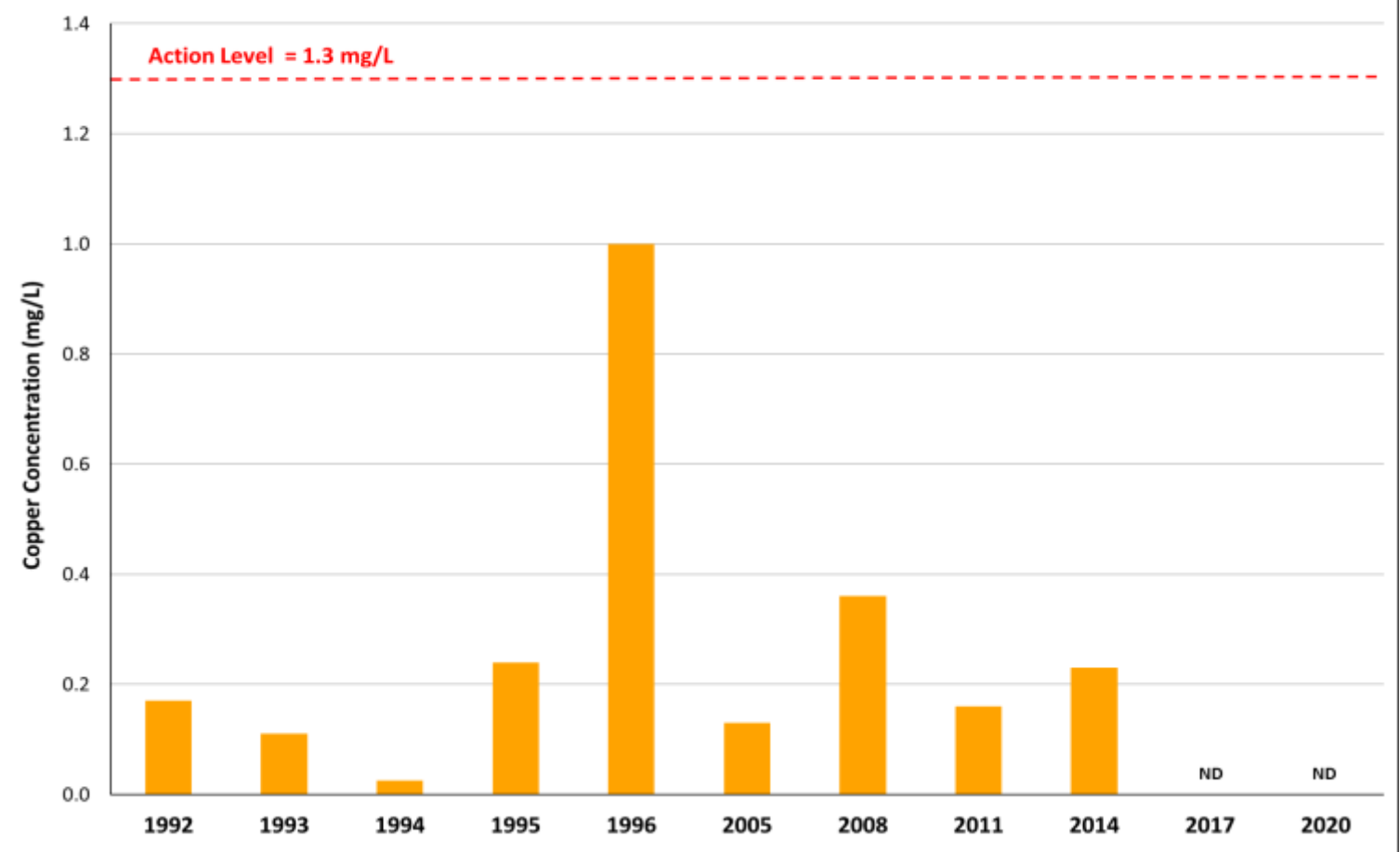


- 1986 Safe Drinking Water Act
 - Lead free plumbing – less than 8% lead content
- 1991 Lead and Copper Rule
 - Ensure lead and copper not leaching into drinking water
 - City required to sample 30 homes built before 1986
 - City selected over 50 homes to sample
- 2014
 - Rule updated to less than 0.2% lead content
- City qualified for triennial monitoring due to good results
 - Recent LCR sampling occurred in July 2020

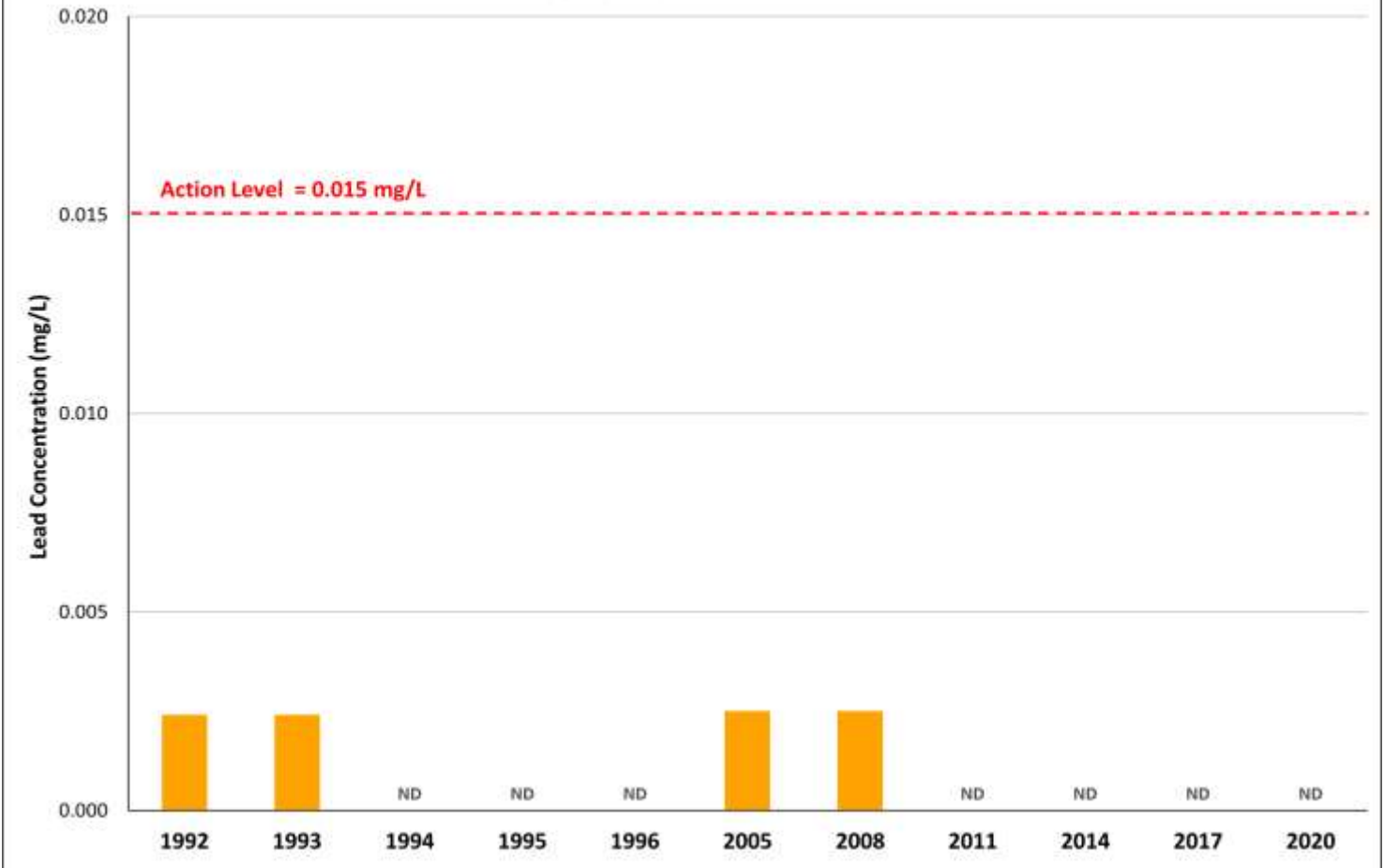
LCR Results



Lead and Copper Rule Compliance Monitoring
90th Percentile Copper Levels



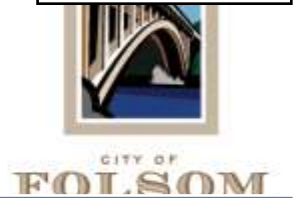
Lead and Copper Rule Compliance Monitoring
90th Percentile Lead Levels



City is in compliance and below the maximum contaminant limits (MCL) under the LCR

Water Quality Analysis – Key Parameters

10/27/2020 Item No.2.



ANALYTE	UNITS	MIN	5 TH PERCENTILE	AVERAGE	95 TH PERCENTILE	MAX	SECONDARY MCL
pH ¹	Standard units	6.1	7.1	8.2	9.2	10.45	6.5-8.5
Alkalinity ²	mg/L as CaCO ₃	18	18	25	34	35	–
Hardness ²	mg/L as CaCO ₃	12	17	23	31	33	–
Total Dissolved Solids (TDS) ²	mg/L	24	34	47	59	70	500
Calcium ²	mg/L	3.5	4.6	6.3	8.3	9.3	–
Magnesium ²	mg/L	1.1	1.1	2.0	3.0	4.8	–
Chloride ²	mg/L	3.3	3.5	5.3	9.2	9.9	250
Sulfate ²	mg/L	0.5	1.1	2.3	3.5	11	250
Chlorine Residual ⁴	mg/L Cl ₂	0.1	0.8	1.1	1.5	2.0	MRDL: 4.0
Total Organic Carbon, TOC ²	mg/L	0.6	0.7	1.0	1.5	1.8	–
Calculated Corrosion Indicators							
Langelier Saturation Index, LSI ³		-2.3	-2.1	-1.2	-0.3	-0.2	Noncorrosive

Secondary MCL: Secondary Maximum Contaminant Level

MRDL: Maximum Residual Disinfectant Level

¹ Data collected from online analyzers from 2016-2020

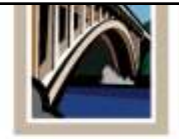
² Data collected from select grab samples from 2010-2020

³ Data collected from select grab samples from 2016-2020

⁴ Data collected from daily log sheets 2010-2020 at Tower Reservoir (located near entry point in the distribution system)

Water Quality Analysis - Findings

10/27/2020 Item No.2.



CITY OF
FOLSOM

- pH typically in the 8-9 range with a low of 6 and a high of 10.4
- Source water is very pure:
 - Low alkalinity
 - Low hardness
 - Low calcium
 - Low total dissolved solids
- Chlorine residuals leaving treatment plant sufficient to maintain residual in the distribution system
- Limited buffering capacity of City's finished water due to source water purity
- Langelier Saturation Index (LSI) – corrosion indicator for water and appropriate to use for pH adjustments

Buffer Capacity

10/27/2020 Item No.2.



CITY OF
FOLSOM

- Buffering capacity describes the water's ability to resist changes in pH
- Due to the City's water purity, only a small dosage of lime is needed to increase the pH of the City's water
- Treatment pH adjustment
 - Based on LSI (average is -1.2 for City's finished water)
 - Adjust lime dosage to keep LSI from decreasing
 - Successful in meeting LCR



Langelier Saturation Index

- LSI is a corrosion indicator used to adjust finished water quality parameters
- Determined using a calculation that includes pH, alkalinity, calcium, total dissolved solids (TDS), and temperature
- Due to the purity of the City's source water, the alkalinity, calcium and TDS are very low, which results in a negative LSI
- Negative LSI indicates water is deficient in minerals
- Positive LSI indicates water is over saturated with minerals
- Neutral LSI is in the range of 0.5 to -0.5
- City LSI average is -1.2

pH Analysis



- Seasonal fluctuations observed (pH lower in summer) in source water
- System pH can become variable
 - Water temperature
 - Interaction with pipe surfaces
 - Residual lime in distribution system reservoirs
- Finished water pH fluctuations begin in 2017
 - 2016 permit amendment for pH adjustment based on LSI
- Finished water pH typically around 8.5
- Due to LSI and low buffering capacity, pH became more variable

Pipe Scale Analysis

10/27/2020 Item No.2.



CITY OF
FOLSOM

- 8 pipe samples delivered to Virginia Tech
- Physical tests conducted
 - Inductively coupled plasma mass spectrometry (ICP-MS)
 - Electron scanning microscopy with X-Ray energy dispersive system (EMS-EDS)
- Tests show elemental composition of pits and percent composition by weight
- Sulfide “spot test” ruled out sulfide reducing bacteria
- Tests indicate that the copper pipe is not defectively thin

Copper Pitting

10/27/2020 Item No.2.



CITY OF
FOLSOM

- Pitting corrosion localized at specific sites
- Pitting involves removal of copper ions from the specific site
- Scale is blue/green in color
- Pit becomes more acidic when ions are removed
- Pit tries to draw in chloride and sulfate ions to balance electrons
- Process makes the pit salty (increases corrosivity)

Consultant Conclusions

10/27/2020 Item No.2.



CITY OF
FOLSOM

- City's treated water meets State and Federal Regulations
- LCR compliance for optimal corrosion control
- Pits are likely copper oxide
- Copper is main element found with trace amounts of other elements, including aluminum
 - Aluminum concentrations of 0.5 % or more by weight can catalyze copper pitting in very clean water
- Aluminum below National Secondary Drinking Water Regulation of 0.20 ppm (water samples show "non-detect" leaving treatment plant)
- No evidence of microbial activity
- Sulfide reducing bacteria ruled out

Consultant Conclusions

10/27/2020 Item No.2.



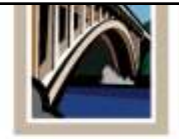
CITY OF
FOLSOM

- Water with low alkalinity, low calcium, pH above 9 and free chlorine could contribute to pitting:
 - With impurities in the pipe
 - With sediment in the pipe

“Impurities in copper pipes are natural and could be from manufacturing like microscopic burrs, ions other than copper included in the metal, or remnants of cleaning solutions. Storage, transportation, installation, and soldering could all introduce additional impurities, but research studies have shown that while impurities can provide a site to start pitting, their presence is not necessary for pitting to occur in all situations.”

Consultant Recommendations

10/27/2020 Item No.2.



CITY OF
FOLSOM

- Add orthophosphate to the treatment process
 - Has been shown to inhibit pit initiation
 - Can help slow or even mitigate pit propagation
- Strive to maintain target pH of 8.5
- Start with small increments of orthophosphate
 - 0.1 parts per million (ppm) in the first week (10/8)
 - 0.2 ppm the second week (10/15)
 - 0.3 ppm the third week
- Samples from households in each pressure zone
- Maintenance dose based on results of sampling
- Continue to sample/monitor for Aluminum

Report a Leak, Learn More

10/27/2020 Item No.2.



CITY OF
FOLSOM

- For questions or to report a pinhole leak:
 - Call 916-461-6190, or
 - Email waterquality@folsom.ca.us
- Pinhole Leak Webpage:
 - www.folsom.ca.us/pinholeleaks
- Community outreach:
 - News media
 - NextDoor
 - Facebook
 - Twitter
 - E-newsletter
 - City website
 - **Direct mailer survey**



QUESTIONS?

City Council Regular Meeting

MINUTES

Tuesday, October 13, 2020 6:30 PM

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

CALL TO ORDER

The regular City Council meeting was called to order at 6:30 p.m. in City Council Chambers, 50 Natoma Street, Folsom, California, with Mayor Sarah Aquino presiding.

ROLL CALL:

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

Council Members Absent: Ernie Sheldon, Vice Mayor

Participating Staff: City Manager Elaine Andersen
City Attorney Steve Wang
City Clerk Christa Freemantle
Finance Director/CFO Stacey Tamagni
Environmental and Water Resources Director Marcus Yasutake
Community Development Director Pam Johns
Communications Director Christine Brainerd
City Engineer Steve Krahn
Principal Civil Engineer Dan Wolfe

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

AGENDA UPDATE

City Attorney Steve Wang advised that there were updates for Items No. 3 and 9.

BUSINESS FROM THE FLOOR:

Jason Davis addressed the City Council regarding homeless needs.

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

SCHEDULED PRESENTATIONS:

1. Presentation of 2020 Community Service Day Results

Communications Director Christine Brainerd made a presentation.

2. Presentation by Folsom Chamber of Commerce and City of Folsom of the Shop Local Campaign

Communications Director Christine Brainerd and Folsom Business Partnership Representative Mary Ann McAlea made a presentation.

3. Presentation on Copper Pipe Pinhole Leaks – Update

Mayor Sarah Aquino provided introductory remarks. Environmental and Water Resources Director Marcus Yasutake made a presentation and responded to questions from the City Council.

City Clerk Christa Freemantle read emails regarding this item into the record from the following individuals:

1. Hazel Vermen
2. Michael Biggs
3. Kate McIntyre

Environmental and Water Resources Director Marcus Yasutake responded to comments and questions along with additional information provided by Council Member Kerri Howell and City Attorney Steve Wang.

4. Folsom Plan Area Quarterly Update

Community Development Director Pam Johns provided introductory comments, and City Engineer Steve Krahn made a presentation and responded to questions of the City Council.

CONSENT CALENDAR:

5. Approval of the September 22, 2020 Regular Meeting Minutes
6. Ordinance No. 1308 – An Ordinance of the City of Folsom Repealing and Re-enacting Chapter 2.30 of the Folsom Municipal Code Pertaining to the Establishment and Maintenance of the City Merit System and Personnel Policies, Rules, and Regulations (Second Reading and Adoption)

7. Resolution No. 10533 - A Resolution Authorizing the City Manager to Execute an Agreement with Pure Technologies, U.S. Inc. dba Wachs Water Services to Complete the Water Distribution System Leak and Loss Detection Survey
8. Resolution No. 10534 - A Resolution Authorizing the Public Works Department to Submit Grant Applications to the California Department of Transportation for Highway Safety Improvement Program Funding

Motion by Council Member Kerri Howell, second by Council Member Mike Kozlowski to approve the Consent Calendar.

Motion carried with the following roll call vote:

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

NEW BUSINESS:

9. Ordinance No. 1309 – An Ordinance of the City of Folsom Amending Sections 12.20.020 and 12.20.030 of the Folsom Municipal Code Governing Encroachments on Public Property (Introduction and First Reading)

Principal Civil Engineer Dan Wolfe made a presentation.

Motion by Council Member Kerri Howell, second by Council Member Mike Kozlowski to introduce and hold first reading of Ordinance No. 1309.

Motion carried with the following roll call vote:

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

ADJOURN TO JOINT MEETING

Joint Meeting Agenda

**Folsom City Council, Folsom Redevelopment Successor Agency,
Folsom Public Financing Authority, Folsom Ranch Financing Authority, and
South of 50 Parking Authority Special Meeting**

CALL TO ORDER

The joint City Council, Folsom Redevelopment Successor Agency, Folsom Public Financing Authority, Folsom Ranch Financing Authority, and South of 50 Parking Authority Special

meeting was called to order at 8:24 p.m. in City Council Chambers, 50 Natoma Street, Folsom, California, with Mayor Sarah Aquino presiding.

ROLL CALL:

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

Council/Board Members Absent: Ernie Sheldon, Vice Mayor

Participating Staff: City Manager Elaine Andersen
City Attorney Steve Wang
City Clerk Christa Freemantle
Finance Director/CFO Stacey Tamagni

CONSENT CALENDAR:

- 10. Approval of the December 10, 2019 Joint City Council / Successor Agency / Public Financing Authority / Folsom South of 50 Parking Authority / Folsom Ranch Financing Authority Special Meeting Minutes
- 11. Receive and File the City of Folsom, the Folsom Redevelopment Successor Agency, the Folsom Public Financing Authority, the Folsom Ranch Financing Authority, and the South of 50 Parking Authority Monthly Investment Reports for the Month of June 2020

Motion by Council/Board Member Mike Kozlowski, second by Council/Board Member Kerri Howell to approve the Consent Calendar.

