



Agenda

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

City Council Chambers | 50 Natoma Street, Folsom CA 95630
December 14, 2021
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



City Council meetings take place at City Hall, 50 Natoma Street

Online



Watch the livestream and replay past meetings on the city website, www.folsom.ca.us

On TV



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

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

Tuesday, December 14, 2021 6:30 PM

Mike Kozlowski, Mayor

*Sarah Aquino, Vice Mayor
Kerri Howell, Councilmember*

*YK Chalamcherla, Councilmember
Rosario Rodriguez, Councilmember*

REGULAR CITY COUNCIL AGENDA

Pursuant to Assembly Bill 361 and the Governor's proclamation of a State of Emergency due to the coronavirus (COVID-19) public health emergency, the Folsom City Council, staff, and members of the public may participate in this meeting via teleconference.

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.

CALL TO ORDER

ROLL CALL:

Councilmembers: Howell, Rodriguez, Aquino, Chalamcherla, Kozlowski

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

PLEDGE OF ALLEGIANCE

AGENDA UPDATE

BUSINESS FROM THE FLOOR:

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

SCHEDULED PRESENTATIONS:

- [1.](#) Proclamation of the Mayor of the City of Folsom Proclaiming January 2022 as Tamil Heritage Month in the City of Folsom
- [2.](#) Proclamation of the Mayor of the City of Folsom Proclaiming Sikh Awareness and Appreciation Month in the City of Folsom
- [3.](#) Presentation by PG&E on PG&E Overhead Transmission Lines Vegetation Management and Tree Removal Project

CONSENT CALENDAR:

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

- [4.](#) Approval of October 26, 2021 Special and Regular Meeting Minutes
- [5.](#) Approval of November 9, 2021 Special and Regular Meeting Minutes
- [6.](#) Appointment of Representative to the Sacramento-Yolo Mosquito and Vector Control District
- [7.](#) Ordinance No. 1318 - An Ordinance of the City of Folsom Amending Section 10.20.510 of the Folsom Municipal Code to Increase Parking Penalty in Certain Areas of the Historic District (Second Reading and Adoption)
- [8.](#) Ordinance No. 1319 - An Ordinance of the City of Folsom Amending Sections 3.20.040 of the Folsom Municipal Code Pertaining to Responsible Parties for Municipal Services (Second Reading and Adoption)
- [9.](#) Ordinance No. 1320 – An Ordinance of the City of Folsom Repealing and Replacing the Garbage Collection Ordinance as Set Forth in Chapter 8.32 of the Folsom Municipal Code to Incorporate New State Law Mandates (Second Reading and Adoption)
- [10.](#) Receive and File SB-165 Annual Reports for Community Facilities Districts No. 13, No. 14, No. 2013-1, No. 16, No. 17, No. 18, No. 19, No. 20, No. 21, No. 22, and No. 23 to Comply with the Local Agency Special Tax Bond And Accountability Act
- [11.](#) Resolution No. 10751 – A Resolution of the City Council Making Findings to Continue Teleconferencing Options for Public Meetings Under AB 361
- [12.](#) Resolution No. 10752 - A Resolution Authorizing the City Manager to Execute Amendment No. 1 to the Agreement (Contract No. 173-21 20-034) with Water Works Engineers, LLC for Design Services for the Folsom Blvd 27-Inch Trunk Sewer Project (SECAP Project)
- [13.](#) Resolution No. 10753 - A Resolution Authorizing the Police Department to Accept a U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, Alzheimer's & Developmental Disability Tracking Devices Grant in The Amount Of \$121,491 and Appropriation of Funds
- [14.](#) Resolution No. 10754 - A Resolution Authorizing the City Manager to Execute an Agreement with Downtown Ford Sales to Purchase Two Ford Trucks for the Parks & Recreation Department

- [15.](#) Resolution No.10755 - A Resolution Authorizing the City Manager to Execute Amendment No. 3 to the Contract with Kimley-Horn and Associates, Inc. for Grant Application Assistance for the Folsom Placerville Rail Trail Project (Contract No. 173-21 17-013) and Appropriation of Funds
- [16.](#) Resolution No. 10757 - A Resolution Authorizing the City Manager to Execute a Lease Agreement between the City of Folsom and Kelli Vaccaro, a Sole Proprietor Doing Business as Kid's Inc., for Lease of City Property Located at 405 Natoma Station Drive
- [17.](#) Resolution No. 10761 – A Resolution Authorizing the City Manager to Execute a Design and Consulting Services Contract with TJKM for the Folsom Lake Crossing and East Natoma Street Safety Improvements Project and Appropriation of Funds
- [18.](#) Resolution No. 10762 - A Resolution Authorizing Adoption of an Amendment to the Memorandum of Understanding Between the City of Folsom and the Folsom Middle Management Group
- [19.](#) Resolution No. 10763 - A Resolution Authorizing Adoption of an Amendment to the Memorandum of Understanding Between the City of Folsom and International Union of Operating Engineers, Local 39
- [20.](#) Resolution No. 10764 - A Resolution Authorizing Adoption of an Amendment to the Memorandum of Understanding Between the City of Folsom and the City of Folsom Fire Department Middle Management Employees
- [21.](#) Resolution No. 10765 - A Resolution Accepting the AB1600 Development Fees Annual Report for the Fiscal Year Ended June 30, 2021
- [22.](#) Resolution No. 10766 – A Resolution Accepting a Grant from the Sacramento Metropolitan Air Quality Management District for Sacramento Emergency Clean Air and Transportation Program Funding for Two Zero Emission Electric Refuse Trucks
- [23.](#) Resolution No. 10773 - A Resolution Authorizing Additional Spending Under the Current Agreement with Schaefer Systems Inc. (Contract No. 173-21 17-067) for the Purchase of Residential Solid Waste Containers and Appropriation of Funds
- [24.](#) Resolution No. 10774 – A Resolution Authorizing the City Manager to Execute a Construction Agreement with Sierra National Construction, Inc. for the Duchow Way at Rumsey Way Intersection Drainage Improvement Project
- [25.](#) Resolution No. 10778 - A Resolution Authorizing the City Manager to Execute a Memorandum of Understanding Between the City of Folsom and the Folsom Police Officers Association (FPOA)

PUBLIC HEARING:

- [26.](#) Resolution No. 10775 – A Resolution of the City Council Setting Forth Results of Protests in Connection with Utility Rate Hearing Conducted Pursuant to Proposition 218 and Establishing New Solid Waste Rates and Fees
- [27.](#) City of Folsom Community Facilities District No. 23 (Folsom Ranch) Amended Improvement Area No. 3 and Improvement Area No. 7
 - i. Resolution No. 10767 - A Resolution of the City Council of the City of Folsom Calling Special Mailed Ballot Election Related to Change Proceedings for Improvement Area No. 3 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch)
 - ii. Resolution No. 10768 – A Resolution of Change of the City Council of the City of Folsom Relating to Improvement Area No. 3 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch)

- iii. Resolution No. 10769 - A Resolution of the City Council of the City of Folsom to Designate Improvement Area No. 7 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch) and to Levy Special Taxes therein
- iv. Resolution No. 10770 - A Resolution of the City Council of the City of Folsom Deeming it Necessary to Incur Bonded Indebtedness within Improvement Area No. 7 of City of Folsom Community Facilities District No. 23 (Folsom Ranch)
- v. Resolution No. 10771 - A Resolution of the City Council of the City of Folsom Calling Special Mailed Ballot Election in the City of Folsom Community Facilities District No. 23 (Folsom Ranch) Improvement Area No. 7
- vi. Resolution No. 10772 – A Resolution of the City Council of the City of Folsom Declaring Election Results in the City of Folsom Community Facilities District No. 23 (Folsom Ranch) Improvement Area No. 7
- vii. Ordinance No. 1321 – An Uncodified Ordinance Levying a Special Tax for the Fiscal Year 2021-22 and Following Fiscal Years Solely within and Relating to Improvement Area No. 3 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch) (Introduction and First Reading)
- viii. Ordinance No. 1322 – An Uncodified Ordinance Levying Special Taxes for the Fiscal Year 2021-22 and Following Fiscal Years Solely within and Relating to Improvement Area No. 7 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch) (Introduction and First Reading)

28. Broadstone Estates Small-Lot Vesting Tentative Subdivision Map Extension – Southeast corner of Placerville Road and U.S. Highway 50 (PN 21-234)

- i. Resolution No. 10759 – A Resolution extending the Small-Lot Vesting Tentative Subdivision Map for the Broadstone Estates Subdivision project (PN 21-234)

29. Folsom Heights Small-Lot Vesting Tentative Subdivision Map Extension – Northeast corner of the Folsom Plan Area (PN 21-234)

- i. Resolution No. 10760 – A Resolution extending the Small-Lot Vesting Tentative Subdivision Map for the Folsom Heights Subdivision project (PN 21-233)

30. Resolution No. 10777 - A Resolution of the City Council Approving the Sale of Surplus Land Located at 300 Persifer Street Property to Habitat for Humanity of Greater Sacramento, Inc. for Purpose of Developing Affordable Housing

OLD BUSINESS:

31. Resolution No. 10744 – A Resolution Authorizing the City Manager to Execute a Fiber Networks Installation Agreement with SiFi Networks Folsom LLC for the Installation of a Fiber Optic Network in the City of Folsom

NEW BUSINESS:

32. Resolution No. 10776 - A Resolution of the City of Folsom Approving an Affordable Housing Loan in the Amount of \$6,860,000 from the City’s Housing Fund to Mangini Place Affordable, LP, Authorizing the City Manager to Execute Loan Agreement and Related Documents for the Construction of 152 Affordable Housing Units at the Mangini Place Multifamily Affordable Housing Development, and Appropriation of Funds

33. Appointment of At-Large Member to the Folsom Planning Commission

- [34.](#) Appointment of Three At-Large Members to the Folsom Historic District Commission and Appointment of Planning Commissioner to Serve on the Historic District Commission

CONVENE JOINT MEETING

JOINT CITY COUNCIL AGENDA

JOINT CITY COUNCIL / FOLSOM REDEVELOPMENT SUCCESSOR AGENCY / FOLSOM PUBLIC FINANCING AUTHORITY / FOLSOM RANCH FINANCING AUTHORITY / SOUTH OF 50 PARKING AUTHORITY MEETING

ROLL CALL: Council / Board Members: Howell, Rodriguez, Aquino, Chalamcherla, Kozlowski

CONSENT CALENDAR:

- [35.](#) Approval of the September 14, 2021 Joint City Council / Successor Agency / Public Financing Authority / Folsom South of 50 Parking Authority / Folsom Ranch Financing Authority Meeting Minutes
- [36.](#) 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 September 2021

ADJOURNMENT

RECONVENE CITY COUNCIL MEETING

ELECTION:

- [37.](#) Selection of Mayor and Vice Mayor for 2022

CITY MANAGER REPORTS:

COUNCIL COMMENTS:

ADJOURNMENT

The City Council is in recess the second half of December 2021
The next regular meeting is scheduled for January 11, 2022.

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.

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PROCLAMATION

OF THE MAYOR OF THE CITY OF FOLSOM PROCLAIMING

JANUARY 2022 AS TAMIL HERITAGE MONTH in the City of Folsom

WHEREAS, the Tamil community of the State of California has made a significant contribution to our city and state's diverse culture and population, including preserving and promoting the rich heritage of the Tamil language; and

WHEREAS, members of the State of California's Tamil community are dedicated to preserving Tamil culture, in part through language schools designed to educate young people about the Tamil language for generations to come; and

WHEREAS, the Tamil language is widely spoken in India, Singapore, Sri Lanka, and many communities throughout our nation and world; this language is central to Tamil identity; and

WHEREAS, the Tamil language is recognized as one of oldest and longest-surviving written and spoken languages in the world, with a traceable history exceeding 2,600 years; and

WHEREAS, The Tamil Community of Folsom is constantly contributing to the economic development of the City and has contributed significantly to bilingual literacy; and

WHEREAS, during January, members of the Tamil community celebrate Thai Pongal, a four-day harvest festival that coincides with the first day of the month Thai in the Tamil calendar; and

WHEREAS, Sacramento Tamil Mandrum welcomes and encourages all people across the City of Folsom to participate in this celebration and experience their rich and inclusive heritage; and

WHEREAS, the City of Folsom is committed to encouraging and preserving native cultures and heritage within our incredibly diverse community.

NOW, THEREFORE, I, Michael D. Kozlowski, Mayor of the City of Folsom, on behalf of the Folsom City Council, do hereby proclaim **January 2022, as Tamil Mandrum Heritage Month**.

PROCLAIMED this 14th day of December 2021.

Attest:

Michael D. Kozlowski, MAYOR

Christa Freemantle, CITY CLERK

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PROCLAMATION

OF THE MAYOR OF THE CITY OF FOLSOM PROCLAIMING

SIKH AWARENESS AND APPRECIATION MONTH in the City of Folsom

WHEREAS, Sikhs first arrived in the United States more than 125 years ago; and Sikhs worked in many capacities, including on farms, in lumber mills and for the Western Pacific and Pacific Eastern Railroads on the Pacific Coast, and on the Panama Canal;

WHEREAS, Sikhs are the fifth largest religious group by number with more than 25 million around the world; an estimated 500,000 Americans are of Sikh origin and more than a third of the nation's Sikh population resides in California; and

WHEREAS, Sikh Americans pursue diverse professions and walks of life, making rich contributions to the social, cultural, and economic vibrancy of the United States, including service as members of the United States Armed Forces; they have made and continue to make significant contributions to our great nation in public service, in agriculture, medicine, trucking, science and technology, and distinguish themselves by fostering great respect among people through faith and service; and

WHEREAS, the month of November is significant for the Sikh celebrations of Diwali, the birthday of the first Guru and founder of Sikhism, Guru Nanak, in 1469 and installation of the Sikh Scriptures as the final and eternal Guru in 1708; and

WHEREAS, the City of Folsom seeks to further the diversity of its community and afford all residents the opportunity to better understand, recognize, and appreciate the rich history and shared experiences of Sikh Americans:

NOW, THEREFORE, I, Michael D. Kozlowski, Mayor of the City of Folsom, on behalf of the Folsom City Council, do hereby proclaim November 2021, as **Sikh Awareness and Appreciation Month**.

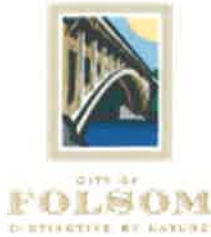
PROCLAIMED this 14th day of December 2021.

Michael D. Kozlowski, MAYOR

Attest:

Christa Freemantle, CITY CLERK

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Folsom City Council Staff Report

MEETING DATE:	12/14/2021
AGENDA SECTION:	Scheduled Presentations
SUBJECT:	Presentation by PG&E on PG&E Overhead Transmission Lines Vegetation Management and Tree Removal Project
FROM:	City Clerk's Department

PG&E staff will provide a presentation regarding PG&E's Overhead Transmission Lines Vegetation Management and Tree Removal Project.

Submitted,

Christa Freemantle, City Clerk

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City Council Special Meeting

MINUTES

Tuesday, October 26, 2021 5:00 PM

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

CALL TO ORDER

The special City Council meeting was called to order at 5:00 p.m. in City Council Chambers, 50 Natoma Street, Folsom, California, with Mayor Mike Kozlowski presiding.

ROLL CALL:

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

Councilmembers Absent: Kerri Howell, Councilmember (*arrived during closed session*)

Participating Staff: City Manager Elaine Andersen
City Attorney Steve Wang
Interim Human Resources Director John Spittler
City Clerk Christa Freemantle

ADJOURNMENT TO CLOSED SESSION FOR THE FOLLOWING PURPOSES:

1. Conference with Labor Negotiator - Pursuant to Government Code Section 54957.6 Agency Negotiator: Interim Human Resources Director John Spittler; Employee Organization: Folsom Police Officers Association
2. Conference with Legal Counsel – Existing Litigation – Pursuant to Government Code Section 54956.9(d)(1): Mitchel Bates v. City of Folsom, Workers' Compensation Appeals Board Case Nos. ADJ9139909, ADJ7204423, ADJ9140026, ADJ14317401, ADJ8782589, ADJ9034854, ADJ14317402, ADJ14317086, ADJ9200445, ADJ14317072, and ADJ14317075
3. Conference with Real Property Negotiator - Pursuant to Government Code section 54956.8: Real property located at 300 Persifer Street in Folsom, APN: 070-0172-048. Negotiating Parties: City Manager Elaine Andersen on behalf of the City of Folsom,

Leah Miller on behalf of Habitat for Humanities of Greater Sacramento, and Halley Crumb on behalf of Retraining the Village. Under Negotiation: Price and Terms of Sale

Motion by Vice Mayor Sarah Aquino, second by Councilmember Rosario Rodriguez to adjourn to Closed Session for the above referenced items. Motion carried with the following roll call vote:

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

RECONVENE

City Attorney Steve Wang announced that no final action was taken during Closed Session.

ADJOURNMENT

There being no further business to come before the Folsom City Council, the meeting was adjourned at 6:37 p.m.

SUBMITTED BY:

Christa Freemantle, City Clerk

ATTEST:

Mike Kozlowski, Mayor

City Council Regular Meeting

MINUTES

Tuesday, October 26, 2021 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 6:37 p.m. in City Council Chambers, 50 Natoma Street, Folsom, California, with Mayor Mike Kozlowski presiding.

ROLL CALL:

Councilmembers Present: Rosario Rodriguez, Councilmember
Sarah Aquino, Vice Mayor
YK Chalamcherla, Councilmember
Kerri Howell, Councilmember
Mike Kozlowski, Mayor

Councilmembers Absent: None

Participating Staff: City Manager Elaine Andersen
City Attorney Steve Wang
City Clerk Christa Freemantle
Community Development Director Pam Johns
City Engineer Steve Krahn

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

AGENDA UPDATE

City Clerk Christa Freemantle announced that item 3 on the Consent Calendar was continued to the November 9, 2021, City Council meeting and item 17 was moved up on the agenda after the Consent Calendar.

BUSINESS FROM THE FLOOR:

None

SCHEDULED PRESENTATIONS

1. Folsom Plan Area Quarterly Report

Community Development Director Pam Johns introduced the item and City Engineer Steve Krahn made a presentation and responded to questions from the City Council.

CONSENT CALENDAR:

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

2. Approval of October 12, 2021 Regular Meeting Minutes
3. Appointment of At-large Utility Commissioner (**Continued to November 9, 2021 meeting**)
4. Regional Early Action Planning Grant Contracts
 - i. Resolution No. 10716 - A Resolution Authorizing the City Manager to Execute a Professional Services Agreement with Opticos for the Multi-Family and Residential Mixed-Use Design, Density, and Market Feasibility Analysis
 - ii. Resolution No. 10717 - A Resolution Authorizing the City Manager to Execute a Professional Services Agreement with Ascent Environmental, Inc. for Implementation of Housing Element Program H-2
5. Resolution No. 10727 – A Resolution Authorizing the City Manager to Execute an Agreement with Cisco Capital Leasing to Purchase Network Routers
6. Resolution No. 10728 - A Resolution Authorizing Submission of Folsom Transportation Development Act Claim for Pedestrian and Bicycle Facilities Fiscal Year 2021-22 to the Sacramento Area Council of Governments
7. Resolution No. 10729 - A Resolution Authorizing the City Manager to Execute Amendment No. 1 to the Contract with RRM Design Group for Additional Structural Engineering Design Work for the Trail Connections Project (Contract No. 173-21 21-001) and Appropriation of Funds
8. Resolution No. 10730 - A Resolution Authorizing the City Manager to Execute Program Supplement Agreements to Administering Agency-State Agreement 03-5288S21
9. Resolution No. 10732 – A Resolution Authorizing the City Manager to Execute an Amendment to the Memorandum of Understanding Agreement (Contract No. 174-21 20-062) with the Capital Southeast Connector Joint Powers Authority for the Scott Road Realignment Project and Appropriation of Funds

10. Resolution No. 10733 – A Resolution Authorizing the City Manager to Execute a Construction Change Order with VSS International, Inc. for the Pavement Resurfacing Project Fiscal Year 2020-21, Project No. 8017
11. Resolution No. 10734 - A Resolution Authorizing the City Manager to Execute Contract Amendment No. 1 with WEST Consultants, Inc. (Contract No. 174-21 19-038) for the Weather Station Project Phase II, Project No. PW1703
12. Resolution No. 10735 - A Resolution Authorizing the City Manager to Execute a Subdivision Improvement Agreement and Accept Offers of Dedication for the Russell Ranch Phase 3B Subdivision, and Approval of the Final Map for the Russell Ranch Phase 3B Subdivision
13. Resolution No. 10736 - A Resolution Authorizing the City Manager to Execute a Construction Agreement with Sierra National Construction, Inc. for the On-Call Concrete and Asphalt Maintenance Services Project and Appropriation of Funds
14. Resolution No. 10737 – A Resolution of the City Council Making Findings to Continue Teleconferencing Options for Public Meetings Under AB 361

Motion by Councilmember Rosario Rodriguez, second by Councilmember Kerri Howell to approve Consent Calendar items 2 and 4-14.

Motion carried with the following roll call vote:

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

Item taken out of order:

OLD BUSINESS:

17. Update on Online Mapping Tools for By-District Election Under the California Voting Rights Act

City Attorney Steve Wang introduced the item and gave an overview of the multiple public hearings and the timeline. Consultant Doug Yoakam from NDC made a presentation and responded to questions from the City Council.

PUBLIC HEARING:

15. Mangini Ranch Phase 1C South –North of White Rock Road, South of Mangini Parkway, and westerly of Savannah Parkway in the Folsom Plan Area Specific Plan. (PN 21-001)
 - i. Resolution No. 10731 - A Resolution to Approve a Small Lot Vesting Tentative Subdivision Map, Minor Administrative Modifications, Planned Development Permit

and Design Review to Allow 115 Residential Units and Approval of Street Names for the Mangini Ranch 1C South Project

Community Development Director Pam Johns introduced the item. Planning Consultant Kathy Pease from Management Advisory Services made a presentation and responded to questions from the City Council.

Mayor Mike Kozlowski opened the public hearing at 7:14 p.m. Hearing no public comments, the public hearing was closed.

Motion by Councilmember Rosario Rodriguez, second by Councilmember Kerri Howell to approve Resolution No. 10731.

Motion carried with the following roll call vote:

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

SCHEDULED PRESENTATIONS (continued from earlier section)

- 16. PG&E Overhead Transmission Lines Vegetation Management and Tree Removal and Direction to Staff

Mayor Mike Kozlowski introduced the item. City Manager Elaine Andersen and City Attorney Steve Wang provided background information and responded to questions from the City Council.

The following speakers addressed the City Council:

1. Bruce Cline
2. Robert Goss
3. Julie Cline
4. Jim Kerstein
5. Cici Robinson
6. Carter Robinson
7. Dean Prodromos
8. Tanya Morales
9. Jennifer Lane
10. Sharon Kindel
11. John Combs

The following speakers addressed the City Council via teleconference:

1. Jaya Badiga
2. Patty Soulsby

The City Council further discussed the issue and staff responded to their questions.

The City Council directed the City Manager to work with Mayor Mike Kozlowski and send a very strongly worded letter to PG&E regarding the tree cutting issues and to file a complaint with the California Public Utilities Commission.

Item Taken Out of Order: Old Business Item No. 17 was moved to after the Consent Calendar.

OLD BUSINESS:

17. Update on Online Mapping Tools for By-District Election Under the California Voting Rights Act

CITY MANAGER REPORTS:

City Manager Elaine Andersen thanked the employees who worked during the recent storm. She spoke of the upcoming Veterans Day Parade and the City Halloween events at the Police Department and the Zoo.

COUNCIL COMMENTS:

Councilmember YK Chalamcherla commented regarding the recent storm and thanked the staff who worked during the storm.

Councilmember Rosario Rodriguez spoke about a homeless success story and thanked the organizations who helped the family. She reported taking an economic development certification class, spoke about activities in the Historic District and concluded with comments regarding the PG&E oak tree removal issue.

Councilmember Kerri Howell commented regarding traffic and safe driving during the storm. She spoke of the regional committee meetings coming up and commented regarding the traffic light cycle at Natoma Street and Prison Road. She encouraged everyone to be careful on Halloween.

Vice Mayor Sarah Aquino commented regarding the frequency of the Folsom Plan Area Quarterly report updates and reported about attending the Folsom Tourism and Economic Development Corporation board meeting.

Mayor Mike Kozlowski discussed recent City related events he attended and reminded everyone that there are a lot of opportunities to be involved in the community.

ADJOURNMENT

There being no further business to come before the Folsom City Council, Mayor Mike Kozlowski adjourned the meeting at 9:02 p.m.

SUBMITTED BY:

Christa Freemantle, City Clerk

ATTEST:

Mike Kozlowski, Mayor

City Council Special Meeting

MINUTES

Tuesday, November 9, 2021 5:00 PM

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

CALL TO ORDER

The special City Council meeting was called to order at 5:00 p.m. in City Council Chambers, 50 Natoma Street, Folsom, California, with Mayor Mike Kozlowski presiding.

ROLL CALL:

Councilmembers Present: Sarah Aquino, Vice Mayor
YK Chalamcherla, Councilmember
Kerri Howell, Councilmember
Rosario Rodriguez, Councilmember
Mike Kozlowski, Mayor

Councilmembers Absent: None

Participating Staff: City Manager Elaine Andersen
City Attorney Steve Wang
Interim Human Resources Director John Spittler
City Clerk Christa Freemantle

ADJOURNMENT TO CLOSED SESSION FOR THE FOLLOWING PURPOSES:

1. Conference with Labor Negotiator - Pursuant to Government Code Section 54957.6. Agency Negotiator: Interim Human Resources Director John Spittler. Employee Organizations: Folsom Police Officers Association
2. Conference with Real Property Negotiator - Pursuant to Government Code section 54956.8: Real property located at 300 Persifer Street in Folsom, APN: 070-0172-048. Negotiating Parties: City Manager Elaine Andersen on behalf of the City of Folsom, Leah Miller on behalf of Habitat for Humanities of Greater Sacramento, and Halley Crumb on behalf of Retraining the Village. Under Negotiation: Price and Terms of Sale
3. Conference with Real Property Negotiator - Pursuant to Government Code section 54956.8: 405 Natoma Station Drive. Negotiating Parties: City Manager Elaine Andersen on behalf of the City of Folsom, and Kelly Vaccaro on behalf of Kids Inc. Under Negotiation: Price and Terms of Lease

- 4. Conference with Real Property Negotiator - Pursuant to Government Code section 54956.8: 905 Leidesdorff Street-Retail Space. Negotiating Parties: City Manager Elaine Andersen on behalf of the City of Folsom, and Taryn Grows and Charlie Grows on behalf of Uncle Charlie's Firehouse & Brew, LLC. Under Negotiation: Price and Terms of Lease

Motion by Councilmember Kerri Howell, second by Councilmember Rosario Rodriguez to adjourn to Closed Session for the above referenced items. Motion carried with the following roll call vote:

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

RECONVENE

City Attorney Steve Wang announced that no final action was taken during Closed Session.

ADJOURNMENT

The meeting was temporarily adjourned at 6:45 p.m. and reconvened at 9:29 p.m. after the Regular City Council meeting.

RECONVENE

The special meeting reconvened at 9:29 p.m. after adjournment of the regular City Council meeting to continue closed session.

City Attorney Steve Wang announced that no final action was taken during Closed Session.

There being no further business to come before the Folsom City Council, the meeting was adjourned at 10:57 p.m.

SUBMITTED BY:

Christa Freemantle, City Clerk

ATTEST:

Mike Kozlowski, Mayor

City Council Regular Meeting

MINUTES

Tuesday, November 9, 2021 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 6:47 p.m. in City Council Chambers, 50 Natoma Street, Folsom, California, with Mayor Mike Kozlowski presiding.

ROLL CALL:

Councilmembers Present: Sarah Aquino, Vice Mayor
YK Chalamcherla, Councilmember
Kerri Howell, Councilmember
Rosario Rodriguez, Councilmember
Mike Kozlowski, Mayor

Councilmembers Absent: None

Participating Staff: City Manager Elaine Andersen
City Attorney Steve Wang
City Clerk Christa Freemantle
Finance Director/CFO Stacey Tamagni
Public Works Director Mark Rackovan
Revenue Services Supervisor Elizabeth Hanna
General Services Manager Marie McKeeth

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

AGENDA UPDATE

City Clerk Christa Freemantle announced that item 14 under New Business had additional information.

BUSINESS FROM THE FLOOR:

1. Bhaskar Vempati addressed the City Council regarding the Diwali Festival of Lights
2. HSS and several youths presented a cultural dance performance

SCHEDULED PRESENTATIONS

1. Proclamation of the Mayor of the City of Folsom Proclaiming the Month of November as Veterans and Military Families Month in the City of Folsom

Mayor Mike Kozlowski presented the proclamation to Fair Oaks American Legion Auxiliary Post 383 member Suzanne Winters and American Legion Post 632 Folsom Commander Tish Lovesone.

2. City Manager's Financial Update for the First Quarter of Fiscal Year 2021-22

Finance Director/CFO Stacey Tamagni made a presentation and responded to questions from the City Council.

CONSENT CALENDAR:

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

3. Resolution No. 10738 - A Resolution Authorizing the City Manager to Execute Amendment No. 1 to the Agreement (Contract No. 173-21 20-052) with Holistic System Integration Solutions for Additional Professional Services for the Implementation of the New TRAKiT Permitting System
4. Resolution No. 10739 - A Resolution Authorizing the City Manager to Execute a Construction Agreement with Allied Construction Services for the Fire Station No. 36 Roof Replacement Project and Appropriation of Funds
5. Resolution No. 10740 – A Resolution Authorizing the City Manager to Execute an Agreement with Folsom Lake Ford to Purchase Two Ford Trucks for the Parks & Recreation Department and Appropriation of Additional Funds
6. Resolution No. 10741 - A Resolution Authorizing the City Manager to Execute a Professional Services Agreement with Solitude Lake Management for the American River Canyon North Waterfall Rehabilitation Project
7. Resolution No. 10742 - A Resolution Authorizing the City Manager to Execute Program Supplement Agreement F029 Rev. 1 to Administering Agency-State Agreement for Federal-Aid Projects No. 03-5288F15 with Caltrans for the Empire Ranch Interchange US-50 at Empire Ranch Road Project, Federal Project No. 5288(043), Project No. PW1804 and Appropriation of Funds
8. **Item pulled for discussion**

9. Resolution No. 10745 - A Resolution Accepting a Grant from the South Coast Air Quality Management District for the Replacement of Two Diesel Refuse Trucks with Two Zero Emission Electric Refuse Trucks
10. Resolution No. 10746 – A Resolution Authorizing the City Manager to Execute an Agreement with Bennett Engineering Services Inc. for Design Services for the Basin 4 Sewer Phase 1 Project
11. Resolution No. 10750 - A Resolution Authorizing the City Manager to Execute an Agreement with Folsom Lake Ford to Purchase Eight Ford Pickup Trucks for the Public Works Department and the Environmental and Water Resources Department

Motion by Councilmember Rosario Rodriguez, second by Councilmember Kerri Howell to approve Consent Calendar items 3 - 7 and 9 - 11.

Motion carried with the following roll call vote:

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

CONSENT CALENDAR ITEMS PULLED FOR DISCUSSION

8. Resolution No. 10743 – A Resolution Authorizing the City Manager to Execute an Agreement with Water Systems Optimization, Inc. to Complete the Water Distribution System Leak and Loss Detection Survey

Councilmember Kerri Howell explained that she pulled the item for clarification of the staff report regarding the leak detection system.

Motion by Councilmember Kerri Howell, second by Councilmember Rosario Rodriguez to approve Resolution No. 10743.

Motion carried with the following roll call vote:

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

NEW BUSINESS:

12. Appointment of At-Large Utility Commissioner

City Clerk Christa Freemantle explained that this appointment is to replace the current vacancy on the Utility Commission and the voting process.

The City Council appointed Mark Menz to the Utility Commission with the term ending in December 2022.

- 13. City of Folsom Community Facilities District No. 23 (Folsom Ranch) Amended Improvement Area No. 3 and Improvement Area No. 7
 - i. Resolution No. 10747 - A Resolution of Consideration of the City Council of the City of Folsom to (1) Amend the Boundaries of Improvement Area No. 3 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch); (2) Amend the Rate and Method of Apportionment for Improvement Area No. 3 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch), and (3) Amend the Appropriations Limit and the Maximum Bonded Indebtedness and Related Matters
 - ii. Resolution No. 10748 - A Resolution of the City Council of the City of Folsom Approving a Proposed Boundary Map and Designating Improvement Area No. 7 within the "City of Folsom Community Facilities District No. 23 (Folsom Ranch)" and to Levy Special Taxes therein
 - iii. Resolution No. 10749 - A Resolution of the City Council of the City of Folsom Declaring the Necessity for Incurring Bonded Indebtedness in and for Improvement Area No. 7 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch) and Calling for a Public Hearing thereon

Finance Director/CFO Stacey Tamagni made a presentation and responded to questions from the City Council. Consultant Stephanie Parson from NBS responded to additional questions from the City Council.

Motion by Councilmember Kerri Howell, second by Councilmember Rosario Rodriguez to approve Resolution No. 10747.

Motion carried with the following roll call vote:

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

Motion by Councilmember Rosario Rodriguez, second by Councilmember Kerri Howell to approve Resolution No. 10748.

Motion carried with the following roll call vote:

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

Motion by Councilmember Kerri Howell, second by Councilmember Rosario Rodriguez to approve Resolution No. 10749.

Motion carried with the following roll call vote:

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

14. Resolution No. 10744 – A Resolution Authorizing the City Manager to Execute a Fiber Networks Installation Agreement with SiFi Networks Folsom LLC for the Installation of a Fiber Optic Network in the City of Folsom

Public Works Director Mark Rackovan introduced the item and Scott Bradshaw of SiFi Networks made a presentation and responded to questions from the City Council.

Motion by Councilmember Kerri Howell, second by Vice Mayor Sarah Aquino to approve Resolution No. 10744.

There was further discussion by the City Council.

A substitute motion by Councilmember Kerri Howell, second by Councilmember Rosario Rodriguez to continue the item to the December 14, 2021 City Council meeting.

Substitute Motion carried with the following roll call vote:

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

15. Ordinance No. 1318 – An Ordinance of the City of Folsom Amending Section 10.20.510 of the Folsom Municipal Code to Increase Parking Penalty in Certain Areas of the Historic District (Introduction and First Reading)

Public Works Director Mark Rackovan made a presentation and responded to questions from the City Council.

Motion by Councilmember Kerri Howell, second by Councilmember Rosario Rodriguez to introduce and conduct the first reading of Ordinance No. 1318.

Motion carried with the following roll call vote:

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

16. Ordinance No. 1319 – An Ordinance of the City of Folsom Amending Section 3.20.040 of the Folsom Municipal Code Pertaining to Responsible Parties for Municipal Services (Introduction and First Reading)

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

Motion by Councilmember Kerri Howell, second by Councilmember Rosario Rodriguez to introduce and conduct the first reading of Ordinance No. 1319.

Motion carried with the following roll call vote:

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

17. Ordinance No. 1320 – An Ordinance of the City of Folsom Repealing and Replacing the Garbage Collection Ordinance as Set Forth in Chapter 8.32 of the Folsom Municipal Code to Incorporate New State Law Mandates (Introduction and First Reading)

Public Works Director Mark Rackovan introduced the item and General Services Manager Marie McKeeth made a presentation and responded to questions from the City Council.

Motion by Councilmember Rosario Rodriguez, second by Councilmember Kerri Howell to introduce and conduct the first reading of Ordinance No. 1320.

Motion carried with the following roll call vote:

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

CITY MANAGER REPORTS:

City Manager Elaine Andersen gave an update regarding the PG&E oak tree removal issue and announced that PG&E would be at the December 14 City Council meeting to make a presentation and share information. She discussed the proposed Solid Waste rate increase and protest hearing and talked about the by-district election mapping and the upcoming public hearing. She concluded with information about the Veteran's Parade.

COUNCIL COMMENTS:

Mayor Mike Kozlowski commented regarding all the work done on the PG&E tree issue and thanked staff.

Councilmember Rosario Rodriguez spoke of upcoming events including the Folsom Women’s Conference, the Foothill Wine Festival and the Veteran’s Parade.

Councilmember YK Chalamcherla commented regarding the recent FCUSD 2X2 meetings he attended, the Regional Water Authority meeting he attended as a guest, the Veteran’s Day Parade and the SeeClickFix ap.

Councilmember Kerri Howell commented regarding traffic and safe driving in the rain. She spoke of recent meetings of Regional Sanitation and Regional Transit and the progress on the SouthEast Connector project.

Vice Mayor Sarah Aquino thanked staff for the additional details in recent staff reports. She commented regarding the upcoming City by-district election discussions and the state redistricting progress as it pertains to our area. She spoke of partnering with the Greater Folsom Partnership to help Folsom businesses who are struggling due to the lack of employees.

Mayor Mike Kozlowski congratulated Twin Lakes Food Bank and Folsom Police Foundation for their successful fundraising galas. He commented regarding the recent NorCal Ultras Race and the upcoming Foothill Wine Fest. He encouraged everyone to shop in Folsom this holiday season. He stated that the City Council would resume Closed Session at this time.

City Attorney Steve Wang announced that the City Council would adjourn the City Council special meeting after Closed Session.

ADJOURNMENT

There being no further business to come before the Folsom City Council, Mayor Mike Kozlowski adjourned the meeting back to the special meeting at 9:29 p.m.

SUBMITTED BY:

Christa Freemantle, City Clerk

ATTEST:

Mike Kozlowski, Mayor

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Folsom City Council Staff Report

MEETING DATE:	12/14/2021
AGENDA SECTION:	Consent Calendar
SUBJECT:	Appointment of Representative to the Sacramento-Yolo Mosquito and Vector Control District
FROM:	City Clerk's Department

RECOMMENDATION / CITY COUNCIL ACTION

Staff recommends that the City Council appoints Craig Burnett as the representative to the Sacramento-Yolo Mosquito and Vector Control District for a four-year term ending in December 2025.

BACKGROUND / ISSUE

California Health and Safety Code section 2000 et seq. creates the Mosquito Abatement and Vector Control District Law and provides the authority for the organization of mosquito abatement and vector control districts.

In 1946, the Sacramento County-Yolo County Mosquito Abatement District was formed by joint resolution of the Board of Supervisors for Sacramento and Yolo counties. The purpose of the Sacramento-Yolo Mosquito and Vector Control District, in part, is to conduct effective programs for the surveillance, prevention, abatement, and control of mosquitoes and other vectors. Within the District boundaries are 2,013 square miles, encompassing both Sacramento and Yolo counties.

The City of Folsom is an active participant in the district and our current representative's term expires at the end of December, 2021. A Notice of Vacancy was published in the Folsom Telegraph, posted on the City of Folsom's web page and on the bulletin boards located at City Hall.

POLICY / RULE

California Health and Safety Code section 2021(d) states, in part, that when a district is located in two or more counties and contains both incorporated territory and unincorporated territory, the board of supervisors of each county may appoint one person to the board of trustees, and the city council of each city that is located in whole or part within the district may appoint one person to the board of trustees.

ANALYSIS

Staff has received one application for the vacant seat from the current appointee, Craig Burnett. Mr. Burnett has served as the City of Folsom's representative to the Sacramento County-Yolo County Mosquito Abatement District since 1978.

ATTACHMENTS

Application received from the following individual:

1. Craig Burnett

Respectfully submitted,

Christa Freemantle, CMC
City Clerk



CITY OF
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Folsom Commission and Committee APPLICATION

Thank you for your interest in serving on a Folsom commission or committee.

Before You Begin:

- Please read this form and instructions carefully.
- Complete all pages and sign the application.
- Applications remain active for six months after submittal.

Return completed applications to:

City Clerk's Department, Folsom City Hall, 50 Natoma Street, Folsom, CA 95630

Applicant Information: (All information is required)

Name: Craig R. Burnett

Residence Address: _____

Email: flcca-craig@comcast.net

Phone: Retired

Employer and Occupation: Retired

Currently Serving on a Commission/Committee? If yes, please specify:

Sac-Yolo Mosquito & Vector Control District Board; Folsom Lake College Philanthropy Council

Folsom Residency / Registered Voter Verification: Commission and Committee members must be residents and registered voters of Folsom.

Registered to vote? Indicate Yes / No Yes

Financial Disclosure / Ethics Training:

I understand that commission and committee members must file statements disclosing financial information.

Indicate Yes / No:

Yes

I understand that commission and committee members must complete ethics and harassment training.

Indicate Yes / No:

Yes

Truth and Accuracy: I certify that the information contained on this form is true and accurate:

Signature: Craig R. Burnett Digitally signed by Craig R. Burnett
Date: 2021.10.18 15:53:32 -07'00' Date: October 18, 2021

Important Public Records Information: The city may receive requests from the public to review documents such as this form and the city is obligated to release these public records, including all information contained on the form.

FOLSOM COMMISSION AND COMMITTEE APPLICATION

Applicant Name: Craig R. Burnett

Choice of Commission or Committee:

(If you are interested in multiple commissions, please rank them numerically according to your preference)

Arts and Culture Commission

Historic District Commission*

Please identify which seat you qualify for:

representative who is actively involved with historic preservation

representative who is a resident of the Historic District

representative who owns a business within the Sutter Street Subarea

Planning Commissioners

representative from a Historic District business outside the Sutter Street Subarea

architect, landscape architect, or other design professional with expertise in historic preservation

Landscaping and Lighting District Advisory Committee*

Please advise which L&L District you live in:

District of Residence: _____

Library Commission

Parks and Recreation Commission

Planning Commission

Traffic Safety Committee*

Please identify which seat you qualify for:

representative representing a wide cross section of interests

representative who has demonstrated an interest in or a concern for pedestrian and bicycle safety

Utility Commission

Other: Sacramento - Yolo County Mosquito & Vector Control District

***Application Supplement Required:**

Supplemental information is required for the Historic District Commission, Landscape and Lighting District Advisory Committee, and the Traffic Safety Committee. These boards have special qualification requirements for certain seats.

Continue to next page

FOLSOM COMMISSION AND COMMITTEE APPLICATION

Applicant Name: Craig R. Burnett

Informational Questions: (you must answer all four questions, for all commissions or committees you are applying for):

1. Why do you want to serve on this commission or committee:

I have lived in Folsom over 60 years and I'm a third generation Folsom area resident. For the past 10 years I've served as president of the Folsom Concert Association (FCA) which brings affordable concerts to residents of Folsom and the surrounding communities.

I was elected and served 21 years on the Folsom Cordova Unified School District Board of Education. I'm a founding member of the Folsom Athletic Association, member of the Folsom Chamber of Commerce and past member of the Folsom Parks & Recreation Commission.

I formerly served on the City of Folsom's Oversight Successor Agency Board unwinding bond funds from the City's past Redevelopment Agency.

I believe in being a responsible citizen and with that comes giving back to the community through voluntary service.

I have a deep and abiding interest in protecting the environment and public health from insect borne disease.

I want to continue serving on the Board as I have the knowledge and dedication to ensure the Sacramento - Yolo Mosquito & Vector Control District (SYMVCD) is fiscally sound and socially just.

2. What do you think is(are) the top issue(s) facing this commission or committee:

"The mission of the District is to provide safe, effective and economical mosquito control to protect the health and welfare of the District's residents. To achieve this, the District utilizes an Integrated Pest Management Approach that includes public information, surveillance of mosquito populations that can pose a threat, use of mosquitofish as a form of biological control, working with landowners to prevent mosquitoes from developing on their properties and chemical control to significantly reduce mosquito populations that pose a threat of disease."

The critical issue facing SYMVCD is trying to prevent the invasive *Aedes aegypti* disease carrying mosquito from becoming endemic to Sacramento & Yolo counties. The *Aedes aegypti* mosquito can carry Yellow Fever, Zika, Dengue and Chikungunya disease. It is a day biting mosquito that lays its eggs in dry containers waiting for water for the eggs to hatch. Since it can lay eggs in something as small as a bottle cap or a pet's dish in a backyard it is often very difficult to find the source of the mosquito. The eggs can be viable for a whole year in a dry state. They can also breed in water containers in a home. This requires mosquito technicians to inspect homes, backyards and surrounding areas.

This will require many more technicians which will have a dramatic effect on the District's budget.

One of the other major issues is the expanding growth of organically grown rice which prevents the

Continue to next page

FOLSOM COMMISSION AND COMMITTEE APPLICATION

Applicant Name: Craig R. Burnett

3. Briefly describe how your experiences qualify you to serve on the commission or committee:

I have a BA in Chemistry from California State University Sacramento (CSUS) and a Master of Environmental Management from the University of San Francisco (USF). I believe I have unique and qualifying experience having worked for the Sacramento - Yolo Mosquito & Vector Control (SYMVCD) in summers while attending CSUS. I have been the City of Folsom's appointed governing board member to SYMVCD for a number of years. As a current trustee, I have been elected to all Board leadership positions and presently serve as president.

I'm fiscally conservative and always keep a sharp eye on District expenditures. I instituted the 5-year budget plan for forecasting projects and budget expenditures for capital improvements and new technology. I required the 5 year plan to be updated every year and the status briefed to the board on a regular basis.

I've been a staunch supporter of Folsom for many, many years in posts to the media, TV, etc.

4. Which commission or committee meetings have you attended?

I have attended all SYMVCD board meeting and all Folsom Lake College Philanthropy meetings. As a member of the now defunct City of Folsom's Oversight Successor Agency Board I attended all the meetings. On the Folsom Cordova Unified School District Board I attended all the meetings, some even lasting past midnight.

I attend the Folsom City Council meetings and make a yearly presentation to the Council on mosquito control efforts.

END OF APPLICATION FORM

Return completed applications to:
City Clerk's Department, Folsom City Hall, 50 Natoma Street, Folsom, CA 95630



CITY OF
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Folsom City Council Staff Report

MEETING DATE:	12/14/2021
AGENDA SECTION:	Consent Calendar
SUBJECT:	Ordinance No. 1318 - Ordinance of the City of Folsom Amending Section 10.20.510 of the Folsom Municipal Code to Increase Parking Penalty in Certain Areas of the Historic District (Second Reading and Adoption)
FROM:	Public Works Department

RECOMMENDATION / CITY COUNCIL ACTION

The Public Works Department recommends that the City Council conduct the second reading and adopt Ordinance No. 1318 - Ordinance of the City of Folsom Amending Section 10.20.510 of the Folsom Municipal Code to Increase Parking Penalty in Certain Areas of the Historic District.

BACKGROUND / ISSUE

In 2019 the City Council directed the formation of the Historic District Ad Hoc Parking Solutions Committee, which was a committee comprised of residents, business owners and other community stakeholders to develop recommendations to address the parking issues facing the Historic District. The committee completed their work in Spring 2020 and reported their findings and recommendations back to City Council, which the City Council then in turn directed staff to implement over time.

One of the committee's high-priority recommendations was to increase the frequency and scope of parking enforcement. Another recommendation, to implement and enforce a residential permit parking program, is also under way (as a temporary pilot) but will require consistent parking enforcement to be effective. Currently the fine for violating a parking regulation anywhere in the City of Folsom is \$25 and has been that amount since 1994. In terms of the value of the dollar, a \$25 fine may not be the deterrent it was almost three decades ago; many motorists seem to be willing to accept a \$25 fine and either pay it or ignore it.

Increasing the amount of the fine may make a more effective deterrent, which in turn improves compliance with posted parking restrictions and maximizes the effectiveness of parking management strategies.

DISCUSSION

Given the concentration of parking demand in the Historic District, and the success of parking strategies being tied directly to compliance, staff is recommending that the fine for parking violations in certain designated areas of the Historic District be increased from \$25 to \$75. This increase would only apply with the portion of the Historic District bounded by, and to include Coloma Street, Leidesdorff Street, Folsom Boulevard, and Natoma Street. A map diagram of the affected area is attached as Attachment No. 2 to this Staff Report. This increased fine is supported by the Folsom Historic District Association and the Historic Folsom Residents Association.

The ordinance was introduced at the November 9, 2021 meeting. No changes have been made to the ordinance since the first reading.

FINANCIAL IMPACT

This action should not have any significant financial impact to the City of Folsom for increasing the parking fine amount from \$25 to \$75 in the designated area of the Historic District. If implemented, the additional revenue from the increased fines would have a negligible impact to the City's general fund.

ENVIRONMENTAL REVIEW

This action is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines.

ATTACHMENTS

1. Ordinance No. 1318 - Ordinance of the City of Folsom Amending Section 10.20.510 of the Folsom Municipal Code to Increase Parking Penalty in Certain Areas of the Historic District
2. Map diagram showing designated area in the Historic District subject to the new \$75 parking penalty

Submitted,

Mark Rackovan, PUBLIC WORKS DIRECTOR

Attachment 1

ORDINANCE NO. 1318

**AN ORDINANCE OF THE CITY OF FOLSOM
AMENDING SECTION 10.20.510 OF THE FOLSOM MUNICIPAL CODE TO
INCREASE PARKING PENALTY IN
CERTAIN AREAS OF THE HISTORIC DISTRICT**

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

SECTION 1 PURPOSE

The purpose of this Ordinance is to amend Section 10.20.510 of the Folsom Municipal Code as it pertains to the amount of parking penalties. Specifically, this Ordinance seeks to increase the amount of the parking penalty from \$25 to \$75 within an area of the Historic District bounded by, and to include Coloma Street, Leidesdorff Street, Folsom Boulevard, and Natoma Street.

SECTION 2 AMENDMENT TO CODE

Section 10.20.510 of the Folsom Municipal Code is hereby amended to read as follows:

10.20.510 General.

The violation of any section of this chapter, unless otherwise specified, shall be punishable by a parking penalty of twenty-five dollars for each violation. Notwithstanding the foregoing, violations that occur within the portion of the Historic District bounded by, and to include Coloma Street, Leidesdorff Street, Folsom Boulevard, and Natoma Street, shall be punishable by a parking penalty of seventy-five dollars for each violation.

SECTION 3 SCOPE

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

SECTION 4 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 5 SEVERABILITY

If any section, subsection, sentence, clause, or phrase in this Ordinance or any part thereof is for any reason held to be unconstitutional, invalid, or ineffective by any court of competent

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

SECTION 6 EFFECTIVE DATE

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

This ordinance was introduced and the title thereof read at the regular meeting of the City Council on November 9, 2021 and the second reading occurred at the regular meeting of the City Council on December 14, 2021.

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 14th day of December 2021, by the following roll-call vote:

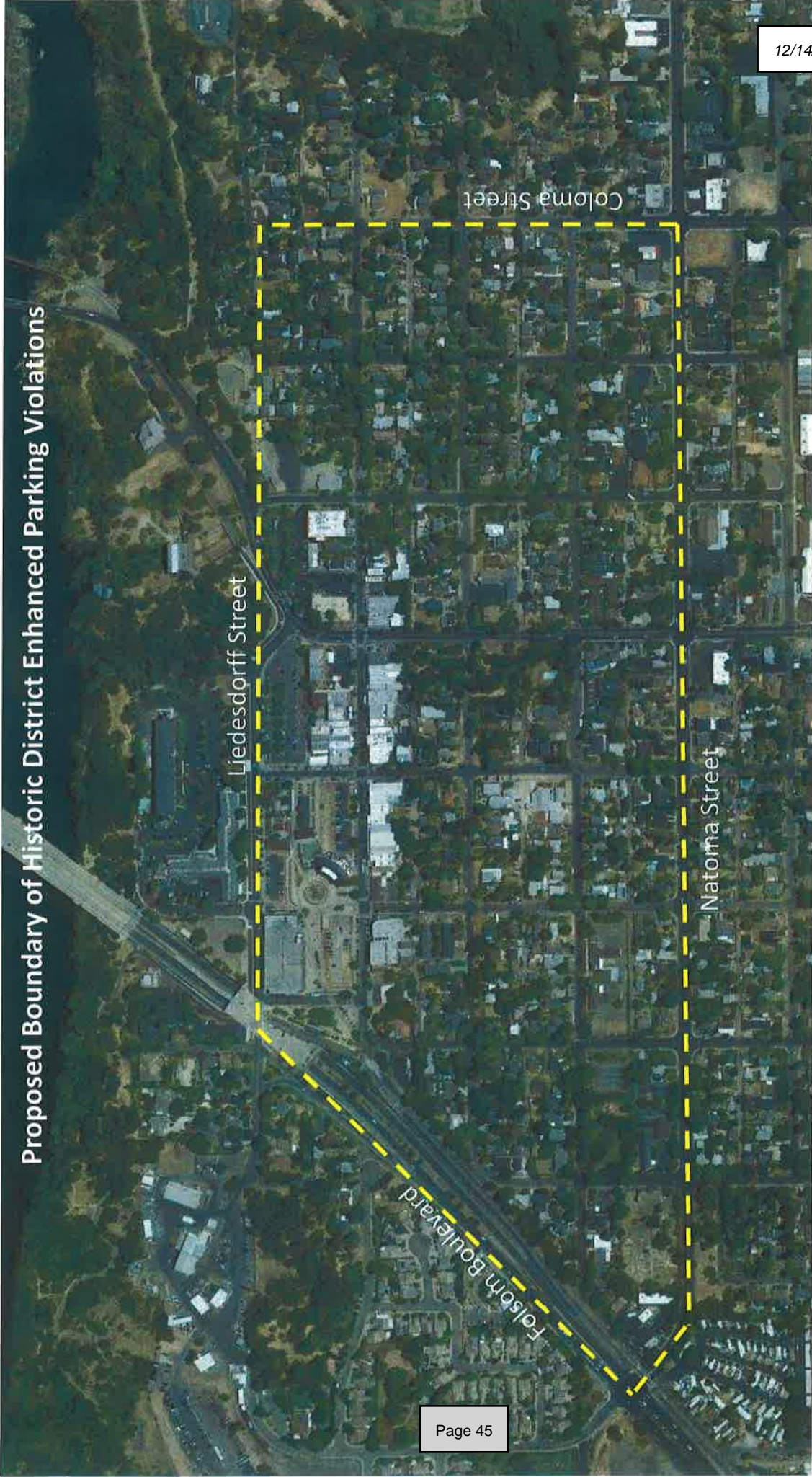
- AYES:** Councilmember(s):
- NOES:** Councilmember(s):
- ABSENT:** Councilmember(s):
- ABSTAIN:** Councilmember(s):

Michael D. Kozlowski, MAYOR

ATTEST:

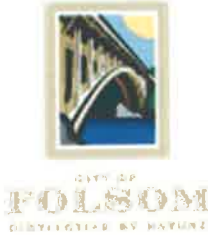
Christa Freemantle, CITY CLERK

Attachment 2



Proposed Boundary of Historic District Enhanced Parking Violations

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Folsom City Council Staff Report

MEETING DATE:	12/14/2021
AGENDA SECTION:	Consent Calendar
SUBJECT:	Ordinance No. 1319 - An Ordinance of the City of Folsom Amending Section 3.20.040 of the Folsom Municipal Code Pertaining to Responsible Parties for Municipal Services (Second Reading and Adoption)
FROM:	Finance Department

RECOMMENDATION / CITY COUNCIL ACTION

Move to adopt Ordinance No. 1319 - An Ordinance of the City of Folsom Amending Section 3.20.040 of the Folsom Municipal Code Pertaining to Responsible Parties for Municipal Services (Second Reading and Adoption).

BACKGROUND / ISSUE

The purpose of this Ordinance is to amend Section 3.20.040 of the Folsom Municipal Code to identify that real property owners are responsible for payment of municipal services provided to their properties such as solid waste, water, and sanitary sewer service.

As a health and safety requirement, services are not terminated or interrupted in between occupants. When a resident moves into a new property, we allow rental occupants to open utility accounts in their name if the real property owner has a current business license certificate and a \$240 deposit is added to the new utility account. Additionally, commercial accounts allow for a split amongst individual tenants for flat rate services provided to one parcel. We are the only agency surveyed in our region that allows for these utility services to transfer to a tenant and/or split services amongst tenants on one parcel.

California Health and Safety Code 5473 allows delinquent utility charges to be collected as a direct levy on the property tax roll. Folsom Municipal Code 3.20.040 also allows for unpaid charges to be collected on the property tax roll, and the Revenue Division administers this

process annually. As the City has grown over the years, having utility accounts in the tenant's name has resulted in a significant increase in staff time processing and managing tenant accounts, and presented unique challenges for the City to collect delinquent payments.

Ordinance No. 1319 was presented for introduction and first reading at the November 9 City Council meeting. No changes have been made to the ordinance since first reading.

POLICY / RULE

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

ANALYSIS

The proposed ordinance amendment would identify that the owner of real property is responsible for utility service charges. This is in accordance with California Health and Safety Code section 5473 *et.seq.* and Folsom Municipal Code section 3.20.040, which allow delinquent service charges and applicable penalties to be collected on the tax roll and paid by the real property owner. Since property taxes are the responsibility of, and billed to, the real property owner, the best practice for these utility services is to also bill directly to the real property owner.

Rental properties located in American River Canyon are serviced by San Juan Water District, and they are already subject to this practice with the water portion of their utility bill. El Dorado Irrigation District, which will serve a future portion of the Folsom Plan Area, also adheres to the practice of billing the real property owner for utility services.

Thirty percent of the monthly turnover in utility accounts is due to changes in tenants, and the same amount of customer service time is spent identifying new account responsibility. The real property owner of a parcel is an official County recorded document that can be searched at any time by staff. This amendment allows the City to provide municipal service billing more efficiently, economically, and accurately. Property owners may, if they desire, contractually arrange with their tenants for making the utility payments.

The Revenue Division is recommending an 18-month transition after this ordinance is approved. As new rental starts are requested, staff will provide an explanation of the change in process, what this change means to them as a customer or property owner, and how a tenant can be authorized to receive a copy of the utility bill.

ATTACHMENT

1. Ordinance No. 1319 - An Ordinance of the City of Folsom Amending Sections 3.20.040 of the Folsom Municipal Code (Second Reading and Adoption)

Submitted,



Stacey Tamagni, Finance Director

ORDINANCE NO. 1319

**AN ORDINANCE OF THE CITY OF FOLSOM AMENDING SECTION 3.20.040
OF THE FOLSOM MUNICIPAL CODE PERTAINING TO RESPONSIBLE
PARTIES FOR MUNICIPAL SERVICES**

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

SECTION 1 PURPOSE

The purpose of this Ordinance is to amend Section 3.20.040 of the Folsom Municipal Code to clarify that real property owners are responsible for payment of municipal services provided to their properties such as solid waste, water, and sanitary sewer service.

SECTION 2 AMENDMENT TO CODE

Section 3.20.040 of the Folsom Municipal Code is hereby amended to read as follows:

3.20.040 Collection methods.

A. The owner of real property to which one or more municipal services are rendered shall be responsible and liable for the payment of all municipal service charges, and the city may utilize all procedures available under this Code or state law to collect payment.

B. Charges for municipal services rendered to a parcel of real property shall be billed to the owner of that property as identified by the Sacramento County Clerk Recorder's Office, addressed to the owner at the owner's address shown in the Sacramento County Clerk Recorder's Office.

C. At the request of the real property owner submitted on a form approved by the Finance Director, a copy of the bill for municipal service charges may be sent to the owner's tenants, renters, or the owner's authorized representative, provided that the municipal services account shall remain in the owner's name and the owner shall remain fully responsible and liable for the payment of such municipal service charges as if the bill had been sent to the owner.

D. The property owner shall be fully responsible for payment of all municipal services rendered to the owner's property, and the city shall have no responsibility for, nor any involvement in, the allocation, billing, and collection of these costs by the owner from the owner's tenants, renters, or others.

E. The methods of collection set forth in this Chapter are in addition to any other method permitted or allowed by law and shall not repeal any existing law or ordinance now in effect with respect to collection of delinquent utility payments or service termination and restoration for delinquent accounts. Unpaid charges may become a lien on any property to the extent authorized by law.

SECTION 3 SCOPE

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

SECTION 4 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 5 SEVERABILITY

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

SECTION 6 EFFECTIVE DATE

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

This Ordinance was introduced, and the title thereof read at the regular meeting of the City Council on November 9, 2021 and the second reading occurred at the regular meeting of the City Council on December 14, 2021.

On a motion by Councilmember _____ seconded by Councilmember _____, the foregoing Ordinance was passed and adopted by the City Council of the City of Folsom, State of California, this 14th day of December 2021, by the following roll-call vote:

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

ABSTAIN: Councilmember(s):

Michael D. Kozlowski, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK



CITY OF
FOLSOM
INCORPORATED 1857

Folsom City Council Staff Report

MEETING DATE:	12/14/2021
AGENDA SECTION:	Consent Calendar
SUBJECT:	Ordinance No. 1320 – An Ordinance of the City of Folsom Repealing and Replacing the Garbage Collection Ordinance as Set Forth in Chapter 8.32 of the Folsom Municipal Code to Incorporate New State Law Mandates (Second Reading and Adoption)
FROM:	Public Works Department

RECOMMENDATION / CITY COUNCIL ACTION

The Public Works Department recommends that the City Council conduct the second reading and adopt Ordinance No. 1320 - An Ordinance of the City of Folsom Repealing and Replacing the Garbage Collection Ordinance as Set Forth in Chapter 8.32 of the Folsom Municipal Code to Incorporate New State Law Mandates.