Motion carried with the following roll call vote:

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

PUBLIC HEARING:

- 12. FRFA City of Folsom CFD No. 23 Improvement Area No.1 Special Tax Revenue Bonds, Series 2020
 - a. Resolution No. 10535 – A Resolution of the City Council of the City of Folsom Authorizing the Issuance of the City of Folsom Community Facilities District No.23 (Folsom Ranch) Improvement Area No.1 Special Tax Bonds, Series 2020, the Execution of an Indenture Providing therefore, Authorizing the Execution of a Local Obligation Purchase Contract, and Authorizing Necessary Actions and the Execution of Other Documents in Connection therewith

b. Resolution No. 006-Folsom Ranch FA - Resolution of the Governing Board of the Folsom Ranch Financing Authority Authorizing the Issuance, Sale and Delivery of Not to Exceed \$16,500,000 Aggregate Principal Amount of City of Folsom Community Facilities District No.23 (Folsom Ranch) Improvement Area No.1 Special Tax Revenue Bonds, Series 2020; Approving the Form and Substance of a Trust Agreement, Authorizing Modifications thereof and Execution and Delivery as Modified; Approving a Preliminary Official Statement, Authorizing Changes thereto and Execution and Delivery thereof and of an Official Statement to be Derived therefrom; Approving a Local Obligation Purchase Contract and a Bond Purchase Contract and Execution and Delivery of Each; and Authorizing Related Actions Necessary to Implement the Proposed Financing

Finance Director/CFO Stacey Tagmani made a presentation.

Mayor Sarah Aquino opened the public hearing at 8:25 p.m. Hearing no speakers, the public hearing was closed.

Motion by Council/Board Member Kerri Howell, second by Council/Board Member Mike Kozlowski to approve Resolution No. 10535.

Motion carried with the following roll call vote:

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

Motion by Council/Board Member Kerri Howell, second by Council/Board Member Mike Kozlowski to approve Resolution No. 006-Folsom Ranch FA.

Motion carried with the following roll call vote:

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

ADJOURNMENT

There being no further business to come before the joint City Council, Folsom Redevelopment Successor Agency, Folsom Public Financing Authority, Folsom Ranch Financing Authority, and South of 50 Parking Authority the meeting was adjourned to the regular City Council meeting at 8:29 p.m.

RECONVENE CITY COUNCIL MEETING

CITY MANAGER REPORTS:

City Manager Elaine Andersen commented on the 245th birthday of US Navy, newly appointed Fire Chief Ken Cusano, outgoing Fire Chief Felipe Rodriguez who took a new position with

Consumnes Fire District, promotion of Susan Walter as Human Resource Director, election ballot tracking options, and announced winners of the library's reading challenge.

COUNCIL COMMENTS:

Council Member Kerri Howell encouraged everyone to drive safely and sent good thoughts to Vice Mayor Ernie Sheldon.

Council Member Andy Morin congratulated Fire Chief Felipe Rodriguez for his new position at Consumnes Fire District and sent good wishes to Vice Mayor Ernie Sheldon.

Council Member Mike Kozlowski commented regarding the SACOG youth leadership academy and the ballot drop boxes at City Hall, Raley's and Bel Air.

Mayor Sarah Aquino congratulated Fire Chief Felipe Rodriguez and Human Resources Director Susan Walter. She expressed her hope to see Vice Mayor Ernie Sheldon at a meeting soon.

ADJOURNMENT

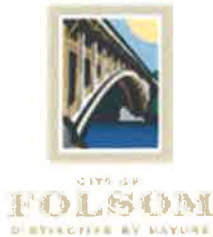
There being no further business to come before the Folsom City Council, the meeting was adjourned at 8:34 p.m.

SUBMITTED BY:

Christa Freemantle, City Clerk

ATTEST:

Sarah Aquino, Mayor



Folsom City Council Staff Report



MEETING DATE:	10/27/2020
AGENDA SECTION:	Consent Calendar
SUBJECT:	Ordinance No. 1309 - An Ordinance of the City of Folsom Amending Sections 12.20.020 and 12.20.030 of the Folsom Municipal Code Governing Encroachments on Public Property (Second Reading and Adoption)
FROM:	Community Development Department

RECOMMENDATION / CITY COUNCIL ACTION

Staff recommends that the City Council conduct the second reading and adopt Ordinance No. 1309 – An Ordinance of the City of Folsom Amending Sections 12.20.020 and 12.20.030 of the Folsom Municipal Code Governing Encroachments on Public Property.

BACKGROUND / ISSUE

Chapter 12.20 of the Folsom Municipal Code – “Use of City Property” – was adopted in 1999 (Ordinance 905) to address private encroachments into the public right-of-way in order to protect public safety and provide for the preservation of public properties including City maintained roads, landscaping, curbs, gutters, and sidewalks. The purpose and intent behind Chapter 12.20 was to address unattended encroachments by non-City actors that may damage public property or jeopardize public safety, and to require private permittees to indemnify and defend the City for injuries and lawsuits arising out of the permittee’s work on City property. In practice, this chapter defines construction standards, prescribes application procedures for encroachment permit issuance, establish bonding and liability requirements, and prescribes penalties for violations of its provisions.

From time to time, certain individuals and contractors have claimed that the City is also required to apply for, and obtain, an encroachment permit for the City’s own work in the

City's right-of-way, notwithstanding the inapplicability and duplicative nature of such requirement to City projects as explained below.

Ordinance No. 1309 was introduced at the October 13, 2020 City Council meeting. No changes have been made to the ordinance since first reading.

POLICY / RULE

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

ANALYSIS

The City cannot encroach upon its own property and does not need to indemnify itself for its own work, and hence Chapter 12.20 was never intended to apply to the City's own operations. Additionally, the City projects already follow applicable requirements for public safety and traffic control in City projects that occur in the public rights-of-way such as, for example, the City's Standard Construction Specifications and applicable Caltrans and/or Federal Highway Administration manual for traffic safety. When working on City projects, the City implements much more detailed and robust protection measures than those required of private non-City actors in Chapter 12.20 of the Folsom Municipal Code.

Accordingly, the purpose of this Ordinance amendment is to clarify and codify the City Council's legislative intent that Chapter 12.20 of the Folsom Municipal Code is only applicable to address unattended encroachments by non-City actors that may damage public property or jeopardize public safety. As amended, Chapter 12.20 would make it clear that the encroachment permit requirements do not apply to the City except when the City requires its contractors to comply with such a requirement. All other aspects of the chapter relating to permitting, public safety, and code enforcement are not modified by Ordinance No. 1309.

FINANCIAL IMPACT

There are no financial impacts to the City.

ENVIRONMENTAL REVIEW

The project is categorically exempt under Section 15061(b)(3) Review for Exemption of the California Environmental Quality Act (CEQA).

ATTACHMENTS

1. Ordinance No. 1309 – An Ordinance of the City of Folsom Amending Sections 12.20.020 and 12.20.030 of the Folsom Municipal Code Governing Encroachments on Public Property
2. Redline of Proposed Ordinance Amendment

Submitted,

PAM JOHNS
Community Development Director

ATTACHMENT 1

ORDINANCE NO. 1309

**AN ORDINANCE OF THE CITY OF FOLSOM
AMENDING SECTIONS 12.20.020 and 12.20.030 OF THE
FOLSOM MUNICIPAL CODE GOVERNING
ENCROACHMENTS ON PUBLIC PROPERTY**

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

SECTION 1 PURPOSE

The purpose of this Ordinance is to codify the legislative intent behind Ordinance 905, which established the Encroachment Permit ordinance in Chapter 12.20 of the Folsom Municipal Code, that the Encroachment Permit requirement in Chapter 12.20 of the Folsom Municipal Code does not apply to City operations. The Encroachment Permits requirement was implemented to address unattended encroachments by non-City actors that have damaged City-maintained curbs, gutters, and sidewalks, and interfered with the orderly operations of City utility programs such as solid waste pickup. Examples include basketball stands left in the street or across sidewalks, landscaping materials left in the street, utility power cords crossing sidewalks to recreational vehicles, and private contractors crossing the public right-of-way while accessing private property.

SECTION 2 AMENDMENT TO CODE

The definition of “Person” in Section 12.20.020, “Definitions” of the Folsom Municipal Code is hereby amended to read as follows:

12.20.020 Definitions.

“Person” means any person, firm, partnership, association, corporation, company or organization of any kind. Person does not include City of Folsom or anyone under contract with the City working on City projects unless specifically provided for in a written contract.

SECTION 3 AMENDMENT TO CODE

Section 12.20.030, “Purpose and Intent” of the Folsom Municipal Code is hereby amended to read as follows:

12.20.030 Purpose and Intent.

The purpose of this chapter is to establish regulations to control encroachments into public property by requiring encroachment permits and to establish measures for the protection of life and property, including traffic and pedestrian safeguards. Additionally, this chapter defines construction standards, prescribes application procedures for encroachment permit issuance, establishes bonding and liability requirements and prescribes penalties for violations of its provisions. This chapter does not apply to work undertaken by the City of Folsom or through its contractors unless specifically provided for in a written contract.

SECTION 4 SCOPE

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

SECTION 5 NO MANDATORY DUTY OF CARE

This Ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the City or any officer or employee thereof a mandatory duty of care towards persons and property within or without the City, so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

SECTION 6 SEVERABILITY

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

SECTION 7 EFFECTIVE DATE

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

This ordinance was introduced and the title thereof read at the regular meeting of the City Council on October 13, 2020, and the second reading occurred at the regular meeting of the City Council on October 27, 2020.

On a motion by Council Member _____, seconded by Council Member _____, the foregoing ordinance was passed and adopted by the City Council of the City of Folsom, State of California, this 27th day of October, 2020 by the following vote, to wit:

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

Sarah Aquino, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

ATTACHMENT 2

REDLINE

12.20.020 Definitions.

“Person” means any person, firm, partnership, association, corporation, company or organization of any kind. *Person does not include City of Folsom or anyone under contract with the City working on City projects unless specifically provided for in a written contract.*

12.20.030 Purpose and Intent.

The purpose of this chapter is to establish regulations to control encroachments into public property by requiring encroachment permits and to establish measures for the protection of life and property, including traffic and pedestrian safeguards. Additionally, this chapter defines construction standards, prescribes application procedures for encroachment permit issuance, establishes bonding and liability requirements and prescribes penalties for violations of its provisions. *This chapter does not apply to work undertaken by the City of Folsom or through its contractors unless specifically provided for in a written contract.*



CITY OF
FOLSOM
DISTRICTING BY MAYINE

Folsom City Council Staff Report

MEETING DATE:	10/27/2020
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10506 – A Resolution Authorizing the Police Department to Accept a Sacramento Regional Office of Homeland Security Grant in the Amount of \$250,000 and Appropriation of Funds
FROM:	Police Department

RECOMMENDATION / CITY COUNCIL ACTION

Staff recommends the City Council approve Resolution No. 10506 – A Resolution Authorizing the Police Department to Accept a Sacramento Regional Office of Homeland Security Grant in the Amount of \$250,000 and Appropriation of Funds.

BACKGROUND / ISSUE

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

The vehicle has been used during regional police motor competitions, regional S.W.A.T. team trainings and is a resource available to critical incident negotiation teams in three counties. The MCCU has also been deployed to assist the Placerville Police Department (El Dorado

County) and the Placer County Sheriff's Office during special events. The radio interoperability system contained in this vehicle allows communication between local, state, and federal law enforcement entities which currently operate under different radio systems/frequencies. The vehicle contains VHF, UHF, 800 megahertz, and shortwave radio systems.

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

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

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

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

POLICY / RULE

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

ANALYSIS

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

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

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

FINANCIAL IMPACT

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

ENVIRONMENTAL REVIEW

N/A.

ATTACHMENTS

1. Resolution No. 10506 – A Resolution Authorizing the City Manager to execute a grant agreement with the Sacramento Regional Office of Homeland Security for \$250,000 to provide equipment upgrades to the Folsom Mobile Command and Communication Unit
2. City of Sacramento grant agreement (with Exhibits A-F)

Submitted,

Richard D. Hillman, Chief of Police

ATTACHMENT 1

RESOLUTION NO. 10506

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

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

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Folsom authorizes the Police Department to Accept a Sacramento Regional Office of Homeland Security Grant in the amount of \$250,000; and

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

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

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

Sarah Aquino, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

ATTACHMENT 2

GRANT AGREEMENT

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

Entity Name	City of Folsom
Entity DUNS Number	92210404

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

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

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

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

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

[THE REST OF THIS PAGE IS INTENTIONALLY BLANK]

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

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

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

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

4. PROCEDURES.

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

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

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

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

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

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

5. INDEMNITY & INSURANCE

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

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

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

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

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

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

[THE REST OF THIS PAGE IS INTENTIONALLY BLANK]

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

Executed as of the day and year above first stated.

CITY OF SACRAMENTO

GRANTEE

By: _____
Chris Conlin, Assistant City Manager

By: _____
Rick Hillman, Chief of Police

For: Howard Chan, City Manager

For: _____

APPROVED AS TO FORM:

APPROVED AS TO FORM:

City Attorney

Legal Counsel

ATTEST:

City Clerk

Exhibit A – Purpose and Term of Grant

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

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

EXHIBIT B – FEE SCHEDULE/MANNER OF PAYMENT

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

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

3. **Payments to GRANTEE.**

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

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

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

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

C. Requests for payment shall be sent to:

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

Or via email: apinvoices@cityofsacramento.org

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

Exhibit C – Authorized Officials*

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

City of Sacramento

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

Grantee

Name & Title	Signature

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

CONTRACTOR:

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

Date

Tax I.D. Number

Signature

Signature

Print Name

Print Name

Title

Title

CITY OF FOLSOM, A Municipal Corporation:

Date

Elaine Andersen, City Manager

ATTEST:

FUNDING AVAILABLE:

Christa Freemantle, City Clerk Date

Stacey Tamagni, Finance Director Date

ORIGINAL APPROVED AS TO CONTENT:

ORIGINAL APPROVED AS TO FORM:

Richard D. Hillman, Police Chief Date

Steven Wang, City Attorney Date

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

CONTRACT NAME

ASSURANCES - NON-CONSTRUCTION PROGRAMS

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





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

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

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

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

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

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
	
APPLICANT ORGANIZATION	DATE SUBMITTED
	

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

DISCLOSURE OF LOBBYING ACTIVITIES

OMB Control Number: 4040-0013
Expiration Date: 2/28/2022

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

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



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

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

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

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

Federal Regulations

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

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

1. Proof of Authority

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

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

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

2. Period of Performance

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

3. Lobbying and Political Activities

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

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

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

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

4. Debarment and Suspension

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

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

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

5. Non-Discrimination and Equal Employment Opportunity

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

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

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

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

6. Drug-Free Workplace

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

7. Environmental Standards

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

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

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

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

8. Audits

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

9. Access to Records

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

10. Conflict of Interest

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

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

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

12. Reporting - Accountability

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

13. Whistleblower Protections

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

14. Human Trafficking

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

15. Labor Standards

The Applicant will comply with the following federal labor standards:

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

16. Worker's Compensation

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

17. Property-Related

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

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

18. Certifications Applicable Only to Federally-Funded Construction Projects

For all construction projects, the Applicant will:

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

19. Use of Cellular Device While Driving is Prohibited

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

20. California Public Records Act and Freedom of Information Act

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

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

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

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

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

22. Acknowledgment of Federal Funding from DHS

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

23. Activities Conducted Abroad

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

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

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

25. Copyright

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

26. Duplication of Benefits

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

27. Energy Policy and Conservation Act

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

28. Federal Debt Status

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

29. Fly America Act of 1974

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

30. Hotel and Motel Fire Safety Act of 1990

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

31. Non-supplanting Requirement

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

32. Patents and Intellectual Property Rights

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

33. SAFECOM

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

34. Terrorist Financing

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

35. Reporting of Matters Related to Recipient Integrity and Performance

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

36. USA Patriot Act of 2001

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

37. Use of DHS Seal, Logo, and Flags

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

IMPORTANT

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

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

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

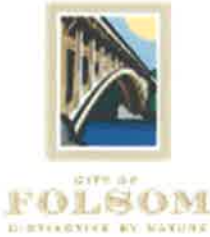
The undersigned represents that he/she is authorized to enter into this agreement for and on behalf of the Applicant.

Subrecipient: _____

Signature of Authorized Agent: _____

Printed Name of Authorized Agent: _____

Title: _____ Date: _____



Folsom City Council Staff Report



MEETING DATE:	10/27/2020
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10536 – A Resolution Authorizing the City Manager to Execute an Agreement with Water Systems Consulting, Inc. for Professional Services for the 2020 Urban Water Management Plan
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. 10536 – A Resolution Authorizing the City Manager to Execute an Agreement with Water Systems Consulting, Inc. for Professional Services for the 2020 Urban Water Management Plan.

BACKGROUND / ISSUE

The Environmental and Water Resources (EWR) Department identifies projects that are critical to ensuring the delivery of adequate and high-quality water supply to all residents. Specifically, EWR is seeking to develop the City’s 2020 Urban Water Management Plan (UWMP).

The California Water Code (CWC) Section 10620(a) requires an urban water supplier to prepare and adopt an UWMP consistent with CWC Section 10640. All urban water suppliers, either publicly or privately owned, serving municipal water to 3,000 customers or supplying more than 3,000 acre-feet annually, are required to prepare an UWMP. The UWMP is required for an urban water supplier to be eligible for California Department of Water Resources (DWR) state grants, loans, and drought assistance. The UWMP must be adopted by City Council and submitted to DWR by July 1, 2021. Included in the adoption of the 2020 UWMP shall be a Water Shortage Contingency Plan consistent with the requirements of Senate Bill 606.

The City issued a Request for Proposals for professional services for the 2020 UWMP. Because of their knowledge and experience with UWMPs, Water Systems Consulting, Inc. (WSC) has the experience, qualifications and expertise to complete the City's 2020 UWMP. City staff recommends authorizing the City Manager to execute an agreement with WSC for professional services for the 2020 UWMP.

This resolution will authorize the City Manager to execute an agreement with WSC for professional services for the 2020 Urban Water Management Plan for a not-to-exceed amount of \$86,310.

POLICY / RULE

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

California Water Code, Section 10620(a):

"Every urban water supplier shall prepare and adopt an urban water management plan in the manner set forth in Article 3 (commencing with Section 10640)."

California Water Code, Section 10621(a):

"Each urban water supplier shall update its plan at least once every five years on or before July 1, in years ending in six and one, incorporating updated and new information from the five years preceding each update."

ANALYSIS

The City issued a Request for Proposals (RFP) from various engineering and water resources consulting firms for professional service to complete this work. The City received three (3) proposals on September 18, 2020 that included the consultant's relevant project experience, qualifications, references, understanding of the project, and proposal costs. EWR's internal review of the proposals contained weighted values assigned to each of the categories listed above.

The consulting firm WSC was selected and is considered experienced and qualified to perform these services based on past relevant experience, qualifications, proposal cost, and understanding of the project requirements. WSC's fee to complete this project is \$86,310.

The UWMP will include:

- An assessment of current and projected water supplies.
- An evaluation of the reliability of these water supplies given a range of hydrologic conditions.
- An assessment of water demands by customer class.
- An explanation of water management strategies designed to integrate supply and demand conditions.

- Water Shortage Contingency Planning.
- Demand Management Measures incorporated by the City.
- Energy usage for delivery and treatment of water supplies.

WSC's scope of work will also include:

- An update to the City's Water Conservation Ordinance (Folsom Municipal Code Section 13.26) to align with the Water Shortage Contingency Plan.
- A tool developed by the Consultant that will allow the City to input data (housing growth, business growth, population changes, unit demand factor changes, and related items) to update the water demands, population figures, and development type for the Urban Water Management Plan on an annual basis.