BACKGROUND / ISSUE

In 2006, the City Council adopted the most recent update to the Garbage Collection ordinance (Folsom Municipal Code Chapter 8.32) primarily to incorporate program changes that had been established in alignment with state recycling and source reduction mandates and to continue to maintain and operate essential garbage collection service to meet community needs. Since then, several new state mandates have been adopted and the Solid Waste Division (Division) is again proposing changes in response to these mandates.

SB 1383 was signed into California law in 2016 as part of the state's broader effort to reduce greenhouse gas emissions. The California Department of Resources Recycling and Recovery (CalRecycle) finalized the regulations in November 2020 and is working with jurisdictions to ensure waste hauling programs are amended, to divert up to 26 million tons of organic material from landfills annually by 2025 in order to reduce methane emissions and support the state's climate goals.

Complying with the complex framework of SB 1383 requires major alteration to the City's solid waste collection program, necessitating a full repeal and replacement of the current garbage collection ordinance, including renaming the ordinance from "Garbage Collection" to "Waste and Recycling Collection". The new ordinance clearly provides the details of operations (containers, collections, materials, charges), permissions, city responsibilities, waivers, education and enforcement and other relevant topics surrounding the organics, recycling and garbage collection programs in accordance with SB 1383.

The Division has been actively working on planning for the required program changes including a comprehensive rate study and rate increase proposal, securing capacity for organics processing, design of new educational materials, route adjustments to accommodate weekly collection of organic waste, a procurement policy update, and coordination with other departments to ensure compliance. The adoption of an enforceable ordinance is one of the mandates of SB 1383, and this ordinance repeal and replacement is the next essential step of the planned approach and process to enact city-wide SB1383 compliant programs mandated to start in January of 2022.

DISCUSSION

The proposed ordinance repeal and replacement is prepared in accordance with the requirement of SB 1383. The ordinance was introduced and the first reading conducted at the November 9, 2021 meeting; no changes have been made to this item since the first reading.

The new ordinance addresses how Folsom will collect garbage, recycling and organics, and also specifies how the City's programs will serve all residents and businesses, to work together to prevent food waste from going into landfills, and to reduce edible food waste and rescue it for the food insecure. The Division is required to track the metrics closely and report them annually to CalRecycle. At present, deficiencies in Folsom's organic waste recycling program and infrastructure have resulted in the city being put under a corrective action plan with CalRecycle pursuant to 14 CCR Section 18996.2.

Due to the significant number of changes included in the proposed new ordinance, the Division has attached both the current version and the revised version of the ordinance rather than a marked-up copy. In addition to the changes for SB 1383, staff completed a comprehensive review of all existing language. The revisions include updates to outdated references and definitions, clarified details for existing programs, and consolidated language that is duplicated in other areas of the Folsom Municipal Code. Below are highlights of the updates specific to SB 1383:

- Section 8.32.045, self-hauler requirements, was added to specify how recycling requirements must be met by anyone who self-hauls waste from premises located within the City. Organic materials must be recycled using one of the methods

outlined. In the case of commercial businesses, there are also record keeping requirements.

- Section 8.32.125, commercial containers required, placement, appearance and labeling, was added to outline the requirements of businesses to provide containers with specific labeling for all individuals who may generate waste on their premises.
- Section 8.32.140 (B), charges for collection, was revised to establish the responsible party for compliance with SB 1383 when businesses must share waste services. A lack of clarity regarding who is responsible for compliance has been a barrier that contributed to our current non-compliance status with the existing commercial organics recycling mandate.
- Section 8.32.191, sufficient service required, was revised to include the requirement for both residents and businesses to participate in organics recycling.
- Section 8.32.220, exemption from participation in residential curbside recycling, was revised and renamed “waivers”. The revised language significantly limits the circumstances in which a resident or business will not be required to participate in the recycling and organics services.
- Sections 8.32.265, requirements for commercial edible food generators, and 8.32.370, requirements for edible food recovery organizations and services, were added to facilitate the implementation of an edible food recovery program. Generators and food recovery organizations have specific obligations including contracts and record keeping for food recovery efforts and specifically who must participate and when. Edible food recovery capacity planning and program will begin with “tier one” by 2022, including supermarkets, grocery stores with less than 10,000 square feet, food service providers, food distributors, and wholesale food vendors. “Tier two” will begin by 2024, to include restaurants with less than 250 seats or less than 5,000 square feet, hotels with food service and less than 200 rooms, health facilities with food service and less than 100 beds, large venues, large events, and schools with food service.
- Section 8.32.275, inspections and investigations was added to outline the City’s right to perform compliance inspections and the customer’s obligation to provide any necessary access.
- 8.32.280, enforcement, was revised to add compliance details relating to the implementation and ongoing enforcement of SB 1383. In summary, beginning January 1, 2022, the city will focus on implementing the city-wide food scraps composting program through weekly collections, outreach, education and coaching to compliance, providing educational materials to the residents or businesses describing their obligations under this chapter. The City’s current non-compliance status with the existing commercial organics recycling mandate and the contractual

obligation to provide minimally contaminated material to our facilities or face penalty, necessitates enforcement actions to be taken as needed. Enforcement action will be done according to the enforcement response plan, following delivery of educational materials and issuance of notices of violations in the case of contamination in any container, starting in 2022.

The new ordinance allows the City of Folsom to comply with SB 1383, establishing a program and process by which the City contributes to the state meeting methane emissions reduction targets, a harmful short-lived climate pollutant. SB 1383 establishes targets to achieve a 50 percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75 percent reduction by 2025.

Methane emissions resulting from the decomposition of organic waste in landfills are a significant source of greenhouse gas (GHG) emissions contributing to global climate change. Food waste alone accounts for approximately 17 to 18 percent of total landfill disposal. Increasing food waste prevention, encouraging edible food rescue, and expanding the composting and diversion of organic waste throughout the City, per this ordinance, is how Folsom will contribute to the reduction of methane emissions from California's landfills.

FINANCIAL IMPACT

Program changes required by SB 1383 and outlined in the new ordinance will have a significant impact to the Solid Waste Fund. A comprehensive rate analysis has been completed and a rate increase to mitigate the impacts of SB 1383 is currently being proposed, with a public hearing scheduled for December 14, 2021. Enforcement efforts required by SB 1383 may result in some nominal revenue to the Solid Waste Fund.

ENVIRONMENTAL REVIEW

This action is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15307 and 15308.

ATTACHMENTS

1. Ordinance No. 1320 - Ordinance of the City of Folsom Repealing and Replacing the Garbage Collection Ordinance as Set Forth in Chapter 8.32 of the Folsom Municipal Code to Incorporate New State Law Mandates
2. Current Version of Chapter 8.32 of the Folsom Municipal Code (Passed and Adopted February 14, 2006)

Submitted,



Mark Rackovan, Public Works Director

Attachment 1

ORDINANCE NO. 1320

**AN ORDINANCE OF THE CITY OF FOLSOM
REPEALING AND REPLACING THE GARBAGE COLLECTION ORDINANCE AS
SET FORTH IN CHAPTER 8.32 OF THE FOLSOM MUNICIPAL CODE TO
INCORPORATE NEW STATE LAW MANDATES**

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

SECTION 1 PURPOSE

The purpose of this Ordinance is to repeal and re-enact Chapter 8.32 of the Folsom Municipal Code to conform with new state law requirements pertaining to short lived climate pollutants and the implementation of an organic waste separation program, including but not limited to SB 1383 adopted during the 2016 legislative session and regulations finalized by CalRecycle on November 3, 2020, to take effect January 1, 2022.

SECTION 2 REPEAL AND RE-ENACTMENT TO CODE

Chapter 8.32 of the Folsom Municipal Code is hereby repealed and re-enacted to read as follows:

**Chapter 8.32
WASTE AND RECYCLING COLLECTION**

Sections:

- 8.32.005 Definitions.
- 8.32.010 City responsibility.
- 8.32.020 Permission required.
- 8.32.030 Burning, burying, on-site private disposal prohibited—Compost exception.
- 8.32.040 Private removal requirements.
- 8.32.045 Self-hauler requirements.
- 8.32.050 Placing in containers—Generally.
- 8.32.080 Residential containerization.
- 8.32.090 Residential/commercial prohibited materials.
- 8.32.100 Residential container location and holiday requirements.
- 8.32.101 Service to below-ground containers prohibited.
- 8.32.110 Location requirements.
- 8.32.111 Fees for automated solid waste containers.
- 8.32.115 Commercial business containerization.
- 8.32.120 Container/dumpster enclosure—Business location
- 8.32.125 Container appearance and labeling.
- 8.32.130 Special solid waste service.
- 8.32.135 Collection charges—Established by City council.

- 8.32.140 Charges for collection and compliance administration.
- 8.32.150 Fees and charges—Due date.
- 8.32.160 Charges—Collection authority.
- 8.32.170 Charges—Nonpayment—Violation.
- 8.32.180 Charges—Nonpayment—Discontinuance.
- 8.32.185 Charges—Contamination in containers.
- 8.32.190 Accumulation prohibited.
- 8.32.191 Sufficient service required.
- 8.32.192 Exclusive use of containers.
- 8.32.210 Scavenging of solid waste.
- 8.32.220 Waivers.
- 8.32.230 Contamination of containerized recyclables and organic waste—contamination monitoring.
- 8.32.240 Replacement fee for damaged containers.
- 8.32.250 Bulky Waste Program requirements.
- 8.32.260 Frequency of residential service change requests.
- 8.32.265 Requirements for commercial edible food generators.
- 8.32.270 Requirements for edible food recovery organizations and services.
- 8.32.275 Inspections and investigations.
- 8.32.280 Enforcement.
- 8.32.285 Penalties.
- 8.32.290 Enforcement procedures—Notice to correct.
- 8.32.300 Remedies cumulative.

8.32.005 Definitions.

- A. “Alley” shall mean a passage or way providing a secondary means of vehicular access to abutting lots not intended for general traffic circulation.
- B. “Automated container” shall mean a container owned by the City, made of commercially manufactured plastic, steel, or other appropriate material, designed to be lifted, dumped, and returned by City solid waste collection vehicles. Automated containers may be described as: automated cans, cans, containers, dumpsters, roll-off or compactor containers.
- C. “Biohazardous waste” shall have the same meaning as in California Health and Safety Code Section 117690(b)(1).
- D. “Bulky Waste Program” shall mean a City program designed to provide collection of bulky items that will not fit into a residential container. This may include, but is not limited to, appliances, lumber, and toys. An appointment is required.
- E. “Commercial business” shall mean a firm, partnership, proprietorship, joint-stock company, corporation, or association, whether for-profit or nonprofit, strip mall, industrial facility, or a multifamily residential dwelling. A multi-family residential dwelling that consists of fewer than five (5) units is not a Commercial Business for purposes of implementing this ordinance.

F. “Commercial edible food generator” shall mean and include “tier one commercial edible food generators” and “tier two commercial edible food generators”.

G. “Community composting” shall mean any activity that composts green material, agricultural material, food material, or vegetative food material, alone or in combination, so long as the total amount of feedstock and compost on-site at any one time does not exceed 100 cubic yards and 750 square feet.

H. “Compost” shall mean the product resulting from the controlled biological decomposition of organic wastes that are source separated from the municipal solid waste stream, or which are separated at a centralized facility.

I. “Construction and demolition waste” shall mean used or discarded materials resulting from construction, renovation, remodeling, repair or demolition operations on any pavement, house, commercial building, or other structure and such other materials as may be removed during the normal cleanup process of such construction, renovation, remodeling, repair, or demolition operations.

J. “Curbside recycling” shall mean the placement of recyclables in a City-supplied container for collection by the City.

K. “Department” shall mean the City of Folsom Public Works Department.

L. “Director” shall mean the City of Folsom Public Works Director or his/her designee unless otherwise stated or indicated by context.

M. “Division” shall mean the Solid Waste Division of the Department.

N. “Edible food” shall mean food intended for human consumption. For the purposes of this ordinance “edible food” is not solid waste if it is recovered and not discarded. Nothing in this ordinance requires or authorizes the recovery of edible food that does not meet the food safety requirements of the California Retail Food Code.

O. “Food recovery organization” shall mean an entity that engages in the collection or receipt of edible food from commercial edible food generators and distributes that edible food to the public for food recovery either directly or through other entities, including, but not limited to:

1. A food bank as defined in Section 113783 of the Health and Safety Code;
2. A nonprofit charitable organization as defined in Section 113841 of the Health and Safety code; and,
3. A nonprofit charitable temporary food facility as defined in Section 113842 of the Health and Safety Code.

P. “Food recovery service” shall mean a person or entity that collects and transports edible food from a commercial edible food generator to a food recovery organization or other entities for food recovery.

Q. “Food service provider” shall mean an entity primarily engaged in providing food services to institutional, governmental, commercial, or industrial locations of others based on contractual arrangements with these types of organizations.

R. “Food waste” shall mean food scraps and trimmings and other putrescible waste that result from food production, preparation, cooking, storage, consumption, or handling. Food waste includes but is not limited to: meat, fish and dairy waste, fruit and vegetable waste and grain waste.

S. “Garbage” shall mean discarded solid materials resulting from residential activities, industrial and commercial operations. Garbage does not include useful commercial or industrial by-products, recyclable materials, organic waste, construction and demolition waste, inert waste, medical waste, hazardous waste, or biohazardous waste.

T. “Green waste” shall mean non-contaminated material composed of organic matter or plant matter which is the result of seasonal variations or landscape and gardening activities. Green waste includes, without limitation, grass clippings, shrubbery, leaves, tree trimmings, branches, flowers, plant stalks, untreated wood, Christmas trees and other plant material. Green waste does not include human waste, animal waste or manure.

U. “Grocery store” shall mean a store primarily engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, fresh meats, fish, and poultry, and any area that is not separately owned within the store where the food is prepared and served, including a bakery, deli, and meat and seafood departments.

V. “Hazardous waste” shall mean those wastes resulting from products purchased by the general public for use which, because of the quantity, concentration, or physical, chemical or infectious characteristics, may pose a substantial known or potential hazard to human health or the environment when improperly treated, disposed or otherwise managed. Hazardous Waste includes Household Hazardous Waste.

W. “High diversion organic waste processing facility” shall mean a facility that is in compliance with the reporting requirements of 14 CCR Section 18815.5(d) and meets or exceeds an annual average mixed waste organic content recovery rate of 50 percent between January 1, 2022 and December 31, 2024, and 75 percent after January 1, 2025, as calculated pursuant to 14 CCR Section 18815.5(e) for organic waste received from the “Mixed waste organic collection stream” as defined in 14 CCR Section 17402(a)(11.5).

X. “Household hazardous waste” shall mean those hazardous waste materials discarded, typically in small quantities, by households (as opposed to large quantities disposed by businesses). Typical household hazardous waste includes used motor oil and oil filters, antifreeze and other vehicle fluids, paints and varnish, pesticides, electronic waste and cleaning supplies.

Household Hazardous Waste does not include waste generated in the course of operating a business concern at a residence.

Y. “Illegal dumping” shall mean to throw or place, or direct another person to throw or place, other than in receptacles provided therefor, upon the private land or waters of another person without the permission of the owner, or upon public lands or waters, or upon any public place, any solid waste, rubbish, trash, garbage, debris, recyclable material, organic waste, or hazardous waste.

Z. “Inert waste” shall mean waste materials that do not react in the environment including but not limited to rock, concrete, brick, sand, soil, ceramics, and cured asphalt. “Inert waste” does not include any waste that meets the definition of “designated waste,” as defined in Water Code Section 13173, or “Hazardous Waste”.

AA. “Large event” shall mean an event, including, but not limited to, a sporting event or a flea market, that charges an admission price, or is operated by a local agency, and serves an average of more than 2,000 individuals per day of operation of the event, at a location that includes, but is not limited to, a public, nonprofit, or privately owned park, parking lot, golf course, street system, or other open space when being used for an event.

BB. “Large venue” shall mean a permanent venue facility that annually seats or serves an average of more than 2,000 individuals within the grounds of the facility per day of operation of the venue facility. For purposes of this ordinance, a site under common ownership or control that includes more than one Large Venue that is contiguous with other Large Venues in the site, is a single Large Venue.

CC. “Medical waste” shall mean waste which is generated or produced as a result of any of the following actions: diagnosis, treatment, immunization, or care of humans or animals, the production or testing of biologicals, sharps waste, waste generated in autopsy, necropsy, or preparation of a body for final disposition such as cremation or interment, research pertaining to any of the above, and waste generated in the cleanup of trauma scenes.

DD. “Multi-family dwelling” shall mean of, from, or pertaining to residential premises with five (5) or more dwelling units. Multi-family dwellings do not include hotels, motels, nursing homes or other congregate-care or institutional facilities, which are considered commercial businesses.

EE. “Organic waste” shall mean solid waste containing material originated from living organisms and their metabolic waste products, including but not limited to food waste, green waste, landscape and pruning waste, organic textiles and carpets, lumber, wood, paper products, printing and writing paper, manure, biosolids, digestate, and sludges.

FF. “Organic waste generator” shall mean a person or entity that is responsible for the initial creation of organic waste.

GG. “Organic waste processing facility” shall mean any facility selected by the City’s collector that is designed, approved by the City, or specifically designated by the City, operated, and legally permitted for the purpose of receiving and processing organic waste.

HH. “Person” shall mean an individual, trust, firm, joint stock company, commercial business concern, partnership, association, limited liability company, corporation, and public entity.

II. “Private driveway” shall mean a private roadway owned by a private person, business, association or other private entity.

JJ. “Premises” shall mean a specific lot or area of real property served by the City or any such lot or area in general. “Premises” includes permanent and transient human dwellings and places of accommodation, commerce, or recreation.

KK. “Prohibited container contaminants” shall mean:

1. Discarded materials placed in the designated recycling container that are not acceptable source separated recyclables for the City’s designated recycling container.
2. Discarded materials placed in the designated organic waste container that are not acceptable source separated organic waste for the City’s designated organic waste container.
3. Discarded materials placed in the garbage container that are acceptable source separated recyclables and/or source separated organic waste.
4. Discarded materials placed in any container in violation of section 8.32.090.
5. Acceptable materials for each container are identified and updated regularly on the Division website or as printed on a City container. They may also be found on printed material including, but not limited to flyers, customer service notices, and container labels.

LL. “Putrescible” shall mean to rot; subject to decomposition by microorganisms.

MM. “Recyclables” shall mean recyclable material including, but not limited to: newspaper, magazines, mixed paper, plastic bottles, cardboard, glass bottles, aluminum and steel cans and other materials published on the Division website, on the container or printed materials as acceptable in designated recycling containers.

NN. “Rendering bin” is a closed leakproof containment for uncontaminated fats, oils and grease from the food preparation process that can be used as a source of material that is free of impurities and can be recycled into products.

OO. “Refuse” shall mean and include any of the following:

1. Garbage, waste, or rubbish.
2. Unused or discarded collections of materials, including but not limited to treated or painted wood, bedding, crockery, tires or construction debris.

PP. "Residential" shall mean any premises in the City, whether or not owner-occupied, designed for people to live in.

QQ. "Rubbish" shall mean non-putrescible solid waste consisting of combustible and non-combustible waste, such as ashes, paper, cardboard, tin cans, yard clippings, wood, glass, bedding, crockery, or litter of any kind.

RR. "SB 1383" shall mean the Short-Lived Climate Pollutants Reduction Strategy known as Senate Bill 1383 which establishes the regulatory requirements for jurisdictions, generators, haulers, solid waste facilities, and other entities to achieve the organic waste disposal reduction targets codified in Section 39730.6 of the Health and Safety Code and Chapter 13.1 of division 30 of the Public Resource Code.

SS. "Self-hauler" shall mean a generator that collects solid waste at their premises or place of business for the purpose of hauling those materials in their own vehicles to a permitted solid waste facility in compliance with the requirements of this chapter.

TT. "Sharps" shall mean any device having acute rigid corners, edges, or protuberances capable of cutting or piercing, including, but not limited to, all of the following:

1. Hypodermic needles, hypodermic needles with syringes, blades, needles with attached tubing, syringes contained with biohazardous waste, acupuncture needles, and root canal files.
2. Broken glass items, such as Pasteur pipettes and blood vials contaminated with biohazardous waste.
3. Any item capable of cutting or piercing that is contaminated with trauma scene waste.
4. Pen needles, intravenous needles, lancets, and other devices that are used to penetrate the skin for the delivery of medications.

UU. "Source separated" means materials, including but not limited to commingled recyclables, that have been separated or kept separate from the mixed solid waste stream, at the point of generation, for the purpose of additional sorting or processing those materials for recycling or reuse in order to return them to the economic mainstream in the form of raw material for new, reused, or reconstituted products which meet the quality standards necessary to be used in the marketplace.

VV. “Solid waste” shall mean all putrescible and non-putrescible solid, semi-solid, and liquid wastes, including garbage, trash, organics, recyclables, refuse, rubbish, ashes, industrial wastes, demolition and construction wastes, abandoned vehicles and parts thereof, discarded home and industrial appliances, manure, vegetable or animal solid and semi-solid wastes and other discarded waste (whether of solid or semi-solid consistency); provided that such wastes do not contain wastes which must be managed as hazardous wastes, or wastes which contain soluble pollutants in concentrations which exceed applicable water quality objectives, or could cause degradation of waters of the state.

WW. “Tier one commercial edible food generator” shall mean a commercial edible food generator that is one of the following:

1. Supermarkets with gross annual sales of \$2,000,000 or more.
2. Grocery store with a total facility size equal to or greater than 10,000 square feet.
3. Food service provider.
4. Wholesale food vendor.
5. Food Distributor.

XX. “Tier Two commercial edible food generator” shall mean a commercial edible food generator that is one of the following:

1. Restaurant with 250 or more seats, or a total facility size equal to or greater than 5,000 square feet.
2. Hotel with an on-site food facility and 200 or more rooms.
3. Health facility with an on-site food facility and 100 or more beds.
4. Large venue.
5. Large event.
6. A state agency with a cafeteria with 250 or more seats or total cafeteria facility size equal to or greater than 5,000 square feet.
7. A local education agency facility with an on-site food facility.

YY. “Universal waste” shall have the same meaning as in Section 66261.9 of Title 22, California Code of Regulations as may be amended.

ZZ. “Venue facility” shall mean a public, nonprofit, or privately owned or operated stadium, amphitheater, arena, hall, amusement park, conference or civic center, zoo, aquarium, airport,

racetrack, horse track, performing arts center, fairground, museum, theater, or other public attraction facility.

8.32.010 City responsibility.

The City, its duly authorized agents, servants, or employees, shall have the exclusive right to gather, collect, recycle, or dispose of all solid waste within the City.

8.32.020 Permission required.

A. No person may collect, gather, recycle, or dispose of solid waste within the City without permission of the City council. (Ord. 1049 § 2 (part), 2006)

B. All residential dwellings and commercial businesses shall subscribe with the City's waste hauling services for garbage and recycling, and the City or a City-approved hauling service for organic waste. Commercial businesses that meet the self-hauler requirements in section 8.32.045 may self-haul recycling and organics in lieu of subscribing with the City for those services.

C. If recyclables and/or organic waste are hauled by another entity, the City may inspect records, pursuant to section 1.09.025 of this Code, to verify that the services are not being provided for a net cost.

8.32.030 Burning, burying, on-site private disposal prohibited—Compost exception.

No person shall burn, bury, or otherwise dispose of or process solid waste on any premises in the City except for composting of organic wastes in a compost process as specified in the Division's Regional Recycling Backyard Composting Guide or Commercial Composting and Mulching Operations Conditions for Approval.

8.32.040 Private removal requirements.

This chapter shall not be construed as prohibiting the owner or tenant of any premises in the City from carrying away any such solid waste, on an infrequent or occasional basis in order to reduce the amount to be taken away by the City or its duly authorized agents, but no person shall be authorized by this section to carry away such solid waste if such person receives the benefits of the use of any such solid waste for feed for poultry, hogs, or other livestock unless such person receives permission from the Director. All solid waste removal by an owner or tenant of any premises is subject to the self-haul requirements of 8.32.045. This section shall not be construed as relieving any person from paying the regular solid waste fees.

8.32.045 Self-hauler requirements.

A. Self-haulers shall source separate all recyclable materials and organic waste generated on-site from other solid waste or shall haul all collected wastes, to a high diversion waste processing facility, which also processes organic waste

B. Self-haulers shall haul their source separated recyclable materials to a facility that recovers those materials.

C. Self-haulers shall haul their source separated organic waste to a solid waste facility, operation, activity, or property that processes or recovers source separated organic waste.

Alternatively, self-haulers may haul their source separated organic waste to a high diversion organic waste processing facility.

D. Self-haulers that are commercial businesses shall keep for a minimum of 5 years a record of the amount of organic waste delivered to each high diversion organic waste processing facility or other solid waste facility, operation, activity, or property that properly processes or recovers organic waste. This record shall be subject to inspection upon request of the City as specified by SB1383, at least every 5 years. The records shall include the following information:

1. Delivery receipts and weight tickets from the entity accepting the waste including the date and identifying information about the facility.
2. The amount of material in cubic yards or tons transported by the generator to each entity.

If the material is transported to an entity that does not have scales on-site or employs scales incapable of weighing the self-hauler's vehicle in a manner that allows it to determine the weight of materials received, the self-hauler is not required to record the weight of material but shall keep a record of the entities that received the organic waste.

8.32.050 Placing in containers—Generally.

The person responsible for any premises in the City shall gather the solid waste and put it into the appropriate container for that premises.

8.32.080 Residential containerization.

All garbage, recyclables and organic waste shall be containerized as follows:

- A. Garbage shall be placed in the standard plastic gray garbage containers provided by the City.
- B. Organic waste shall be placed in standard plastic green containers provided by the City or its authorized agent (black containers in service as of January 1, 2022 may continue to be used for organic waste until January 1, 2036).
 1. Green waste shall not exceed four inches in diameter and shall not protrude above the lid of the container. Green waste shall be loosely placed in the container.
 2. Food waste shall be contained in compostable bags.
- C. Recyclables shall be placed loosely (not in bags) in the standard plastic blue container provided by the City.
- D. All items shall be containerized with the lid completely closed for automated container services. Material shall not be packed tightly in the containers and must fall freely when the can is tipped.

F. Items not contained within automated cans will not be collected, except by appointment through the Bulky Waste Program as defined under Section 8.32.250

G. Residential containers shall not exceed ninety-six gallons and shall have a total weight limit of two hundred pounds per container.

8.32.090 Residential/commercial prohibited materials.

A. Unless otherwise permitted by written contract with the City, the following materials will not be collected in any City provided container:

1. Dirt, rocks, sod, asphalt, brick, concrete, large metal objects, tile, landscaping bark, furniture;
2. Construction and demolition debris;
3. Appliances, tires, tree stumps;
4. Oversized or excess waste that prevents the lid from closing or material from falling freely from the container during normal service procedures.

B. The following materials will not be collected in any City provided container:

1. Liquids, hot ashes, coal;
2. Flammables;
3. Live ammunition;
4. Household hazardous waste;
5. Hazardous waste.

C. No person shall place in any City container any wearing apparel, bedding or other refuse from homes or other places where highly infectious or contagious diseases have prevailed; any explosive substance, poison, hazardous chemical, offal, or fecal matter.

D. Disposal of medical or biohazardous waste shall be performed through a licensed collection and disposal company, which complies with all applicable laws and regulations, including, but not limited to, California Health and Safety Code Sections 117600 through 118360.

8.32.100 Residential container location and holiday requirements.

A. Residences Having Street Frontage Only. Residential containers for garbage, recycling and organic waste shall be placed for collection at the street curb or edge of road right-of-way by 6:00 a.m. on scheduled collection day, holidays included, and removed from the street and screened from public view by 6:00 a.m. of the following day. The wheels of the containers must

be placed in the gutter with the handle facing the residence. Containers must be at least three feet from any obstruction such as automobiles, trailers, motor homes, fences, lampposts, portable basketball hoops, mailboxes, or other automated containers. Containers shall not block pedestrian access.

B. Residences with Alley Access. Residential containers for garbage, recycling and organic waste shall be placed for collection adjacent to the alley property line, with direct access from the alley by 6:00 a.m. on scheduled collection day, holidays included. The base of the container must be placed on a stable, level surface with the handle facing the residence. Containers must be at least three feet from any obstructions such as automobiles, trailers, motor homes, fences, portable basketball hoops, lampposts, mailboxes, or other automated containers.

C. Residences with Private Driveways. Residential containers for garbage, recycling and organic waste shall be placed for collection at the nearest public road right-of-way by 6:00 a.m. on scheduled collection days, holidays included, and removed from the right-of-way and screened from public view by 6:00 a.m. of the following day. The container must be placed on a level surface with the handle facing the shoulder of the road. Containers must be at least three feet from any obstructions such as automobiles, trailers, motor homes, fences, portable basketball hoops, lampposts, mailboxes, or other automated containers. Containers shall not block pedestrian access.

D. Collection trucks may come back for garbage, recycling, and organic waste put out after the truck has passed a residence upon request, subject to payment of an extra pickup service charge.

E. For purposes of this section, "screened" means blocked from public view from the street or public right-of-way with a permanent fence, enclosure, landscaping, or other comparable facility as approved by the Director.

8.32.101 Service to below-ground containers prohibited.

City personnel shall not service containers stored below the surface of the ground.

8.32.110 Location requirements.

The City shall not collect solid waste from above the first floor of any premises, nor from the basement of any premises. City shall not collect solid waste when containers are not placed at a position and in a manner that allows for collection.

8.32.111 Fees for automated solid waste containers.

A. Fee Established. Each dwelling unit to be serviced by City-owned automated container collection shall pay a fee equal to the then cost of providing the containers. The fee shall be adjusted on July 1st of each fiscal year by the Director to reflect the most recent cost per container actually purchased by the City, plus the cost of labor and equipment necessary to deliver the containers to the new dwelling.