The Environmental and Water Resources Department recommends that the City Council authorize the City Manager to execute an agreement with Water Systems Consulting, Inc. for a not-to-exceed amount of \$86,310.

FINANCIAL IMPACT

Sufficient funds have been budgeted and are available in the Water Operating Fund (Fund 520) for this agreement in the FY 2020-21 budget.

ENVIRONMENTAL REVIEW

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

ATTACHMENT

Resolution No. 10536 – A Resolution Authorizing the City Manager to Execute an Agreement with Water Systems Consulting, Inc. for Professional Services for the 2020 Urban Water Management Plan

Submitted,

Marcus Yasutake, Director
ENVIRONMENTAL AND WATER RESOURCES DEPARTMENT

RESOLUTION NO. 10536

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH WATER SYSTEMS CONSULTING, INC. FOR PROFESSIONAL SERVICES FOR THE 2020 URBAN WATER MANAGEMENT PLAN

WHEREAS, the City of Folsom has identified the 2020 Urban Water Management Plan to evaluate the City’s water supplies and demands in accordance with Senate Bill 606 and Assembly Bill 1668; and

WHEREAS, the California Water Code (CWC) Section 10620(a) requires an urban water supplier to adopt an Urban Water Management Plan consistent with CWC 10640; and

WHEREAS, Water Systems Consulting, Inc. by reason of their past experience and abilities for performing these types of services, are qualified to perform the required professional services for the project; and

WHEREAS, sufficient funds are budgeted and available in the FY 2020-21 Water Operating Fund (Fund 520); and

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

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Folsom authorizes the City Manager to execute an agreement with Water Systems Consulting, Inc. for professional services for the 2020 Urban Water Management Plan for a not-to-exceed amount of \$86,310.

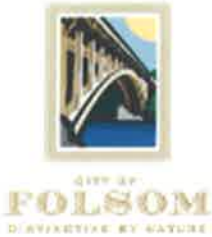
PASSED AND ADOPTED this 27th day of October 2020, by the following roll-call vote:

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

Sarah Aquino, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK



Folsom City Council Staff Report

MEETING DATE:	10/27/2020
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10537 – A Resolution Authorizing the City Manager to Execute an Agreement with Badger Meter, Inc. to Purchase Badger Cellular Endpoints for a Three Year Pilot Automated Metering Infrastructure Network for the City of Folsom Water Meter Division
FROM:	Environmental and Water Resources Department

RECOMMENDATION / CITY COUNCIL ACTION

The Environmental and Water Resources Department recommends that the City Council pass and adopt Resolution No. 10537 - A Resolution Authorizing the City Manager to Execute an Agreement with Badger Meter, Inc. to purchase Badger Cellular Endpoints for a Three Year Pilot Automated Metering Infrastructure Network for the City of Folsom Water Meter Division.

BACKGROUND / ISSUE

By State law California Water Code Section 526 the City began billing all City water customers based on consumptive rates in January 2013. In preparation for the 2013 metered billing, the City adopted a comprehensive Water Meter Implementation Plan (WMIP) in August 2007 and an updated WMIP in April 2011.

In the WMIP, staff analyzed the life cycle cost for various meter reading options, including touch read (walk-by), radio read (drive-by) and fixed network (remote meter reading). The life cycle cost analysis revealed that the fixed network system provided the best long-term cost advantages. Staff moved forward with implementing a city-wide fixed network meter reading system. Currently, the city is 100% deployed with a fixed network system.

Since the deployment of the City's current fixed network system, technology has expanded and improved in the area of automated meter reading. In 2019, the city elected to participate in a regional Water Meter Consortium study that reviewed regional opportunities for meter purchasing, meter testing and meter reading technology. The meter reading technology portion reviewed and compared what other water agencies use for meter reading and the major options for remote meter reading. The study identified the pros and cons of various meter reading systems, as well as a recommendation to the City for future meter reading needs. The Water Meter Consortium consultants recommended the City conduct a pilot project of the Badger Meter cellular automated metering infrastructure (AMI) system.

This resolution authorizes the City Manager to execute an agreement with Badger Meter, Inc. to purchase Badger Cellular Endpoints for a Three Year Pilot AMI Network for the City of Folsom Water Meter Division.

POLICY / RULE

In accordance with Chapter 2.36 of the Folsom Municipal Code, contracts for supplies costing \$62,014 or greater shall be awarded by the City Council.

ANALYSIS

The Water Meter Consortium consultants recommended the City pilot the Badger Meter Cellular AMI system. As a result of this recommendation, the city worked with Badger Meter, Inc. to identify the overall costs for a pilot project.

The plan is for the City to install approximately 800 meter reading units per year over the next three years. Since this is a cellular AMI system and is built on existing commercial wireless networks, no towers or backbone infrastructure will need to be installed. The cost to the City over the next three years is as follows:

Item	\$ per	Year 1 (\$)	Year 2 (\$)	Year 3 (\$)
Badger Cellular Endpoint	\$85.00	\$68,000	\$68,000	\$68,000
Cellular Service Annual Cost	\$8.16	\$6,528	\$13,056	\$19,584
Total Cost Per Year (inc. tax)		\$80,500	\$87,500	\$94,500
Total Cost to the City to Deploy Badger AMI 3-year Pilot				\$262,500

FINANCIAL IMPACT

Sufficient funds have been budgeted and are available in the Water Operating Fund (Fund 520) in FY 2020-21 to provide for this program for a total of \$80,500. Funds will be made available in each of the next two fiscal years (FY 2021-22 and FY 2022-23). The agreement will be set up to span the life of the AMI pilot three years during FY 2020-21, FY 2021-22, and FY 2022-23 for a total not-to-exceed fee of \$262,500.

ENVIRONMENTAL REVIEW

This work consists of basic data collection and component installation that does not result in a serious or major disturbance to an environmental resource, and is categorically exempt from environmental review under the California Environmental Quality Act as noted in Title 14 - California Code of Regulations, Chapter 3 - Guidelines for Implementation of the California Environmental Quality Act, Article 19 - Categorical Exemptions, Section 15306 – Information Collection.

ATTACHMENT

Resolution No. 10537 - A Resolution Authorizing the City Manager to Execute an Agreement with Badger Meter, Inc. to Purchase Badger Cellular Endpoints for a Three Year Pilot Automated Metering Infrastructure Network for the City of Folsom Water Meter Division

Submitted,

Marcus Yasutake, Director
Environmental and Water Resources

RESOLUTION NO. 10537

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH BADGER METER, INC. TO PURCHASE BADGER CELLULAR ENDPOINTS FOR A THREE YEAR PILOT AUTOMATED METERING INFRASTRUCTURE NETWORK FOR THE CITY OF FOLSOM WATER METER DIVISION

WHEREAS, remote meter reading is an essential operation for accurate, timely billing, water conservation and maintenance of the meter infrastructure; and

WHEREAS, the City participated in a region Water Meter Consortium to analyze regional water meter networks; and

WHEREAS, on July 30, 2020, through the analysis of the Water Meter Consortium, it has been recommended the City pilot the Badger Meter Cellular AMI system; and

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

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

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Folsom authorizes the City Manager to execute an agreement with Badger Meter, Inc. for the supply of endpoints and service for an amount not-to-exceed \$262,500 over a 3 year period.

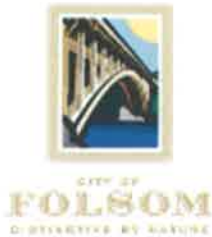
PASSED AND ADOPTED this 27th day of October 2020, by the following roll-call vote:

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

Sarah Aquino, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK



Folsom City Council Staff Report

MEETING DATE:	10/27/2020
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10538 - A Resolution Authorizing the City Manager to Execute an Agreement with West Yost & Associates, Inc. for Construction Management and Inspection Services for the Water Treatment Plant Pre-Treatment System Improvement Project
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. 10538 - A Resolution Authorizing the City Manager to Execute an Agreement with West Yost & Associates, Inc. for Construction Management and Inspection Services for the Water Treatment Plant Pre-Treatment System Improvement Project.

BACKGROUND / ISSUE

The Environmental and Water Resources Department identifies infrastructure rehabilitation and replacement projects through water and sewer master plans, ongoing condition assessment programs, and regulatory changes. Staff has completed an analysis of potential treatment plant capacity and reliability projects. Through these efforts, City staff identified the Water Treatment Plant (WTP) Pre-Treatment System Improvement Project as a priority project.

In April 2016, the City completed a WTP Optimization Study to assess existing operations at the WTP and to develop strategies to address any deficiencies regarding the City's water treatment process. The study evaluated chemical addition, pretreatment, filtration, and disinfection of the water treatment process. One of the recommendations from the study is to improve the reliability and redundancy of City's existing pre-treatment sedimentation capacity.

Currently, the City's water treatment process consists of three pre-treatment facilities, two Actiflo trains that can treat 20 million gallons per day (MGD) each and the Basin 5 train, which can treat 15 MGD for a total capacity of 55 MGD of treated water. However, if the WTP were required to produce at the rated design capacity of 50 MGD, this requires all three pre-treatment sedimentation trains to remain online without any redundancy. If one of the three existing pre-treatment sedimentation systems were offline due to failure or operation and maintenance, the WTP would only be able to produce 35 to 40 MGD.

This resolution will authorize the City Manager to execute an agreement with West Yost & Associates, Inc. for Construction Management and Inspection Services for the WTP Pre-Treatment System Improvement Project in the amount of \$486,885.

POLICY / RULE

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

ANALYSIS

In October of 2018, the EWR Department completed a pre-qualification process for construction management services. The consulting firm West Yost & Associates, Inc. was one of the firms selected to provide these services for this type of project through this recently completed competitive selection process. West Yost & Associates, Inc. by reason of their past experience, qualifications, and abilities for performing these types of services, are qualified and staff recommends they perform the required construction management and inspection services.

The construction management and inspection for this project will require approximately 1,786 person-hours of highly technical and specialized services, including construction inspection. The proposed fee for construction management and inspection services is consistent with recent City construction projects with respect to the construction duration. Construction management services require on-site inspection, and include other necessary tasks such as project schedule tracking, review and/or coordination of project submittals, coordination with the other on-going City construction projects, customer coordination, materials testing, and overall owner representation throughout project construction.

This resolution will authorize the City Manager to execute an Agreement with West Yost & Associates, Inc. for construction management and inspection services for the Water Treatment Plant Pre-Treatment System Improvement Project in the amount of \$486,885.

FISCAL IMPACT

The WTP Pre-Treatment System Improvement Project was included in the FY 2020-21 Capital Improvement Plan with a total project budget of \$6,139,675. Sufficient funds are available in

both the Water Operating Fund (Fund 520) and Water Capital Fund (Fund 521) for this agreement.

ENVIRONMENTAL REVIEW

This project is replacement and/or improvement of existing infrastructure with negligible or no expansion of use and therefore is categorically exempt from environmental review under the California Environmental quality Act as noted in Title 14 – California Code of Regulations, Chapter 3 – Guidelines for Implementation of the California Environmental Quality Act, Article 19 – Categorical Exemptions, Sections 15301 (Existing Facilities), 15302 (Replacement or Reconstruction), and/or 15304 (Minor Alterations to Land).

ATTACHMENT

Resolution No. 10538 - A Resolution Authorizing the City Manager to Execute an Agreement with West Yost & Associates, Inc. for Construction Management and Inspection Services for the Water Treatment Plant Pre-Treatment System Improvement Project

Submitted,

Marcus Yasutake, Director
ENVIRONMENTAL AND WATER RESOURCES DEPARTMENT

RESOLUTION NO. 10538

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH WEST YOST & ASSOCIATES, INC. FOR CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES FOR THE WATER TREATMENT PLANT PRE-TREATMENT SYSTEM IMPROVEMENT PROJECT

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

WHEREAS, West Yost & Associates, Inc. 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, the Water Treatment Plant Pre-Treatment System Improvement Project was included in the FY 2020-21 Capital Improvement Plan; and

WHEREAS, sufficient funds are available in both the Water Operating Fund (Fund 520) and Water Capital Fund (Fund 521) for this agreement; and

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

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Folsom authorizes the City Manager to execute an agreement with West Yost & Associates, Inc. for construction management and inspection services for the Water Treatment Plant Pre-Treatment System Improvement Project for a not-to-exceed amount of \$486,885.

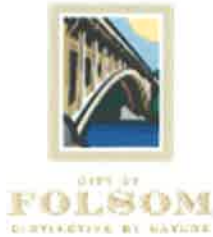
PASSED AND ADOPTED this 27th day of October 2020, by the following roll-call vote:

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

Sarah Aquino, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK



Folsom City Council Staff Report

MEETING DATE:	10/27/2020
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10539 - A Resolution Authorizing the City Manager to Execute an Agreement with Lorang Brothers Construction, Inc. for the Construction of the Water Treatment Plant Pre-Treatment System Improvement Project
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. 10539 - A Resolution Authorizing the City Manager to Execute an Agreement with Lorang Brothers Construction, Inc. for the Construction of the Water Treatment Plant Pre-Treatment System Improvement Project.

BACKGROUND / ISSUE

The Environmental and Water Resources Department identifies infrastructure rehabilitation and replacement projects through water and sewer master plans, ongoing condition assessment programs, and regulatory changes. Staff has completed an analysis of potential treatment plant capacity and reliability projects. Through these efforts, City staff identified the Water Treatment Plant Pre-Treatment System Improvement Project as a priority project.

In April 2016, the City completed a Water Treatment Plant (WTP) Optimization Study to assess existing operations at the WTP and to develop strategies to address any deficiencies regarding the City’s water treatment process. The study evaluated chemical addition, pre-treatment, filtration, and disinfection of the water treatment process. One of the recommendations from the study is to improve the reliability and redundancy of City’s existing pre-treatment sedimentation capacity.

Currently, the City's water treatment process consists of three pre-treatment facilities, two Actiflo trains that can treat 20 million gallons per day (MGD) each and the Basin 5 train, which can treat 15 MGD for a total capacity of 55 MGD of treated water. However, if the WTP were required to produce at the rated design capacity of 50 MGD, this requires all three pre-treatment sedimentation trains to remain online without any redundancy. If one of the three existing pre-treatment sedimentation systems were offline due to failure or operation and maintenance, the WTP would only be able to produce 35 to 40 MGD.

This resolution will authorize the City Manager to execute an Agreement with Lorang Brothers Construction, Inc. for the construction of the Water Treatment Plant Pre-Treatment System Improvement Project in the amount of \$2,088,200.

POLICY / RULE

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

ANALYSIS

The City completed plans and specifications for the WTP Pre-Treatment System Improvement Project and publicly advertised for bids on September 4, 2020. In addition, the City provided these documents to www.ciplist.com which is also picked up by several area builders' exchanges. The Environmental and Water Resources Department received the following bids on October 9, 2020 for construction of the WTP Pre-Treatment System Improvement Project:

Contractor	Bid Amount
Lorang Brothers Construction, Inc.	\$2,088,200
R.E. Smith Contractor, Inc.	\$2,138,000
James C. Cushman, Inc.	\$2,245,400
GSE Construction, Inc.	\$2,279,100
TNT Industrial Contractors, Inc.	\$2,479,394
Mountain Cascade, Inc.	\$2,534,299
Syblon Reid	\$2,558,000
Auburn Constructors, LLC	\$2,603,300
Anvil Builders, Inc.	\$3,786,600

Staff has reviewed the bids submitted and has determined that Lorang Brothers Construction, Inc. is the lowest responsible and responsive bidder who meets the requirements and specifications set forth in the invitation for bids. The engineer's estimate for this project was \$3,400,000.

FISCAL IMPACT

The Environmental and Water Resources Department recommends that the contract be awarded to the lowest responsible, responsive bidder, Lorang Brothers Construction, Inc. for \$2,088,200 with the project budgeted for this agreement in the amount of \$2,297,020, which will include a 10% contingency in the amount of \$208,820.

Approximate project costs to date, which include pre-design, design, and bid assistance services, construction management and inspection services total approximately \$902,621. The Water Treatment Plant Pre-Treatment System Improvement Project was included in the FY 2020-21 Capital Improvement Plan with a total project budget of \$6,139,675. Sufficient funds are available in both the Water Operating Fund (Fund 520) and Water Capital Fund (Fund 521) for this agreement.

ENVIRONMENTAL REVIEW

This project is replacement and/or improvement of existing infrastructure with negligible or no expansion of use and therefore is categorically exempt from environmental review under the California Environmental Quality Act as noted in Title 14 – California Code of Regulations, Chapter 3 – Guidelines for Implementation of the California Environmental Quality Act, Article 19 – Categorical Exemptions, Sections 15301 (Existing Facilities), 15302 (Replacement or Reconstruction), and/or 15304 (Minor Alterations to Land).

ATTACHMENT

Resolution No. 10539 - A Resolution Authorizing the City Manager to Execute an Agreement with Lorang Brothers Construction, Inc. for the Construction of the Water Treatment Plant Pre-Treatment System Improvement Project

Submitted,

Marcus Yasutake, Director
ENVIRONMENTAL AND WATER RESOURCES DEPARTMENT

RESOLUTION NO. 10539

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH LORANG BROTHERS CONSTRUCTION, INC. FOR THE CONSTRUCTION OF THE WATER TREATMENT PLANT PRE-TREATMENT SYSTEM IMPROVEMENT PROJECT

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

WHEREAS, this 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 September 4, 2020; and

WHEREAS, Lorang Brothers Construction, Inc. was the lowest responsive bidder, with an amount of \$2,088,200; and

WHEREAS, this project was included in the FY 2020-21 Capital Improvement Plan with a project budget of \$ 6,139,675 and sufficient funds are available in both the Water Operating Fund (Fund 520) and Water Capital Fund (Fund 521) for this agreement; and

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

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Folsom authorizes the City Manager to execute an agreement with Lorang Brothers Construction, Inc. for the construction of the Water Treatment Plant Pre-Treatment System Improvement Project for a not-to-exceed amount of \$2,088,200 with the budgeted amount to include a 10% contingency for a total of \$2,297,020; and,

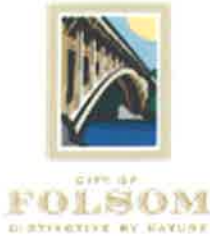
PASSED AND ADOPTED this 27th day of October 2020, by the following roll-call vote:

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

Sarah Aquino, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK



Folsom City Council Staff Report

MEETING DATE:	10/27/2020
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10543 – A Resolution Authorizing the City Manager to Execute an Agreement with Western Water Features, Inc. for the Steve Miklos Aquatic Center Swimming Pool Renovation Project
FROM:	Parks and Recreation Department

RECOMMENDATION / CITY COUNCIL ACTION

Move to approve Resolution No. 10543 – A Resolution Authorizing the City Manager to Execute an Agreement with Western Water Features, Inc. for the Steve Miklos Aquatic Center Swimming Pool Renovation Project.

BACKGROUND / ISSUE

The Steve Miklos Aquatic Center started operations in 2001 and has served over 4,500,000 people since then. The Aquatic Center is composed of three separate pools: a 50-meter pool, an instructional pool, and an activity pool. As confirmed by the outstanding attendance, the Steve Miklos Aquatic Center has provided tremendous recreation, leisure, education, and many fun times in the 19 years of its operation.

The 19 years of use, however, has taken its toll on the Aquatic Center, particularly the activity and instructional pool side of the facility. The major issues of the activity and instructional side of the facility are the condition of the pool plaster, concrete pool deck, and activity play structure. In a commercial application, pool plaster has a reasonable lifespan of 10 to 15 years depending on, amongst other things, maintaining proper water chemistry. The maintenance staff has done an excellent job maintaining the water quality to prolong the two pools' life span. After 19 years, the ½" thick layer of plaster has started to break apart in large chunks. This plaster forms a protective layer between the water and the gunite shell. When the plaster breaks down, water migrates between the plaster and the gunite, which leads to more plaster breaking away and eventual water leaking from the pool shell, as well as compromising the reinforcing steel (rebar) that maintains the structural integrity of the pool shell.

The concrete deck has also experienced signs of major decline after 19 years of continuous use. The deck is experiencing surface failure, known as spalling, caused by high volumes of foot traffic, pool chemicals, water, and extreme heat. This creates uneven surfaces where the aggregate is exposed resulting in a rough unfriendly surface to bare feet. Sharp edges also have developed, as well as many indentations that allow for water to remain for long periods of time with the potential for unsanitary conditions. Approximately 75% of the concrete pool deck is in need of replacement.

On September 9, 2020, the Arts and Cultural Commission approved moving forward with receiving the public art donation titled Shell of Thrones, to be placed at the Steve Miklos Aquatic Center. On October 6, 2020, the Parks and Recreation Commission approved the acceptance and placement of the Shell of Thrones at the Steve Miklos Aquatic Center. Upon approval and acceptance by the City Council at the November 10, 2020 City Council Meeting, the sculpture will be installed and securely anchored during the renovation of the Activity and Instructional pools at the Steve Miklos Aquatic Center.

The large play structure in the activity pool has a typical lifespan of 15 – 30 years depending upon maintenance, chemicals, and use. To minimize future expense in replacing the Activity structure, it makes sense to replace the play structure to maintain structural safety for participants along with eliminating the need to replace it in the near future. Saving the expense at this point in time to replace the play structure at a later date would increase the chance of structural failure along with having to close the pool, remove the structure, and potentially add new/different concrete footings and replace the new pool plaster. Combining these projects will help increase the longevity of the activity pool and play structure to last at least another 15 – 20 years. Year 2021 will also be the 20-year anniversary of the Aquatic Center and the addition of a new play-structure will increase the “Wow” factor generating some excitement for the 2021 summer season.

POLICY / RULE

In accordance with Chapter 2.36.80 of the Folsom Municipal Code, contracts for supplies, equipment, services, and construction with an estimated value of \$62,014 or greater shall be awarded by City Council.

ANALYSIS

The Notice to Contractors for the Steve Miklos Aquatic Center Pool Renovations Project was published on September 16, 2020 with noticing on local and electronic bid boards and Builder’s Exchanges. A mandatory pre-bid meeting was held on September 29, 2020.

The Parks and Recreation Department received four (4) bids on October 14, 2020:

<u>Contractor</u>	<u>Bid</u>
1. Tricon Construction, Inc.	\$1,308,632.00
2. Western Water Features, Inc.	\$1,220,000.00
3. Condor, Inc.	\$1,577,500.00
4. Bobo Construction, Inc.	\$1,348,000.00

The Engineer’s Estimate was \$1,250,000 for the base bid. The bid submitted by Western Water Features, Inc. in the amount of \$1,220,000, is the lowest responsible and responsive bid.

FINANCIAL IMPACT

Staff is recommending a fifteen percent (15%) construction contingency of \$183,000. This exceeds the 10% construction contingency authorized in the Folsom Municipal Code. Staff and the consulting architect thoroughly evaluated the existing condition of the plaster, concrete pool deck, and wet play structure. Due to the nature of the evaluation, this was performed only on the surface and the underlying condition is unknown until actual demolition occurs. As such, the true underlying conditions of the plaster, concrete deck and wet play structure is not known at this time. In anticipation of these unknowns and potential construction impacts, staff is recommending a fifteen percent contingency.

The following is a breakdown of the proposed costs and funding for the project.

Project costs:

Total Base Bid	1,220,000.00
Construction Contingency	183,000.00
Total Project Cost	\$1,403,000.00

Approved Project Funding:

Fiscal Year 2020-21 Budget	1,950,000.00
----------------------------	--------------

The Fiscal Year 2020-21 Operating Budget included this project in the amount of \$1,600,000 for the pool replaster and \$350,000 for the activity structure.

ENVIRONMENTAL REVIEW

In accordance with the California Environmental Quality Act, the proposed project is Categorically Exempt per Article 19, 1530.1 – The project involves no expansion of an existing use.

ATTACHMENT

Resolution No. 10543 – A Resolution Authorizing the City Manager to Execute an Agreement with Western Water Features, Inc. for the Steve Miklos Aquatic Center Instructional and Activity Pool Renovation Project

Submitted,

Lorraine Poggione, Parks & Recreation Director

RESOLUTION NO. 10543

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH WESTERN WATER FEATURES, INC. FOR THE STEVE MIKLOS AQUATIC CENTER SWIMMING POOL RENOVATION PROJECT

WHEREAS, the Steve Miklos Aquatic Center opened in 2001, and has provided the community with 19 years of safe swimming and aquatic programming; and

WHEREAS, the Steve Miklos Aquatic Center has withstood high public use and highly chlorinated water and requires pool replastering and deck renovations; and

WHEREAS, the activity structure is in its 19th year of service as well and it is more cost effective to replace it now to avoid future renovations; and

WHEREAS, the Parks and Recreation Department published a Notice to Contractors for bidding of the Steve Miklos Aquatic Center Pool Renovation Project on September 16, 2020; and

WHEREAS, bids were opened on October 14, 2020, and four responsive and responsible bids were received, and the lowest responsive and responsible bid was received from Western Water Features, Inc., in the amount of \$1,220,000; and

WHEREAS, this project was approved as part of the Fiscal Year 2020-21 Operating Budget and sufficient funds are available in the Parks and Recreation Department Fund; 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 Western Water Features, Inc. in the amount of \$1,220,000 with the project budgeted amount to include a 15 percent contingency for a total not-to-exceed amount of \$1,403,000; and

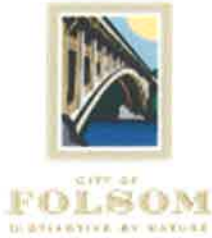
PASSED AND ADOPTED this 27th day of October 2020, by the following roll-call vote:

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

Sarah Aquino, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK



Folsom City Council Staff Report

MEETING DATE:	10/27/2020
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10547 - A Resolution of the City Council of the City of Folsom Designating Green Zones Within the City to Promote Infill Development and Reduce Existing Barriers and Provide New Transportation Options
FROM:	Community Development Department

RECOMMENDATION / CITY COUNCIL ACTION

Move to Adopt Resolution No. 10547 - A Resolution of the City Council of the City of Folsom Designating Green Zones Within the City to Promote Infill Development and Reduce Existing Barriers and Provide New Transportation Options.

BACKGROUND / ISSUE

Green Means Go is a multi-year pilot program created by the Sacramento Area Council of Governments (SACOG) to lower greenhouse gas (GHG) emissions in the six county Sacramento region, as required under the Sustainable Communities and Climate Protection Act of 2008, also known as SB 375. The pilot program focuses on three key emission reduction strategies which include accelerating infill development, reducing vehicle trips, and promoting clean mobility options, in targeted areas, called Green Zones. For Green Means Go to be most effective, Green Zones need to be in areas where new growth is planned and is supported by local policies and actions so that the efforts to accelerate infill, travel choice, and electrification all have potential to be complementary strategies.

Green Zones will be areas within the City where qualifying Green Means Go projects will be eligible for funding should SACOG receive state funding leading up to the next Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS) update. The framework

for establishing Green Zones is centered around a locally led collaborative nomination process which was approved by the SACOG Board of Directors on August 20, 2020. Earlier this month City staff met with SACOG staff to review the City's proposed Green Zones and SACOG accepted the following proposed nominations as having met the Green Means Go Green Zone eligibility requirements:

1. Greenback Green Zone
2. Glenn-Iron Point Green Zone
3. Historic District Green Zone
4. Central Business Green Zone
5. College-Broadstone Green Zone
6. Creekside Green Zone

Each of these Green Zones are shown on the attached Green Means Go Green Zones Nomination Map (Attachment 2). The City Council is being asked to adopt a resolution that would approve these designated Green Zones in the City of Folsom.

POLICY / RULE

Local agencies must adopt their Green Zones by action of their city council or board of supervisors. The SACOG Board will then considering adopting the nominated Green Zones at its December 2020 meeting.

ANALYSIS

For Green Means Go, SACOG has solicited its member local governments to nominate Green Zones that are 1) within infill areas, defined by the 2020 MTP/SCS Community Type map as Center and Corridor Communities or Established Communities, 2) within areas planned for growth or being considered for increased growth through current local planning work, and; 3) supported by local policies and actions that support increased development or redevelopment in the area. local jurisdictions are asked to nominate Green Zones in areas where they will support infill, reduce regulatory and economic barriers to infill, and encourage new transportation options. There are no limitations on how many areas a jurisdiction can nominate and there are no size requirements. Additionally, prioritizing specific communities or corridors is highly encouraged to better target future investments where they can have the greatest impact.

In considering areas within Folsom that meet Green Means Go criteria, staff focused on the land use and mobility policies of the recently adopted 2035 General Plan that call for strategic urban development north of Highway 50 that preserves existing viable neighborhoods and targets new development primarily to infill areas that are vacant, underutilized, or already entitled. Specifically, these policies target intensified mixed use development in the vicinity of the City's three existing light rail stations and along the established corridors (e.g. East Bidwell Street).

The City's General Plan identifies three SACOG Transit Priority Areas (TPAs), which are areas located within one-half mile around each of the three light rail stations (Historic Folsom Station, Glenn Station, and Iron Point Station). Land use policies for these areas encourage dense mixed-use transit-oriented development that facilitate connections (including bicycle and pedestrian connections) between transit modes. Land use policies for these areas also note that the Historic District is distinctly different from the rest of Folsom. As such, staff identified two Green Zones within the TPAs as follows: Glenn-Iron Point Green Zone, which essentially includes parcels within both the Glenn Station TPA and the Iron Point Station TPA, as well as parcels within the Lake Forest Tech Center and the Historic District Green Zone which includes parcels within the Historic Folsom Station TPA. In addition to potential future infill development opportunities, these TPA Green Zones are in areas where transportation options make sense to promote shorter, fewer, and cleaner vehicle trips.

In addition to identifying TPAs, the City's General Plan establishes the East Bidwell Corridor (EBC) overlay which provides for a mixture of commercial and residential uses along East Bidwell Street. This designation encourages higher density mixed-use patterns of development and redevelopment that provide a variety of housing opportunities and create distinct and unique areas of the city. Policies also encourage pedestrian- and bicycle-friendly street patterns that provide intermodal connections to transit stops. Within the EBC overlay, staff identified three Greens Zones as follows: Central Business Green Zone, Creekside Green Zone and College-Broadstone Green Zone. It is worth noting that for the Central Business Green Zone, the boundary includes two city-owned sites (Lembi Park parking lot and the small vacant parcel across from Folsom Lake High School) along Riley Street which are not within the EBC overlay boundary, but are areas identified by staff that have potential for future electric vehicle charging infrastructure and/or multimodal hubs.

Finally, in considering other suitable Green Zone areas, staff identified the Greenback Lane commercial corridor area adjacent to the city/county boundary as a candidate. This Greenback Green Zone, which currently has several underutilized sites, has potential for future infill development or redevelopment.

As previously indicated in this staff report, the purpose of Green Means Go Program is to come up with GHG emissions reduction strategies in targeted areas of the city called Green Zones. These strategies include accelerating infill development, reducing vehicle trips, and promoting clean mobility options. Should SACOG receive state funding leading up to the next MTP/SCS update, qualifying projects within the nominated Green Zones will be eligible to apply for Green Means Go funding. Examples of qualifying projects for future Green Means Go funding are shown in Attachment 3.

FINANCIAL IMPACT

There is no financial impact associated with nominating Green Zones.

ENVIRONMENTAL REVIEW

The project is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15195 (Residential Infill Exemptions), 15262 (Feasibility and Planning Studies) and 15308 (Actions by Regulatory Agencies for Protection of the Environment) of the CEQA Guidelines.

ATTACHMENTS

1. Resolution No. 10547 - A Resolution of the City Council of the City of Folsom Designating Green Zones Within the City to Promote Infill Development and Reduce Existing Barriers and Provide New Transportation Options
2. Green Means Go Map
3. Example Green Means Go Projects Identified by SACOG

Submitted,



Pam Johns, Community Development Director

ATTACHMENT 1

Resolution No. 10547 - A Resolution of the City Council of the City of
Folsom Designating Green Zones Within the City to Promote Infill
Development and Reduce Existing Barriers and Provide New Transportation
Options

RESOLUTION NO. 10547**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FOLSOM
DESIGNATING GREEN ZONES WITHIN THE CITY TO PROMOTE INFILL
DEVELOPMENT AND REDUCE EXISTING BARRIERS AND PROVIDE NEW
TRANSPORTATION OPTIONS**

WHEREAS, the City of Folsom is a member of the Sacramento Area Council of Governments (SACOG); and

WHEREAS, the region faces an ambitious state-mandated per capita greenhouse gas reduction target of 19 percent by 2035 for the Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS), adopted November 18, 2019; and

WHEREAS, the City of Folsom is committed to helping the Sacramento region meet its 19 percent greenhouse gas reduction target by facilitating more housing and transportation choices and advancing economic prosperity; and

WHEREAS, SACOG and its member local governments must work in partnership with the state in order to support housing and transportation projects that will help the region and the state achieve our environmental goals; and

WHEREAS, the Green Means Go pilot project will be a meaningful and measurable effort to catalyze and advance projects and programs that accelerate infill housing, travel options, and electric vehicle deployment in targeted areas, called Green Zones; and

WHEREAS, SACOG has solicited its member local governments to nominate Green Zones that are 1) within infill areas, defined by the 2020 MTP/SCS Community Type map as Center and Corridor Communities or Established Communities, 2) within areas planned for growth or being considered for increased growth through current local planning work, and; 3) supported by local policies and actions that support increased development or redevelopment in the area; and

WHEREAS, SACOG acknowledges that Green Zones are areas where new growth is planned or being planned, and encourages, where applicable, outreach in disadvantaged communities, proactive anti-displacement policies and mitigation strategies in an attempt to reduce gentrification and displacement within Green Zones as they grow and transform; and

WHEREAS, SACOG understands that funding and priorities can change over time and will allow amendments to the Green Zones on an as-needed basis following discussions with local agency staff and at the discretion of the SACOG Executive Director; and

WHEREAS, SACOG has reviewed nominated Green Zones within Folsom and has accepted those nominations as having met the Green Means Go Green Zone eligibility requirements.

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

1. Reaffirms its commitment to helping the State of California and the SACOG region reach its current 19 percent greenhouse gas reduction goal through implementation of the Green Means Go pilot project.
2. Adopts the following named areas as Green Zones: Greenback Green Zone, Glenn-Iron Point Green Zone, Historic District Green Zone, Central Business District Green Zone, College-Broadstone Green Zone and Creekside Green Zone.
3. Authorizes the City Manager to propose amendments to the SACOG Executive Director for Greens Zones named herein.

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

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

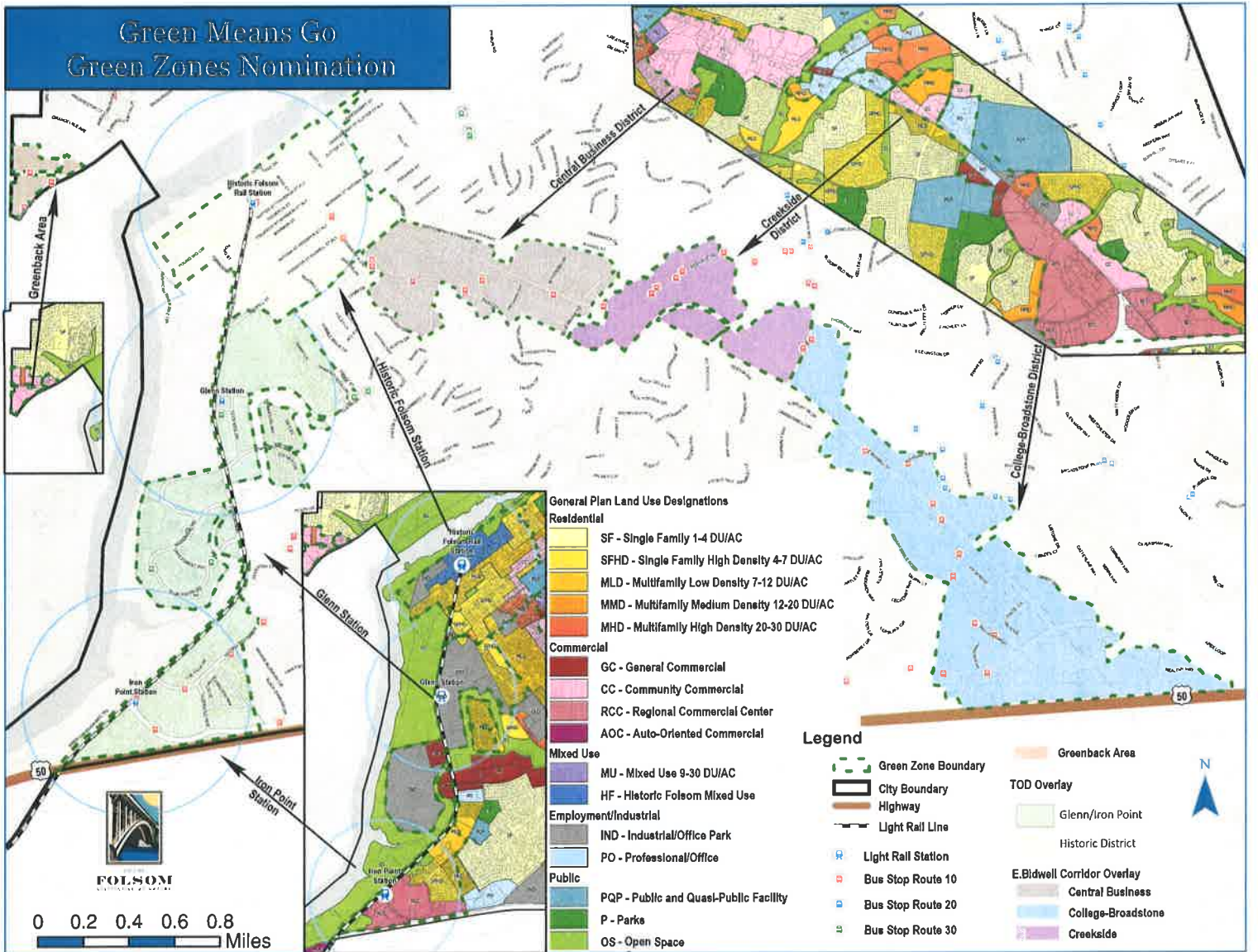
Sarah Aquino, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

ATTACHMENT 2

Green Means Go Map



ATTACHMENT 3

Example Green Means Go Projects Identified by SACOG

EXAMPLE GREEN MEANS GO PROJECTS IDENTIFIED BY SACOG

Accelerate Infill:

- Specific infrastructure improvements necessary to support higher density housing and commercial development, including resizing water, sewer, and drainage.
- Rehabilitation of historic main street buildings in smaller cities and suburbs to provide housing and retail space
- Site inventory of commercial properties and feasibility study to provide concept-level design alternatives for infill properties with the greatest potential to include affordable housing.
- Identify excessive parking areas and develop an incentive program to redevelop these areas, with a focus on housing.
- Fund the consolidation and/or purchase of sites/smaller parcels to help spur affordable housing developments.
- Create a series of architectural pre-approved ADU master plans that Green Zone residents could utilize free of charge to help speed up the building plan check process and lower the cost of ADUs by removing the design professional cost.
- Eliminate all ADU and multi-family housing impact fees in the Green Zone to help incentivize a larger inventory of different housing types.
- Four-Plex pilot: Design and develop a prototype four-plex on a 60 feet x 120 feet parcel to reduce cost and incentivize increased density.