B. Ownership. The City shall retain ownership of all City provided containers. Persons owning or renting property served by such containers are responsible for the security of the

containers. In the event of fire, theft, or other damage or disappearance of a container from the property, a replacement container shall be obtained from the City upon payment of the established fees. Persons owning or renting property served by such containers shall, upon vacating the premises, leave the primary containers for the next occupant in a secure location upon the premises. Persons who have ordered an extra container shall, upon vacating the premises, contact the City to have the extra container removed. Persons owning or renting property served by such containers are responsible for the appearance and cleanliness of the container.

C. Replacement Containers. A replacement container may be obtained upon payment of the fee established by City Council. Replacement of a container no longer usable due to normal wear shall not be subject to a replacement fee.

8.32.115 Commercial business containerization.

All garbage, recyclables and organic waste shall be containerized as follows:

A. Garbage shall be placed in the standard gray garbage containers provided by the City.

B. Organic waste shall be placed in standard green or brown containers (or containers with a green, yellow, or brown lid) provided by the City or a City approved hauler.

C. Recyclables shall be placed in the standard blue container or containers with a blue lid provided by the City (white containers in service as of January 1, 2022 may continue to be used for recyclables until January 1, 2036).

8.32.120 Container/dumpster enclosure—Business location.

A. Solid waste containers/dumpster enclosures at places of business shall be located in such place as shall be convenient to the Division and must be approved by the Director. City-approved solid waste enclosures are to be used for solid waste removal containers only unless approved in advance by the Director. Storage of other equipment or material is prohibited. Enclosure maintenance is the responsibility of the landlord, property owner, property manager, or management company. Enclosures shall be maintained in working order and floors shall be free of debris. The property owner shall be liable for damage to or spills from any other equipment stored in the solid waste enclosure.

B. All items shall be containerized with the lid completely closed for automated container services. Material shall not be packed tightly in the containers and must fall freely when the container is tipped.

C. Items not contained within automated containers will not be collected, except by appointment.

D. Commercial containers shall have a not to exceed weight limit of 1,800 pounds per container.

E. New commercial business properties shall provide enclosure space for garbage, recyclable, and organic waste containers, including rendering bins as applicable, for the use of the property. Should the use of an existing commercial business property change to require a rendering bin, the business served by the rendering bin shall be responsible for ensuring that the rendering bin is stored in a secure location that does not impede waste collection services.

8.32.125 Commercial Containers required, placement, appearance and labeling.

Customers that are commercial businesses shall:

A. Supply and allow access to an adequate number, size and location of containers with sufficient labels and colors (conforming with requirements in Section 8.32.115) for employees, contractors, tenants, and customers, consistent with the collection services or, if self-hauling, per the commercial businesses' instructions to support compliance with its self-haul program, in accordance with Section 8.32.045.

B. Excluding multi-family dwellings, provide containers for the collection of source separated organic waste materials and source separated recyclable materials in all indoor and outdoor areas where disposal containers for materials generated by that business are provided for customers. Such containers do not need to be provided in restrooms. If a commercial business does not generate any of the materials that would be collected in one type of container, then the business does not have to provide that particular container in areas where disposal containers are provided for customers. The containers provided by the business shall have:

1. A body or lid that conforms to the color requirements specified in Section 8.32.115.
2. Container labels that include language or graphic images, or both, indicating the primary material accepted and the primary materials prohibited in that container, or containers with imprinted text or graphic images that indicate the primary materials accepted and primary materials prohibited in the container.
3. Notwithstanding subsection (B)(1), a commercial business is not required to replace functional containers, including containers purchased prior to January 1, 2022, that do not comply with the requirements of subsection (B)(1) before the end of the useful life of those containers, or before January 1, 2036, whichever occurs first.

8.32.130 Special solid waste service.

A. Container Service. The tenant, occupant, owner, or lessee of any premises in the City may temporarily obtain additional City automated container(s) for the purpose of disposing of garbage or source separated solid waste. The person requesting this special trash service is responsible to pay for the service in accordance with a fee set by the City council. The City will be responsible for delivery and pickup of the automated container to and from the premises of the person requesting service.

B. **Container/Roll-Off Service.** The tenant, occupant, owner, or lessee of any premises in the City may temporarily obtain a City dumpster or roll-off container, in addition to standard services, for the purpose of disposing of garbage or source separated solid waste. The person requesting this special trash service is responsible to pay for the service in accordance with a fee set by the City council. The City will be responsible for delivery and pickup of the dumpster or roll-off container to and from the premises of the person requesting service.

C. **Collection of Household Hazardous Waste (HHW).** The tenant, occupant, owner or lessee of any residential premises in the City may request special collection of household hazardous waste through appointment with the Division. Commercial businesses may request special collection of universal wastes through appointment with the Division.

D. **Disposal of Medical and Biohazardous Waste.** The tenant, occupant, owner, or lessee of any premises in the City shall not dispose of any medical or biohazardous waste in a City-owned collection container. Disposal of medical or biohazardous waste shall be performed through a licensed collection and disposal company, which complies with all applicable laws and regulations, including, but not limited to, California Health and Safety Code Sections 117600 through 118360.

8.32.135 Collection charges—Established by City council.

All charges for solid waste collection shall be established or modified by resolution of the City council. The Director shall, with the approval of the City Manager, recommend changes in the collection charges when appropriate.

8.32.140 Charges for collection and compliance administration.

A. Residential.

1. A property owner of each and every dwelling, house, or residence shall be responsible for paying to the City, a fixed minimum solid waste fee based upon current established solid waste rates which shall be set by the City council. Such fee, based upon service of one collection per week for garbage and organic waste, and one collection every other week for recyclables, applies and is payable without consideration of whether there is any garbage, recyclables, or organic waste to remove from the premises.
2. Residential solid waste service may be discontinued upon written request for a period of no less than two months when a dwelling, house, or residence will be unoccupied. Municipal service charges may be discontinued pursuant to section 3.20.020 of this code.
3. For collection of additional containers beyond those covered by the fixed minimum charges established in this chapter, the collection charge shall be set by resolution of the City council for each additional garbage, recyclable, or organic waste container.

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

B. Commercial.

1. A property owner of each and every commercial business shall be responsible for paying to the City, a fixed minimum charge as set forth by the City council as a solid waste fee. Such fixed minimum charge is based upon service of one collection per week, without consideration of whether there is any solid waste to remove from the premises.

A landlord, property owner, property manager, or management company with multiple tenants who must share a commercial container shall be responsible for the solid waste utility bill of the tenants and compliance with SB1383.

2. Commercial Container, Roll-Off, and Additional Services. The Director may approve the placing of solid waste in containers other than automated cans such as roll-off containers. The fixed fee and additional service charges will be set by resolution of the City council. Such charge shall include all costs to the City, including, but not limited to, labor, equipment operation, maintenance and depreciation, administrative overhead, recycling, landfill closure and landfill operation costs. Standard commercial charges for commercial containers and roll-off containers may be established by the Director subject to the approval of the City council.
3. An additional or special pickup may be requested beyond the minimum service required by this chapter. Each such additional or special pickup shall be subject to a fixed fee. The fixed fee for additional or special pickups shall be set by resolution of the City council.
4. Commercial customers are also charged a monthly recycling compliance fee, as established by the City council, for the administration of state mandated recycling programs. The monthly recycling compliance fee is waived if the commercial customer subscribes to City recycling collection service.

C. Adjustment of Bills for Billing Error.

1. Where the City overcharges or undercharges a customer's solid waste bill as the result of a billing error, the City may render an adjusted bill for the amount of the undercharge, without interest, and shall issue a refund or credit to the customer for the amount of the overcharge, without interest, computed back to the date that the City determines the billing error commenced, except that the period of adjustment shall not exceed one year for a refund and six months for an undercharge.

8.32.150 Fees and charges—Due date.

Solid waste service fees and charges are due and payable as described in section 3.20.070 of this code.

8.32.160 Charges—Collection authority.

The City finance department shall collect all charges and fees with the assistance of the City attorney as necessary or appropriate.

8.32.170 Charges—Nonpayment—Violation.

The nonpayment by any person of the solid waste fee after notice given by the City finance department by bill rendered to such person, or left on the premises, is a violation of this chapter.

8.32.180 Charges—Nonpayment—Discontinuance.

The City shall have the right in addition to any other remedies to discontinue solid waste service for nonpayment of solid waste fees or charges.

8.32.185 Charges—Contamination in containers.

The City shall establish fees or charges for contamination found in containers pursuant to Section 8.32.230. Fees or charges shall be established by resolution of the City council.

8.32.190 Accumulation prohibited.

No person shall permit solid waste to accumulate upon the premises owned, occupied or managed by such person.

8.32.191 Sufficient service required.

A. The person responsible for any premises or commercial business in the City shall accept solid waste collection service sufficient to remove garbage and organic waste generated by or accumulating weekly from the premises and recyclables generated by or accumulating every other week from the premises. The Director may order additional service for any premises or commercial business where the Department determines necessary, at the customer's expense. If additional service is needed, a customer may use additional containers or select a larger-capacity container from the container choices available from the Department. Commercial-route customers may also request container collection more frequently than once a week.

B. All Residential customers shall:

1. Subscribe to the City's organic waste collection services for all organic waste generated. The City shall have the right to review the number and size of a customer's containers to evaluate adequacy of capacity provided for each type of collection service for proper separation and containment of materials; and, customers shall adjust the number or size of containers for collection services as requested by the City. Generators may additionally manage their organic waste by preventing or reducing their organic waste (source reduction), managing organic waste on site (composting), and/or using a community composting site.

2. Participate in the City's organic waste collection services by placing designated materials in designated containers.
3. Customers shall not place prohibited container contaminants in collection containers.

C. All customers that are commercial businesses shall:

1. Subscribe to the City's collection services and comply with requirements of those services. The City shall have the right to review the number and size of a customer's containers and frequency of collection to evaluate adequacy of capacity provided for each type of collection service; for proper separation and containment of materials; and commercial businesses shall adjust their service level for their collection services as requested by the City.
2. Participate in the City's organic waste collection service(s) by placing designated materials in designated containers.
3. Customers shall not place prohibited container contaminants in collection containers.
4. If a commercial business wants to self-haul recycling or organic waste, it must meet the self-hauler requirements in Section 8.32.045 of this ordinance.
5. Nothing in this Section prohibits a customer from preventing or reducing waste generation (source reduction), managing organic waste on site (composting), or using a community composting site.

8.32.192 Exclusive use of containers.

A. It is unlawful for any person to dump or place any material into or to utilize any solid waste container, bin, or dumpster without consent of the property owner or tenant in charge of the property.

B. It is unlawful for any person to enter into a solid waste container, whether or not a notice has been placed on such container.

8.32.210 Scavenging of solid waste.

No person shall remove solid waste from residential containers or commercial containers that are designated for collection by the City or its authorized agent.

8.32.220 Waivers.

A. Residential. In exceptional circumstances, a waiver may be granted to individual(s) from participating in residential curbside recycling and/or organics recycling, upon approval from the Director in his/her sole discretion. The Director may grant one or more of the following types of waivers to a residential generator of solid waste:

1. Reasonable Accommodation. The Director may waive a property owner's obligation to comply with the requirements of Section 8.32.191(B) if the property owner provides documentation, or the City has evidence from staff, or any medical professional, demonstrating that compliance with this Chapter would act as a barrier to fair housing opportunities or health-related reasons prevent individual(s) from complying.
2. Physical Space Waiver. The Director may waive the obligation to comply with the requirements of Section 8.32.191(B) if the property owner provides documentation, or the City has evidence from staff, licensed architect, or licensed engineer, demonstrating that the premises contain severe space constraints which prevent the placement of a recycling and/or organic container at the household.

B. Commercial. In exceptional circumstances, a waiver may be granted to a commercial business from participating in recycling and/or organics recycling, upon approval from the Director in his/her sole discretion. The Director may grant one or more of the following types of waivers to a commercial business that is a generator of solid waste:

1. De Minimis Waiver: The Director may waive a commercial business' obligation to comply with some or all of the organic waste requirements of this chapter if the commercial business provides documentation or the City has evidence demonstrating that:
 - a. The commercial business' total solid waste collection service is two cubic yards or more per week and organic waste subject to collection in the designated recycling container or designated organic waste container comprises less than 20 gallons per week per applicable container of the business' total waste; or
 - b. The commercial business' total solid waste collection service is less than two cubic yards per week and organic waste subject to collection in the designated recycling container or the designated organic waste container comprises less than 10 gallons per week per applicable container of the business' total waste.
 - c. Any commercial business granted a de minimis waiver shall notify the City if circumstances change such that the organic waste generated exceeds the threshold required for the waiver, in which case the waiver will be rescinded.
 - d. Any commercial business granted a de minimis waiver shall provide to the City written verification of eligibility for the de minimis waiver every 5 years.
2. Physical Space Waiver: The Director may waive a commercial business' obligations to comply with some or all of the recyclable materials and/or organic waste collection service requirements if the City has evidence from its own staff, a City approved hauler, licensed architect, or licensed engineer demonstrating that

the premises contain severe space constraints which prevent the placement of the collection containers required for compliance with this chapter.

3. Waivers will not be granted for any commercial business that sells or produces food.

C. Any customer requesting a waiver shall make the request in writing on an application provided by the Division.

D. Waivers are conditioned upon and subject to: (1) the requesting party continuing to reside at the location specified in the application; and (2) the circumstances justifying the waiver remaining unchanged. Customers who are granted a waiver must notify the Director, in writing, of any change in the circumstances supporting the grant of waiver within thirty days of such change in circumstances.

E. Waivers may be revoked at any time at the discretion of the Director.

8.32.230 Contamination of containerized recyclables and organic waste—Contamination monitoring.

A. No person shall place nonrecyclable materials into automated containers, dumpsters, or roll-off containers that are designated for the collection of recyclables or organic waste.

B. To the extent practical through education, training, inspection, and/or other measures, commercial businesses, shall prohibit employees from placing materials in a container not designated for those materials per the City's collection service or, if self-hauling, per the commercial business's instructions to support its compliance with its self-haul program, in accordance with Section 8.32.045.

C. Commercial businesses shall periodically inspect organic waste, recycling, and garbage containers for contamination and inform employees and agents, including but not limited to custodial vendors if containers are contaminated and of the requirements to keep contaminants out of those containers.

D. Commercial businesses shall annually provide information to employees, contractors, tenants, and customers about organic waste recovery requirements and about proper sorting of source separated organic waste and source separated recyclable materials.

E. Commercial businesses shall provide education information to new tenants before or within fourteen (14) days of occupation of the premises. The education information provided shall describe requirements to keep source separated organic waste and source separated recyclable materials separate from garbage and the location of containers and the rules governing their use at each property.

F. Commercial businesses shall provide or arrange access for the City or its representative to their properties during all inspections conducted in accordance with Section 8.32.270 to confirm compliance with the requirements of this ordinance.

G. Commercial businesses shall accommodate and cooperate with the collector's remote monitoring program for inspection of the contents of containers for prohibited container contaminants, to evaluate generator's compliance.

8.32.240 Replacement fee for damaged containers.

The Director shall have the authority to assess the cost for the replacement of any containers that have been damaged or destroyed due to the customer's negligence or misuse.

8.32.250 Bulky Waste Program requirements.

Any and all materials deposited curbside for the purposes of participating in the Bulky Waste Program must meet the following criteria:

- A. All pickups must be secured by an appointment.
- B. All piles must be no more than five cubic yards in size (seven feet by six feet by three feet).
- C. All materials must be placed curbside, no earlier than one day prior to the scheduled pick-up, and by 6:00 a.m. on the scheduled collection date.
- D. Material must be placed at the edge of the street, not within the gutter area, not on a sidewalk, or on private property.
- E. The Bulky Waste Program will only accept materials that consist of:
 - 1. Green waste;
 - 2. Lumber/wood;
 - 3. Furniture/mattresses;
 - 4. Lawn mowers (remove gas and oil);
 - 5. Barbeques (remove propane tanks);
 - 6. Metals;
 - 7. Large appliances;
 - 8. Tires.

Any materials placed curbside that do not meet the above requirements shall be considered illegal dumping and any person who commits such act(s) shall be subject to the penalties set forth in Folsom Municipal Code Section 8.34.040.

8.32.260 Frequency of residential service change requests.

Residents will be allowed two service change requests after receiving the residential garbage, recycling, and organic waste cans at no charge for one year from implementation of the City's organics recycling program applicable to all categories of service. New residents will be allowed one service change request after receiving initial residential garbage, recycling and organic waste cans at no charge for one year from the start date of their utility account applicable to all categories of service. Additional service change requests will be charged an administrative fee as set by resolution of the City council.

The categories of service change include:

- A. Changing the size and number of garbage containers.
- B. Changing the size and number of recycling containers.
- C. Changing the size and number of organic waste containers.

8.32.265 Requirements for Commercial Edible Food Generators.

- A. Tier One commercial edible food generators shall comply with the requirements of this section commencing on January 1, 2022, and Tier Two commercial edible food generators shall comply commencing on January 1, 2024 or sooner.
- B. Large venue or large event operators not providing food services, but allowing for food to be provided by others, shall require food facilities operating at the large venue or large event to comply with the requirements of this section, commencing on January 1, 2024 or sooner.
- C. Commercial Edible Food Generators shall comply with the following requirements:
 1. Arrange to recover the maximum amount of edible food that would otherwise be disposed.
 2. Contract with or enter into a written agreement with food recovery organizations or food recovery services for: (i) the collection of edible food for food recovery; or, (ii) acceptance of the edible food that the commercial edible food generator self-hauls to the food recovery organization for food recovery.
 3. Shall not intentionally spoil edible food that is capable of being recovered by a food recovery organization or a food recovery service.
 4. Allow the City's designated enforcement entity or designated third party enforcement entity to access the premises and review records pursuant to 14 CCR Section 18991.4.

5. Keep records that include the following information:
- a. A list of each food recovery service or organization that collects or receives its edible food pursuant to a contract or written agreement established under 14 CCR Section 18991.3(b).
 - b. A copy of all contracts or written agreements established under 14 CCR Section 18991.3(b).
 - c. A record of the following information for each of those food recovery services or food recovery organizations:
 - i. The name, address and contact information of the food recovery service or food recovery organization.
 - ii. The types of food that will be collected by or self-hauled to the food recovery service or food recovery organization.
 - iii. The established frequency that food will be collected or self-hauled.
 - iv. The quantity of food, measured in pounds recovered per month, collected or self-hauled to a food recovery service or food recovery organization for food recovery.

D. Nothing in this chapter shall be construed to limit or conflict with the protections provided by the California Good Samaritan Food Donation Act of 2017, the Federal Good Samaritan Act, or share table and school food donation guidance pursuant to Senate Bill 557 of 2017.

8.32.270 Requirements for Edible Food Recovery Organizations and Services.

A. Food recovery services collecting or receiving edible food directly from commercial edible food generators, via a contract or written agreement established under 14 CCR Section 18991.3(b), shall maintain the following records:

1. The name, address, and contact information for each commercial edible food generator from which the service collects edible food.
2. The quantity in pounds of edible food collected from each commercial edible food generator per month.
3. The quantity in pounds of edible food transported to each food recovery organization per month.
4. The name, address, and contact information for each food recovery organization that the food recovery service transports edible food to for food recovery.

B. Food recovery organizations collecting or receiving edible food directly from commercial edible food generators, via a contract or written agreement established under 14 CCR Section 18991.3(b), shall maintain the following records:

1. The name, address, and contact information for each commercial edible food generator from which the organization receives edible food.
2. The quantity in pounds of edible food received from each commercial edible food generator per month.
3. The name, address, and contact information for each food recovery service that the organization receives edible food from for food recovery.

C. Food recovery organizations and food recovery services that have their primary address physically located in the City and contract with or have written agreements with one or more commercial edible food generators pursuant to 14 CCR Section 18991.3(b) shall report to the City the total pounds of edible food recovered in the previous calendar year from the Tier One and Tier Two commercial edible food generators they have established a contract or written agreement with pursuant to 14 CCR Section 18991.3(b) no later than July 1 annually.

D. In order to support edible food recovery capacity planning assessments or other studies conducted by the County, City, special district that provides solid waste collection services, or its designated entity, food recovery services and food recovery organizations operating in the City shall provide information and consultation to the City, upon request, regarding existing, or proposed new or expanded, food recovery capacity that could be accessed by the City and its commercial edible food generators. A food recovery service or food recovery organization contacted by the City shall respond to such request for information within 60 days unless a shorter timeframe is otherwise specified by the City.

8.32.275 Inspections and Investigations

A. The City's representatives are authorized to conduct inspections and investigations, at random or otherwise, of any collection container, collection vehicle loads, or transfer, processing, or disposal facility for materials collected from customers, or source separated materials, to confirm compliance with this chapter by organic waste generators, commercial businesses, property owners, commercial edible food generators, haulers, self-haulers, food recovery services, and food recovery organizations, subject to applicable laws.

1. This Section does not allow the City to enter the interior of a private residential property for inspection.
2. For the purposes of inspecting commercial business containers for compliance with this chapter, the City may conduct container inspections for prohibited container contaminants using remote monitoring, which may involve installation of remote monitoring equipment on or in any collection container. Commercial businesses shall accommodate and cooperate with the remote monitoring.

B. Any regulated entity shall provide or arrange for access during all inspections (with the exception of residential property interiors) and shall cooperate with the City's representative during such inspections and investigations. Such inspections and investigations may include confirmation of proper placement of materials in containers, edible food recovery activities, records, or any other requirement of this chapter.

C. Failure to provide or arrange for: (i) access to an entity's premises; or (ii) access to records for any inspection or investigation is a violation of this section.

8.32.280 Enforcement.

A. This chapter shall be enforced pursuant to the provisions of Chapters 1.08 to 1.10 of the Folsom Municipal Code and any other enforcement mechanism available to the City under the Folsom Municipal Code and/or applicable law.

B. Unless otherwise expressly provided in this chapter, the Director shall enforce the provisions of this chapter.

C. **Compliance Deadline Extension Considerations.** The City may extend the compliance deadlines set forth in a Notice of Violation issued in accordance with Section 8.32.290 if it finds that there are extenuating circumstances beyond the control of the respondent that make compliance within the deadlines impracticable, including the following:

1. Acts of God such as earthquakes, wildfires, flooding, and other emergencies or natural disasters;
2. Delays not related to fault of the respondent, in obtaining discretionary permits or other government agency approvals; or,
3. Deficiencies in organic waste recycling infrastructure or edible food recovery capacity and the City is under a corrective action plan with CalRecycle pursuant to 14 CCR Section 18996.2 due to those deficiencies.

D. **Education Period for Residential and Multi-Family.** Beginning January 1, 2022, and through December 31, 2023, if the City determines that a residence or multi-family dwelling is not in compliance with this chapter, it shall provide educational materials to the entity describing its obligations under this chapter and a notice that compliance is required, and that violations may be subject to administrative civil penalties. Except for multi-family dwellings, there will be no education period for commercial businesses.

E. **Civil Penalties for Non-Compliance.** If the City determines that an organic waste generator, self-hauler, hauler, Tier one or Tier two commercial edible food generator, food recovery organization, food recovery service, or other entity is not in compliance with this chapter, it shall document the noncompliance or violation, issue a notice of violation, and take enforcement action as needed.

8.32.285 Penalties.

A. Unless otherwise expressly provided in this chapter, a violation of this chapter shall be an administrative violation as defined in Section 1.08.020 of this code. In addition to enforcement by any procedure set forth in Chapters 1.08 to 1.10, except as provided in this section, any violation of this chapter shall be punishable as an infraction and shall be punishable by:

1. For a first violation, the amount of the base penalty shall be \$50-\$100 per violation.
2. For a second violation, the amount of the base penalty shall be \$100-\$200 per violation.
3. For a third violation, the amount of the base penalty shall be \$250-\$500 per violation.
4. Subsequent violations of this chapter shall be subject to the range of monetary sanctions set forth in Section 1.09.012(A)(5) and may be imposed on a per day basis for each violation.

B. Each and every day during which a violation of this chapter continues, except in cases in which a given time has been allowed for corrective action to be taken, shall be a separate and distinct offense.

C. Violations of Section 8.32.090(B), (C), and (D); 8.32.190, and 8.32.210 shall be a misdemeanor, which shall be punishable by a fine not to exceed one thousand dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment.

D. Each of the sanctions for administrative violations identified in Chapter 1.09 of this code shall be available for enforcement of the provisions of this chapter.

8.32.290 Enforcement procedures—Notice to correct.

A. Prior to the suspension, revocation, or denial of any permit, or the assessment of any fee, penalty, or charge, or the commencement of any other enforcement action pursuant to this chapter, the enforcement authority may pursue the procedures set forth in Chapter 1.09 of this code. The rights to judicial review set forth in Sections 1.09.050 through 1.09.059 of this code shall apply.

B. A notice to correct shall not be required to commence the administrative hearing procedures set forth in Chapters 1.08 through 1.10 of this code. Pursuant to Section 1.09.024(A) of this code, a notice of administrative violation shall be served in accordance with the provisions of Section 1.09.027 of this code.

8.32.300 Remedies cumulative.

The remedies set forth in this chapter are cumulative to any other remedy available to the City. Pursuit of one remedy shall not preclude any other remedy, and nothing contained in this chapter

shall limit or be deemed to prevent the City from pursuing any other remedy available to the City under the City's code or any other applicable law.

SECTION 3 SCOPE

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

SECTION 4 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 5 SEVERABILITY

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

SECTION 6 EFFECTIVE DATE

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

This ordinance was introduced and the title thereof read at the regular meeting of the City Council on November 9, 2021, and the second reading occurred at the regular meeting of the City Council on December 14, 2021.

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 14th day of December, 2021 by the following roll-call vote:

AYES: Councilmember(s):

NOES: Councilmember(s):

ABSENT: Councilmember(s):

ABSTAIN: Councilmember(s):

Michael D. Kozlowski, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

Attachment 2

ORDINANCE NO. 1049**AN ORDINANCE OF THE CITY OF FOLSOM REPEALING AND REPLACING
TITLE 8, CHAPTER 8.32 OF THE FOLSOM MUNICIPAL CODE CONCERNING
GARBAGE COLLECTION**

THE CITY COUNCIL OF THE CITY OF FOLSOM DOES ORDAIN AS FOLLOWS:

SECTION 1 PURPOSE

The purpose of this ordinance is to repeal and replace Chapter 8.32 of Title 8, of the Folsom Municipal Code (the "code") pertaining to Garbage Collection. Chapter 8.32 will be amended to align the code requirements with current and future services to be provided by the Utilities Department.

SECTION 2

Chapter 8.32 of the Folsom Municipal Code is repealed and replaced to read as follows:

Chapter 8.32

GARBAGE COLLECTION

Sections:

8.32.005	Definitions.
8.32.010	City responsibility.
8.32.020	Permission required.
8.32.030	Burning, burying, on-site private disposal prohibited; Compost Exception.
8.32.040	Private removal requirements.
8.32.050	Placing in containers-Generally.
8.32.070	Department--Removal intervals.
8.32.080	Residential containerization.
8.32.090	Residential/Commercial prohibited materials.
8.32.100	Residential receptacle location and holiday requirements.
8.32.101	Service to below-ground containers prohibited.
8.32.110	Location requirements.
8.32.111	Automated solid waste containers
8.32.120	Container/Dumpster Enclosure – Business Location
8.32.130	Special solid waste service.
8.32.135	Collection charges-Established by City Council
8.32.140	Charges for Collection
8.32.150	Fees and Charges--Due date.
8.32.160	Charges--Collection authority.
8.32.170	Charges--Nonpayment--Violation.
8.32.180	Charges--Nonpayment--Discontinuance.
8.32.190	Accumulation prohibited.
8.32.191	Sufficient Service Required

- 8.32.192 Exclusive use of containers.
- 8.32.210 Scavenging of recyclable materials.
- 8.32.220 Exception from participation in Residential Curbside Recycling
- 8.32.230 Contamination of containerized recyclables & green waste.
- 8.32.240 Replacement fee for damaged containers
- 8.32.250 Neighborhood Cleanup requirements.
- 8.32.260 Frequency of Residential Service Change Requests
- 8.32.270 Enforcement.
- 8.32.280 Penalties.
- 8.32.290 Enforcement procedures, notice to correct.
- 8.32.300 Remedies Cumulative.

- 8.32.005 Definitions.

A. **“Alley Ways”** Shall mean a recorded easement for public access near a residential property or between residential properties.

B. **“Biohazardous Waste”** Shall mean laboratory waste including human or animal specimen cultures from medical and pathology laboratories. Cultures and stock of infectious agents from research and industrial laboratories. Waste from the production of bacteria, viruses, spores, discarded live and attenuated vaccines used in human health care or research, discarded animal vaccines. Human or animal surgery specimens or tissues, which may contain infectious agents known to be contagious to humans. Waste containing discarded materials contaminated with excretion exudates or secretions from humans that are required to be isolated by infection control staff the attending physician or local health officer to protect others from highly communicable diseases.

C. **“Container”** Shall mean commercially manufactured plastic or steel solid waste containers owned by the City designed to be lifted, dumped and returned by City solid waste packers. Containers may be described as: automated carts, bins, commercial containers, drop box, roll-off or compactor containers.

D. **“Curbside Recycling”** Shall mean the placement of recyclables in a city supplied cart for collection by the city.

E. **“Department”** Shall mean the City of Folsom, Utilities Department.

F. **“Director”** Shall mean the City of Folsom Director of Utilities or his/her designee unless otherwise stated or indicated by context.

G. **“Division”** Shall mean the Utilities Department, Solid Waste Division.

H. **“Garbage”** Shall mean all putrescible animal and vegetable waste resulting from packaging, storing, handling, preparation, cooking and consumption of food and all other materials not defined as recyclables or yard waste. Garbage to be removed from places of business shall consist of garbage as above defined and packing boxes, crates and packing materials.

I. **"Hazardous Waste"** Shall mean those wastes resulting from products purchased by the general public for use which, because of the quantity, concentration, or physical, chemical or infectious characteristics, may pose a substantial known or potential hazard to human health or the environment when improperly treated, disposed or otherwise managed. It shall be unlawful for any person to deposit for collection in any receptacle(s) provided pursuant to this Chapter any item of "hazardous waste" as defined by an applicable federal, state or local law.

J. **"Household Hazardous Waste"** Shall mean those hazardous waste materials discarded, typically in small quantities, by households (as opposed to large quantities disposed by business), Typical household hazardous waste includes used motor oil and oil filters, antifreeze and other vehicle fluids, paints and varnish, pesticides, electronic waste and cleaning supplies.

K. **"Illegal Dumping"** Shall mean to throw or place, or direct another person, to throw or place, other than in receptacles provided therefore, upon the private land or waters of another person, without the permission of the owner, or upon public lands or waters, or upon any public place any rubbish, trash, garbage, debris, or recyclable material.