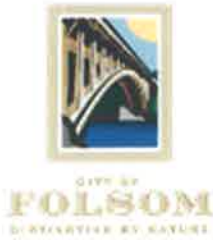
Accelerate Travel Options:

- Provide demand responsive rideshare alternative between transit hubs and major business and residential hubs.
- Implement Transportation Demand Management programs to increase use of alternatives to driving, including transit, ridesharing, walking, biking, and telework.
- Express transit service to reduce parking demand and private ride sharing and vanpool services to provide alternative(s) to commuting by single occupant vehicle.

Accelerate Electric Vehicle Deployment:

- Expand and improve EV charging infrastructure and multimodal hubs.
- Create an Electric Vehicle Mobility hub in Light Rail station parking lots to accommodate last mile travel from transit to job centers.

This page is intentionally left blank.



Folsom City Council Staff Report

MEETING DATE:	10/27/2020
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10548 – A Resolution of the City Council of the City of Folsom Approving Application(s) for Per Capita Grant Funds
FROM:	Parks and Recreation Department

RECOMMENDATION / CITY COUNCIL ACTION

Staff recommends the City Council approve Resolution No. 10548 – A Resolution of the City Council of the City of Folsom Approving Application(s) for Per Capita Grant Funds.

BACKGROUND / ISSUE

Proposition 68 (Prop 68) was placed on the ballot via Senate Bill 5 and approved by the voters in 2018. Prop 68 authorized \$4 billion in general obligation bonds for state and local parks, environmental protection and restoration projects, water infrastructure projects, and flood protection projects. Through Prop 68, State funds were appropriated for the Per Capita Grant Program and made available for local park rehabilitation, creation, and improvement grants to local governments on a per capita basis.

On May 28, 2019, the City submitted the Per Capita Allocation Questionnaire to determine grant allocation. According to the Per Capita Program guidelines, projects submitted must be for recreational purposes, either acquisition or development. Additionally, grantees must use Per Capita Program grant funds to supplement existing expenditures, rather than replace or supplement existing funding. All projects not serving a severely disadvantaged community require a 20% match.

On June 24, 2020, Office of Grants and Local Services (OGALS) announced that the Per Capita allocation for the City of Folsom was \$177,952. In addition to the allocation, the City also received \$47,963 in Urban County Per Capita funds. These additional funds were allocated at a rate of \$.61 per capita to cities and districts in urbanized counties (a county with a population of 500,000 or more) providing park and recreation services within jurisdictions of 200,000 or less in population. Therefore, the total funds allocated from the

Per Capita program would be \$225,915. With the 20% match (or \$45,183), the total amount for park projects would be \$271,098.

City staff is currently working with the Parks and Recreation Commission on identifying the appropriate park project that meets the Prop 68 criteria and funding amount. Staff will soon work on the project application which is due no later than December 31, 2021.

The project(s) work is required to be completed by December 31, 2023.

POLICY / RULE

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

FINANCIAL IMPACT

The total Per Capita allocation for the City is \$225,915. The required 20% match (\$45,183) will be met with funds to be identified at a later date.

ENVIRONMENTAL REVIEW

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

ATTACHMENT

Resolution No. 10548 – A Resolution of the City Council of the City of Folsom Approving Application(s) for Per Capita Grant Funds.

Submitted,

Lorraine Poggione,
Parks and Recreation Department Director

RESOLUTION NO. 10548**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FOLSOM APPROVING APPLICATION(S) FOR PER CAPITA GRANT FUNDS**

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility by the Legislature of the State of California for the administration of the Per Capita Grant Program, setting up necessary procedures governing application(s); and

WHEREAS, said procedures established by the State Department of Parks and Recreation require the grantee's Governing Body to certify by resolution the approval of project application(s) before submission of said applications to the State; and

WHEREAS, the grantee will enter into a contract(s) with the State of California to complete project(s);

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

1. Approves the filing of project application(s) for Per Capita program grant project(s); and
2. Certifies that said grantee has or will have available, prior to commencement of project work utilizing Per Capita funding, sufficient funds to complete the project(s); and
3. Certifies that the grantee has or will have sufficient funds to operate and maintain the project(s), and
4. Certifies that all projects proposed will be consistent with the park and recreation element of the City's general plan (PRC §80063(a)), and
5. Certifies that these funds will be used to supplement, not supplant, local revenues in existence as of June 5, 2018 (PRC §80062(d)), and
6. Certifies that it will comply with the provisions of §1771.5 of the State Labor Code, and
7. (PRC §80001(b)(8)(A-G)) To the extent practicable, as identified in the "Presidential Memorandum--Promoting Diversity and Inclusion in Our National Parks, National Forests, and Other Public Lands and Waters," dated January 12, 2017, the City of Folsom will consider a range of actions that include, but are not limited to, the following:
 - (A) Conducting active outreach to diverse populations, particularly minority, low-income, and disabled populations and tribal communities, to increase awareness within those communities and the public generally about specific programs and opportunities.
 - (B) Mentoring new environmental, outdoor recreation, and conservation leaders to increase diverse representation across these areas.
 - (C) Creating new partnerships with state, local, tribal, private, and nonprofit organizations to expand access for diverse populations.

- (D) Identifying and implementing improvements to existing programs to increase visitation and access by diverse populations, particularly minority, low-income, and disabled populations, and tribal communities.
- (E) Expanding the use of multilingual and culturally appropriate materials in public communications and educational strategies, including through social media strategies, as appropriate, that target diverse populations.
- (F) Developing or expanding coordinated efforts to promote youth engagement and empowerment, including fostering new partnerships with diversity-serving and youth-serving organizations, urban areas, and programs.
- (G) Identifying possible staff liaisons to diverse populations.

8. Agrees that to the extent practicable, the project(s) will provide workforce education and training, contractor and job opportunities for disadvantaged communities (PRC §80001(b)(5)).
9. Certifies that the grantee shall not reduce the amount of funding otherwise available to be spent on parks or other projects eligible for funds under this division in its jurisdiction. A one-time allocation of other funding that has been expended for parks or other projects, but which is not available on an ongoing basis, shall not be considered when calculating a recipient’s annual expenditures. (PRC §80062(d)).
10. Certifies that the grantee has reviewed, understands, and agrees to the General Provisions contained in the contract shown in the Procedural Guide; and
11. Delegates the authority to the (designated position, not name of person occupying position), or designee to conduct all negotiations, sign and submit all documents, including, but not limited to applications, agreements, amendments, and payment requests, which may be necessary for the completion of the grant scope(s); and
12. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.

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

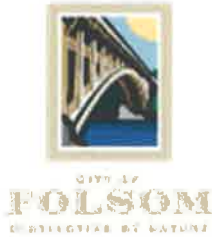
I, the undersigned, hereby certify that the foregoing Resolution Number was duly adopted by the City Council following a roll call vote:

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

 Sarah Aquino, MAYOR

ATTEST:

 Christa Freemantle, CITY CLERK



Folsom City Council Staff Report



MEETING DATE:	10/27/2020
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10540 - A Resolution Authorizing the City Manager to Execute a Memorandum of Understanding Agreement with the Capital SouthEast Connector Joint Powers Authority for the Capital SouthEast Connector Segment D3(A), Project No. PW1607, Federal Project No. 5288(046)
FROM:	Public Works Department

RECOMMENDATION / CITY COUNCIL ACTION

The Public Works Department recommends that the City Council pass and approve Resolution No. 10540 - A Resolution Authorizing the City Manager to Execute a Memorandum of Understanding Agreement with the Capital SouthEast Connector Joint Powers Authority for the Capital SouthEast Connector Segment D3(A), Project No. PW1607, Federal Project No. 5288(046).

BACKGROUND / ISSUE

The planned Capital SouthEast Connector is a 34-mile limited-access roadway spanning from U.S. 50 at Silva Valley Parkway interchange in El Dorado County to Interstate 5 at the Hood-Franklin Interchange in Elk Grove. The Connector is planned to be constructed in segments as funding and priorities allow. Segment D3 includes the length of the Connector that borders the City of Folsom and Sacramento County from Prairie City Road to the El Dorado County Line. Segment E1 is the El Dorado County Segment that Segment D3 ties into.

Segment D3 has been further segmented into two additional segments: D3(A) and D3(B). Segment D3(A) will upgrade existing White Rock Road to a four-lane expressway beginning near the intersection of Prairie City Road and continuing through the intersection of East Bidwell Street. The project entails constructing four lanes between these two major intersections, including a bridge over Alder Creek. The bridge also serves as a “wildlife crossing,” as contemplated in the South Sacramento Habitat Conservation Plan.

The project is a complete reconstruction that will create a new alignment of White Rock Road adjacent and immediately south of the existing White Rock Road. The existing White Rock Road will remain open to traffic during construction.

The City of Folsom is leading the construction of this project on behalf of the Capital SouthEast Connector Joint Powers Authority (JPA) and in collaboration with Sacramento County.

The City has secured Surface Transportation Block Grant Program (STBG) and SB1 funding from Sacramento Area Council of Governments (SACOG) in partnership with the Capital SouthEast Connector JPA. A request for authorization to proceed with construction was submitted to Caltrans on May 15, 2020. The Authorization to Proceed (E-76) was received on June 25, 2020 and the subsequent Supplemental Agreement was received on August 8, 2020.

The Memorandum of Understanding with the Capital SouthEast Connector Joint Powers (JPA) authority will identify any additional financial transactions and/or responsibilities between the City and JPA. Additional grant funding has been sought by the JPA to supplement Rubberized Asphalt and for some funding for the recently completed Utility Corridor Grading Project.

POLICY / RULE

Execution of a Memorandum of Understanding Agreement between Agencies require City Council approval.

ANALYSIS

Memorandum of Understanding provides the framework of transactions between the City of Folsom and Capital SouthEast Connector Joint Powers Authority.

The construction project has held a public bid opening and award is to be presented to City Council at the October 27, 2020 meeting along with the award for the Construction Engineering Contracts.

FINANCIAL IMPACT

The Capital SouthEast Connector JPA will provide \$30,000 to supplement funding for the Utility Corridor Grading Project.

The Capital SouthEast Connector JPA will reimburse the City up to \$220,000 from a Cal Recycle Grant they have recently received to supplement the Rubberized Hot Mix Asphalt placed on the project.

All funds received by the City will be placed in the Transportation Impact Fund (Fund 446).

The project budget for construction and construction engineering is as follows:

The Capital SouthEast Connector Segment D3A is eligible to receive funds from FAST Act funding based on a SACOG Regional Surface Transportation Block Grant and SB1 Funding. Funding for construction and construction engineering is shown below:

Fund	Fund Type	Amount
FAST Act	Surface Transportation Block Grant to match SB-1 Funding 1 to 1 at \$10,000,000	\$15,000,000
SB1	Competitive	\$10,000,000
Local Transportation Fund (446)	To match Surface Transportation Block Grant of \$15,000,000 at 11.47%	\$1,720,500
Local Transportation Fund (446)	To Cover Balance of Project Funding	\$1,194,896
	Project Budget for Construction	\$27,915,396

The FAST Act funding requires a local match of 11.47%. The Transportation Fund (Fund 446) will be utilized to meet the required match of \$1,720,500. The SB1 Funding requires a match of 100%, of which the FAST Act funding will be utilized for the match. The Fast Act Grant and will be reimbursed by Caltrans.

The FY 2020-21 Capital Improvement Plan (CIP) included the Capital SouthEast Connector project with a project budget of \$5,550,000. Award of the construction and construction engineering agreements will be presented to the City Council on October 27, 2020.

ENVIRONMENTAL REVIEW

In 2016 the Capital SouthEast Connector JPA approved a California Environmental Quality Act (CEQA) Tiered Initial Study with Mitigated Negative Declaration for the Capital Southeast Connector Segment D3/E1.

Caltrans approved the National Environmental Policy Act (NEPA) Categorical Exclusion for Segment D3/E1.

The project is not located in an environmentally sensitive area and would not result in potential impacts to the environment, including traffic, noise, air quality and water quality.

ATTACHMENTS

1. Resolution No. 10540 - A Resolution Authorizing the City Manager to Execute a Memorandum of Understanding Agreement with the Capital SouthEast Connector

Joint Powers Authority for the Capital SouthEast Connector Segment D3(A), Project
No. PW1607, Federal Project No. 5288(046)

2. Memorandum of Understanding Agreement

Submitted,



Dave Nugen, PUBLIC WORKS DIRECTOR

ATTACHMENT 1

RESOLUTION NO. 10540

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A
MEMORANDUM OF UNDERSTANDING AGREEMENT WITH THE CAPITAL
SOUTHEAST CONNECTOR JOINT POWERS AUTHORITY FOR THE CAPITAL
SOUTHEAST CONNECTOR SEGMENT D3(A), PROJECT NO. PW1607, FEDERAL
PROJECT NO. 5288(046)**

WHEREAS, the Capital SouthEast Connector Project is the Sacramento region's largest single transportation project; and

WHEREAS, the City of Folsom is a Member Jurisdiction of the Capital SouthEast Connector Joint Powers Authority and will implement the Project; and

WHEREAS, the Capital SouthEast Connector Project has, to date, been funded primarily through a Sacramento County sales-tax measure approved in 2004 by 75 percent of voters; and

WHEREAS, the Capital SouthEast Connector Project has developed a program development budget that requires the use of Federal and State funds to advance the project towards timely construction; and

WHEREAS, the City of Folsom desires to construct the Capital SouthEast Connector Project Segment D3(A) along the City's border to four lanes with two eight foot shoulders; and

WHEREAS, the City of Folsom received Surface Transportation Black Grant Program funding, and is eligible for federal reimbursement; and

WHEREAS, the City of Folsom received SB-1 funding, and is eligible for state reimbursement; and

WHEREAS, the City of Folsom and Capital SouthEast Connector Joint Powers Authority desires to enter into a Memorandum of Understanding; and

WHEREAS, the Memorandum of Understanding will identify responsibilities and financial transactions between the City and Capital SouthEast Connector Joint Powers Authority; and

WHEREAS, funds received will be credited to Transportation Fund (Fund 446); and

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

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Folsom authorizes the City Manager to Execute a Memorandum of Understanding with the Capital SouthEast Joint Powers Authority for the Capital SouthEast Connector Segment D3(A), Project No. PW1607, Federal Project No. 5288(046).

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

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

Sarah Aquino, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

ATTACHMENT 2

MEMORANDUM OF UNDERSTANDING

BETWEEN THE CAPITAL SOUTHEAST CONNECTOR JPA AND THE CITY OF FOLSOM RELATED TO A PORTION OF SEGMENT D3 OF THE CAPITAL SOUTHEAST CONNECTOR EXPRESSWAY

This Memorandum of Understanding (“MOU”) is made and entered into on this ___ day of October, 2020 by and between the Capital Southeast Connector Joint Powers Authority, a joint powers authority, (“JPA”) and the City of Folsom, a Municipal Corporation (“City”).

RECITALS

WHEREAS, the City and JPA have collaborated on the design of a portion of Segment D3 of the Capital Southeast Connector Expressway beginning at the intersection of Prairie City Road and continuing to the intersection of East Bidwell Street (the “Project”); and

WHEREAS, the Project involves the construction of four lanes and a bridge over Alder Creek, which will result in a new alignment of White Rock Road adjacent and immediately south of its existing location; and

WHEREAS, on May 13, 2020, the California Transportation Commission authorized \$25 million for construction of the Project; and

WHEREAS, the City received construction authorization from the California Department of Transportation (“Caltrans”) on June 25, 2020 and subsequently released the Project for bid; and

WHEREAS, the City and JPA desire to address certain ancillary issues related to costs associated with preliminary grading for the Project and the use of funds awarded to the JPA in connection the Department of Resources Recycling and Recovery (“CalRecycle”) Fiscal Year 2019-20 Rubberized Pavement Grant Program, Grant Number TRP12-19-0002 (the “Grant”).

NOW, THEREFORE, the parties hereto, in consideration of the mutual covenants, promises, and agreements herein contained, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged and agreed, do hereby agree as follows:

1. **Recitals**. The above recitals are true and correct and are hereby made a part of this MOU.
2. **Term**. This MOU shall terminate on April 1, 2022 or upon completion of the Project, whichever is sooner.
3. **Project Utility Grading**. Within sixty (60) days of execution of this MOU, the JPA shall pay the City thirty thousand dollars (\$30,000.00) for use in connection with certain Project costs associated with preliminary grading related to utility relocations.
4. **Reimbursement of Grant Funds**. The parties acknowledge the JPA has been awarded Grant funds in an amount not to exceed two hundred twenty thousand dollars (\$220,000.00) and that the Grant is reimbursement based in accordance with rates established in the Grant agreement. In connection with the Project and consistent with the terms of the Grant

agreement, the JPA shall seek reimbursement of all eligible costs and expenses from Grant funds awarded to the Project and remit any such Grant reimbursement received to the City. The City shall provide all requisite information and supporting documentation necessary for the completion of any forms, reports and documents required in connection with seeking reimbursement of Grant funds. The JPA and City acknowledge that determination of eligibility of costs and expenses for reimbursement is made by exclusively by CalRecycle in accordance with the terms of the Grant agreement and that the JPA is only obligated to remit to the City as reimbursement any Grant funds received by the JPA.

5. Eligibility for Receipt of Grant Funds. The City hereby certifies that California Labor Code Section 1782 does not prohibit the City from receiving state funds for the Project. The City further certifies that it complies with California Labor Code Section 1770-1782.
6. Amendment. This MOU and all of the covenants and conditions set forth herein, may be modified, amended or terminated only by a writing duly authorized and executed by both the City and the JPA.
7. Construction and Interpretation. It is agreed and acknowledged by the parties hereto that the provisions of this MOU have been arrived at through negotiation, and that each of the parties has had a full and fair opportunity to revise the provisions of this MOU and to have such provisions reviewed by legal counsel. Therefore, the normal rule of construction that any ambiguities are to be resolved against the drafting party shall not apply in construing or interpreting this MOU.
8. Venue. This MOU and all matters relating to it shall be governed by the laws of the State of California and any action brought relating to this MOU shall be held exclusively in a state court in Sacramento County.
9. Severability. If any provision of this MOU is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remainder of this MOU shall not be affected, except as necessarily required by the invalid provisions, and shall remain in full force and effect unless amended or modified by mutual consent of the parties.
10. Notices. All notices, requests, certifications or other correspondence required to be provided by the parties to this MOU shall be in writing and shall be personally delivered or delivered by first class mail to the respective parties at the following addresses:

CITY

City of Folsom
 Attn: City Manager
 50 Natoma Street
 Folsom, CA 95630

JPA
Capital SouthEast Connector JPA
Attn: Executive Director
10640 Mather Blvd., Ste. 120
Mather, CA 95655

Notice by personal delivery shall be effective immediately upon delivery. Notice by mail shall be effective upon receipt or three days after mailing, whichever is earlier.

11. Counterparts. This MOU may be executed in multiple counterparts, each of which shall constitute an original, and all of which taken together shall constitute one and the same instrument. Documents executed, scanned, and transmitted electronically and electronic signatures shall be deemed original signatures for purposes of this Agreement and all matters related thereto, with such scanned and electronic signatures having the same legal effect as original signatures.

[SIGNATURES ON NEXT PAGE]

IN WITNESS WHEREOF, the parties hereto have executed this MOU in the County of Sacramento, State of California, on the date set forth above.

CITY OF FOLSOM

Elaine Andersen, City Manager

Approved as to Form:

Steven Wang, City Attorney

Attest:

Dave Nugen, Public Works Director

Stacey Tamagni, Finance Director

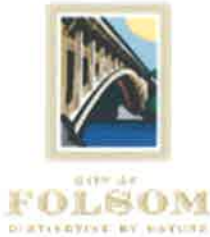
Christa Freemantle, City Clerk

CAPITAL SOUTHEAST CONNECTOR AUTHORITY

Derek Minnema, Executive Director

Approved as to Form:

Sloan Sakai Yeung & Wong, LLP
Legal Counsel to JPA



Folsom City Council Staff Report



MEETING DATE:	10/27/2020
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10541 - A Resolution Authorizing the City Manager to Execute Updated Program Supplement Agreement with Caltrans for the Capital SouthEast Connector Segment D3(A), Project No. PW1607, Federal Project No. 5288(046)
FROM:	Public Works Department

RECOMMENDATION / CITY COUNCIL ACTION

The Public Works Department recommends that the City Council pass and adopt Resolution No. 10541 - A Resolution Authorizing the City Manager to Execute Updated Program Supplement Agreement with Caltrans for the Capital SouthEast Connector Segment D3(A), Project No. PW1607, Federal Project No. 5288(046).

BACKGROUND / ISSUE

The planned Capital SouthEast Connector is a 34-mile limited access roadway spanning from U.S. 50 at Silva Valley Parkway interchange in El Dorado County to Interstate 5 at the Hood-Franklin Interchange in Elk Grove. The Connector is planned to be constructed in segments as funding and priorities allow. Segment D3 includes the length of the Connector that borders the City of Folsom and Sacramento County from Prairie City Road to the El Dorado County Line. Segment E1 is the El Dorado County Segment that Segment D3 ties into.

Segment D3 has been further segmented into two additional segments: D3(A) and D3(B). Segment D3(A) will upgrade existing White Rock Road to a four-lane expressway beginning near the intersection of Prairie City Road and continuing through the intersection of East Bidwell Street. The project entails constructing four lanes between these two major intersections, including a bridge over Alder Creek. The bridge also serves as a “wildlife crossing,” as contemplated in the South Sacramento Habitat Conservation Plan.

The project is a complete reconstruction that will create a new alignment of White Rock Road adjacent and immediately south of the existing White Rock Road. The existing White Rock Road will remain open to traffic during construction.

The City of Folsom is leading the construction of this project on behalf of the Capital SouthEast Connector Joint Powers Authority (JPA) and in collaboration with Sacramento County.

The City has secured Surface Transportation Block Grant Program (STBG) and SB1 funding from Sacramento Area Council of Governments (SACOG) in partnership with the Capital SouthEast Connector JPA. A request for authorization to proceed with construction was submitted to Caltrans on May 15, 2020. The Authorization to Proceed (E-76) was received on June 25, 2020 and the subsequent Supplemental Agreement was received on August 8, 2020.

Caltrans requires a Program Supplement Agreement to the Administering Agency–State Agreement for each project administered through Caltrans. The matching requirements have been updated to correspond with CTC Application for SB-1 Local Partnership Program funding guidelines.

POLICY / RULE

Execution of an Administering Agency-State Agreement and Program Supplement Agreement requires City Council approval.

ANALYSIS

The City of Folsom is required to execute the Program Supplement Agreement with Caltrans Local Assistance to proceed with the construction of the Capital SouthEast Connector Segment D3(A). This project is eligible for a reimbursement from the Fixing America’s Surface Transportation Act (FAST Act) for Federal Funding and SB1 for State Funding. The construction project team has held a public bid opening and award is to be presented to City Council at the October 27, 2020 meeting along with the award for the Construction Engineering Contracts.

The Program Supplement funding and matching funds are to be adjusted to the actual funding need based on the contracts for Construction and Construction Engineering.

The City must invoice Caltrans to receive any reimbursement. However, prior to invoicing Caltrans, the City must approve a Program Supplement Agreement for the Capital SouthEast Connector Segment D3(A). This is a Caltrans standard form that has previously been approved by the City Attorney for other projects, including the Orangevale Bridge Rehabilitation Project, Rainbow Bridge Maintenance Project, Folsom Boulevard Improvements, Historic Folsom Station Phase I Project, Street Repair and Resurfacing Project – 2005, Phase I, Street Repair and Resurfacing Project – 2004 Phase II, Folsom/El Dorado Transit Corridor Study, US 50/East Bidwell Street Interchange, Riley Street Extension, and Folsom/Auburn Road Widening Projects.

FINANCIAL IMPACT

The Capital SouthEast Connector Segment D3(A) is eligible to receive funds from FAST Act funding based on a SACOG Regional Surface Transportation Program Grant and SB1 Funding. Funding for construction and construction engineering is shown below:

Fund	Fund Type	Amount
FAST Act	Surface Transportation Block Grant to match SB-1 Funding 1 to 1 at \$10,000,000	\$15,000,000
SB1	Competitive	\$10,000,000
Local Transportation Fund (446)	To match Surface Transportation Block Grant of \$15,000,000 at 11.47%	\$1,720,500
Local Transportation Fund (446)	To Cover Balance of Project Funding	\$1,194,896
	Project Budget for Construction	\$27,915,396

The FAST Act funding requires a local match of 11.47%. The Transportation Fund (Fund 446) will be utilized to meet the required match of \$1,720,500. The SB1 funding requires a 100% match, of which \$10,000,000 of the FAST Act funding will be utilized as the match.

The FY 2020-21 Capital Improvement Plan (CIP) included the Capital SouthEast Connector Segment D3 Project with a total project budget of \$5,550,000. Award of the construction and construction engineering agreements will be presented to the City Council for the award on October 27, 2020.

ENVIRONMENTAL REVIEW

In 2016 the Capital SouthEast Connector JPA approved a California Environmental Quality Act (CEQA) Tiered Initial Study with Mitigated Negative Declaration for the Capital Southeast Connector Segment D3/E1.

Caltrans approved the National Environmental Policy Act (NEPA) Categorical Exclusion for Segment D3/E1.

The project is not located in an environmentally sensitive area and would not result in potential impacts to the environment, including traffic, noise, air quality and water quality.

ATTACHMENTS

1. Resolution No. 10541 - A Resolution Authorizing the City Manager to Execute Updated Program Supplement Agreement with Caltrans for the Capital SouthEast Connector Segment D3(A), Project No. PW1607, Federal Project No. 5288(046)

Submitted,



Dave Nugen, PUBLIC WORKS DIRECTOR

RESOLUTION NO. 10541**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE UPDATED PROGRAM SUPPLEMENT AGREEMENT WITH CALTRANS FOR THE CAPITAL SOUTHEAST CONNECTOR SEGMENT D3(A), PROJECT NO. PW1607, FEDERAL PROJECT NO. 5288(046)**

WHEREAS, the Capital SouthEast Connector Project is the Sacramento region's largest single transportation project; and

WHEREAS, the City of Folsom is a Member Jurisdiction of the Capital SouthEast Connector Joint Powers Authority and will implement the Project; and

WHEREAS, the Capital SouthEast Connector Project has, to date, been funded primarily through a Sacramento County sales-tax measure approved in 2004 by 75 percent of voters; and

WHEREAS, the Capital SouthEast Connector Project has developed a program development budget that requires the use of Federal and State funds to advance the project towards timely construction; and

WHEREAS, the City of Folsom desires to construct the Capital SouthEast Connector Project Segment D3(A) along the City's border to four lanes with two eight foot shoulders; and

WHEREAS, the City of Folsom received Surface Transportation Block Grant Program funding, and is eligible for federal reimbursement; and

WHEREAS, the City of Folsom received SB-1 funding, and is eligible for state reimbursement; and

WHEREAS, the City of Folsom is required to execute the Program Supplement F031 to the Administering Agency–State Agreement 03-5288F with the State of California Department of Transportation in order to receive the funding; and

WHEREAS, the matching funds for SB-1 LPP Funding will utilize Surface Transportation Block Grant Program funds at a 1 to 1 ratio; and

WHEREAS, 11.47 percent matching funds for Surface Transportation Block Grant Program Funding will utilize impact fees from the Transportation Fund (Fund 446); and

WHEREAS, funds received will be credited to Transportation Fund (Fund 446); 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 Updated Program Supplement Agreement with Caltrans for the Capital SouthEast Connector Segment D3(A), Project No. PW1607, Federal Project No. 5288(046)

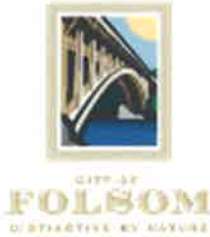
PASSED AND ADOPTED this 27th day of October 2020, by the following roll-call vote:

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

Sarah Aquino, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK



Folsom City Council Staff Report



MEETING DATE:	10/27/2020
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10542 - A Resolution Authorizing the City Manager to Execute a Consultant Agreement with Dokken Engineering, Inc. for the Capital SouthEast Connector Segment D3(A), Project No. PW1607, Federal Project No. 5288(046)
FROM:	Public Works Department

RECOMMENDATION / CITY COUNCIL ACTION

The Public Works Department recommends that the City Council pass and adopt Resolution No. 10542 - A Resolution Authorizing the City Manager to Execute a Consultant Agreement with Dokken Engineering, Inc. for the Capital SouthEast Connector Segment D3(A), Project No. PW1607, Federal Project No. 5288(046).

BACKGROUND / ISSUE

The planned Capital SouthEast Connector is a 34-mile limited access roadway spanning from U.S. 50 at Silva Valley Parkway interchange in El Dorado County to Interstate 5 at the Hood-Franklin Interchange in Elk Grove. The Connector is planned to be constructed in segments as funding and priorities allow. Segment D3 includes the length of the Connector that borders the City of Folsom and Sacramento County from Prairie City Road to the El Dorado County Line. Segment E1 is the El Dorado County Segment that Segment D3 ties into.

Segment D3 has been further segmented into two additional segments: D3(A) and D3(B). Segment D3(A) will upgrade existing White Rock Road to a four-lane expressway beginning near the intersection of Prairie City Road and continuing through the intersection of East Bidwell Street. The project entails constructing four lanes between these two major intersections, including a bridge over Alder Creek. The bridge also serves as a “wildlife crossing,” as contemplated in the South Sacramento Habitat Conservation Plan.

The project is a complete reconstruction that will create a new alignment of White Rock Road adjacent and immediately south of the existing White Rock Road. The existing White Rock Road will remain open to traffic during construction.

The City of Folsom is leading the construction of this project on behalf of the Capital SouthEast Connector Joint Powers Authority (JPA) and in collaboration with Sacramento County.

The City has secured State Transportation Block Grant Program (STBG) and SB1 funding from Sacramento Area Council of Governments (SACOG) in partnership with the Capital SouthEast Connector JPA. A request for authorization to proceed with construction was submitted to Caltrans on May 15, 2020. The Authorization to Proceed (E-76) was received on June 25, 2020 and the subsequent Supplemental Agreement was received on August 8, 2020.

Dokken Engineering, Inc. has provided design and environmental services for the project through a contract with the Capital SouthEast Connector JPA. With funding now being administered by the City it was determined that the project would be better served if Dokken was under contract with the City.

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 \$62,014 or greater shall be awarded by City Council.

ANALYSIS

Dokken Engineering, Inc. is the Designer of Record and has provided all of the environmental studies for the project. This contract will provide the project team with support from both the design and environmental groups that have worked on the project. Services will include support for submittals, requests for information and unforeseen issues from the design side. The environmental group will provide surveys and training and continue as the coordinator for the regulatory agencies.

FINANCIAL IMPACT

The Capital SouthEast Connector Segment D3A is eligible to receive funds from FAST Act funding based on a SACOG Regional Surface Transportation Program Grant and SB1 Funding. Funding for construction and construction engineering is shown below:

Fund	Fund Type	Amount
FAST Act	Surface Transportation Block Grant to match SB-1 Funding 1 to 1 at \$10,000,000	\$15,000,000
SB1	Competitive	\$10,000,000
Local Transportation Fund (446)	To match Surface Transportation Block Grant of \$15,000,000 at 11.47%	\$1,720,500
Local Transportation Fund (446)	To Cover Balance of Project Funding	\$1,195,147
	Project Budget for Construction	\$27,915,396

The FAST Act funding requires a local match of 11.47%. The Transportation Fund (Fund 446) will be utilized to meet the required match of \$1,720,500. The SB1 Funding requires a 100% match, of which \$10,000,000 of the FAST Act funding will be utilized as the match.

The FY 2020-21 Capital Improvement Plan (CIP) included the Capital SouthEast Connector Segment D3 Project with a total project budget of \$5,550,000. Funds are currently available for the agreement with Dokken Engineering in the amount of \$317,157.28.

The contract cost to be presented to City Council in separate resolutions are as follows:

Company	Description	Cost
Goodfellow Brothers, LLC	Construction	\$22,368,765.00
	10% Contingency for Construction	\$2,236,876.50
Salaber Associates, Inc.	Construction Engineering, Inspection and Materials Testing	\$2,992,848.00
Dokken Engineering, Inc.	Design Support and Environmental Services	\$317,157.28
	Project Budget for Construction	\$27,915,647

ENVIRONMENTAL REVIEW

In 2016 the Capital SouthEast Connector JPA approved a California Environmental Quality Act (CEQA) Tiered Initial Study with Mitigated Negative Declaration for the Capital Southeast Connector Segment D3/E1.

Caltrans approved the National Environmental Policy Act (NEPA) Categorical Exclusion for Segment D3/E1.

The project is not located in an environmentally sensitive area and would not result in potential impacts to the environment, including traffic, noise, air quality and water quality.

ATTACHMENTS

1. Resolution No. 10542 - A Resolution Authorizing the City Manager to Execute a Consultant Agreement with Dokken Engineering, Inc. for the Capital SouthEast Connector Segment D3(A), Project No. PW1607, Federal Project No. 5288(046)
2. Dokken Engineering, Inc. Scope of Services
3. Public Interest Finding for Sole Source Contract

Submitted,



Dave Nugen, PUBLIC WORKS DIRECTOR

ATTACHMENT 1

RESOLUTION NO. 10542

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A
CONSULTANT AGREEMENT WITH DOKKEN ENGINEERING, INC. FOR THE
CAPITAL SOUTHEAST CONNECTOR SEGMENT D3(A), PROJECT NO. PW1607,
FEDERAL PROJECT NO. 5288(046)**

WHEREAS, the Capital SouthEast Connector Project is the Sacramento region's largest single transportation project; and

WHEREAS, the City of Folsom is a Member Jurisdiction of the Capital SouthEast Connector Joint Powers Authority and will implement the Project; and

WHEREAS, the Capital SouthEast Connector Project has, to date, been funded primarily through a Sacramento County sales-tax measure approved in 2004 by 75 percent of voters; and

WHEREAS, the Capital SouthEast Connector Project has developed a program development budget that requires the use of Federal and State funds to advance the project towards timely construction; and

WHEREAS, the City of Folsom desires to construct the Capital SouthEast Connector Project Segment D3(A) along the City's border to four lanes with two eight foot shoulders; and

WHEREAS, the City of Folsom received Surface Transportation Block Grant Program funding, and is eligible for federal reimbursement; and

WHEREAS, the City of Folsom received SB-1 funding, and is eligible for state reimbursement; and

WHEREAS, the City of Folsom desires to enter into a contract with Dokken Engineering, Inc. for Design Support and Environmental Services; and

WHEREAS, a Public Interest Finding has been prepared to accompany the sole-source contract with Dokken Engineering, Inc. for Design Support and Environmental Services; and

WHEREAS, sufficient funds are budgeted and available in the amount of \$317,157.28 in the Capital SouthEast Connector Project, Project No. PW1607; and

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

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Folsom authorizes the City Manager to Execute a Consultant Agreement with Dokken Engineering, Inc. for the Capital SouthEast Connector Segment D3(A), Project No. PW1607, Federal Project No. 5288(046), in the amount of \$317,157.28.

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

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

Sarah Aquino, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

ATTACHMENT 2



DOKKEN ENGINEERING

Transportation Solutions from Concept to Construction

September 30, 2020

Brian Reed
 City of Folsom
 Public Works Department
 50 Natoma Street
 Folsom, CA 95630

**RE: Capital SouthEast Connector, Segment D3a - East Bidwell Street to Prairie City Road
 Construction Support Scope and Fee**

Dear Mr. Reed,

The purpose of this letter is to provide a scope and fee for design and environmental support services during the construction phase between East Bidwell Street and Prairie City Road, of the Capital SouthEast Connector, Segment D3a. The work is comprised of the following tasks with associated budget. The entire description of the work and hourly fee breakdown is included in the attached enclosures.

Construction Support	Budget
Task 1 – Construction Support	\$267,861.80
1.1 Meetings	\$60,903.45
1.2 Requests for Information and Submittals	\$92,223.05
1.3 Revisions to Construction Documents	\$58,092.34
1.4 Preconstruction Nesting Bird Survey and Memorandum	\$4,745.57
1.5 Preconstruction Burrowing Owl Survey and Memorandum	\$5,569.62
1.6 Bat Tree Roosting Habitat Survey and Memorandum and Tree Removal Monitoring	\$5,087.46
1.7 Construction Start Date Agency Memorandum, Agency Site Tours and Meeting Minutes of Field Notes	\$6,691.72
1.8 Environmental Awareness Training and Materials	\$4,628.69
1.9 Biological Monitoring	\$8,792.75
1.10 Archaeological Monitoring	\$10,724.30
1.11 Mitigation Monitoring and Reporting Plan/Environmental Commitment Record Compliance	\$10,402.85
Task 2 – Post Construction Support	\$49,295.48
2.1 Prepare As-Builts	\$23,061.61
2.2. Record of Survey	\$26,233.87
Construction Support Total	\$317,157.28



DOKKEN ENGINEERING

Transportation Solutions from Concept to Construction

Mr. Brian Reed
September 30, 2020
Page 2

Thank you for the opportunity to work on this important project.

Sincerely,

DOKKEN ENGINEERING

Juann Ramos
Project Manager

Enclosures: Exhibit A-1 Scope of Work for Segment D3a – East Bidwell Street to Prairie City Road
Exhibit B-1 Fee for Segment D3a - East Bidwell Street to Prairie City Road

**Capital SouthEast Connector - Scope of Work
(Segment D3a, East Bidwell Street to Prairie City Road - Construction Support)**

EXHIBIT A-1

TASK 1 CONSTRUCTION SUPPORT

1.1 Meetings

CONSULTANT will attend a preconstruction meeting with the entire construction and construction management team to discuss key aspects of the project. CONSULTANT will perform on-site meetings/visits as required to discuss construction concerns and/or provide design support as necessary.

1.2 Requests for Information and Submittals

CONSULTANT will review shop drawings and submittals for conformance with the contract plans and specification, and make recommendation for acceptance, denial or re-submittal within reasonable time of receipt. CONSULTANT will provide response to Contractor's requests for information (RFIs) about the contract plans and specifications forwarded to the design team, within a reasonable amount of time. CONSULTANT will answer contractor or field personnel questions, provide clarification on plans, specifications, or quantities, perform site visits as needed to resolve construction issues, and assist Resident Engineer as needed. CONSULTANT will also review contractor or Resident Engineer proposals and will provide responses immediately to keep construction moving.

Task 1.2 Deliverables:

- Response to RFIs and Submittals

1.3 Revisions to Construction Documents

Upon written authorization from the CITY, CONSULTANT will provide engineering design services for revisions to construction documents resulting from changed field or unforeseen conditions or other change order work required due to actions of the CITY. Change order documentation and processing will be prepared by the CITY's Resident Engineer.

Task 1.3 Deliverables:

- Revisions to Construction Documents

1.4 Preconstruction Nesting Bird Survey and Memorandum

Per BIO-27, CONSULTANT'S qualified project biologists will conduct nesting bird preconstruction clearance surveys. Surveys will be consistent with agency approved survey methods and seasons. The surveys for nesting birds will take place within 3 days of construction. Should any nesting birds be found during preconstruction survey efforts, CONSULTANT will coordinate with the appropriate agencies. A report of all findings during surveys will be submitted to the CITY for review. This scope includes up to two nesting bird surveys.