L. **"Inerts"** Shall mean waste materials that do not react in the environment.

M. **"Medical Waste"** Shall mean waste which is generated or produced as a result of any of the following actions: diagnosis, treatment, or immunization of humans or animals. Research pertaining to the above. The production or testing of biologicals and sharps waste.

N. **"Neighborhood Clean-Up"** Shall mean a city program designed to provide clean-up of bulky items that will not fit into a residential container. This may include appliances, lumber and toys. An appointment is required.

O. **"Person"** Shall mean an individual, trust, firm, joint stock company, business concern, partnership, association, limited liability company, and corporation, including, but not limited to a government corporation.

P. **"Private Driveways"** Shall mean a private roadway owned by a private person or business.

Q. **"Premises"** Shall mean a specific lot or area of real property served by the City or any such lot or area in general. "Premises" includes permanent and transient human dwellings and places of accommodation, commerce or recreation.

R. **"Premises with Multi-unit Dwellings"** Shall mean an area of one or more premises operating in whole or part under unified management or ownership, with housing facilities for more than a single-family residence. Such facilities include duplex or multiplex dwellings, apartments, condominiums, and trailer parks. Distinguished from this definition for purposes of requirements affecting premises with multi-unit dwellings are hotels, motels, hospitals, nursing homes or other congregate-care or institutional facilities, which are generally served as a commercial-service account.

S. **"Putrescible"** Shall mean to rot, subject to decomposition by microorganisms.

T. **“Recyclables”** Shall mean recyclable material including, but not limited to: newspaper, magazines, mixed paper, plastic bottles, cardboard, glass bottles, aluminum and steel cans and other materials not defined as garbage.

U. **“Sharps”** Shall mean any device having acute rigid corners, edges, or protuberances capable of cutting or piercing, including, but not limited to, all of the following:

- a. Hypodermic needles, hypodermic needles with syringes, blades, needles with attached tubing, syringes contained with biohazardous waste, acupuncture needles, and root canal files.
- b. Broken glass items, such as Pasteur pipettes and blood vials contaminated with biohazardous waste.
- c. Any item capable of cutting or piercing that is contaminated with trauma scene waste.

V. **“Solid Waste”** Shall mean nonhazardous, noninfectious waste materials including garbage, yard waste, and recyclable material.

W. **“Utilities Director”** Shall mean the City of Folsom Director of Utilities or his/her designee.

X. **“Yard waste”** or **“Green Waste”** Shall mean materials consist of trimmings from lawns, shrubs, plants, and foliage from trees and gardens.

8.32.010 City responsibility.

The city, its duly authorized agent, servants, or employees, shall have the exclusive right to gather, collect, recycle or dispose of solid waste within the city.

8.32.020 Permission required.

No person may collect, gather, recycle or dispose of solid waste within the city without permission of the City Council.

8.32.030 Burning, Burying, On-site Private Disposal Prohibited; Compost Exception.

No person shall burn, bury, or otherwise dispose of or process solid waste on any premises in the City except for composting of garden wastes in a compost process, approved by the Utilities Director.

8.32.040 Private removal requirements.

This chapter shall not be construed as prohibiting the owner or tenant of any premises in the city from carrying away any such solid waste, on an infrequent or occasional basis in order to reduce the amount to be taken away by the city or its duly authorized agents, but no person shall be authorized by this section to carry away such solid waste if such person receives the benefits of the use of any such solid waste for feed for poultry, hogs, or other livestock unless such person receives permission from the Utilities Director. This section shall not be construed as relieving any person from paying the regular solid waste fees.

8.32.050 Placing in containers-Generally.

The person in charge of any premises in the City shall gather the solid waste together and put it into a receptacle provided by the Utilities Department for that premises.

8.32.070 Department--Removal intervals.

All solid waste accumulated at, or on any premises within the city, shall be removed by the Utilities, Department, Solid Waste Division, at regular intervals, as determined by the Utilities Director.

8.32.080 Residential containerization.

All garbage, recyclables and yard waste shall be containerized as follows:

- A. Garbage/Putrescible waste must be placed in the standard plastic garbage containers provided by the City not exceeding ninety six gallons with a total weight limit of two hundred pounds per container.
- B. Yard waste shall be placed in standard plastic containers provided by the City. Tree limbs shall not exceed four inches in diameter and shall not protrude above the lid of the container. Loose branches, cuttings, trimmings, etc. which are not containerized shall not be collected except through the Neighborhood Clean-up as defined under section 8.32.250.
- C. Recyclables shall be placed in the standard plastic container provided by the City.
- D. Municipal solid waste which does not fall into the above categories (A, B and C) is Garbage and must be placed in the appropriate container

8.32.090 Residential/Commercial prohibited materials.

A. Materials which will not be collected in 60-65 gallon and 90-95 gallon containers include:

- 1. Dirt, rocks, sod, concrete, large metal objects, furniture;
- 2. Construction and remodeling debris;

B. Materials which will not be collected in any City container include:

- 1. Flammables;
- 2. Live ammunition;
- 3. Household Hazardous Waste;
- 4. Hazardous Waste;

C. No person shall place any wearing apparel, bedding or other refuse from homes or other places where highly infectious or contagious diseases have prevailed or any explosive substance, poison, hazardous chemical, offal, or fecal matter.

- D. Hazardous medical waste, including, but not limited to sharps, shall be handled by a licensed medical waste hauler and shall not be disposed of in materials offered for collection by the city.

8.32.100 Residential container location and holiday requirements.

- A. Residences having street frontage only. Residential containers for solid waste, recycling and yard waste shall be placed for collection at the street curb or edge of road right-of-way by 6:00 a.m. on scheduled collection day, holidays included, and be removed from the street and screened from public view by 6:00 a.m. of the following day. The wheels of the containers will be placed in the gutter with the handle facing the residence. Containers will be at least three (3) feet from any obstruction such as automobiles, trailers, motor homes, fences, lampposts, portable basketball hoops, mailboxes, or other automated containers. Containers are not to block pedestrian access.
- B. Residences with alley way access. Residential containers for solid waste, recycling and yard waste shall be placed for collection adjacent to the alley property line, with direct access from the alley way by 6:00 a.m. on scheduled collection day, holidays included. The base of the container will be placed on a stable, level surface with the handle facing the residence. Containers will be at least three (3) feet from any obstructions such as automobiles, trailers, motor homes, fences, portable basketball hoops, lampposts, mailboxes, or other automated containers.
- C. Residences with private driveways. All solid waste, recycling and yard waste must be placed at the nearest road right-of-way by 6:00 a.m. on scheduled collection day, holidays included and removed from the right-of-way and screened from public view by 6:00 a.m. of the following day. The container must be placed on a level surface with the handle facing the shoulder of the road. Containers will be at least three (3) feet from any obstructions such as automobiles, trailers, motor homes, fences, portable basket ball hoops, lampposts, mailboxes, or other automated containers.
- D. Collection trucks will come back for solid waste, recycling, and yard waste put out after the truck has passed a residence upon payment of an extra pick-up service charge.
- E. For purposes of this Section, "Screen" means blocked from public view from the street or Public right-of-way with a permanent fence, enclosure, landscaping, or other comparable facility as approved by the Director.

8.32.101 Service to below-ground containers prohibited.

Utilities Department personnel shall not service containers stored below the surface of the ground.

8.32.110 Location requirements.

The Utilities Department shall not collect garbage from above the first floor of any premises, nor from the basement of any premises.

8.32.111 Automated solid waste containers.

- A. Fee Established. Each dwelling unit to be serviced by City-owned sixty-five and ninety-five gallon automated container collection shall pay a fee upon issuance of a building permit equal to the then cost of providing the containers. The fee shall be

adjusted on July 1st of each fiscal year by the Utilities Director to reflect the most recent cost per container actually purchased by the City, plus the cost of labor and equipment necessary to deliver the containers to the new dwelling. Containers shall be delivered upon issuance of a certificate of occupancy for the residence by the chief building inspector.

B. **Ownership.** The City shall retain ownership of the sixty-five and ninety-five gallon automated solid waste containers. Persons owning or renting property served by such containers are responsible for the security of the containers. In the event of fire, theft, or other disappearance of container from the property a replacement container shall be obtained from the City upon payment of the fee established in subsection A of this section. Persons owning or renting property served by such containers shall, upon vacating the premises, leave the primary containers for the next occupant in a secure location upon the premises. Persons who have ordered an extra container shall, upon vacating the premises, contact the city to have the extra container removed. Persons owning or renting property served by such containers are responsible for the appearance and cleanliness of the container.

C. **Replacement Containers.** A replacement container may be obtained upon payment of the fee established in subsection A of this section. Replacement of a container no longer usable due to normal wear shall not be subject to a replacement fee.

8.32.120 Container/Dumpster Enclosure--Business location.

Solid waste containers/dumpster enclosures at places of business shall be located in such place as shall be convenient to the Solid Waste Division and must be approved by the Utilities Director. City approved solid waste enclosures are to be used for solid waste removal equipment only. Storage of other equipment or material will not be allowed. The property owner shall be liable for damage to or spills from any other equipment stored in the solid waste enclosure.

8.32.130 Special solid waste service.

A. **Container Service.** The tenant, occupant, owner or lessee of any premises in the city may obtain a city commercial container for the purpose of disposing of brush and tree cuttings, trash and inorganic solid waste, excluding the following materials: (a) dirt, rocks, sod, concrete, large metal objects, furniture.; (b) flammables and liquids; (c) live ammunition; (d) paints, oils, and acids. The person requesting special trash service is responsible to pay for the service in accordance with a fee set by the City Council. The city shall be responsible for delivery and pick-up of the commercial bin to and from the premises of the persons requesting service.

B. **Container/Roll-off Service -** The tenant, occupant, owner or lessee of any premises in the city may obtain a city commercial ten, twenty, thirty or forty yard roll-off container for the purpose of disposing of recyclables, brush and tree cuttings, trash and inorganic solid waste, excluding the following materials: (a) dirt, sod, large metal objects, furniture; (b) flammables and liquids; (c) live ammunition; (d) paints, oils and acids. The person requesting special trash service is responsible to pay for the service in accordance with a fee set by the City Council. The city shall be responsible for delivery and pickup of the commercial container to and from the premises of the persons requesting service.

C. Collection of Household Hazardous Waste (HHW)- The tenant, occupant, owner or lessee of any residential premises in the city may request special collection of the following materials through appointment with the City's Utilities Department HHW Division: flammables and liquids, pesticides, paints, oils and oil filters batteries, anti freeze, pool chemicals, propane tanks, TV's and computer monitors.

D. Disposal of Medical and Bio-hazardous Waste - The tenant, occupant, owner or lessee of any premises in the city shall not dispose of any medical or bio-hazardous waste in a city-owned collection container. Disposal of medical or bio-hazardous waste shall be performed through a licensed collection and disposal company, which complies with all applicable laws and regulations, including but not limited to, California Health & Safety Code, Sections 117600-118360.

8.32.135 Collection charges-Established by City Council.

All charges for solid waste collection shall be established or modified by resolution of the City Council. The schedule of fees shall remain on file and be available in the office of the Finance Director. The Utilities Director shall, with the approval of the city manager, recommend changes in the above fees when the cost of solid waste collection makes it appropriate.

8.32.140 Charges for Collection.

A. Residential

1. Each and every householder or tenant occupying any dwelling, house, or residence, shall pay to the City, or its authorized agent, a fixed minimum solid waste fee based upon current established solid waste rates which shall be set by City Council. Such fee is based upon service of one (1) call per week for garbage and one (1) call every other week for recyclables and yard waste without consideration of whether there is any garbage, recyclables or yard waste to remove from the premises.
2. Solid waste service may be discontinued upon written request for a period of no less than two (2) months when a dwelling, house, or residence will be unoccupied. The minimum time of discontinuing service will be two (2) months. A service charge equal to two (2) months solid waste charge will be charged to the utility user for the removal and redelivery of the assigned automated containers when service has been temporarily discontinued. This service charge will be paid at the time service is discontinued. Upon occupancy of a dwelling, house or residence the utility user must contact the City Finance Department to restart service. If the occupant of a dwelling, house, or residence does not contact the City to restart service, the City may bill back to the discontinuance of service all monthly charges.
3. For collection of additional containers beyond those covered by the fixed minimum charges established in this chapter, the collection charge shall be set by Resolution of the City Council for each additional solid waste container.
4. An additional or special pickup may be requested beyond the minimum service required by this chapter. Each such additional or special pickup shall be subject to

a fixed fee. The fixed fee for additional or special pickups shall be set by Resolution of the City Council.

B. Commercial

1. A landlord, property owner, or property manager or management company of each and every store, shop, apartment, house, rooming house, or factory that has a commercial container shall pay to the City, or its authorized agent, a fixed minimum charge as set forth by the City Council as a solid waste fee. Such fixed minimum charge is based upon service of (1) call per week, without consideration of whether there is any solid waste to remove from the premises.

A landlord, property owner, or property manager or management company with multiple tenants who must share a commercial container shall be responsible for the solid waste utility bill of the tenants. Responsibility to pay the solid waste utility bill of the landlord, property owner, or property manager or management company will become mandatory effective six months from the date of the adoption of this ordinance to allow time to renew rental or lease contracts with tenants

2. Commercial Container, Roll-off, and Additional Services. The Utilities Director may approve the placing of solid waste in containers other than ninety-five (95) gallon automated cans such as roll-off containers. The fixed fee and additional service charges will be set by Resolution of the City Council. Such charge shall include all costs to the City, including, but not limited to, labor, equipment operation, maintenance and depreciation, administrative overhead, recycling, landfill closure and landfill operation costs. Standard, commercial, charges for commercial containers and roll-off containers may be established by the Utilities Director subject to the approval of the City Council.
3. An additional or special pickup may be requested beyond the minimum service required by this chapter. Each such additional or special pickup shall be subject to a fixed fee. The fixed fee for additional or special pickups shall be set by Resolution of the City Council.

C. Adjustment of Bills for Billing Error.

1. Where the City overcharges or undercharges a customer's solid waste bill as the result of a billing error, the City may render an adjusted bill for the amount of the undercharge, without interest, and shall issue a refund or credit to the customer for the amount of the overcharge, without interest, for the same periods as for the billing error. Adjusted billing shall be computed back to the date that the City determines the billing error commenced, except that the period of adjustment shall not exceed one (1) year for a refund and six (6) months for an undercharge.

8.32.150 Fees and Charges--Due date.

Solid waste service fees and charges shall be paid on the first of each and every month and are delinquent on the tenth day of each month and shall be paid in advance.

8.32.160 Charges--Collection authority.

The city Finance Department shall collect all charges and fees with the assistance of the City Attorney as necessary or appropriate.

8.32.170 Charges--Nonpayment--Violation.

The nonpayment by any person of the solid waste fee after notice given by the city Finance Department by bill rendered to such person, or left on the premises is a violation of this chapter.

8.32.180 Charges--Nonpayment--Discontinuance.

The city shall have the right in addition to any other remedies to discontinue solid waste service for nonpayment of solid waste fees or charges.

8.32.190 Accumulation prohibited.

No person shall permit solid waste to accumulate upon the premises owned or occupied by such person.

8.32.191 Sufficient Service Required.

Customers must accept solid waste collection service sufficient to remove solid waste generated by or accumulating weekly from the premises. The Utilities Director may order additional service on behalf of the customer where the department determines necessary. If additional service is needed, a customer may use additional containers or select a larger-capacity container from the container choices available from the department. Commercial-route customers may also request more frequent container collection or dumps more than once a week.

8.32.192 Exclusive use of containers.

A. It is unlawful for any person to dump or place any material into, or to utilize, any solid waste container, bin or dumpster without consent of the property owner or tenant in charge of the property.

B. It is unlawful for any person, without the consent of the property owner or tenant in charge of the property, to enter into a solid waste container, whether or not a notice has been placed on such container, for the purpose of salvaging solid waste therein or for the purpose of utilizing the receptacle to rest or sleep therein.

8.32.210 Scavenging of recyclable materials.

No person shall remove recyclable materials from residential containers or commercial dumpsters that are designated for city collection. Such material includes, but is not limited to: newspapers, magazines, yard trimmings, wood waste, books, glass bottles, cardboard, plastic bottles, aluminum and steel cans.

8.32.220 Exemption from participation in Residential Curbside Recycling.

At the discretion of the Utilities Director, an exemption may be granted to individual(s) from participating in Residential Curbside Recycling upon approval from the Utilities Director, in his/her sole discretion. Exemptions may be granted based on the following criteria:

- A. Individual(s) who perform back yard composting at their household
- B. Individual(s) who perform grass cycling at their household
- C. Individual(s) or Home Owner's Associations whose gardener takes green waste to a recycler
- D. A lack of yard waste or recyclables being generated at household

- E. Health related reasons which prevent individual(s) from wheeling carts to the curb
- F. Severe space constraints which prevents the placement of additional containers at household

Individuals must request an exemption in writing and such request must provide a detailed explanation of the basis for the request, include supporting documentation and any other information or documentation reasonably requested by the Utilities Director. Exemptions may be revoked by the Utilities Director at any time at the discretion of the Utilities Director. Exemptions are conditioned upon and subject to 1) the requesting party continuing to reside at the location specified in the request; and, 2) the circumstances justifying the exemption remaining unchanged. Individuals or associations who are granted an exemption must notify the Utilities Director, in writing, of any change in the circumstances supporting the grant of exemption within 30 days of such change in circumstances.

8.32.230 Contamination of containerized recyclables & yard waste.

No person shall place non-recyclable materials into city-provided Containers, roll-off containers or dumpsters that are designated for the city collection of Recyclables or Yard Waste. Commercial or residential recycling or yard waste containers may be removed from service if excessive and frequent contamination is found in the container. Excessive and frequent contamination is defined as three violations within a one-year period. If a residential container is removed from service, no rate reduction will be provided. If a commercial container is removed from service, for contamination, the existing charge will be discontinued concurrently with the removal of the bin.

8.32.240 Replacement fee for damaged containers.

The Utilities Director shall have the authority to assess the cost for the replacement of containers, roll offs or dumpsters that have been damaged or destroyed due to the customer's negligence or misuse.

8.32.250 Neighborhood Cleanup Requirements.

Any and all materials deposited curbside for the purposes of participating in the Neighborhood Clean-up program must meet the following criteria:

- A. All pickups must be secured by an appointment
- B. All piles must be no more than five cubic yards in size (7' x 6' x 3')
- C. All materials must be placed curbside by 6:00 a.m. on the scheduled collection date
- D. Material must be placed at the edge of the street and not on a sidewalk
- E. All materials must only consist of
 1. Yard waste (leaves and grass must be bagged)
 2. Lumber/wood
 3. Furniture/mattresses
 4. Lawn mowers (remove gas & oil)
 5. Barbeques (remove propane tanks)
 6. Metals
 7. Large appliances
 8. Tires (no more than three)

Any materials placed curbside that do not meet the above requirements shall be considered illegal dumping and any person who commits such act(s) shall be subject to the penalties set forth in Folsom Municipal Code Section 8.34.040.

8.32.260 Frequency of Residential Service Change Requests.

Residents will be allowed three service change requests after receiving the residential solid waste, recycling and yard waste carts at no charge for one year of the City's recycling program applicable to all categories of service. Additional service change requests will be charged an administrative fee of \$20.00 or as otherwise set by the City Council by Resolution.

The categories of service change include:

- A. Changing the size and number of garbage containers
- B. Changing the size and number of recycling containers
- C. Changing the size and number of yard waste containers

8.32.270 Enforcement.

A. This chapter shall be enforced pursuant to the provisions of Chapters 1.08 to 1.10, inclusive, of Title 1 of the Folsom Municipal Code and any other enforcement mechanism available to the City under the Folsom Municipal Code and/or applicable law.

B. Unless otherwise expressly provided in this Chapter, the Utilities Director shall enforce the provisions of this chapter.

8.32.280 Penalties.

A. Unless otherwise expressly provided in this Chapter, a violation of this chapter shall be an administrative violation as defined in Section 1.08.020 of this code. In addition to enforcement by any procedure set forth in Chapters 1.08 to 1.10, inclusive, except as provided in this section, any violation of this chapter shall be punishable as an infraction and shall be punishable by: (1) a fine not exceeding fifty dollars for a first violation; (2) a fine not exceeding one hundred dollars for a second violation within one year; (3) a fine not exceeding two hundred fifty dollars for each additional violation within one year.

B. Each and every day during which a stationary violation continues, except in cases in which a given time has been allowed for corrective action to be taken, shall be a separate and distinct offense.

C. Violations of Section 8.32.090 (B), (C), and (D); 8.32.190, and 8.32.210 shall be a misdemeanor, which shall be punishable by a fine not to exceed \$1,000, or by imprisonment in the county jail for not more than 6 months, or by both such fine and imprisonment.

D. Each of the sanctions for administrative violations identified in Chapter 1.09 of this code shall be available for enforcement of the provisions of this chapter. The range of

monetary sanctions available for a violation of this chapter shall be as set forth in Section 1.09.012(A)(5) and may be imposed on a per day basis for each violation.

8.32.290 Enforcement procedures, notice to correct.

A. Prior to the suspension, revocation, or denial of any permit, or the assessment of any fee, penalty, or charge, or the commencement of any other enforcement action pursuant to this chapter, the enforcement authority may pursue the procedures set forth in Chapter 1.09 of this code. The rights to judicial review set forth in Sections 1.09.050 to 1.09.059, inclusive, of this code shall apply.

B. A notice to correct shall not be required to commence the administrative hearing procedures set forth in Chapters 1.08 to 1.10, inclusive, of this code. Pursuant to Section 1.09.024(A) of this code, a notice of administrative violation shall be served in accordance with the provisions of Section 1.09.027 of this code.

8.32.300 Remedies cumulative.

The remedies set forth in this chapter are cumulative to any other remedy available to the city. Pursuit of one remedy shall not preclude any other remedy, and nothing contained in this chapter shall limit or be deemed to prevent the city from pursuing any other remedy available to the city under the city's code or any other applicable law.

SECTION 3

Except as set forth in this ordinance, all other provisions of Chapter 8.32 remain in full force and effect.

SECTION 4 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 5 EFFECTIVE DATE


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

This ordinance was introduced and the title thereof read at the regular meeting of the City Council on January 24, 2006, and by a majority vote of the Council Members present, further reading was waived.

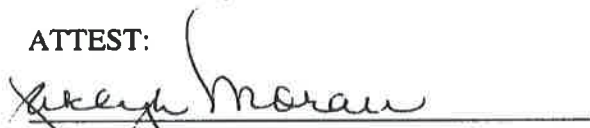
On a motion by Council Member Miklos, seconded by Council Member Starsky, the foregoing ordinance was passed and adopted by the City Council of the City of Folsom, State of California, this 14th day of February 2006 by the following roll-call vote, to wit:

PASSED AND ADOPTED on this 14th day of February 2006, by the following roll-call vote:

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


Andrew J. Morin, MAYOR

ATTEST:


Jaklyn Moran, DEPUTY CITY CLERK

Effective: March 16, 2006

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Folsom City Council Staff Report

MEETING DATE:	12/14/2021
AGENDA SECTION:	Consent Calendar
SUBJECT:	Receive and File SB-165 Annual Reports for Community Facilities Districts No. 13, No. 14, No. 2013-1, No. 16, No. 17, No. 18, No. 19, No. 20, No. 21, No. 22, and No. 23 to Comply with the Local Agency Special Tax Bond and Accountability Act
FROM:	Finance Department

RECOMMENDATION / CITY COUNCIL ACTION

It is recommended that the City Council receive and file SB-165 Annual Reports for Community Facilities Districts No. 13, No. 14, No. 2013-1, No. 16, No. 17, No. 18, No. 19, No. 20, No. 21, No. 22, and No. 23 to Comply with the Local Agency Special Tax Bond and Accountability Act.

BACKGROUND / ISSUE

The Local Agency Special Tax Bond and Accountability Act (the “Act”), enacted by Senate Bill 165, is codified in California Government Code Sections 50075 through 50077 and 53410 through 53412. The Act requires:

- that any local special tax measure subject to voter approval contain a statement indicating the specific single purpose of the special tax
- that the proceeds of the special tax be applied to that purpose
- the creation of an account into which the proceeds shall be deposited
- an annual report containing specified information concerning the use of the proceeds.

The Act imposes similar accountability requirements with respect to any local bond measure that is subject to voter approval that would provide for the sale of bonds by a local agency.

These requirements only apply to local agencies that have imposed special taxes or issued bond measures subject to voter approval after January 1, 2001.

The City currently has seventeen districts which have imposed special taxes or issued bond measures subject to voter approval after January 1, 2001. These districts are:

- Community Facilities District No. 13 (American River Canyon North Maintenance District)
- Community Facilities District No. 14 (Parkway II)
- Community Facilities District No. 2013-1 (Water Facilities and Supply)
- Community Facilities District No. 16 (The Islands at Parkshore) Improvement Area 1
- Community Facilities District No. 16 (The Islands at Parkshore) Improvement Area 2
- Community Facilities District No. 17 (Willow Hill Pipeline)
- Community Facilities District No. 18 (Folsom Plan Area – Area-Wide Improvements and Services)
- Community Facilities District No. 19 (Mangini Ranch)
- Community Facilities District No. 20 (Russell Ranch)
- Community Facilities District No. 21 (White Rock Springs Ranch)
- Community Facilities District No. 22 (Folsom Heights)
- Community Facilities District No. 23 (Folsom Ranch) Improvement Area 1
- Community Facilities District No. 23 (Folsom Ranch) Improvement Area 2
- Community Facilities District No. 23 (Folsom Ranch) Improvement Area 3
- Community Facilities District No. 23 (Folsom Ranch) Improvement Area 4
- Community Facilities District No. 23 (Folsom Ranch) Improvement Area 5
- Community Facilities District No. 23 (Folsom Ranch) Improvement Area 6

The Chief Fiscal Officer of these sixteen districts hereby submits the annual reports for each of these districts.

POLICY / RULE

1. California Government Code, Section 50075.3 states the chief fiscal officer of the levying local agency shall file a report with its governing body no later than January 1, 2002 and at least once a year thereafter. The annual report shall contain both the following: (a) The amount of funds collected and expended; and (b) the status of any project required or authorized to be funded as identified in Section 50075.1(a).
2. California Government Code, Section 53411 states the chief fiscal officer of the issuing local agency shall file a report with its governing body no later than January 1, 2002 and at least once a year thereafter. The annual report shall contain both the following: (a) The amount of funds collected and expended; and (b) the status of any project required or authorized to be funded as identified in Section 53410(a).

3. California Government Code, Section 50075.1(a) requires a statement indicating the specific purposes of the special tax.
4. California Government Code, Section 53410(a) requires a statement indicating the specific purposes of the bond.

ANALYSIS

Community Facilities District No. 13, American River Canyon North Maintenance District, was established July 24, 2001 primarily to fund the maintenance of landscape areas in American River Canyon North, as well as collecting for other authorized services. In fiscal year 2021, the district collected \$107,253 and expended \$112,834. The cash balance at year end was \$83,279 and the status of the district is on-going.

Community Facilities District No. 14, Parkway II, was established September 25, 2001 to finance the acquisition and construction of certain public facilities within the district. \$18,200,000 in bonds were issued May 9, 2002, and partially advance refunded July 19, 2007. In fiscal year 2018, additional bonds were issued. The 2007 bonds were refunded on July 11, 2017, and with the final maturity for the bonds in this district remaining at September 1, 2032. In fiscal year 2021, the district expended \$9,147 from the acquisition and construction fund, leaving a balance of \$1,995,333 remaining.

Community Facilities District No. 2013-1, Water Facilities and Supply, was established January 14, 2014 to fund all or a portion of the water treatment and storage and distribution facilities, water supply costs, and other costs pursuant to the Water Supply and Facilities Plan and Agreement. In fiscal year 2021 the district collected \$1,987,727 and expended \$1,993,434. The cash balance at year end was \$863,711, and the status of the district is on-going.

Community Facilities District No. 16, The Islands at Parkshore, was established March 10, 2015 to finance the acquisition and construction of certain public facilities within the district, and to fund ongoing maintenance of the improvements within the district. In fiscal year 2021 the Improvement Area 1 expended \$1,698,311 from bond proceeds, leaving a remaining balance of \$0. The debt service reserve account for Improvement Area 1 had a balance of \$430,680. On July 18, 2019, bonds were issued for Improvement Area 2. In fiscal year 2021, the district expended \$2,623,738 from bond proceeds, leaving a balance of \$174,721 remaining. The debt service reserve account for Improvement Area 2 had a balance of \$238,720. In fiscal year 2021 the district collected an amount of \$192,133 and expended \$81,148 for maintenance. The cash balance at year end was \$427,188, and the status of the district is on-going.

Community Facilities District No. 17, Willow Hill Pipeline, was established March 24, 2015 to finance water facilities, including the Willow Hill Transmission Pipeline construction and rehabilitation project, within or in the vicinity of CFD No. 17. In fiscal year 2021 the district had no collection nor expenses for the project fund, leaving a balance of \$0. The debt service

reserve account for the district had expenditures of \$1,276 in the current year with no revenues, leaving a balance of \$408,485. The status of the district is on-going.

Community Facilities District No. 18, Folsom Plan Area – Area-Wide Improvements and Services, was established December 8, 2015 to finance the Willow Hill Pipeline facilities, offsite water facilities, sanitary sewer system, aquatic center phase 1 and 2, quarry road, water infrastructure, interchanges, selected trails and roadway widenings, and other backbone facilities to serve the Folsom Plan Area. In addition, the planned services to be financed include the maintenance of parks, trails, landscape corridors, medians and open spaces; streets, street light and safety light maintenance; and storm drainage facilities maintenance. In fiscal year 2021 the district collected \$749,719 and expended \$158,943. The cash balance at year end was \$998,113, and the status of the district is on-going.

Community Facilities District No. 19, Mangini Ranch, was established January 12, 2016 to finance public facilities improvements including transportation, water system, recycled water system, drainage system, wastewater system, park, parkway, and open space improvements; Specific Plan infrastructure fee infrastructure; and other expenses. Additionally, the authorized services to be funded from the levy include open space improvements, operations, and management; landscape corridor maintenance; street light, median, storm water, and community amenities maintenance; and miscellaneous cost related to any of the items described above. \$28,530,000 in bonds were issued August 10, 2017. In fiscal year 2020, an additional \$14,040,000 in bonds were issued. In fiscal year 2021 the district had no collection nor expenses for the project fund, leaving a balance of \$0. In fiscal year 2021 the debt service reserve account expended \$38,316, leaving a balance of \$3,244,695. In fiscal year 2021 the district collected \$157,609 and expended \$24,221 in the maintenance account. The cash balance at year end was \$440,892, and the status of the district is on-going.