Task 1.4 Deliverables:

- Preconstruction Nesting Bird Memorandum

**Capital SouthEast Connector - Scope of Work
(Segment D3a, East Bidwell Street to Prairie City Road - Construction Support)**

EXHIBIT A-1

1.5 Preconstruction Burrowing Owl Survey and Memorandum

Per BIO-23, within two weeks prior to construction, CONSULTANT'S qualified project biologists will conduct a pre-construction survey and three days prior to ground disturbance a confirmation survey will be conducted to comply with the Environmental Commitments Record. CONSULTANT'S qualified biologists will survey for burrows that could be used by a burrowing owl. If a suitable burrowing owl burrow is observed, the biologist will determine if the burrow has recently been used or if an owl is present in the burrow. If the burrow is determined to be occupied, a buffer will be established and coordination with California Department of Fish and Wildlife (CDFW) will occur.

Task 1.5 Deliverables:

- Preconstruction Burrowing Owl Memorandum

1.6 Bat Tree Roosting Habitat Survey and Memorandum and Tree Removal Monitoring

Per BIO-31, CONSULTANT'S qualified biologist will survey all large diameter trees to be removed with a diameter of 15" of greater to evaluate potential native bat roosting habitat. Any trees identified as potentially containing habitat must be removed under supervision of a qualified biologist, which includes a two-step process over two consecutive days. The first day the tree must be trimmed to remove all potential bat roosting habitat, and the second day the trimmed trees must be removed.

Task 1.6 Deliverables:

- Bat Tree Roost Survey Memorandum

1.7 Construction Start Date Agency Memorandum, Agency Site Tours and Meeting Minutes of Field Notes

Per BIO-11, CONSULTANT will coordinate with each regulatory agency prior to construction to ensure that construction starts on-time and without delay. Coordination with regulatory agencies will continue throughout construction as needed. Upon construction completion, CONSULTANT will prepare all permit close-out reports as required by the 404, 401, and 1602 permits. The reports will include a summary of construction activities, before and after photographs, any incident reports, and copies of the ECR. The compliance reports will be sent to the CITY for review and comment prior to submittal to the agencies. Pursuant to the 401 requirements, should construction last more than one year, an Annual Report will be prepared and submitted to Regional Water Quality Control Board (RWQCB).

Task 1.7 Deliverables:

- Construction Start Date Agency Memorandum, Agency Site Tours, and Meeting Minutes of Field Notes

1.8 Environmental Awareness Training and Materials

Per BIO-1, CONSULTANT'S qualified project biologist and/or archaeologist will conduct environmental resource trainings prior to and during construction to inform project proponents and personnel of pertinent commitments outlined in the Environmental Commitments Record relating to sensitive biological and cultural resources. Trainings will include specific project information for each resource and will be given in accordance with the appropriate agency standards. Further, CONSULTANT'S team

**Capital SouthEast Connector - Scope of Work
(Segment D3a, East Bidwell Street to Prairie City Road - Construction Support)**

EXHIBIT A-1

will develop and present cultural resource identification and sensitivity training to all construction workers so that all on-site workers are aware of the appropriate procedures and chain-of-command should cultural resources be discovered during construction.

Task 1.8 Deliverables:

- Environmental Awareness Training Materials

1.9 Biological Monitoring

Per BIO-19, biological monitoring will be conducted during initial Environmentally Sensitive Area (ESA) fencing installation and initial ground disturbing activities. Periodic monitoring for sensitive species will be conducted for the duration of ground disturbing work. Should a protected wildlife species or cultural resource be found during these monitoring efforts, CONSULTANT will coordinate with the Resident Engineer and appropriate agencies.

Task 1.9 Deliverables:

- Biological Monitoring Log

1.10 Archaeological Monitoring

Per CUL-11 and CUL-13, cultural resources construction monitoring will occur for any initial ground disturbing work within a known cultural site or within 100 feet of the Archaeological Monitoring Area (east of PSVR and west of existing corral fence). If an archaeological deposit is discovered during construction, all work will halt up to 100 feet while the monitoring archaeologist assess the significance of the find. CONSULTANT will also coordinate with Caltrans to ensure compliance with all measures in the ECR/MMRP.

Task 1.10 Deliverables:

- Archaeological Monitoring Log

1.11 Mitigation Monitoring and Reporting Plan/Environmental Commitment Record Compliance

CONSULTANT will provide environmental support services during construction required to meet regulatory requirements. A qualified biologist and archaeologist will implement and/or ensure compliance with measures of the project's Environmental Commitment Record (ECR) and Mitigation Monitoring and Reporting Plan (MMRP). A qualified biologist will update the ECR and MMRP to include all agency and environmental document commitments which will be signed off as each measure is complied with. Throughout construction, the project biologist will monitor the site to ensure project proponents are complying with all ECR and MMRP measures and will coordinate with the Resident Engineer to remediate any potential non-compliance. At project completion, the bound and signed ECR and MMRP documents will be provided as a record of project compliance.

Task 1.10 Deliverables:

- MMRP and ECR Binder

**Capital SouthEast Connector - Scope of Work
(Segment D3a, East Bidwell Street to Prairie City Road - Construction Support)**

EXHIBIT A-1

TASK 2 POST CONSTRUCTION SUPPORT

2.1 Prepare As-Builts

Following completion and acceptance of the project, CONSULTANT will furnish the CITY with a complete set of revised contract drawings showing as-built conditions. Revisions will be solely based on as-built redlined information provided by the CITY'S Resident Engineer and construction change orders. An electronic PDF of the as-built plans will be provided within one month of receipt of redlined plans.

Task 2.1 Deliverables:

- PDF As-builts

2.2 Record of Survey

CONSULTANT will prepare a post construction Record of Survey along the project corridor. CONSULTANT will utilize the latest design files of the roadway and newly configured right of way and easements as the basis of its survey. CONSULTANT will prepare a final Record of Survey of the project showing final right of way, easements, and project centerline alignment. CONSULTANT understands that centerline street monument wells will be set by the contractor along the project corridor as part of the construction activities. CONSULTANT will set up to 40 additional monuments along the roadway right of way as required by the County of Sacramento and/or the CITY. CONSULTANT will prepare a preliminary Record of Survey for map check review and will address all comments accordingly. Once approved, CONSULTANT will provide final Record of Survey on mylars for recordation. It is assumed that all map check and recording fees will be waived or paid by CITY.

Task 2.1 Deliverables:

- Record of Survey



**EXHIBIT B-1 FEE
CITY OF FOLSOM**

SEGMENT D3a - EAST BIDWELL STREET TO PRAIRIE CITY ROAD

September 30, 2020

Task Description	DOKKEN ENGINEERING													TOTAL HOURS	LABOR COST	OH RATE	FEE	TOTAL COST
	WILLIAMS LITTLE Principal in Charge	JAMES RAMOS Project Manager	Senior Engineer	Assistant Engineer	Assistant Engineer	Environmental Manager	Senior Environmental Planner	Associate Environmental Planner	Environmental Planner/Biologist	Environmental Planner/Archaeologist	Senior CAD	Engineering Technician						
FULLY BURDENED RATE	\$ 292.22	\$ 223.77	\$ 199.71	\$ 166.36	\$ 113.04	\$ 204.55	\$ 137.80	\$ 131.50	\$ 99.35	\$ 99.35	\$ 181.17	\$ 166.11			163.85%	10.00%		
TASK 1 - CONSTRUCTION SUPPORT	20	168	200	270	990	27	79	130	184	88	140	60	1744	\$ 91,666.00	\$ 151,844.79	\$ 24,381.07	\$ 247,861.80	
1.1 Meetings	20	94	60	70	50	8	8	8					318	\$ 20,842.00	\$ 94,524.77	\$ 5,536.68	\$ 60,903.45	
1.2 Requests for Information and Submittals		40	80	120	240								600	\$ 31,560.00	\$ 52,279.14	\$ 8,983.91	\$ 92,223.05	
1.3 Revises to Construction Documents		34	60	60	100								354	\$ 19,880.00	\$ 37,831.22	\$ 5,281.12	\$ 58,092.34	
1.4 Preconstruction Nesting Bird Survey and Memorandum							1	16	25				42	\$ 1,624.00	\$ 2,690.16	\$ 431.42	\$ 4,745.57	
1.5 Preconstruction Burrowing Owl Survey and Memorandum							1	20	28				49	\$ 1,906.00	\$ 3,157.29	\$ 508.33	\$ 5,569.62	
1.6 Bat Roosting Habitat Survey and Tree Removal Monitoring							4	15	25				44	\$ 1,741.00	\$ 2,883.97	\$ 462.50	\$ 5,087.46	
1.7 Construction Start Date Agency Memorandum, Agency Site Tours & Meeting Minutes of Field Notes						5	10	16	20				51	\$ 2,290.00	\$ 3,793.99	\$ 608.34	\$ 6,691.72	
1.8 Environmental Awareness Training and Materials						8	4		16	16			44	\$ 1,584.00	\$ 2,623.90	\$ 420.79	\$ 4,628.69	
1.9 Biological Monitoring							16	25	30				71	\$ 3,009.00	\$ 4,984.41	\$ 799.34	\$ 8,792.75	
1.10 Archeological Monitoring						8	25			60			89	\$ 3,670.00	\$ 6,079.36	\$ 974.94	\$ 10,724.30	
1.11 Mitigation Monitoring and Reporting Plan/Environmental Commitment Record Compliance						6	10	20	40	10			86	\$ 3,560.00	\$ 5,897.14	\$ 945.71	\$ 10,402.85	
TASK 2 - POST CONSTRUCTION SUPPORT	6	16	8	60							60	8	158	\$ 8,824.00	\$ 13,788.71	\$ 2,211.27	\$ 24,823.98	
2.1 Prepare As-Builts	8	12	8	60							60	8	150	\$ 7,892.00	\$ 13,073.10	\$ 2,096.51	\$ 23,061.61	
2.2 Record of Survey	2	4											8	\$ 432.00	\$ 715.61	\$ 114.76	\$ 1,262.37	
TOTAL HOURS WITH OPTIONAL	20	174	216	278	450	27	79	130	184	88	200	68	1,800					
TOTAL COST WITHOUT OPTIONAL	\$ 5,844.30	\$ 40,576.33	\$ 42,320.34	\$ 48,304.38	\$ 49,948.77	\$ 3,522.84	\$ 12,445.83	\$ 15,779.81	\$ 18,280.87	\$ 8,544.37	\$ 96,234.46	\$ 8,843.10	\$ 99,990.00	\$ 145,855.64	\$ 26,582.34	\$ 282,145.78		



**EXHIBIT B-1 FEE
CITY OF FOLSOM**

SEGMENT D3a - EAST BIDWELL STREET TO PRAIRIE CITY ROAD

September 30, 2020

Task Description	UNICO ENGINEERING										GRAND TOTAL HOURS	GRAND TOTAL COST
	Survey Manager	Party Chief (PM)	Technician (PT)	Dredger	Student Land Surveyor	TOTAL HOURS	LABOR COST	OH RATE	FEE	TOTAL COST		
FULLY BURDENED RATE	\$ 182.84	\$ 181.75	\$ 175.83	\$ 80.88	\$ 140.89			137.89%	10.00%			
TASK 1 - CONSTRUCTION SUPPORT							\$ -	\$ -	\$ -	\$ -	1744	\$ 267,861.80
1.1 Meetings							\$ -	\$ -	\$ -	\$ -	318	\$ 60,903.45
1.2 Requests for Information and Submittals							\$ -	\$ -	\$ -	\$ -	600	\$ 92,223.05
1.3 Revisions to Construction Documents							\$ -	\$ -	\$ -	\$ -	354	\$ 58,092.34
1.4 Preconstruction Meeting Bird Survey and Memorandum							\$ -	\$ -	\$ -	\$ -	42	\$ 4,745.57
1.5 Preconstruction Flushing Owl Survey and Memorandum							\$ -	\$ -	\$ -	\$ -	49	\$ 5,569.67
1.6 Bat Roosting Habitat Survey and Tree Removal Monitoring							\$ -	\$ -	\$ -	\$ -	44	\$ 5,087.46
1.7 Construction Start Date Agency Memorandum, Agency Site Tours & Meeting Minutes of Field Notes							\$ -	\$ -	\$ -	\$ -	51	\$ 6,691.72
1.8 Environmental Awareness Training and Materials							\$ -	\$ -	\$ -	\$ -	40	\$ 4,628.09
1.9 Biological Monitoring							\$ -	\$ -	\$ -	\$ -	71	\$ 8,792.75
1.10 Archaeological Monitoring							\$ -	\$ -	\$ -	\$ -	89	\$ 10,724.30
1.11 Mitigation Monitoring and Reporting Plan/Environmental Commitment Record Compliance							\$ -	\$ -	\$ -	\$ -	86	\$ 10,402.85
TASK 2 - POST CONSTRUCTION SUPPORT	8	24	8	80	80	200	\$ 9,570.96	\$ 13,130.40	\$ 2,270.14	\$ 24,971.50	356	\$ 69,235.40
2.1 Prepare As-Builts							\$ -	\$ -	\$ -	\$ -	150	\$ 23,061.61
2.2 Record of Survey	8	24	8	80	80	200	\$ 9,570.96	\$ 13,130.40	\$ 2,270.14	\$ 24,971.50	206	\$ 26,233.87
TOTAL HOURS WITH OPTIONAL	8	24	8	80	80	200					8,100	
TOTAL COST WITHOUT OPTIONAL	\$ 1,481.04	\$ 4,361.88	\$ 1,400.81	\$ 6,470.54	\$ 11,371.27		\$ 8,570.96	\$ 11,230.40	\$ 2,270.14	\$ 24,971.50		\$ 117,197.28

ATTACHMENT 3

Exhibit 12-F Cost-Effectiveness/Public Interest Finding

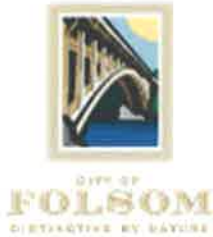
U.S. DEPARTMENT OF TRANSPORTATION		FEDERAL HIGHWAY ADMINISTRATION		CALIFORNIA DEPARTMENT OF TRANSPORTATION	
COST-EFFECTIVENESS/PUBLIC INTEREST FINDING					
COST-EFFECTIVENESS DETERMINATION REQUIRED			PUBLIC INTEREST DETERMINATION REQUIRED		
<input type="checkbox"/> Use of force account (23 CFR 635.204, 205)* <input type="checkbox"/> Use of publicly owned equipment (23 CFR 635.106) <input type="checkbox"/> Other*: _____ * Requires Caltrans District approval ** Requires FHWA approval			<input checked="" type="checkbox"/> Use of non-competitive negotiated consultant contracts (23 CFR 172.7) (a) (3)* <input type="checkbox"/> Use of publicly furnished materials (23 CFR 635.407) <input type="checkbox"/> Use of contracting method other than competitive bidding (23 CFR 635.104/204)* <input type="checkbox"/> Use of mandatory borrow/disposal sites (23 CFR 635.407) <input type="checkbox"/> Advertising period less than 3 weeks (23 CFR 635.112)* <input type="checkbox"/> Waiver of Buy America Requirements (23 CFR 635.410)** <input checked="" type="checkbox"/> Other*: _____		
FEDERAL-AID PROJECT		CLASS OF FEDERAL FUNDS: <input type="checkbox"/> IM <input type="checkbox"/> NH <input checked="" type="checkbox"/> STP <input type="checkbox"/> OTHER:			
LPPRPSB1-5288(046)		STEWARDSHIP: <input checked="" type="checkbox"/> DELEGATED <input type="checkbox"/> HIGH PROFILE			
ID	DIST-CO-RTE-PM	ESTIMATED COST		FEDERAL FUNDS	
03200000120L-N	03-SAC-0-FOL	317,157.28		100,000.00	
PROJECT SPECIFIC <input checked="" type="checkbox"/> MULTIPLE PROJECTS <input type="checkbox"/> REGIONAL/DISTRICTWIDE <input type="checkbox"/> STATEWIDE <input type="checkbox"/>					
GENERAL LOCATION			GENERAL DESCRIPTION OF WORK		
Prior to Prairie City Road to after East Bidwell Street to south in the City of Folsom/Sacramento County			Mass Grading, Bridge and Drainage Structures, Drainage Facilities, Hot Mix AC, Rubberized Hot Mix AS for new 4 Lane Express Way with 8 ft. Shoulders.		
REASONS THAT REQUESTED APPROVAL IS CONSIDERED TO BE COST-EFFECTIVE OR IN THE PUBLIC'S BEST INTEREST (STATE):					
Dokken Engineering is the designer of record and has worked on the project through preliminary engineering, and environmental clearance. A negotiated contract has been procured to provide design assistance and environmental oversight through the construction of the project. It is in the public's best interest to maintain the continuity of the project team.					
REMARKS (STATE) :					
PREPARED/APPROVED BY LOCAL AGENCY'S REPRESENTATIVE		REPRESENTATIVE NAME AND TITLE:		Date:	
		Brian Reed, PE Senior Civil Engineer		10/12/20	
*APPROVED BY DISTRICT LOCAL ASSISTANCE ENGINEER (DLAE)		DLAE NAME:		Date:	
**APPROVED BY FHWA (Buy America Waiver only)		FHWA REPRESENTATIVE NAME:		Date:	

Distribution: (1) Local Agency File - Original; (2) DLAE - Copy; (3) Caltrans Project Manager - Copy if on the SHS

Exhibit 12-F Cost-Effectiveness/Public Interest Finding**Instructions**

1. Check appropriate box under “Cost-Effective Determination Required” or “Public Interest Determination Required.”
2. Check “Class of Funds” as follows: IM-Interstate Maintenance, NH-National Highway, STP - State Transportation Program, Other (all other classes).
3. Provide the Federal-aid Project ID number in first column.
4. Identify Caltrans District-County-State Route-Post Mile, or City and street in second column.
5. List Estimated Cost of the portion of the project subject to this PIF.
6. List the amount of the Federal Funds in the portion of the project subject to this PIF.
7. Describe “General Location” applicable to this PIF.
8. Provide “General Description of Work” affected by this PIF.
9. Explain and give “Reasons that requested approval is considered to be cost-effective, or in the public’s best interest.” Provide cost analysis or comparison as evidence of cost-effectiveness.
10. “Remarks” is for the Local Agency Representative preparing the Finding.
11. Signature, Name, and Title of Local Agency Representative preparing or approving PIF, as appropriate, and Date.
12. Signature and Name of District Local Assistance Engineer approving the PIF, as required, and Date.
13. Signature and Name of FHWA representative approving the PIF for Buy America waivers, and Date.

This page is intentionally left blank.



Folsom City Council Staff Report



MEETING DATE:	10/27/2020
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10544 - A Resolution Authorizing the City Manager to Execute a Consultant Agreement with Salaber Associates, Inc. for the Capital SouthEast Connector Segment D3(A), Project No. PW1607, Federal Project No. 5288(046)
FROM:	Public Works Department

RECOMMENDATION / CITY COUNCIL ACTION

The Public Works Department recommends that the City Council pass and adopt Resolution No. 10544 - A Resolution Authorizing the City Manager to Execute a Consultant Agreement with Salaber Associates, Inc. for the Capital SouthEast Connector Segment D3(A), Project No. PW1607, Federal Project No. 5288(046).

BACKGROUND / ISSUE

The planned Capital SouthEast Connector is a 34 mile limited access roadway spanning from U.S. 50 at Silva Valley Parkway interchange in El Dorado County to Interstate 5 at the Hood-Franklin Interchange in Elk Grove. The Connector is planned to be constructed in segments as funding and priorities allow. Segment D3 includes the length of the Connector that borders the City of Folsom and Sacramento County from Prairie City Road to the El Dorado County Line. Segment E1 is the El Dorado County Segment that Segment D3 ties into.