Community Facilities District No. 20, Russell Ranch, was established November 14, 2017 to finance public facilities improvements including transportation, water system, recycled water system, drainage system, wastewater system, park, parkway, and open space improvements; Specific Plan infrastructure fee infrastructure; and other expenses. In fiscal year 2021 the district had no collection nor expenses for the project fund, leaving a balance of \$0. In fiscal year 2021 the debt service reserve account collected \$313, leaving a balance of \$1,022,500.

Community Facilities District No. 21, White Rock Springs Ranch, was established February 13, 2018 to finance public facilities improvements including transportation, water system, recycled water system, drainage system, wastewater system, park, parkway, and open space improvements; Specific Plan infrastructure fee infrastructure; and other expenses. On December 5, 2019 \$9,695,000 in bonds were issued. In fiscal year 2021, and additional \$11,815,000 in bonds were issued. In fiscal year 2021 the district expended \$8,620,417 from bond proceeds, leaving a balance of \$2,979,962 in the project fund. The debt service reserve account had a balance of \$1,550,011. The capitalized interest account expended \$240,172, leaving a balance of \$169,418.

Community Facilities District No. 22, Folsom Heights, was established November 27, 2018 to finance public facilities improvements including transportation, water system, recycled water system, drainage system, wastewater system, park, parkway, and open space improvements; Specific Plan infrastructure fee infrastructure; and other expenses. Additionally, the authorized services to be funded from the levy include landscape corridor maintenance; open space improvements, street light maintenance; and miscellaneous cost related to any of the items described above, As of June 30, 2021 the district had no collections nor expenses. The status of the district is on-going.

Community Facilities District No. 23, Folsom Ranch Improvement Area 1, was established May 26, 2020 to finance public facilities improvements including transportation, water system, recycled water system, drainage system, wastewater system, park, parkway, and open space improvements; Specific Plan infrastructure fee infrastructure; Special Plan Infrastructure Fee Obligation; and other expenses. Additionally, the authorized services to be funded from the levy include open space improvements; landscape corridor maintenance; street light maintenance; median and entry maintenance; neighborhood park maintenance; community amenities; storm water management; and miscellaneous cost related to any of the items described above. \$12,925,000 in bonds were issued on October 30, 2020. In fiscal year 2021 the district expended \$9,704,352 from bond proceeds, leaving a balance of \$2,180,800 in the project fund. The debt service reserve account had a balance of \$883,031. The capitalized interest account expended \$171,337, leaving a balance of \$255,121. As of June 30, 2021 the maintenance account had no collections or expenses, and the status of the district is on-going.

Community Facilities District No. 23, Folsom Ranch Improvement Area 2, was established May 26, 2020 to finance public facilities improvements including transportation, water system, recycled water system, drainage system, wastewater system, park, parkway, and open space improvements; Specific Plan infrastructure fee infrastructure; Special Plan Infrastructure Fee Obligation; and other expenses. Additionally, the authorized services to be funded from the levy include open space improvements; landscape corridor maintenance; street light maintenance; median and entry maintenance; neighborhood park maintenance; community amenities; storm water management; and miscellaneous cost related to any of the items described above, As of June 30, 2021 the district had no collections nor expenses. The status of the district is on-going.

Community Facilities District No. 23, Folsom Ranch Improvement Area 3, was established May 26, 2020 to finance public facilities improvements including transportation, water system, recycled water system, drainage system, wastewater system, park, parkway, and open space improvements; Specific Plan infrastructure fee infrastructure; Special Plan Infrastructure Fee Obligation; and other expenses. Additionally, the authorized services to be funded from the levy include open space improvements; landscape corridor maintenance; street light maintenance; median and entry maintenance; neighborhood park maintenance; community amenities; storm water management; and miscellaneous cost related to any of the items described above, As of June 30, 2021 the district had no collections nor expenses. The status of the district is on-going.

Community Facilities District No. 23, Folsom Ranch Improvement Area 4, was established May 26, 2020 to finance public facilities improvements including transportation, water system, recycled water system, drainage system, wastewater system, park, parkway, and open space improvements; Specific Plan infrastructure fee infrastructure; Special Plan Infrastructure Fee Obligation; and other expenses. Additionally, the authorized services to be funded from the levy include open space improvements; landscape corridor maintenance; street light maintenance; median and entry maintenance; neighborhood park maintenance; community amenities; storm water management; and miscellaneous cost related to any of the items described above, As of June 30, 2021 the district had no collections nor expenses. The status of the district is on-going.

Community Facilities District No. 23, Folsom Ranch Improvement Area 5, was established May 26, 2020 to finance public facilities improvements including transportation, water system, recycled water system, drainage system, wastewater system, park, parkway, and open space improvements; Specific Plan infrastructure fee infrastructure; Special Plan Infrastructure Fee Obligation; and other expenses. Additionally, the authorized services to be funded from the levy include open space improvements; landscape corridor maintenance; street light maintenance; median and entry maintenance; neighborhood park maintenance; community amenities; storm water management; and miscellaneous cost related to any of the items described above, As of June 30, 2021 the district had no collections nor expenses. The status of the district is on-going.

Community Facilities District No. 23, Folsom Ranch Improvement Area 6, was established May 26, 2020 to finance public facilities improvements including transportation, water system, recycled water system, drainage system, wastewater system, park, parkway, and open space improvements; Specific Plan infrastructure fee infrastructure; Special Plan Infrastructure Fee Obligation; and other expenses. Additionally, the authorized services to be funded from the levy include open space improvements; landscape corridor maintenance; street light maintenance; median and entry maintenance; neighborhood park maintenance; community amenities; storm water management; and miscellaneous cost related to any of the items described above, As of June 30, 2021 the district had no collections nor expenses. The status of the district is on-going.

FINANCIAL IMPACT

There is no discernable financial impact on the City of Folsom.

ENVIRONMENTAL REVIEW

This action is exempt from environmental review pursuant to CEQA Guidelines §15061(b)(3).

ATTACHMENT

1. SB-165 Annual Report for Community Facilities Districts

Submitted,



Stacey Tamagni
Finance Director

SENATE BILL 165

Senate Bill 165, filed with the Secretary of State on September 19, 2000, enacted the Local Agency Special Tax and Bond Accountability Act. This Act requires that any local special tax or local bond measure subject to voter approval contain a statement indicating the specific purposes of the special tax, require that the proceeds of the special tax be applied to those purposes, require the creation of an account into which the proceeds shall be deposited, and require an annual report containing specified information concerning the use of the proceeds. The Act only applies to any local special tax measure or local bond measure adopted on or after January 1, 2001 in accordance with Section 50075.1 or Section 53410 of the California Government Code.

Some of the requirements of the Act are handled at the formation of the Special Tax District and others are handled through annual reports. This Section of this report intends to comply with Section 50075.3 or Section 53411 of the California Government Code that states:

“The chief fiscal officer of the issuing local agency shall file a report with its governing body no later than January 1, 2002, and at least once a year thereafter. The annual report shall contain all of the following:

- (a) The amount of funds collected and expended.
- (b) The status of any project required or authorized to be funded as identified in subdivision (a) of Section 50075.1 or Section 53410.”

The requirements of the Act apply to the funds for the following Districts:

Community Facilities District No. 13, American River Canyon North Established July 24, 2001

Purpose of Special Tax

Community Facilities District No. 13, American River Canyon North (“CFD”) primarily funds the maintenance of landscape areas of American River Canyon North included within the boundaries of the CFD. In addition to the maintenance costs, the CFD also provides funding for costs associated with collecting and administering the special taxes and annually administering the CFD. The special tax funds levied may pay for any authorized service. The City may also accumulate funds for authorized services. The CFD’s authorized services include the following:

1. The repair and maintenance of parkways, landscaping, open space, greenbelts, bikeways, irrigation facilities, soundwalls, street lights on arterial parkways, monuments and signs, and other appurtenance within and along public right-of-way.
2. Cost of scheduled inspections of the maintenance of landscaped areas.
3. Utility bills associated with the maintenance of landscaped areas.
4. CFD formation and annual administration costs.
5. Miscellaneous costs related to any of the items described above including planning, engineering, legal, and administration.

Fiscal Year 2020/21 Collections & Expenditures

06/30/2020 Balance	Amount Collected	Expended Amount	06/30/2021 Balance	Service Status
\$88,860	\$107,253	\$112,834	\$83,279	On-going

CFD #13 Detail

June 30, 2020 Maintenance District Fund Cash Balance:		\$	88,860
Revenues:			
American River Canyon North Direct Levy		\$	106,477
Interest Earned			776
	Total Revenues:		<u>\$ 107,253</u>
Expenses:			
Water & Utilities		\$	28,742
Monthly Landscape Maintenance			53,368
Repairs & Replacement			-
Departmental Charges			-
Project Construction			4,459
CFD Admin			1,638
Other Expenses			278
Transfers Out			<u>23,503</u>
	Total Expenses:		<u>\$ 111,988</u>
Change in Receivables/Liabilities			(846)
June 30, 2021 Maintenance District Fund Cash Balance:		\$	83,279

City of Folsom
Community Facilities District No. 14 (Parkway Phase II)
Established September 25, 2001

Purpose of Special Tax

Community Facilities District No. 14 (Parkway Phase II) ("CFD") provided funds to finance the acquisition and construction of certain public facilities and the payment of certain fees relating to public facilities generally described as the construction of portions of Blue Ravine Road, Parkway Drive, East Natoma Street and the Oak Avenue Parkway/Blue Ravine Road Intersection, together with street lights, soundwalls and landscaping and hardscape improvements, the construction of drainage improvements within Humbug/Willow Creek Parkway, improvements to the existing sewer lift station at Willow Creek Parkway and related force mains and the construction of fire facilities and parks within the CFD.

Fiscal Year 2020/21 Collections & Expenditures

Series 2017 Special Tax Refunding Bonds
 Bonds Issued July 11, 2017
 \$14,640,000

Fund	Initial Deposit	Prior Years Additions / Interest	Prior Years Expenses	06/30/2020 Balance	Current Year Additions / Interest	Current Year Expenses	06/30/2021 Balance
Refunding Escrow Deposit	\$15,240,765	\$0	\$15,240,764	\$0	\$0	\$0	\$0
Project Fund	1,790,000	2,016,292	11,813	2,004,479	(12,910)	(3,763)	1,995,333
Cost of Issuance	88,992	88,992	0	0	0	0	0
Bond Proceeds	389	389	0	0	0	0	0

CFD #14 Detail

June 30, 2020 Acquisition & Construction Fund Cash Balance:	\$ 2,004,479
Revenues:	
Proceeds from Series 2017 Refunding Bonds	\$ -
Interest Earned	(12,910)
Transfers In	-
Total Revenues:	\$ (12,910)
Expenses:	
Construction	\$ -
Transfers Out	-
Total Expenses:	\$ -
Change in Receivables/Liabilities	3,763
June 30, 2021 Acquisition & Construction Fund Cash Balance:	\$ 1,995,333

City of Folsom
Community Facilities District No. 2013-1 (Water Facilities and Supply)
Established January 14, 2014

Purpose of Special Tax

Water Treatment, Storage and Distribution Facilities

Generally, all work and improvements to design, construct, install and upgrade the public water treatment, storage and distribution facilities described below, all to be located on public property (whether the dedicated road right-of-way, dedicated easements, or publicly-owned land), including but not limited to mobilization, clearing, grubbing, tree removal, protective fencing and erosion control, dewatering, lime treatment, trenching, and related appurtenant work and facilities, together with the costs and expense of engineering design, plan review, construction-related surety bonds or like security instruments, construction staking and management, inspection, permitting costs, and any like fees and costs incidental to such construction and installation for the following items:

- Water Systems Optimization Review Program costs including:
 - Costs for engineering, tests and studies, legal and other professional services and project administration
 - Willow Hill pipeline lining improvement costs
- Water treatment, pumping and conveyance facilities required to treat, pump and convey water from the City's water treatment plant to the Folsom Plan Area Specific Plan including:
 - Water treatment plant upgrades
 - Pump station, booster pumps and related appurtenances
 - Additional water conveyance facilities and connections

Water Supply Costs

Annual water supply costs to the City pursuant to the Water Supply and Facilities Plan and Agreement between the City of Folsom and Certain Landowners in the Folsom Plan Area recorded on January 24, 2013.

Other Costs

In addition to the above facilities, other incidental expenses as authorized by the Mello-Roos Community Facilities Act of 1982, including, but not limited to, the cost of planning and designing the facilities (including the cost of environmental evaluation and environmental remediation); engineering and surveying; construction staking; utility relocation and demolition costs incidental to the construction of the public facilities; costs of project/construction management; costs (including the costs of legal services) associated with the formation of the district; issuance of bonds (if any); determination of the amount of taxes; collection of taxes; payment of taxes; costs of calculating and providing reimbursements from one-time special tax payments; or costs otherwise incurred in order to carry out the authorized purposes of the district; and any other expenses incidental to the formation and implementation of the district and to the construction, completion, inspection and acquisition of the authorized facilities.

Fiscal Year 2020/21 Collections & Expenditures

06/30/2020 Balance	Amount Collected	Expended Amount	06/30/2021 Balance	Project Status
\$869,418	\$1,987,727	\$1,993,434	\$863,711	On-going

CFD #2013-1 Detail

June 30, 2020 Fund Cash Balance:	\$ 869,418
Revenues:	
CFD 2013-1 Water Facilities & Supply Direct Levy	\$ 1,960,805
Prepayment	15,352
Interest Earned	11,571
Total Revenues:	\$ 1,987,727
Expenses:	
Water System Optimization Repayment (6 of 10)	\$ 179,813
Water Supply	2,659,882
CFD Admin	18,296
Transfers Out	39,779
Total Expenses:	\$ 2,897,769
Change in Receivables/Liabilities	904,334
June 30, 2021 Fund Cash Balance:	\$ 863,711

City of Folsom
Community Facilities District No. 16 (The Islands at Parkshore)
Improvement Area No. 1 and Improvement Area No. 2
Established March 10, 2015
Improvement Area No. 1 Bonds Issued March 15, 2018
Improvement Area No. 2 Bonds Issued July 18, 2019

Purpose of Special Tax

Facilities

The planned public facilities for Community Facilities District No. 16 (The Islands at Parkshore) ("CFD") include the following: construction of sanitary sewers (including gravity sewers, manholes and appurtenances), storm drains (including inlets, outlets, channels, structures, junctions, manholes and catch basins), water facilities (including distribution mains and appurtenances), power, telephone and gas utilities, street improvements (including curbs, gutters, sidewalks, landscaping and striping, traffic signals and street lights), bridge improvements, park improvements, landscaping and slope planting, all within or in the vicinity of the CFD. The public facilities shall include all related clearing and grubbing, grading and appurtenances, and any removal or temporary signage or markings related thereto.

All street and bridge improvements include widening, paving and/or re-paving, striping, and/or re-striping, pedestrian sidewalks or other related improvements or appurtenances, and utilities are located within the public right of way.

All facilities and related costs eligible to be funded include all City development impact fees, sewer connection fees, water connection fees, drainage fees, traffic mitigation fees, park fees, and other City fees related to facilities.

All public facilities shall include attributed costs of engineering, design, planning, construction staking, materials testing and coordination of the public facilities. The public facilities should be constructed pursuant to plans and specifications approved by the City (or other governmental entity that will own and operate the same).

The foregoing description of the types of facilities eligible to be financed is general in nature and includes any appurtenant work and incidental expenses relating to the facilities. The final nature and location of the facilities will be determined upon the preparation of final plans and specifications for such facilities.

Services

It is intended that the CFD will be eligible to fund all or a portion of the costs of construction, operation, maintenance, repair, and servicing of parks, landscaping and irrigation improvements, street and landscape lighting, fencing and/or walls, sidewalks, trails, pathways, water quality/drainage basins, wetlands, and appurtenant facilities within or adjacent to the CFD.

The CFD may fund any of the following related to the maintenance of the services described above: obtaining, repairing, reconstructing, furnishing, operating and maintaining equipment, apparatus or facilities related to providing the services and/or equipment, apparatus, facilities or fixtures in areas to be maintained, paying the salaries and benefits of personnel necessary or convenient to provide the services, and other related expenses and the provision of reserves for repairs and replacements and for the future provision of services. It is expected that the services will be provided by the City, either with

its own employees or by contract with third parties, or any combination thereof. The CFD may also fund administrative fees of the City related to the CFD.

Fiscal Year 2020/21 Collections & Expenditures

Improvement Area 1 Facilities

Fund	Initial Deposit	Prior Years Additions / Interest	Prior Years Expenses	06/30/2020 Balance	Current Year Additions / Interest	Current Year Expenses	06/30/2021 Balance
Project Fund	\$4,932,775	\$4,932,775	\$3,234,468	\$1,698,311	\$0	\$1,698,311	\$0
Cost of Issuance	333,096	333,096	333,096	0	0	0	0
Reserve Fund	430,680	430,680	0	428,883	1,797	0	430,680

CFD #16 IA1 Fund Detail

June 30, 2020 Acquisition and Construction Fund Cash Balance: \$ 1,698,311

Revenues:

Proceeds from Series 2018 Bonds	\$ -
Interest Earned	\$ -
Total Revenues:	\$ -

Expenses:

Payment Requisition No. 2 to Lewis Land Developers, LLC	\$ 1,698,311
Total Expenses:	\$ 1,698,311

Change in Receivables/Liabilities -

June 30, 2021 Acquisition and Construction Fund Cash Balance: \$ -

Improvement Area 2 Facilities

Fund	Initial Deposit	Prior Years Additions / Interest	Prior Years Expenses	06/30/2020 Balance	Current Year Additions / Interest	Current Year Expenses	06/30/2021 Balance
Project Fund	\$2,798,453	\$2,798,459	\$0	\$2,798,459	\$0	\$2,623,738	\$174,721
Cost of Issuance	251,582	251,582	251,582	0	0	0	0
Reserve Fund	237,773	237,773	0	237,773	947	0	238,720

CFD #16 IA2 Fund Detail

June 30, 2020 Acquisition and Construction Fund Cash Balance:	\$ 2,798,459
Revenues:	
Proceeds from Series 2019 Bonds	\$ -
Interest Earned	\$ -
Total Revenues:	<u>\$ -</u>
Expenses:	
Progress Payment #1 to Lewis Land Developers, LLC	\$ 2,623,738
Total Expenses:	<u>\$ 2,623,738</u>
Change in Receivables/Liabilities	-
June 30, 2021 Acquisition and Construction Fund Cash Balance:	\$ 174,721

Services

06/30/2020 Balance	Amount Collected	Expended Amount	06/30/2021 Balance	Project Status
\$316,202	\$192,133	\$81,148	\$427,188	On-going

CFD #16 Maintenance Fund Detail

June 30, 2020 Maintenance District Fund Cash Balance:	\$ 316,202
Revenues:	
CFD #16 (IA1) Services Direct Levy	\$ 94,296
CFD #16 (IA2) Services Direct Levy	94,125
Interest Earned	3,712
Total Revenues:	<u>\$ 192,133</u>
Expenses:	
Water & Utilities	\$ 10,498
Monthly Landscape Maintenance	50,070
Repairs & Replacement	5,432
Departmental Charges	-
Project Construction	-
CFD Admin	-
Other Expenses	-
Transfers Out	15,707
Total Expenses:	<u>\$ 81,707</u>
Change in Receivables/Liabilities	559
June 30, 2021 Maintenance District Fund Cash Balance:	\$ 427,188

City of Folsom
Community Facilities District No. 17 (Willow Hill Pipeline)
Established March 24, 2015

Purpose of Special Tax

The planned public facilities for Community Facilities District No. 17 (Willow Hill Pipeline) ("CFD") include the following: water facilities (including the Willow Hill Transmission Pipeline construction and rehabilitation project, and all ancillary work necessary or appropriate related thereto), all within or in the vicinity of the CFD. The public facilities shall include all related clearing and grubbing, grading and appurtenances, and any removal or temporary signage or markings related thereto.

CFD bond proceeds may not be used to pay, or reimburse previously-paid, development related fees, including, but not limited to, development impact fees, City community services fee, development processing fees, school fees, sewer connection fees, water connection fees, drainage fees, traffic mitigation fees, and other City fees related to facilities.

All public facilities shall include attributed costs of engineering, design, planning, construction staking, materials testing and coordination of the public facilities. The public facilities should be constructed pursuant to plans and specifications approved by the City (or other governmental entity that will own and operate the same).

The foregoing description of the types of facilities eligible to be financed is general in nature and includes any appurtenant work and incidental expenses relating to the facilities. The final nature and location of the facilities will be determined upon the preparation of final plans and specifications for such facilities.

Fiscal Year 2020/21 Collections & Expenditures

Fund	Initial Deposit	Prior Years Additions / Interest	Prior Years Expenses	06/30/2020 Balance	Current Year Additions / Interest	Current Year Expenses	06/30/2021 Balance
Acquisition and Construction Fund	\$5,700,000	\$5,700,000	\$5,700,000	\$0	\$0	\$0	\$0
Reserve Account	408,381	413,823	4,062	409,761	0	1,276	408,485
Underwriter's Discount	96,254	96,254	96,254	0	0	0	0
Cost of Issuance	327,195	346,289	308,132	0	0	0	0

CFD #17 Fund Detail

June 30, 2020 Acquisition and Construction Fund Cash Balance:	\$	-
Revenues:		
Proceeds from Series 2015A Bonds	\$	-
Total Revenues:	\$	-
Expenses:		
Progress Payment to Water Fund (Willow Hill Pipeline Project)	\$	-
Total Expenses:	\$	-
Change in Receivables/Liabilities		-
June 30, 2021 Acquisition and Construction Fund Cash Balance:	\$	-

City of Folsom
Community Facilities District No. 18
(Folsom Plan Area – Area-Wide Improvements and Services)
Established December 8, 2015

Purpose of Special Tax

Facilities

The planned public facilities for Community Facilities District No. 18 (Folsom Plan Area – Area-Wide Improvements and Services) (“CFD”) include the following:

Willow Hill Pipeline Facilities – These facilities consist of water facilities (including the Willow Hill Transmission Pipeline construction and rehabilitation project, and all ancillary work necessary or appropriate related thereto), all within or in the vicinity of the CFD. The improvements shall include all related clearing and grubbing, grading and appurtenances, and any removal or temporary signage or markings related thereto.

Off-site Water Facilities – These facilities consist of existing and new facilities such as a water treatment plant, a pump station and expansion thereof, transmission pipelines, reservoirs, and the distribution system to serve the Folsom Plan Area.

Sanitary Sewer System – These facilities include a series of transmission pipelines, pump stations, and force mains, to serve the Folsom Plan Area.

Aquatic Center Phase 1 – These facilities include a competitive swimming pool, a recreation activity pool, and related support pool-related buildings and structures, such as maintenance and locker room facilities, which will serve the Folsom Plan Area.

Quarry Road – These facilities include the special road design along Prairie City Road from U.S. Highway 50 to White Rock Road or alternative route to accommodate heavy truck traffic to and from potential future aggregate quarry sites south of the Folsom Plan Area as identified in the City’s Truck Management Plan approved by the City Council on December 6, 2011 via Resolution 8933.

Water Infrastructure – These facilities include the development of water pipelines, booster pump stations, pressure regulating stations, water treatment plant, water reservoirs, land costs, off-site capacity building, and systems optimization efforts throughout the CFD.

Aquatic Center Phase 2 – These facilities include a community center, gymnasium, multi-purpose classrooms, a senior center, teen activity rooms which will serve the Folsom Plan Area.

Selected Trails – These facilities consist of a portion of the 30 miles of trails proposed to be built in the Folsom Plan Area. The comprehensive bike system consists of Class I paths and Class II bike lanes connecting residential neighborhoods with schools, parks, and other major destinations. The plan costs include trails, intersection protection, trail bridges, undercrossings, and design fees.

Interchanges – These facilities include the modifications to existing interchanges and the construction of new Highway 50 interchange improvements including the acquisition of land.

Selected Roadway Widenings – These facilities include the necessary infrastructure improvements to widen the Oak Avenue, Empire Ranch Road, and Prairie City Road from two to four lanes.

Other Backbone Facilities – These consist of additional backbone public facilities needed to serve the Folsom Plan Area. The additional backbone public facilities include parks, transit services, fire facilities and equipment, police facilities and equipment, municipal service center, corporation yard, solid waste, branch library, and transportation.

All facilities shall include attributed costs of engineering, design, planning, construction staking, materials testing and coordination of the facilities. The facilities should be constructed pursuant to plans and specifications approved by the City (or other governmental entity that will own and operate the same).

The foregoing description of the types of facilities eligible to be financed is general in nature and includes any appurtenant work and incidental expenses relating to the facilities. The final nature and location of the facilities will be determined upon the preparation of final plans and specifications for such facilities.

Services

The planned services to be financed by the CFD include the following: park, trail, landscape corridor, median, and open space maintenance; street, street light and safety light maintenance; and storm drainage facilities maintenance.

The CFD annual maintenance functions and costs generally will include the installation, maintenance and servicing of turf, ground cover, shrubs and trees, irrigation systems, drainage facilities and drainage systems, street lighting, fencing, soundwalls, sidewalks, monuments, statuary, fountains, water quality ponds, park facilities, open space maintenance including but not limited to maintaining the open space areas located adjacent to avoided or created habitat mitigation areas and other buffer areas between the open space and vertical development, bike trails, walkways, drainage swales and other ornamental structures and facilities, entry signage, street pavers, art work, and monuments and all necessary appurtenances, and labor, materials, supplies, utilities (including water and electricity) and equipment, as applicable, for property owned or maintained by the City. Annual maintenance costs include an allowance for long-term repair and replacement of improvements.

The CFD may fund any of the following related to the maintenance of the services described above: obtaining, repairing, reconstructing, furnishing, operating and maintaining equipment, apparatus or facilities related to providing the services and/or equipment, apparatus, facilities or fixtures in areas to be maintained, paying the salaries and benefits of the personnel necessary or convenient to provide the services, and other related expenses and the provision of reserves for repairs and replacements for the future provision of services. It is expected that the services will be provided by the City, either with its own employees or by contract with third parties, or any combination thereof. The CFD may also fund administrative fees of the City related to the CFD.

Fiscal Year 2020/21 Collections & Expenditures

06/30/2020 Balance	Amount Collected	Expended Amount	06/30/2021 Balance	Project Status
\$407,337	\$749,719	\$158,943	\$998,113	On-going

CFD #18 Detail

June 30, 2020 Maintenance District Fund Cash Balance:	\$ 407,337
Revenues:	
Area-Wide Maintenance Direct Levy	\$ 744,337
Reimbursements	\$ -
Interest Earned	5,382
Total Revenues:	\$ 749,719
Expenses:	
Water & Utilities	\$ 70,460
Monthly Landscape Maintenance	101,359
Repairs & Replacement	18,701
Departmental Charges	-
Project Construction	-
CFD Admin	-
Other Expenses	-
Transfers Out	1,120
Total Expenses:	\$ 191,640
Change in Receivables/Liabilities	32,697
June 30, 2021 Maintenance District Fund Cash Balance:	\$ 998,113

City of Folsom
Community Facilities District No. 19 (Mangini Ranch)
Established January 12, 2016
Special Tax Revenue Bonds, Series 2017 Issued August 23, 2017
Special Tax Revenue Bonds, Series 2019 Issued August 7, 2019

Purpose of Special Tax

Facilities

The public facilities for Community Facilities District No. 19 (Mangini Ranch) ("CFD") include the following:

Transportation Improvements: Eligible roadway improvements include, but are not limited to: acquisition of land and easements; roadway design; project management; bridge crossings and culverts; clearing, grubbing, and demolition; grading, soil import/export, paving (including slurry seal), and decorative/enhanced pavement concrete and/or pavers; joint trenches, underground utilities and undergrounding of existing utilities; dry utilities and appurtenances; curbs, gutters, sidewalks, bike trails (including onsite and off-site), enhanced fencing, and access ramps; street lights, signalization, and traffic signal control systems; bus turnouts; signs and striping; erosion control; median and parkway landscaping and irrigation; entry monumentation; bus shelters, Bus Rapid Transit improvements including transfer stations and regional public transit improvements; masonry walls; traffic control and agency fees; and other improvements related thereto. Eligible improvements for the roads listed above also include any and all necessary underground potable and recycled water, sanitary sewer, and storm drainage system improvements. Authorized facilities include the following transportation improvements:

- Scott Road.
- Easton Valley Parkway—from Scott Road to Placerville Road.
- Street "A"—from Scott Road to Placerville Road.
- Street "B"—from Scott Road to White Rock Road.
- White Rock Road—at selected intersections.
- Other public roadway improvements designed to meet the needs of development within the CFD, including internal subdivision streets and related underground utilities.

Water System Improvements: Authorized facilities include any and all water facilities designed to meet the needs of development within the CFD. These facilities include, but may not be limited to: water storage, treatment and distribution facilities including waterlines and appurtenances, gate valves, pressure reducing stations, flow meters, fire hydrants, and other improvements related thereto such as site clearing, grading and paving; curbs and gutters; booster pump stations; stand-by generators; site lighting, drainage, sanitary sewer, and water service; landscaping and irrigation; access gates, and fencing; and striping and signage.

Recycled Water System Improvements: Authorized facilities include any and all recycled water system facilities designed to meet the needs of development within the CFD. These facilities include, but may not be limited to: treatment and distribution facilities including pipelines and appurtenances, gate valves, flow meters, booster pump pressurization system, and other improvements related thereto - such as site clearing, grading and paving; curbs and gutters; booster pump stations; stand-by generators; site lighting, drainage, sanitary sewer, and water service; landscaping and irrigation; access gates, and fencing; and striping and signage.

Drainage System Improvements: Authorized facilities include any and all drainage and storm drain improvements designed to meet the needs of development within the CFD. These facilities include, but may not be limited to: excavation and grading, pipelines and appurtenances, outfalls and water quality measures, detention/retention basins, drainage pretreatment facilities, drainage ways/channels, pump stations, landscaping and irrigation; access roads, gates, and fencing; and striping and signage and other improvements related thereto.

Wastewater System Improvements: Authorized facilities include any and all wastewater facilities designed to meet the needs of development within the CFD. These facilities include, but may not be limited to pipelines and all appurtenances thereto; manholes; tie-in to existing main line; force mains; lift stations; odor-control facilities; and permitting related thereto; and related sewer system improvements.

Park, Parkway and Open Space Improvements: Authorized facilities include any and all improvements to parks, parkways and open space required for development within the CFD. These facilities include, but may not be limited to: grading, turf, shrubs and trees, landscaping irrigation, site lighting, drainage, sanitary sewer and water service, pedestrian and bicycle trails, protective fencing (including soundwalls), pedestrian/bicycle bridges, storm drain crossings, wetland mitigation, hawk mitigation for authorized facilities herein, access gates and fencing and related open space improvements. Authorized facilities include acquisition of any and all parkland as well as open space/bike trail/public access easements required for development within the CFD.

Specific Plan Infrastructure Fee Infrastructure: Authorized facilities include any and all improvements that are included in the Specific Plan Infrastructure Fee Program adopted by the City Council on September 8, 2015, including any future amendments thereto.

Other Expenses: In addition to the above facilities, other incidental expenses as authorized by the Mello-Roos Community Facilities Act of 1982, including, but not limited to, the cost of planning and designing the facilities (including the cost of environmental evaluation, remediation and mitigation); engineering and surveying; construction staking; utility relocation and demolition costs incidental to the construction of the public facilities; costs of project/construction management; costs (including the costs of legal services) associated with the formation of the Mello-Roos CFD; issuance of bonds (if any); determination of the amount of taxes; collection of taxes; payment of taxes; costs of calculating and providing reimbursements from one-time special tax payments; or costs otherwise incurred in order to carry out the authorized purposes of the CFD; and any other expenses incidental to the formation and implementation of the CFD and to the construction, completion, inspection and acquisition of the authorized facilities.

Services

The authorized services to be funded from the levy and collection of annual special taxes include those set forth below in addition to the costs associated with collecting and administering the special taxes and annual administering the CFD. The CFD will be eligible to fund all or a portion of the costs of reconstruction and/or rehabilitation, operation, maintenance, repair and replacement, and servicing of the following items not otherwise subject to funding from the City of Folsom Community Facilities District No. 18 (Folsom Plan Area – Area-Wide Improvements and Services):

Open Space improvements, operations and management, monitoring, maintenance (including general maintenance, signage, City owned fence maintenance, trash and debris collection, and bike trails and their appurtenances [drainage culverts or pipes from adjacent subdivisions] within open space), creation and maintenance of fire breaks, permits, vandalism/graffiti, flood conveyance (vegetation/tree

removals), beaver dam removals, outfall/drainage swale maintenance, erosion control/bank stabilization, native planting/replanting, pre and post emergent, maintenance activities as required by a 404 permit, and open space overarching maintenance & management plan and repair and replacement of facilities within open space areas in the project area.

The maintenance of on-site landscape corridors and paseos designed to serve land uses within the CFD, including general maintenance, masonry walls, accent lighting, water and utility costs.

The maintenance of street lights, including any utility costs related thereto.

The maintenance of medians, entries, and entry monumentation.

Community amenities, such as a community clubhouse.

Storm water management, water quality structural controls, including drainage swales constructed between storm drain facilities and receiving waters.

Miscellaneous costs related to any of the items described above including planning, engineering, GIS, legal, and city and county administration costs.

The levy of special taxes to accumulate sinking funds for anticipated future repairs, reconstruction or replacement costs of landscape corridors, irrigation facilities, medians, entries and entry monumentation, lighting, neighborhood parks, storm water management and other facilities maintained by the CFD as determined by the administrator.

The CFD may fund any of the following related to the maintenance of the services described above: obtaining, repairing, reconstructing, rehabilitating, furnishing, operating and maintaining equipment, apparatus or facilities related to providing the services and/or equipment, apparatus, facilities or fixtures in areas to be maintained, paying the salaries and benefits of personnel necessary or convenient to provide the services, and other related expenses and the provision of reserves for repairs and replacements and for the future provision of services. It is expected that the services will be provided by the City, either with its own employees or by contract with third parties, or any combination thereof.

Fiscal Year 2020/21 Collections & Expenditures

Facilities

Fund	Initial Deposit	Prior Years Additions / Interest	Prior Years Expenses	06/30/2020 Balance	Current Year Additions / Interest	Current Year Expenses	06/30/2021 Balance
Project Fund	\$41,050,500	\$41,072,408	\$41,072,408	\$0	\$0	\$0	\$0
Underwriter's Discount	408,799	408,799	408,799	0	0	0	0
Cost of Issuance	685,000	685,000	685,000	0	0	0	0
Reserve Fund	3,180,625	3,288,370	5,359	3,283,011	0	38,316	3,244,695
Capitalized Interest	1,487,509	1,487,509	1,487,509	0	0	0	0

CFD #19 Fund Detail

June 30, 2020 Acquisition and Construction Fund Cash Balance: \$ -

Revenues:

Proceeds from Series 2017 Bonds
 Proceeds from Series 2019 Bonds \$ -
 Interest Earned
Total Revenues: \$ -

Expenses:

Progress Payment #10 to Mangini Improvement Co., Inc. \$ -
 Progress Payment #11 to Mangini Improvement Co., Inc. -
 Progress Payment #12 to Mangini Improvement Co., Inc. -
 Progress Payment #13 to Mangini Improvement Co., Inc. -
Total Expenses: \$ -

Change in Receivables/Liabilities -

June 30, 2021 Acquisition and Construction Fund Cash Balance: \$ -

Services

06/30/2020 Balance	Amount Collected	Expended Amount	06/30/2021 Balance	Project Status
\$307,504	\$157,609	\$24,221	\$440,892	On-going

CFD #19 Detail

June 30, 2020 Maintenance District Fund Cash Balance: \$ 307,504

Revenues:

Mangini Ranch Maintenance Direct Levy \$ 153,497
 Reimbursements -
 Interest Earned 4,112
Total Revenues: \$ 157,609

Expenses:

Water & Utilities \$ 12,081
 Monthly Landscape Maintenance 14,274
 Repairs & Replacement 459
 Departmental Charges -
 Project Construction -
 CFD Admin -
 Other Expenses -
 Transfers Out 501
Total Expenses: \$ 27,314

Change in Receivables/Liabilities 3,095

June 30, 2021 Maintenance District Fund Cash Balance: \$ 440,892

City of Folsom
Community Facilities District No. 20 (Russell Ranch)
Established November 14, 2017
Bonds Issued June 5, 2018

Purpose of Special Tax

The public facilities for Community Facilities District No. 20 (Russell Ranch) (“CFD”) include any and all improvements that are included in the Specific Plan Infrastructure Fee Program adopted by the City Council on September 8, 2015, including any future amendments thereto. These facilities, include, but are not limited to:

- Zone 4/5 Booster Pump Station;
- Zone 5 Water Tank and Zone 6 Booster Pump Station;
- Highway 50 Water Transmission Line;
- Alder Creek Parkway Improvements; and
- Grand Prairie Improvements.

Transportation Improvements: Eligible roadway improvements include, but are not limited to: acquisition of land and easements; roadway design; project management; bridge crossings and culverts; clearing, grubbing, and demolition; grading, soil import/export, paving (including slurry seal), and decorative/enhanced pavement concrete and/or pavers; joint trenches, underground utilities and undergrounding of existing utilities; dry utilities and appurtenances; curbs, gutters, sidewalks, bike trails (including onsite and off-site), enhanced fencing, and access ramps; street lights, signalization, and traffic signal control systems; bus turnouts; signs and striping; erosion control; median and parkway landscaping and irrigation; entry monumentation; bus shelters, Bus Rapid Transit improvements including transfer stations and regional public transit improvements; masonry walls; traffic control and agency fees; and other improvements related thereto. Eligible improvements for the roads listed above also include any and all necessary underground potable and recycled water, sanitary sewer, and storm drainage system improvements. Authorized facilities include the following transportation improvements:

- Placerville Road—from Highway 50 to White Rock Road.
- Alder Creek Parkway—from Scott Road to the Empire Ranch Road.
- Grand Prairie Road—from Alder Creek Parkway to Placerville Road.
- Scott Road—from Alder Creek Parkway to Street “A”.
- Empire Ranch Road—from property line to White Rock Road.
- Other public roadway improvements designed to meet the needs of development within the CFD, including internal subdivision streets and related underground utilities.

Potable and Non-Potable Water System Improvements: Authorized facilities include any and all on- and off-site backbone water and recycled (or non-potable water facilities) designed to meet the needs of development within the CFD. These facilities include, but are not limited to, potable and non-potable mains, valves, pressure reducing stations, flow meters, fire hydrants, and other improvements related thereto such as site clearing, grading, and paving; services, and appurtenances; wells; water treatment, distribution, and storage facilities; curbs and gutters; booster pump stations; stand-by generators; site lighting, drainage, sanitary sewer, and water service; landscaping and irrigation; access gates and fencing; and striping and signage.

Drainage System Improvements: Authorized facilities include any and all drainage and storm drain improvements designed to meet the needs of development within the CFD. These facilities include, but may not be limited to: excavation and grading, pipelines and appurtenances, outfalls, and water quality

measures; detention/retention basins, drainage pretreatment facilities, drainage ways/channels, pump stations, landscaping and irrigation; access roads, gates and fencing; and striping and signage and other improvements related thereto.

Wastewater System Improvements: Authorized facilities include all wastewater facilities designed to meet the needs of development within the CFD. These facilities include, but may not be limited to, pipelines and all appurtenances thereto; manholes; tie-in to existing main line; force mains; lift stations; odor-control facilities; and permitting related thereto; and related sewer system improvements.

Park, Parkway, Open Space and Preserve Improvements: Authorized facilities include any and all improvements to parks, parkways, and open space required for development within the CFD. These facilities include, but may not be limited to grading; turf, shrubs and trees; landscaping irrigation; site lighting; drainage; sanitary sewer and water service, pedestrian and bicycle trails, protective fencing (including soundwalls), pedestrian/bicycle bridges; public art; active and passive park and open space improvements (including respites and overlooks); related monumentation and signage; storm drain crossings; environmental mitigation for wetlands, hawk, and other species for infrastructure under the Specific Plan Infrastructure Fee Program and authorized facilities herein; access gates and fencing; and related park, open space and preserve improvements.

Other Incidental Expenses and Bond Issuance Costs: In addition to the above facilities, other incidental expenses as authorized by the Act, including, but not limited to, the cost of planning and designing the facilities (including the cost of environmental evaluation, remediation and mitigation); engineering and surveying; construction staking; utility relocation and demolition costs incidental to the construction of the public facilities; costs of project/construction management; costs (including the costs of legal services) associated with the formation of the District; issuance of bonds (if any); determination of the amount of taxes; collection of taxes; payment of taxes; costs of calculating and providing reimbursements from one-time special tax payments; or costs otherwise incurred in order to carry out the authorized purposes of the CFD; and any other expenses incidental to the formation and implementation of the CFD and to the construction, completion, inspection and acquisition of the authorized facilities.

Fiscal Year 2020/21 Collections & Expenditures

Fund	Initial Deposit	Prior Years Additions / Interest	Prior Years Expenses	06/30/2020 Balance	Current Year Additions / Interest	Current Year Expenses	06/30/2021 Balance
Project Fund	\$12,000,000	\$12,019,371	\$12,019,371	\$0	\$0	\$0	\$0
Underwriter's Discount	135,864	135,864	135,864	0	0	0	0
Cost of Issuance	318,236	318,236	318,236	0	0	0	0
Reserve Fund	1,022,500	1,022,500	312	1,022,187	313	0	1,022,500
Capitalized Interest	804,968	804,968	804,968	0	0	0	0

CFD #20 Fund Detail

June 30, 2020 Acquisition and Construction Fund Cash Balance:	\$	-
Revenues:		
Proceeds from Series 2017 Bonds	\$	-
Total Revenues:	\$	-
Expenses:		
Progress Payment #4 TNHC Russell Ranch LLC		-
Total Expenses:	\$	-
Change in Receivables/Liabilities		-
June 30, 2021 Acquisition and Construction Fund Cash Balance:	\$	-

City of Folsom
Community Facilities District No. 21 (White Rock Springs Ranch)
Established February 13, 2018
Special Tax Bonds, Series 2019 Issued December 5, 2019
Special Tax Bonds, Series 2021 Issued April 8, 2021

Purpose of Special Tax

The public facilities for Community Facilities District No. 21 (White Rock Springs Ranch) (“CFD”) include any and all improvements that are included in the Specific Plan Infrastructure Fee Program adopted by the City Council on September 8, 2015, including any future amendments thereto. These facilities, include, but are not limited to:

- Zone 4/5 Booster Pump Station;
- Zone 5 Water Tank and Zone 6 Booster Pump Station;
- Highway 50 Water Transmission Line;
- Street “A” Improvements;
- Alder Creek Parkway Improvements; and
- Grand Prairie Road Improvements.

Transportation Improvements: Eligible roadway improvements include, but are not limited to: acquisition of land and easements; roadway design; project management; bridge crossings and culverts; clearing, grubbing, and demolition; grading, soil import/export, paving (including slurry seal), and decorative/enhanced pavement concrete and/or pavers; joint trenches, underground utilities and undergrounding of existing utilities; dry utilities and appurtenances; curbs, gutters, sidewalks, bike trails (including onsite and off-site), enhanced fencing, and access ramps; street lights, signalization, and traffic signal control systems; bus turnouts; signs and striping; erosion control; median and parkway landscaping and irrigation; entry monumentation; bus shelters, Bus Rapid Transit improvements including transfer stations and regional public transit improvements; masonry walls; traffic control and agency fees; and other improvements related thereto. Eligible improvements for the roads listed herein also include any and all necessary underground potable and recycled water, sanitary sewer, and storm drainage system improvements. Authorized facilities include the following transportation improvements:

- Placerville Road—from Highway 50 to White Rock Road.
- Grand Prairie Road—from Alder Creek Parkway to Placerville Road.
- Scott Road—from Alder Creek Parkway to Street “A”.
- Street “A” —from Placerville Road to Empire Ranch Road.
- Sycamore Creek Crossing.
- Rock Springs Ranch Road.
- Other public roadway improvements designed to meet the needs of development within the CFD, including internal subdivision streets and related underground utilities.

Potable and Non-Potable Water System Improvements: Authorized facilities include any and all on- and off-site backbone water and recycled (or non-potable water facilities) designed to meet the needs of development within the CFD. These facilities include, but are not limited to, potable and non-potable mains, valves, pressure reducing stations, flow meters, fire hydrants, and other improvements related thereto such as site clearing, grading, and paving; services, and appurtenances; wells; water treatment, distribution, and storage facilities; curbs and gutters; booster pump stations; stand-by generators; site lighting, drainage, sanitary sewer, and water service; landscaping and irrigation; access gates and fencing; and striping and signage.

Drainage System Improvements: Authorized facilities include any and all drainage and storm drain improvements designed to meet the needs of development within the CFD. These facilities include, but may not be limited to: excavation and grading, pipelines and appurtenances, outfalls, and water quality measures; detention/retention basins, drainage pretreatment facilities, drainage ways/channels, pump stations, landscaping and irrigation; access roads, gates and fencing; and striping and signage and other improvements related thereto.

Wastewater System Improvements: Authorized facilities include all wastewater facilities designed to meet the needs of development within the CFD. These facilities include, but may not be limited to, pipelines and all appurtenances thereto; manholes; tie-in to existing main lines; force mains; lift stations; odor-control facilities; and permitting related thereto; and related sewer system improvements.

Park, Parkway, Open Space and Preserve Improvements: Authorized facilities include any and all improvements to parks, parkways, and open space required for development within the CFD. These facilities include, but may not be limited to grading; turf, shrubs and trees; landscaping irrigation; site lighting; drainage; sanitary sewer and water service, pedestrian and bicycle trails, protective fencing (including soundwalls), pedestrian/bicycle bridges; public art; active and passive park and open space improvements (including respites and overlooks); related monumentation and signage; storm drain crossings; environmental mitigation for wetlands, hawk, and other species for infrastructure under the Specific Plan Infrastructure Fee Program and authorized facilities herein; access gates and fencing; and related park, open space and preserve improvements.

Payment of Specific Plan Infrastructure Fee Program ("SPIF") Obligation: Authorized facilities include payment of the following SPIF obligations for all development that would be subject to SPIF obligations within the entire CFD:

- SPIF Infrastructure Fee (including the SPIF Set-Aside component);
- SPIF Public Facilities Land Equalization Fee Component;
- SPIF Parkland Equalization Fee Component; and
- SPIF Administrative Fee.

Other Incidental Expenses and Bond Issuance Costs: In addition to the above facilities, other incidental expenses as authorized by the Act, including, but not limited to, the cost of planning and designing the facilities (including the cost of environmental evaluation, remediation and mitigation); engineering and surveying; construction staking; utility relocation and demolition costs incidental to the construction of the public facilities; costs of project/construction management; costs (including the costs of legal services) associated with the formation of the CFD; issuance of bonds (if any); determination of the amount of taxes; collection of taxes; payment of taxes; costs of calculating and providing reimbursements from one-time special tax payments; or costs otherwise incurred in order to carry out the authorized purposes of the CFD; and any other expenses incidental to the formation and implementation of the CFD and to the construction, completion, inspection and acquisition of the authorized facilities.

Fiscal Year 2020/21 Collections & Expenditures

Fund	Initial Deposit	Prior Years Additions / Interest	Prior Years Expenses	06/30/2020 Balance	Current Year Additions / Interest	Current Year Expenses	06/30/2021 Balance
Project Fund	\$21,106,647	\$9,696,877	\$9,601,631	\$95,245	\$11,505,134	\$8,620,417	\$2,979,962
Underwriter's Discount	230,285	102,767	0	0	127,518	127,518	0
Cost of Issuance	650,000	335,000	0	0	315,000	315,000	0
Reserve Fund	1,550,000	751,000	0	0	799,011	0	1,550,011
Capitalized Interest	505,560	336,245	96,070	240,175	169,415	240,172	169,418

CFD #21 Fund Detail

June 30, 2020 Acquisition and Construction Fund Cash Balance: \$ 95,245

Revenues:

Proceeds from Series 2019 Bonds	\$ -
Proceeds from Series 2021 Bonds	11,505,016
Interest Earned	118
Total Revenues:	\$ 11,505,134

Expenses:

Progress Payment #4a Paulson Re Master Fund II LLC-PSNF	\$ 95,245
Progress Payment #5 Paulson Re Master Fund II LLC-PSNF	3,781,355
Progress Payment #6 Paulson Re Master Fund II LLC-PSNF	4,743,817
Total Expenses:	\$ 8,620,417

Change in Receivables/Liabilities -

June 30, 2021 Acquisition and Construction Fund Cash Balance: \$ 2,979,962

City of Folsom
Community Facilities District No. 22 (Folsom Heights)
Established November 27, 2018

Purpose of Special Tax

Facilities

The public facilities for Community Facilities District No. 22 (Folsom Heights) ("CFD") include the following:

Transportation Improvements: Eligible roadway improvements include, but are not limited to: acquisition of land and easements; roadway design; project management; bridge crossings and culverts; clearing, grubbing, and demolition; grading, soil import/export, paving (including slurry seal), and decorative/enhanced pavement concrete and/or pavers; joint trenches, underground utilities and undergrounding of existing utilities; dry utilities and appurtenances; curbs, gutters, sidewalks, bike trails (including onsite and off-site), enhanced fencing, and access ramps; street lights, signalization, and traffic signal control systems; bus turnouts; signs and striping; erosion control; median and parkway landscaping and irrigation; entry monumentation; bus shelters, Bus Rapid Transit improvements including transfer stations and regional public transit improvements; masonry walls; traffic control and agency fees; and other improvements related thereto. Eligible improvements for the roads listed herein also include any and all necessary underground potable and recycled water, sanitary sewer, and storm drainage system improvements. Authorized facilities include the following transportation improvements:

- Summit Street
- Prima Drive
- Empire Ranch Road
- Alder Creek Parkway
- Folsom Heights Drive
- Other public roadway improvements designed to meet the needs of development of property within the CFD, including internal subdivision streets and related underground utilities.

Water System Improvements: Authorized facilities include any and all water facilities, including those expected to be owned or managed by the City and/or the El Dorado Irrigation District, designed to meet the needs of development of property within the CFD. These facilities include, but may not be limited to: water storage, treatment and distribution facilities including waterlines and appurtenances, gate valves, pressure reducing stations, flow meters, fire hydrants, and other improvements related thereto such as site clearing, grading and paving; curbs and gutters; booster pump stations and power; stand-by generators; site lighting, drainage, sanitary sewer, and water service; landscaping and irrigation; access gates, and fencing; and striping and signage.

Recycled Water System Improvements: Authorized facilities include any and all recycled water system facilities, including those expected to be owned or managed by the City and/or the El Dorado Irrigation District, designed to meet the needs of development of property within the CFD. These facilities include, but may not be limited to: treatment and distribution facilities including pipelines and appurtenances, gate valves, flow meters, booster pump pressurization system, and other improvements related thereto - such as site clearing, grading and paving; curbs and gutters; booster pump stations; stand-by generators; site lighting, drainage, sanitary sewer, and water service; landscaping and irrigation; access gates, and fencing; and striping and signage.

Drainage System Improvements: Authorized facilities include any and all drainage and storm drain improvements designed to meet the needs of development of property within the CFD. These facilities include, but may not be limited to: excavation and grading, pipelines and appurtenances, outfalls and water quality measures, detention/retention basins, drainage pretreatment facilities, drainage ways/channels, pump stations, landscaping and irrigation; access roads, gates, and fencing; and striping and signage and other improvements related thereto.

Wastewater System Improvements: Authorized facilities include any and all wastewater facilities, including those expected to be owned or managed by the City and/or the El Dorado Irrigation District, designed to meet the needs of development of property within the CFD. These facilities include, but may not be limited to, pipelines and all appurtenances thereto; manholes; tie-in to existing main lines; force mains; lift stations; upgrades to existing lift stations; odor-control facilities; and permitting related thereto; and related sewer system improvements.

Park, Parkway and Open Space Improvements: Authorized facilities include any and all improvements to parks, parkways and open space required for development of property within the CFD. These facilities include, but may not be limited to: grading, turf, shrubs and trees, landscaping irrigation, site lighting, drainage, sanitary sewer and water service, pedestrian and bicycle trails, protective fencing (including soundwalls), pedestrian/bicycle bridges, storm drain crossings, wetland mitigation, hawk mitigation for authorized facilities herein, access gates and fencing and related open space improvements. Authorized facilities include acquisition of any and all parkland as well as open space/bike trail/public access easements required for development of property within the CFD.

Specific Plan Infrastructure Fee Infrastructure: Authorized facilities include any and all improvements that are included in the Specific Plan Infrastructure Fee Program adopted by the City Council on September 8, 2015, including any future amendments thereto.

Other Incidental Expenses and Bond Issuance Costs: In addition to the above facilities, other incidental expenses as authorized by the Act, including, but not limited to, the cost of planning and designing the facilities (including the cost of environmental evaluation, remediation and mitigation); engineering and surveying; construction staking; utility relocation and demolition costs incidental to the construction of the public facilities; costs of project/construction management; costs (including the costs of legal services) associated with the formation of the CFD; issuance of bonds (if any); determination of the amount of taxes; collection of taxes; payment of taxes; costs of calculating and providing reimbursements from one-time special tax payments; or costs otherwise incurred in order to carry out the authorized purposes of the CFD; and any other expenses incidental to the formation and implementation of the CFD and to the construction, completion, inspection and acquisition of the authorized facilities.

Services

The services to be financed by the CFD include the following:

- Landscape corridor and enhanced open space maintenance; and
- Street light maintenance.

Annual maintenance functions and costs generally will include the installation, maintenance and servicing of ground cover, shrubs and trees, irrigation systems, street lighting, fencing, sound walls, sidewalks, monuments, enhanced open space maintenance including but not limited to maintaining the enhanced open space areas located adjacent to avoided or created habitat mitigation areas and other buffer areas between the enhanced open space and vertical development, bike trails, walkways, entry signage, street pavers, and labor, materials, supplies, utilities (including water and electricity) and

equipment, as applicable, for property owned or maintained by the City. Annual maintenance costs include an allowance for long-term repair and replacement of improvements.

The CFD may fund any of the following related to the maintenance of the services described above: obtaining, repairing, reconstructing, furnishing, operating and maintaining equipment, apparatus or facilities related to providing the services and/or equipment, apparatus, facilities or fixtures in areas to be maintained, paying the salaries and benefits of the personnel necessary or convenient to provide the services, and other related expenses and the provision of reserves for repairs and replacements for the future provision of services. It is expected that the services will be provided by the City, either with its own employees or by contract with third parties, or any combination thereof. The CFD may also fund administrative fees of the City related to the CFD.

Fiscal Year 2020/21 Collections & Expenditures

Facilities

06/30/2020 Balance	Amount Collected	Expended Amount	06/30/2021 Balance	Project Status
\$0	\$0	\$0	\$0	On-going

Services

06/30/2020 Balance	Amount Collected	Expended Amount	06/30/2021 Balance	Project Status
\$0	\$0	\$0	\$0	On-going

City of Folsom
Community Facilities District No. 23 (Folsom Ranch)
Improvement Area 1
Established May 26, 2020
Bonds Issued October 30, 2020

Purpose of Special Tax

Facilities

The public facilities for Community Facilities District No. 23 (Folsom Ranch) ("CFD") include the following:

Transportation Improvements: Eligible roadway improvements include, but are not limited to: acquisition of land and easements; roadway design; project management; bridge crossings and culverts; clearing, grubbing, and demolition; grading, soil import/export, paving (including slurry seal), and decorative/enhanced pavement concrete and/or pavers; joint trenches, underground utilities and undergrounding of existing utilities; dry utilities and appurtenances; curbs, gutters, sidewalks, bike trails (including onsite and off-site), enhanced fencing, and access ramps; street lights, signalization, and traffic signal control systems; bus turnouts; signs and striping; erosion control; median and parkway landscaping and irrigation; entry monumentation; bus shelters, Bus Rapid Transit improvements including transfer stations and regional public transit improvements; masonry walls; traffic control and agency fees; and other improvements related thereto. Eligible improvements for the roads listed herein also include any and all necessary underground potable and recycled water, sanitary sewer, and storm drainage system improvements. Authorized facilities include the following transportation improvements:

- All public roadway improvements designed to meet the needs of development within the CFD, including internal subdivision streets and related underground utilities.

Water System Improvements: Authorized facilities include any and all water facilities designed to meet the needs of development of property within the CFD. These facilities include, but may not be limited to: water storage, treatment and distribution facilities including waterlines and appurtenances, gate valves, pressure reducing stations, flow meters, fire hydrants, and other improvements related thereto such as site clearing, grading and paving; curbs and gutters; booster pump stations and power; stand-by generators; site lighting, drainage, sanitary sewer, and water service; landscaping and irrigation; access gates, and fencing; and striping and signage.

Recycled Water System Improvements: Authorized facilities include any and all recycled water system facilities designed to meet the needs of development of property within the CFD. These facilities include, but may not be limited to: treatment and distribution facilities including pipelines and appurtenances, gate valves, flow meters, booster pump pressurization system, and other improvements related thereto - such as site clearing, grading and paving; curbs and gutters; booster pump stations; stand-by generators; site lighting, drainage, sanitary sewer, and water service; landscaping and irrigation; access gates, and fencing; and striping and signage.

Drainage System Improvements: Authorized facilities include any and all drainage and storm drain improvements designed to meet the needs of development of property within the CFD. These facilities include, but may not be limited to: excavation and grading, pipelines and appurtenances, outfalls and water quality measures, detention/retention basins, drainage pretreatment facilities, drainage ways/channels, pump stations, landscaping and irrigation; access roads, gates, and fencing; and striping and signage and other improvements related thereto.

Wastewater System Improvements: Authorized facilities include any and all wastewater facilities designed to meet the needs of development of property within the CFD. These facilities include, but may not be limited to, pipelines and all appurtenances thereto; manholes; tie-in to existing main lines; force mains; lift stations; upgrades to existing lift stations; odor-control facilities; and permitting related thereto; and related sewer system improvements.

Park, Parkway and Open Space Improvements: Authorized facilities include any and all improvements to parks, parkways and open space required for development of property within the CFD. These facilities include, but may not be limited to: grading, turf, shrubs and trees, landscaping irrigation, site lighting, drainage, sanitary sewer and water service, pedestrian and bicycle trails, protective fencing (including soundwalls), pedestrian/bicycle bridges, storm drain crossings, wetland mitigation, hawk mitigation for authorized facilities herein, access gates and fencing and related open space improvements. Authorized facilities include acquisition of any and all parkland as well as open space/bike trail/public access easements required for development of property within the CFD.

Specific Plan Infrastructure Fee Infrastructure: Authorized facilities include any and all improvements that are included in the Specific Plan Infrastructure Fee Program adopted by the City Council on September 8, 2015, including any future amendments thereto.

Specific Plan Infrastructure Fee Obligation: Subject to the provisions of the Act, authorized facilities include payment of the following SPIF obligations for all development that would be subject to SPIF obligations within the entire CFD:

- SPIF Infrastructure Fee (including the SPIF Set-Aside component)
- SPIF Public Facilities Land Equalization Fee Component
- SPIF Parkland Equalization Fee Component
- SPIF Administrative Fee.

Other Incidental Expenses and Bond Issuance Costs: In addition to the above facilities, other incidental expenses as authorized by the Mello-Roos Community Facilities Act of 1982, including, but not limited to, the cost of planning and designing the facilities (including the cost of environmental evaluation, remediation and mitigation); engineering and surveying; construction staking; utility relocation and demolition costs incidental to the construction of the public facilities; costs of project/construction management; costs (including the costs of legal services) associated with the formation of the Mello-Roos CFD; issuance of bonds (if any); determination of the amount of taxes; collection of taxes; payment of taxes; costs of calculating and providing reimbursements from one-time special tax payments; or costs otherwise incurred in order to carry out the authorized purposes of the CFD; and any other expenses incidental to the formation and implementation of the CFD and to the construction, completion, inspection and acquisition of the authorized facilities.

Services

The services to be financed by the CFD include the following:

- Open Space improvements, operations and management, monitoring, maintenance (including general maintenance, signage, City owned fence maintenance, trash and debris collection, and bike trails and their appurtenances [drainage culverts or pipes from adjacent subdivisions] within open space), creation and maintenance of fire breaks, Permits, Vandalism/Graffiti, Flood Conveyance (Vegetation/tree removals), Beaver dam removals, Outfall/drainage swale maintenance, Erosion control/bank stabilization, Native planting/replanting, Pre and post emergent, maintenance activities as required by a 404 permit and Operations and Management Plan-Conservation and Passive Recreation Open Space, dated June 9, 2017, and repair and replacement of facilities within open space areas in the Project Area.

- The maintenance of on-site landscape corridors and paseos designed to serve land uses within the CFD, including general maintenance, masonry walls, accent lighting, water and utility costs.
- The maintenance of streetlights, including any utility costs related thereto.
- The maintenance of medians, entries, and entry monumentation.
- Neighborhood park maintenance, and repair and replacement.
- Community amenities, such as a community clubhouse.
- Storm water management, water quality structural controls, including drainage swales constructed between storm drain facilities and receiving waters.
- Miscellaneous costs related to any of the items described above including planning, engineering, GIS, legal, and city and county administration costs.
- The levy of special taxes to accumulate sinking funds for anticipated future repairs or replacement costs of landscape corridors, irrigation facilities, medians, entries and entry monumentation, lighting, neighborhood parks, storm water management and other facilities maintained by the CFD as determined by the Administrator.

Annual maintenance functions and costs generally will include the installation, maintenance and servicing of ground cover, shrubs and trees, irrigation systems, street lighting, fencing, sound walls, sidewalks, monuments, enhanced open space maintenance including but not limited to maintaining the enhanced open space areas located adjacent to avoided or created habitat mitigation areas and other buffer areas between the enhanced open space and vertical development, bike trails, walkways, entry signage, street pavers, and labor, materials, supplies, utilities (including water and electricity) and equipment, as applicable, for property owned or maintained by the City. Annual maintenance costs include an allowance for long-term repair and replacement of improvements.

The CFD may fund any of the following related to the maintenance of the services described above: obtaining, repairing, reconstructing, furnishing, operating and maintaining equipment, apparatus or facilities related to providing the services and/or equipment, apparatus, facilities or fixtures in areas to be maintained, paying the salaries and benefits of the personnel necessary or convenient to provide the services, and other related expenses and the provision of reserves for repairs and replacements for the future provision of services. It is expected that the services will be provided by the City, either with its own employees or by contract with third parties, or any combination thereof. The CFD may also fund administrative fees of the City related to the CFD.

Fiscal Year 2020/21 Collections & Expenditures**Facilities**

Fund	Initial Deposit	Prior Years Additions / Interest	Prior Years Expenses	06/30/2020 Balance	Current Year Additions / Interest	Current Year Expenses	06/30/2021 Balance
Project Fund	\$11,876,120	\$0	\$0	\$0	\$11,885,153	\$9,704,352	\$2,180,800
Underwriter's Discount	147,821	0	0	0	147,821	147,821	0
Cost of Issuance	260,000	0	0	0	260,000	260,000	0
Reserve Fund	883,000	0	0	0	883,031	0	883,031
Capitalized Interest	426,458	0	0	0	426,458	171,337	255,121

CFD #23, IA1 Fund Detail

June 30, 2020 Acquisition and Construction Fund Cash Balance: \$ -

Revenues:

Proceeds from Series 2020 Bonds \$ 11,884,303
Interest Earned 850

Total Revenues: \$ 11,885,153

Expenses:

Progress Payment #1 Goodfellow Bros. LLC \$ 6,623,456
Progress Payment #2 Goodfellow Bros. LLC 3,080,896

Total Expenses: \$ 9,704,352

Change in Receivables/Liabilities -

June 30, 2021 Acquisition and Construction Fund Cash Balance: \$ 2,180,800

Services

06/30/2020 Balance	Amount Collected	Expended Amount	06/30/2021 Balance	Project Status
\$0	\$0	\$0	\$0	On-going

City of Folsom
Community Facilities District No. 23 (Folsom Ranch)
Improvement Area 2
Established May 26, 2020

Purpose of Special Tax

Facilities

The public facilities for Community Facilities District No. 23 (Folsom Ranch) ("CFD") include the following:

Transportation Improvements: Eligible roadway improvements include, but are not limited to: acquisition of land and easements; roadway design; project management; bridge crossings and culverts; clearing, grubbing, and demolition; grading, soil import/export, paving (including slurry seal), and decorative/enhanced pavement concrete and/or pavers; joint trenches, underground utilities and undergrounding of existing utilities; dry utilities and appurtenances; curbs, gutters, sidewalks, bike trails (including onsite and off-site), enhanced fencing, and access ramps; street lights, signalization, and traffic signal control systems; bus turnouts; signs and striping; erosion control; median and parkway landscaping and irrigation; entry monumentation; bus shelters, Bus Rapid Transit improvements including transfer stations and regional public transit improvements; masonry walls; traffic control and agency fees; and other improvements related thereto. Eligible improvements for the roads listed herein also include any and all necessary underground potable and recycled water, sanitary sewer, and storm drainage system improvements. Authorized facilities include the following transportation improvements:

- All public roadway improvements designed to meet the needs of development within the CFD, including internal subdivision streets and related underground utilities.

Water System Improvements: Authorized facilities include any and all water facilities designed to meet the needs of development of property within the CFD. These facilities include, but may not be limited to: water storage, treatment and distribution facilities including waterlines and appurtenances, gate valves, pressure reducing stations, flow meters, fire hydrants, and other improvements related thereto such as site clearing, grading and paving; curbs and gutters; booster pump stations and power; stand-by generators; site lighting, drainage, sanitary sewer, and water service; landscaping and irrigation; access gates, and fencing; and striping and signage.

Recycled Water System Improvements: Authorized facilities include any and all recycled water system facilities designed to meet the needs of development of property within the CFD. These facilities include, but may not be limited to: treatment and distribution facilities including pipelines and appurtenances, gate valves, flow meters, booster pump pressurization system, and other improvements related thereto - such as site clearing, grading and paving; curbs and gutters; booster pump stations; stand-by generators; site lighting, drainage, sanitary sewer, and water service; landscaping and irrigation; access gates, and fencing; and striping and signage.

Drainage System Improvements: Authorized facilities include any and all drainage and storm drain improvements designed to meet the needs of development of property within the CFD. These facilities include, but may not be limited to: excavation and grading, pipelines and appurtenances, outfalls and water quality measures, detention/retention basins, drainage pretreatment facilities, drainage ways/channels, pump stations, landscaping and irrigation; access roads, gates, and fencing; and striping and signage and other improvements related thereto.

Wastewater System Improvements: Authorized facilities include any and all wastewater facilities designed to meet the needs of development of property within the CFD. These facilities include, but may not be limited to, pipelines and all appurtenances thereto; manholes; tie-in to existing main lines; force mains; lift stations; upgrades to existing lift stations; odor-control facilities; and permitting related thereto; and related sewer system improvements.

Park, Parkway and Open Space Improvements: Authorized facilities include any and all improvements to parks, parkways and open space required for development of property within the CFD. These facilities include, but may not be limited to: grading, turf, shrubs and trees, landscaping irrigation, site lighting, drainage, sanitary sewer and water service, pedestrian and bicycle trails, protective fencing (including soundwalls), pedestrian/bicycle bridges, storm drain crossings, wetland mitigation, hawk mitigation for authorized facilities herein, access gates and fencing and related open space improvements. Authorized facilities include acquisition of any and all parkland as well as open space/bike trail/public access easements required for development of property within the CFD.

Specific Plan Infrastructure Fee Infrastructure: Authorized facilities include any and all improvements that are included in the Specific Plan Infrastructure Fee Program adopted by the City Council on September 8, 2015, including any future amendments thereto.

Specific Plan Infrastructure Fee Obligation: Subject to the provisions of the Act, authorized facilities include payment of the following SPIF obligations for all development that would be subject to SPIF obligations within the entire CFD:

- SPIF Infrastructure Fee (including the SPIF Set-Aside component)
- SPIF Public Facilities Land Equalization Fee Component
- SPIF Parkland Equalization Fee Component
- SPIF Administrative Fee.

Other Incidental Expenses and Bond Issuance Costs: In addition to the above facilities, other incidental expenses as authorized by the Mello-Roos Community Facilities Act of 1982, including, but not limited to, the cost of planning and designing the facilities (including the cost of environmental evaluation, remediation and mitigation); engineering and surveying; construction staking; utility relocation and demolition costs incidental to the construction of the public facilities; costs of project/construction management; costs (including the costs of legal services) associated with the formation of the Mello-Roos CFD; issuance of bonds (if any); determination of the amount of taxes; collection of taxes; payment of taxes; costs of calculating and providing reimbursements from one-time special tax payments; or costs otherwise incurred in order to carry out the authorized purposes of the CFD; and any other expenses incidental to the formation and implementation of the CFD and to the construction, completion, inspection and acquisition of the authorized facilities.

Services

The services to be financed by the CFD include the following:

- Open Space improvements, operations and management, monitoring, maintenance (including general maintenance, signage, City owned fence maintenance, trash and debris collection, and bike trails and their appurtenances [drainage culverts or pipes from adjacent subdivisions] within open space), creation and maintenance of fire breaks, Permits, Vandalism/Graffiti, Flood Conveyance (Vegetation/tree removals), Beaver dam removals, Outfall/drainage swale maintenance, Erosion control/bank stabilization, Native planting/replanting, Pre and post emergent, maintenance activities as required by a 404 permit and Operations and Management Plan-Conservation and Passive Recreation Open Space, dated June 9, 2017, and repair and replacement of facilities within open space areas in the Project Area.

- The maintenance of on-site landscape corridors and paseos designed to serve land uses within the CFD, including general maintenance, masonry walls, accent lighting, water and utility costs.
- The maintenance of streetlights, including any utility costs related thereto.
- The maintenance of medians, entries, and entry monumentation.
- Neighborhood park maintenance, and repair and replacement.
- Community amenities, such as a community clubhouse.
- Storm water management, water quality structural controls, including drainage swales constructed between storm drain facilities and receiving waters.
- Miscellaneous costs related to any of the items described above including planning, engineering, GIS, legal, and city and county administration costs.
- The levy of special taxes to accumulate sinking funds for anticipated future repairs or replacement costs of landscape corridors, irrigation facilities, medians, entries and entry monumentation, lighting, neighborhood parks, storm water management and other facilities maintained by the CFD as determined by the Administrator.

Annual maintenance functions and costs generally will include the installation, maintenance and servicing of ground cover, shrubs and trees, irrigation systems, street lighting, fencing, sound walls, sidewalks, monuments, enhanced open space maintenance including but not limited to maintaining the enhanced open space areas located adjacent to avoided or created habitat mitigation areas and other buffer areas between the enhanced open space and vertical development, bike trails, walkways, entry signage, street pavers, and labor, materials, supplies, utilities (including water and electricity) and equipment, as applicable, for property owned or maintained by the City. Annual maintenance costs include an allowance for long-term repair and replacement of improvements.

The CFD may fund any of the following related to the maintenance of the services described above: obtaining, repairing, reconstructing, furnishing, operating and maintaining equipment, apparatus or facilities related to providing the services and/or equipment, apparatus, facilities or fixtures in areas to be maintained, paying the salaries and benefits of the personnel necessary or convenient to provide the services, and other related expenses and the provision of reserves for repairs and replacements for the future provision of services. It is expected that the services will be provided by the City, either with its own employees or by contract with third parties, or any combination thereof. The CFD may also fund administrative fees of the City related to the CFD.

Fiscal Year 2020/21 Collections & Expenditures

Facilities

06/30/2020 Balance	Amount Collected	Expended Amount	06/30/2021 Balance	Project Status
\$0	\$0	\$0	\$0	On-going

Services

06/30/2020 Balance	Amount Collected	Expended Amount	06/30/2021 Balance	Project Status
\$0	\$0	\$0	\$0	On-going

**City of Folsom
Community Facilities District No. 23 (Folsom Ranch)
Improvement Area 3
Established May 26, 2020**

Purpose of Special Tax

Facilities

The public facilities for Community Facilities District No. 23 (Folsom Ranch) ("CFD") include the following:

Transportation Improvements: Eligible roadway improvements include, but are not limited to: acquisition of land and easements; roadway design; project management; bridge crossings and culverts; clearing, grubbing, and demolition; grading, soil import/export, paving (including slurry seal), and decorative/enhanced pavement concrete and/or pavers; joint trenches, underground utilities and undergrounding of existing utilities; dry utilities and appurtenances; curbs, gutters, sidewalks, bike trails (including onsite and off-site), enhanced fencing, and access ramps; street lights, signalization, and traffic signal control systems; bus turnouts; signs and striping; erosion control; median and parkway landscaping and irrigation; entry monumentation; bus shelters, Bus Rapid Transit improvements including transfer stations and regional public transit improvements; masonry walls; traffic control and agency fees; and other improvements related thereto. Eligible improvements for the roads listed herein also include any and all necessary underground potable and recycled water, sanitary sewer, and storm drainage system improvements. Authorized facilities include the following transportation improvements:

- All public roadway improvements designed to meet the needs of development within the CFD, including internal subdivision streets and related underground utilities.

Water System Improvements: Authorized facilities include any and all water facilities designed to meet the needs of development of property within the CFD. These facilities include, but may not be limited to: water storage, treatment and distribution facilities including waterlines and appurtenances, gate valves, pressure reducing stations, flow meters, fire hydrants, and other improvements related thereto such as site clearing, grading and paving; curbs and gutters; booster pump stations and power; stand-by generators; site lighting, drainage, sanitary sewer, and water service; landscaping and irrigation; access gates, and fencing; and striping and signage.

Recycled Water System Improvements: Authorized facilities include any and all recycled water system facilities designed to meet the needs of development of property within the CFD. These facilities include, but may not be limited to: treatment and distribution facilities including pipelines and appurtenances, gate valves, flow meters, booster pump pressurization system, and other improvements related thereto - such as site clearing, grading and paving; curbs and gutters; booster pump stations; stand-by generators; site lighting, drainage, sanitary sewer, and water service; landscaping and irrigation; access gates, and fencing; and striping and signage.

Drainage System Improvements: Authorized facilities include any and all drainage and storm drain improvements designed to meet the needs of development of property within the CFD. These facilities include, but may not be limited to: excavation and grading, pipelines and appurtenances, outfalls and water quality measures, detention/retention basins, drainage pretreatment facilities, drainage ways/channels, pump stations, landscaping and irrigation; access roads, gates, and fencing; and striping and signage and other improvements related thereto.

Wastewater System Improvements: Authorized facilities include any and all wastewater facilities designed to meet the needs of development of property within the CFD. These facilities include, but may not be limited to, pipelines and all appurtenances thereto; manholes; tie-in to existing main lines; force mains; lift stations; upgrades to existing lift stations; odor-control facilities; and permitting related thereto; and related sewer system improvements.

Park, Parkway and Open Space Improvements: Authorized facilities include any and all improvements to parks, parkways and open space required for development of property within the CFD. These facilities include, but may not be limited to: grading, turf, shrubs and trees, landscaping irrigation, site lighting, drainage, sanitary sewer and water service, pedestrian and bicycle trails, protective fencing (including soundwalls), pedestrian/bicycle bridges, storm drain crossings, wetland mitigation, hawk mitigation for authorized facilities herein, access gates and fencing and related open space improvements. Authorized facilities include acquisition of any and all parkland as well as open space/bike trail/public access easements required for development of property within the CFD.

Specific Plan Infrastructure Fee Infrastructure: Authorized facilities include any and all improvements that are included in the Specific Plan Infrastructure Fee Program adopted by the City Council on September 8, 2015, including any future amendments thereto.

Specific Plan Infrastructure Fee Obligation: Subject to the provisions of the Act, authorized facilities include payment of the following SPIF obligations for all development that would be subject to SPIF obligations within the entire CFD:

- SPIF Infrastructure Fee (including the SPIF Set-Aside component)
- SPIF Public Facilities Land Equalization Fee Component
- SPIF Parkland Equalization Fee Component
- SPIF Administrative Fee.

Other Incidental Expenses and Bond Issuance Costs: In addition to the above facilities, other incidental expenses as authorized by the Mello-Roos Community Facilities Act of 1982, including, but not limited to, the cost of planning and designing the facilities (including the cost of environmental evaluation, remediation and mitigation); engineering and surveying; construction staking; utility relocation and demolition costs incidental to the construction of the public facilities; costs of project/construction management; costs (including the costs of legal services) associated with the formation of the Mello-Roos CFD; issuance of bonds (if any); determination of the amount of taxes; collection of taxes; payment of taxes; costs of calculating and providing reimbursements from one-time special tax payments; or costs otherwise incurred in order to carry out the authorized purposes of the CFD; and any other expenses incidental to the formation and implementation of the CFD and to the construction, completion, inspection and acquisition of the authorized facilities.

Services

The services to be financed by the CFD include the following:

- Open Space improvements, operations and management, monitoring, maintenance (including general maintenance, signage, City owned fence maintenance, trash and debris collection, and bike trails and their appurtenances [drainage culverts or pipes from adjacent subdivisions] within open space), creation and maintenance of fire breaks, Permits, Vandalism/Graffiti, Flood Conveyance (Vegetation/tree removals), Beaver dam removals, Outfall/drainage swale maintenance, Erosion control/bank stabilization, Native planting/replanting, Pre and post emergent, maintenance activities as required by a 404 permit and Operations and Management Plan-Conservation and Passive Recreation Open Space, dated June 9, 2017, and repair and replacement of facilities within open space areas in the Project Area.

- The maintenance of on-site landscape corridors and paseos designed to serve land uses within the CFD, including general maintenance, masonry walls, accent lighting, water and utility costs.
- The maintenance of streetlights, including any utility costs related thereto.
- The maintenance of medians, entries, and entry monumentation.
- Neighborhood park maintenance, and repair and replacement.
- Community amenities, such as a community clubhouse.
- Storm water management, water quality structural controls, including drainage swales constructed between storm drain facilities and receiving waters.
- Miscellaneous costs related to any of the items described above including planning, engineering, GIS, legal, and city and county administration costs.
- The levy of special taxes to accumulate sinking funds for anticipated future repairs or replacement costs of landscape corridors, irrigation facilities, medians, entries and entry monumentation, lighting, neighborhood parks, storm water management and other facilities maintained by the CFD as determined by the Administrator.

Annual maintenance functions and costs generally will include the installation, maintenance and servicing of ground cover, shrubs and trees, irrigation systems, street lighting, fencing, sound walls, sidewalks, monuments, enhanced open space maintenance including but not limited to maintaining the enhanced open space areas located adjacent to avoided or created habitat mitigation areas and other buffer areas between the enhanced open space and vertical development, bike trails, walkways, entry signage, street pavers, and labor, materials, supplies, utilities (including water and electricity) and equipment, as applicable, for property owned or maintained by the City. Annual maintenance costs include an allowance for long-term repair and replacement of improvements.

The CFD may fund any of the following related to the maintenance of the services described above: obtaining, repairing, reconstructing, furnishing, operating and maintaining equipment, apparatus or facilities related to providing the services and/or equipment, apparatus, facilities or fixtures in areas to be maintained, paying the salaries and benefits of the personnel necessary or convenient to provide the services, and other related expenses and the provision of reserves for repairs and replacements for the future provision of services. It is expected that the services will be provided by the City, either with its own employees or by contract with third parties, or any combination thereof. The CFD may also fund administrative fees of the City related to the CFD.

Fiscal Year 2020/21 Collections & Expenditures

Facilities

06/30/2020 Balance	Amount Collected	Expended Amount	06/30/2021 Balance	Project Status
\$0	\$0	\$0	\$0	On-going

Services

06/30/2020 Balance	Amount Collected	Expended Amount	06/30/2021 Balance	Project Status
\$0	\$0	\$0	\$0	On-going

City of Folsom
Community Facilities District No. 23 (Folsom Ranch)
Improvement Area 4
Established May 26, 2020

Purpose of Special Tax

Facilities

The public facilities for Community Facilities District No. 23 (Folsom Ranch) ("CFD") include the following:

Transportation Improvements: Eligible roadway improvements include, but are not limited to: acquisition of land and easements; roadway design; project management; bridge crossings and culverts; clearing, grubbing, and demolition; grading, soil import/export, paving (including slurry seal), and decorative/enhanced pavement concrete and/or pavers; joint trenches, underground utilities and undergrounding of existing utilities; dry utilities and appurtenances; curbs, gutters, sidewalks, bike trails (including onsite and off-site), enhanced fencing, and access ramps; street lights, signalization, and traffic signal control systems; bus turnouts; signs and striping; erosion control; median and parkway landscaping and irrigation; entry monumentation; bus shelters, Bus Rapid Transit improvements including transfer stations and regional public transit improvements; masonry walls; traffic control and agency fees; and other improvements related thereto. Eligible improvements for the roads listed herein also include any and all necessary underground potable and recycled water, sanitary sewer, and storm drainage system improvements. Authorized facilities include the following transportation improvements:

- All public roadway improvements designed to meet the needs of development within the CFD, including internal subdivision streets and related underground utilities.

Water System Improvements: Authorized facilities include any and all water facilities designed to meet the needs of development of property within the CFD. These facilities include, but may not be limited to: water storage, treatment and distribution facilities including waterlines and appurtenances, gate valves, pressure reducing stations, flow meters, fire hydrants, and other improvements related thereto such as site clearing, grading and paving; curbs and gutters; booster pump stations and power; stand-by generators; site lighting, drainage, sanitary sewer, and water service; landscaping and irrigation; access gates, and fencing; and striping and signage.

Recycled Water System Improvements: Authorized facilities include any and all recycled water system facilities designed to meet the needs of development of property within the CFD. These facilities include, but may not be limited to: treatment and distribution facilities including pipelines and appurtenances, gate valves, flow meters, booster pump pressurization system, and other improvements related thereto - such as site clearing, grading and paving; curbs and gutters; booster pump stations; stand-by generators; site lighting, drainage, sanitary sewer, and water service; landscaping and irrigation; access gates, and fencing; and striping and signage.

Drainage System Improvements: Authorized facilities include any and all drainage and storm drain improvements designed to meet the needs of development of property within the CFD. These facilities include, but may not be limited to: excavation and grading, pipelines and appurtenances, outfalls and water quality measures, detention/retention basins, drainage pretreatment facilities, drainage ways/channels, pump stations, landscaping and irrigation; access roads, gates, and fencing; and striping and signage and other improvements related thereto.

Wastewater System Improvements: Authorized facilities include any and all wastewater facilities designed to meet the needs of development of property within the CFD. These facilities include, but may not be limited to, pipelines and all appurtenances thereto; manholes; tie-in to existing main lines; force mains; lift stations; upgrades to existing lift stations; odor-control facilities; and permitting related thereto; and related sewer system improvements.

Park, Parkway and Open Space Improvements: Authorized facilities include any and all improvements to parks, parkways and open space required for development of property within the CFD. These facilities include, but may not be limited to: grading, turf, shrubs and trees, landscaping irrigation, site lighting, drainage, sanitary sewer and water service, pedestrian and bicycle trails, protective fencing (including soundwalls), pedestrian/bicycle bridges, storm drain crossings, wetland mitigation, hawk mitigation for authorized facilities herein, access gates and fencing and related open space improvements. Authorized facilities include acquisition of any and all parkland as well as open space/bike trail/public access easements required for development of property within the CFD.

Specific Plan Infrastructure Fee Infrastructure: Authorized facilities include any and all improvements that are included in the Specific Plan Infrastructure Fee Program adopted by the City Council on September 8, 2015, including any future amendments thereto.

Specific Plan Infrastructure Fee Obligation: Subject to the provisions of the Act, authorized facilities include payment of the following SPIF obligations for all development that would be subject to SPIF obligations within the entire CFD:

- SPIF Infrastructure Fee (including the SPIF Set-Aside component)
- SPIF Public Facilities Land Equalization Fee Component
- SPIF Parkland Equalization Fee Component
- SPIF Administrative Fee.

Other Incidental Expenses and Bond Issuance Costs: In addition to the above facilities, other incidental expenses as authorized by the Mello-Roos Community Facilities Act of 1982, including, but not limited to, the cost of planning and designing the facilities (including the cost of environmental evaluation, remediation and mitigation); engineering and surveying; construction staking; utility relocation and demolition costs incidental to the construction of the public facilities; costs of project/construction management; costs (including the costs of legal services) associated with the formation of the Mello-Roos CFD; issuance of bonds (if any); determination of the amount of taxes; collection of taxes; payment of taxes; costs of calculating and providing reimbursements from one-time special tax payments; or costs otherwise incurred in order to carry out the authorized purposes of the CFD; and any other expenses incidental to the formation and implementation of the CFD and to the construction, completion, inspection and acquisition of the authorized facilities.

Services

The services to be financed by the CFD include the following:

- Open Space improvements, operations and management, monitoring, maintenance (including general maintenance, signage, City owned fence maintenance, trash and debris collection, and bike trails and their appurtenances [drainage culverts or pipes from adjacent subdivisions] within open space), creation and maintenance of fire breaks, Permits, Vandalism/Graffiti, Flood Conveyance (Vegetation/tree removals), Beaver dam removals, Outfall/drainage swale maintenance, Erosion control/bank stabilization, Native planting/replanting, Pre and post emergent, maintenance activities as required by a 404 permit and Operations and Management Plan-Conservation and Passive Recreation Open Space, dated June 9, 2017, and repair and replacement of facilities within open space areas in the Project Area.

- The maintenance of on-site landscape corridors and paseos designed to serve land uses within the CFD, including general maintenance, masonry walls, accent lighting, water and utility costs.
- The maintenance of streetlights, including any utility costs related thereto.
- The maintenance of medians, entries, and entry monumentation.
- Neighborhood park maintenance, and repair and replacement.
- Community amenities, such as a community clubhouse.
- Storm water management, water quality structural controls, including drainage swales constructed between storm drain facilities and receiving waters.
- Miscellaneous costs related to any of the items described above including planning, engineering, GIS, legal, and city and county administration costs.
- The levy of special taxes to accumulate sinking funds for anticipated future repairs or replacement costs of landscape corridors, irrigation facilities, medians, entries and entry monumentation, lighting, neighborhood parks, storm water management and other facilities maintained by the CFD as determined by the Administrator.

Annual maintenance functions and costs generally will include the installation, maintenance and servicing of ground cover, shrubs and trees, irrigation systems, street lighting, fencing, sound walls, sidewalks, monuments, enhanced open space maintenance including but not limited to maintaining the enhanced open space areas located adjacent to avoided or created habitat mitigation areas and other buffer areas between the enhanced open space and vertical development, bike trails, walkways, entry signage, street pavers, and labor, materials, supplies, utilities (including water and electricity) and equipment, as applicable, for property owned or maintained by the City. Annual maintenance costs include an allowance for long-term repair and replacement of improvements.

The CFD may fund any of the following related to the maintenance of the services described above: obtaining, repairing, reconstructing, furnishing, operating and maintaining equipment, apparatus or facilities related to providing the services and/or equipment, apparatus, facilities or fixtures in areas to be maintained, paying the salaries and benefits of the personnel necessary or convenient to provide the services, and other related expenses and the provision of reserves for repairs and replacements for the future provision of services. It is expected that the services will be provided by the City, either with its own employees or by contract with third parties, or any combination thereof. The CFD may also fund administrative fees of the City related to the CFD.

Fiscal Year 2020/21 Collections & Expenditures

Facilities

06/30/2020 Balance	Amount Collected	Expended Amount	06/30/2021 Balance	Project Status
\$0	\$0	\$0	\$0	On-going

Services

06/30/2020 Balance	Amount Collected	Expended Amount	06/30/2021 Balance	Project Status
\$0	\$0	\$0	\$0	On-going

City of Folsom
Community Facilities District No. 23 (Folsom Ranch)
Improvement Area 5
Established May 26, 2020

Purpose of Special Tax

Facilities

The public facilities for Community Facilities District No. 23 (Folsom Ranch) ("CFD") include the following:

Transportation Improvements: Eligible roadway improvements include, but are not limited to: acquisition of land and easements; roadway design; project management; bridge crossings and culverts; clearing, grubbing, and demolition; grading, soil import/export, paving (including slurry seal), and decorative/enhanced pavement concrete and/or pavers; joint trenches, underground utilities and undergrounding of existing utilities; dry utilities and appurtenances; curbs, gutters, sidewalks, bike trails (including onsite and off-site), enhanced fencing, and access ramps; street lights, signalization, and traffic signal control systems; bus turnouts; signs and striping; erosion control; median and parkway landscaping and irrigation; entry monumentation; bus shelters, Bus Rapid Transit improvements including transfer stations and regional public transit improvements; masonry walls; traffic control and agency fees; and other improvements related thereto. Eligible improvements for the roads listed herein also include any and all necessary underground potable and recycled water, sanitary sewer, and storm drainage system improvements. Authorized facilities include the following transportation improvements:

- All public roadway improvements designed to meet the needs of development within the CFD, including internal subdivision streets and related underground utilities.

Water System Improvements: Authorized facilities include any and all water facilities designed to meet the needs of development of property within the CFD. These facilities include, but may not be limited to: water storage, treatment and distribution facilities including waterlines and appurtenances, gate valves, pressure reducing stations, flow meters, fire hydrants, and other improvements related thereto such as site clearing, grading and paving; curbs and gutters; booster pump stations and power; stand-by generators; site lighting, drainage, sanitary sewer, and water service; landscaping and irrigation; access gates, and fencing; and striping and signage.

Recycled Water System Improvements: Authorized facilities include any and all recycled water system facilities designed to meet the needs of development of property within the CFD. These facilities include, but may not be limited to: treatment and distribution facilities including pipelines and appurtenances, gate valves, flow meters, booster pump pressurization system, and other improvements related thereto - such as site clearing, grading and paving; curbs and gutters; booster pump stations; stand-by generators; site lighting, drainage, sanitary sewer, and water service; landscaping and irrigation; access gates, and fencing; and striping and signage.

Drainage System Improvements: Authorized facilities include any and all drainage and storm drain improvements designed to meet the needs of development of property within the CFD. These facilities include, but may not be limited to: excavation and grading, pipelines and appurtenances, outfalls and water quality measures, detention/retention basins, drainage pretreatment facilities, drainage ways/channels, pump stations, landscaping and irrigation; access roads, gates, and fencing; and striping and signage and other improvements related thereto.

Wastewater System Improvements: Authorized facilities include any and all wastewater facilities designed to meet the needs of development of property within the CFD. These facilities include, but may not be limited to, pipelines and all appurtenances thereto; manholes; tie-in to existing main lines; force mains; lift stations; upgrades to existing lift stations; odor-control facilities; and permitting related thereto; and related sewer system improvements.

Park, Parkway and Open Space Improvements: Authorized facilities include any and all improvements to parks, parkways and open space required for development of property within the CFD. These facilities include, but may not be limited to: grading, turf, shrubs and trees, landscaping irrigation, site lighting, drainage, sanitary sewer and water