Segment D3 has been further segmented into two additional segments: D3(A) and D3(B). Segment D3(A) will upgrade existing White Rock Road to a four-lane expressway beginning near the intersection of Prairie City Road and continuing through the intersection of East Bidwell Street. The project entails constructing four lanes between these two major intersections, including a bridge over Alder Creek. The bridge also serves as a “wildlife crossing,” as contemplated in the South Sacramento Habitat Conservation Plan.

The project is a complete reconstruction that will create a new alignment of White Rock Road adjacent and immediately south of the existing White Rock Road. The existing White Rock Road will remain open to traffic during construction.

The City of Folsom is leading the construction of this project on behalf of the Capital SouthEast Connector Joint Powers Authority (JPA) and in collaboration with Sacramento County.

The City has secured State Transportation Block Grant Program (STBG) and SB1 funding from Sacramento Area Council of Governments (SACOG) in partnership with the Capital SouthEast Connector JPA. A request for authorization to proceed with construction was submitted to Caltrans on May 15, 2020. The Authorization to Proceed (E-76) was received on June 25, 2020 and the subsequent Supplemental Agreement was received on August 8, 2020.

Upon receiving the Authorization to Proceed (E-76) the City was able to advertise for a Request for Proposal (RFP) to contract for Construction Engineering, Inspection, and Materials Testing. The scope requested in the RFP was to provide a Resident Engineer, Structures Representative, Inspection, Verification Survey's, and Materials Testing.

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 \$62,014 or greater shall be awarded by City Council.

ANALYSIS

The City received proposals from four qualified interested engineering consulting firms as follows:

Consultant	Rank from Proposal Review	Rank from Interview
Salaber Associates, Inc.	1	1
Dewberry	2	2
WSP	3	3
Psomas	4	4

The review team consisted of City of Folsom, El Dorado County, and Capital SouthEast Connector JPA personnel. Salaber Associates, Inc. was the successful consultant based on both the proposal and interview.

FINANCIAL IMPACT

The Capital SouthEast Connector Segment D3(A) is eligible to receive funds from FAST Act funding based on a SACOG Regional Surface Transportation Program Grant and SB1 Funding. Funding for construction and construction engineering is shown below:

Fund	Fund Type	Amount
FAST Act	Surface Transportation Block Grant to match SB-1 Funding 1 to 1 at \$10,000,000	\$15,000,000
SB1	Competitive	\$10,000,000
Local Transportation Fund (446)	To match Surface Transportation Block Grant of \$15,000,000 at 11.47%	\$1,720,500
Local Transportation Fund (446)	To Cover Balance of Project Funding	\$1,195,147
	Project Budget for Construction	\$27,915,396

The FAST Act funding requires a local match of 11.47%. The Transportation Fund (Fund 446) will be utilized to meet the required match of \$1,720,500. The SB1 funding requires a 100% match, of which \$10,000,000 of the FAST Act funding will be utilized as the match.

The FY 2020-21 Capital Improvement Plan (CIP) included the Capital SouthEast Connector Segment D3 Project with a total project budget of \$5,550,000. Funds are currently available for the agreement with Salaber Associates in the amount of \$2,993,848.

The contract cost to be presented to City Council in separate resolutions are as follows:

Company	Description	Cost
Goodfellow Brothers, LLC	Construction	\$22,368,765.00
	10% Contingency for Conststruction	\$2,236,876.50
Salaber Associates	Construction Engineering, Inspection and Materials Testing	\$2,992,848.00
Dokken Engineering	Design Support and Environmental Services	\$317,157.28
	Project Budget for Construction	\$27,915,647

ENVIRONMENTAL REVIEW

In 2016 the Capital SouthEast Connector JPA approved a California Environmental Quality Act (CEQA) Tiered Initial Study with Mitigated Negative Declaration for the Capital Southeast Connector Segment D3/E1.

Caltrans approved the National Environmental Policy Act (NEPA) Categorical Exclusion for Segment D3/E1.

The project is not located in an environmentally sensitive area and would not result in potential impacts to the environment, including traffic, noise, air quality and water quality.

ATTACHMENTS

1. Resolution No. 10544 - A Resolution Authorizing the City Manager to Execute a Consultant Agreement with Salaber Associates, Inc. for the Capital SouthEast Connector Segment D3(A), Project No. PW1607, Federal Project No. 5288(046)
2. Salaber Associates, Inc. Scope of Services

Submitted,



Dave Nugen, PUBLIC WORKS DIRECTOR

ATTACHMENT 1

RESOLUTION NO. 10544

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A
CONSULTANT AGREEMENT WITH SALABER ASSOCIATES, INC. FOR THE
CAPITAL SOUTHEAST CONNECTOR SEGMENT D3(A), PROJECT NO. PW1607,
FEDERAL PROJECT NO. 5288(046)**

WHEREAS, the Capital SouthEast Connector Project is the Sacramento region's largest single transportation project; and

WHEREAS, the City of Folsom is a Member Jurisdiction of the Capital SouthEast Connector Joint Powers Authority and will implement the Project; and

WHEREAS, the Capital SouthEast Connector Project has, to date, been funded primarily through a Sacramento County sales-tax measure approved in 2004 by 75 percent of voters; and

WHEREAS, the Capital SouthEast Connector Project has developed a program development budget that requires the use of Federal and State funds to advance the project towards timely construction; and

WHEREAS, the City of Folsom desires to construct the Capital SouthEast Connector Project Segment D3(A) along the City's border to four lanes with two eight foot shoulders; and

WHEREAS, the City of Folsom received Surface Transportation Block Grant Program funding, and is eligible for federal reimbursement; and

WHEREAS, the City of Folsom received SB-1 funding, and is eligible for state reimbursement; and

WHEREAS, the City of Folsom desires to enter into a contract with Salaber Associates, Inc. for Construction Engineering, Inspection and Materials Testing; and

WHEREAS, an RFP requesting Construction Engineering, Inspection and Materials Testing was advertised on July 20, 2020; and

WHEREAS, proposals were provided on September 3, 2020 and interviews conducted on September 22, 2020 with Salaber Associates, Inc. as the successful consultant; and

WHEREAS, funds are currently budgeted and available in the Transportation Fund (Fund 446) for this agreement; and

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

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Folsom authorizes the City Manager to Execute a Consultant Agreement with Salaber Associates, Inc. for

the Capital SouthEast Connector Segment D3(A), Project No. PW1607, Federal Project No. 5288(046), in the amount of \$2,993,848.

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

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

Sarah Aquino, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

ATTACHMENT 2

Salaber Associates, Inc.

City of Folsom, Capital Southeast Connector

Cost Estimate for Construction Management and Material Testing Services

Based on 400 working days. Assume NTP in early 2021

Stage / Phase & Description	Work Days	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Notes	
Pre-Construction Activities/Submittal review	40																										Submittal review	
Construction Activities	400																											Assume weather delays in Stage 2
Project Close-Out	40																											
Structure #2 - Southern	100																											
Structure #2 - Northern	100																											

Personnel	Role	DBE	Firm	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Total Hrs	Hrly Rate	Total Cost	
Bob LoRusso, PE	PM/RE		SAI	80	80	100	100	120	120	120	120	120	120	120	80	80	80	80	80	120	120	120	120	120	120	120	100	100	2640	\$238.24	\$628,954	
Dave Compton	ARE/Sr. Inspector		SAI	80	80	100	120	168	168	168	168	168	168	168	168	120	120	120	120	168	168	168	168	168	168	168	168	168	3716	\$159.44	\$592,479	
Brandon Barker	Sr. Inspector/Civil/Struc/Elec		SAI				168	168	168	168	168	168	168	168	168	168	168	168	120	168	168	168	168	168	168	168	168	168	3312	\$156.89	\$518,957	
Greg Smith	ARE/Sr. Inspector		SAI						168	168	168	168	168	168															1008	\$159.44	\$160,716	
	Overtime		SAI							40	40	40	40									40	40	40	40			320	\$188.44	\$60,301		
Mehrdad Varzandeh, PE	Structures Rep		KCMG							80	80	80	80	80	80	80	80	80											800	\$225	\$180,000	
Darren Lindsey	Structures Inspector		KCMG							168	168	168	168	168	168	168	168	168	168										1680	\$175	\$294,035	
			SAI																													
Geocon	Materials Sampling & Testing		GEO																													
Geocon	Earthwork Inspection		GEO							168	168	168	168	168	168																	
CASI	Labor Compliance/Admin Supr	1	CASI			70	70	70	70	70	70	70	70	70	70	70	70	70	70	60	60	60	60	60	60	60	60	57	1527	\$128.26	\$195,853	
Unico	QA Survey	1	UNICO																													
Incidentals																																
	Equivalent full-time persons per month = total hours / 168 hours			1.0	1.0	1.6	2.7	3.1	5.1	6.8	6.8	6.8	6.8	6.6	4.4	4.1	4.1	4.1	3.8	3.1	3.1	3.3	3.3	3.3	3.1	2.0	1.9	4.0			\$2,992,848	

Average staffing per month for entire project.

- Notes:
- 1) All personnel are paid, at a minimum, the Base Hourly Rate and Total Hourly Rate of the General Prevailing Wage Determination made by the Director of Industrial Relations Pursuant to California Labor Code for Commercial, Building, Highway, Heavy Construction and Dredging Projects. The Rate Range is based, at a minimum, on those required rates.
 - 2) Hourly rates are all inclusive. They include all vehicle and vehicle expenses, standard inspection and safety equipment, cell phones, computers, printers, salary escalation and other small incidentals. All rates are applicable for the duration of the project.
 - 3) AN = As Needed
 - 4) Project Management hours are included in the overhead and will not be billed to the City.
 - 5) No sub-consultant markup for administration and management has been included in their hourly rates.
 - 6) Overtime rates are the same for all licensed professional (PE, CIH, etc) and are 1.25 x the straight time rate for all other personnel.
 - 7) Incidentals include all anticipated office costs, including office lease, utilities, office equipment (incl. copier, computers, phone, etc.)
 - 8) The profit/fee calculated for all firms is 10%. The overhead rates for the various firms can be provided upon request.

Contractor Low Bid: **\$22,368,765**
 Construction Management Costs as a % of Construction Low Bid: **13.4%**
 DBE Participation Percentage of CM Costs: **10.0%**

This page is intentionally left blank.



Folsom City Council Staff Report



MEETING DATE:	10/27/2020
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10545 - A Resolution Authorizing the City Manager to Execute a Construction Agreement with Goodfellow Brothers, LLC for the Capital SouthEast Connector Segment D3(A), Project No. PW1607, Federal Project No. 5288(046) and Appropriation of Funds
FROM:	Public Works Department

RECOMMENDATION / CITY COUNCIL ACTION

The Public Works Department recommends that the City Council pass and adopt Resolution No. 10545 - A Resolution Authorizing the City Manager to Execute a Construction Agreement with Goodfellow Brothers, LLC for the Capital SouthEast Connector Segment D3(A), Project No. PW1607, Federal Project No. 5288(046) and Appropriation of Funds.

BACKGROUND / ISSUE

The planned Capital SouthEast Connector is a 34-mile limited access roadway spanning from U.S. 50 at Silva Valley Parkway interchange in El Dorado County to Interstate 5 at the Hood-Franklin Interchange in Elk Grove. The Connector is planned to be constructed in segments as funding and priorities allow. Segment D3 includes the length of the Connector that borders the City of Folsom and Sacramento County from Prairie City Road to the El Dorado County Line. Segment E1 is the El Dorado County Segment that Segment D3 ties into.

Segment D3 has been further segmented into two additional segments: D3(A) and D3(B). Segment D3(A) will upgrade existing White Rock Road to a four-lane expressway beginning near the intersection of Prairie City Road and continuing through the intersection of East Bidwell Street. The project entails constructing four lanes between these two major intersections, including a bridge over Alder Creek. The bridge also serves as a “wildlife crossing,” as contemplated in the South Sacramento Habitat Conservation Plan.

The project is a complete reconstruction that will create a new alignment of White Rock Road adjacent and immediately south of the existing White Rock Road. The existing White Rock Road will remain open to traffic during construction.

The City of Folsom is leading the construction of this project on behalf of the Capital SouthEast Connector Joint Powers Authority (JPA) and in collaboration with Sacramento County.

The City has secured State Transportation Block Grant Program (STBG) and SB1 funding from Sacramento Area Council of Governments (SACOG) in partnership with the Capital SouthEast Connector JPA. A request for authorization to proceed with construction was submitted to Caltrans on May 15, 2020. The Authorization to Proceed (E-76) was received on June 25, 2020 and the subsequent Supplemental Agreement was received on August 8, 2020.

Upon receiving the Authorization to Proceed (E-76) the City was able to advertise for construction and utilized CIList.com to publicly advertise and provide bid materials on July 13, 2020.

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 \$62,014 or greater shall be awarded by City Council.

ANALYSIS

This project was publicly advertised on July 13, 2020 and bids were opened publicly on September 9, 2020 at 2:00 p.m. in the City Council Chamber.

The City six bid proposals results are as follows:

Contractor	Ranking	Bid Amount
Goodfellow Brothers, LLC	Lowest Responsive Responsible Bid	\$22,368,765.00
Granite Construction, Inc.	2 nd Lowest Responsive Responsible Bid	\$24,208,820.82
DeSilva Gates, LP	3 rd Lowest Responsive Responsible Bid	\$24,690,849.65
Security Paving Company, Inc.	4 th Lowest Responsive Responsible Bid	\$26,367,307.25
Sukut Construction, LLC	5 th Lowest Responsive Responsible Bid	\$28,249,575.94
A. Teichert Construction & Son Inc. dba Teichert Construction	Deemed Ineligible by Addendum No. 7	\$26,155,458

The Lowest Responsive Responsible Bid Proposal provided by Goodfellow Brothers, LLC was reviewed by staff and found to be in good order.

FINANCIAL IMPACT

The Capital SouthEast Connector Segment D3(A) is eligible to receive funds from FAST Act funding based on a SACOG Regional Surface Transportation Program Grant and SB1 Funding. Funding for construction and construction engineering is shown below:

Fund	Fund Type	Amount
FAST Act	Surface Transportation Block Grant to match SB-1 Funding 1 to 1 at \$10,000,000	\$15,000,000
SB1	Competitive	\$10,000,000
Local Transportation Fund (446)	To match Surface Transportation Block Grant of \$15,000,000 at 11.47%	\$1,720,500
Local Transportation Fund (446)	To Cover Balance of Project Funding	\$1,195,147
	Project Budget for Construction	\$27,915,396

The FAST Act funding requires a local match of 11.47%. The Transportation Fund (Fund 446) will be utilized to meet the required match of \$1,720,500. The SB1 funding requires a 100% match, of which \$10,000,000 of the FAST Act funding will be utilized as the match.

The agreement with Goodfellow Brothers would be in the amount of \$22,368,765 with a budgeted contingency of \$2,236,876.50 (10%) for a total budget amount of \$24,605,641.50

The FY 2020-21 Capital Improvement Plan (CIP) included the Capital SouthEast Connector Segment D3 Project with a total project budget of \$5,550,000. An additional appropriation will be required in the amount of \$22,493,000 in order to approve the agreement with Goodfellow Brothers plus the contingency. The total project budget will increase to \$28,043,000. The appropriation would be applied to the Transportation Improvement Fund (Fund 446) as expense and as additional Federal revenue of \$15,000,000, additional State revenue of \$10,000,000 and a reduction of impact fee revenue of \$2,507,000. The total impact fee revenue to be utilized will be \$3,043,000. The project budget also includes prior approved costs in the amount of \$126,742.

The contract cost to be presented to City Council in separate resolutions are as follows:

Company	Description	Cost
Goodfellow Brothers, LLC	Construction	\$22,368,765.00
	10% Contingency for Construction	\$2,236,876.50
Salaber Associates, Inc.	Construction Engineering, Inspection and Materials Testing	\$2,992,848.00
Dokken Engineering, Inc.	Design Support and Environmental Services	\$317,157.28
	Project Budget for Construction	\$27,915,647.

ENVIRONMENTAL REVIEW

In 2016 the Capital SouthEast Connector JPA approved a California Environmental Quality Act (CEQA) Tiered Initial Study with Mitigated Negative Declaration for the Capital Southeast Connector Segment D3/E1.


Caltrans approved the National Environmental Policy Act (NEPA) Categorical Exclusion for Segment D3/E1.

The project is not located in an environmentally sensitive area and would not result in potential impacts to the environment, including traffic, noise, air quality and water quality.

ATTACHMENT

1. Resolution No. 10545 - A Resolution Authorizing the City Manager to Execute a Construction Agreement with Goodfellow Brothers, LLC for the Capital SouthEast Connector Segment D3(A), Project No. PW1607, Federal Project No. 5288(046) And Appropriation of Funds

Submitted,



 Dave Nugen, PUBLIC WORKS DIRECTOR

RESOLUTION NO. 10545**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION AGREEMENT WITH GOODFELLOW BROTHERS, LLC FOR THE CAPITAL SOUTHEAST CONNECTOR SEGMENT D3(A), PROJECT NO. PW1607, FEDERAL PROJECT NO. 5288(046) AND APPROPRIATION OF FUNDS**

WHEREAS, the Capital SouthEast Connector Project is the Sacramento region's largest single transportation project; and

WHEREAS, the City of Folsom is a Member Jurisdiction of the Capital SouthEast Connector Joint Powers Authority and will implement the Project; and

WHEREAS, the Capital SouthEast Connector Project has, to date, been funded primarily through a Sacramento County sales-tax measure approved in 2004 by 75 percent of voters; and

WHEREAS, the Capital SouthEast Connector Project has developed a program development budget that requires the use of Federal and State funds to advance the project towards timely construction; and

WHEREAS, the City of Folsom desires to construct the Capital SouthEast Connector Project Segment D3(A) along the City's border to four lanes with two eight foot shoulders; and

WHEREAS, the City of Folsom received Surface Transportation Block Grant Program funding, and is eligible for federal reimbursement, up to \$15,000,000; and

WHEREAS, the City of Folsom received SB-1 funding, and is eligible for state reimbursement up to \$10,000,000; and

WHEREAS, the City of Folsom desires to enter into a contract with Goodfellow Brothers, LLC for Construction of the Capital SouthEast Connector Segment D3(A); and

WHEREAS, this project was Publicly Advertised on July 13, 2020 with six bids received on September 9, 2020 with Goodfellow Bros. being the lowest responsive responsible bidder; and

WHEREAS, the agreement with Goodfellow Brothers, LLC would be in the amount of \$22,368,765 with a budgeted 10% contingency of \$2,236,876.50; and

WHEREAS, an additional appropriation will be required in the amount of \$22,493,000 for a total project budget of \$28,043,000; and

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

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Folsom authorizes the City Manager to Execute a Consultant Agreement with Goodfellow Brothers, LLC

for the Capital SouthEast Connector Segment D3(A), Project No. PW1607, Federal Project No. 5288(046), in the amount of \$22,368,765 with a budgeted 10% Contingency of \$2,236,877 for a total not to exceed amount of \$24,605,641.

NOW, THEREFOR, BE IT FURTHER RESOLVED that the Finance Director is authorized to appropriate an additional \$22,493,000 in the Transportation Improvement Fund (Fund 446) for the Capital SouthEast Connector Project, Project No. PW1607 for a total project budget of \$28,043,000 to be applied as follows:

1. Additional expense \$22,493,000
2. Additional Federal revenue \$15,000,000
3. Additional State revenue \$10,000,000
4. Reduction of impact fee revenue \$2,507,000

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

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

Sarah Aquino, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK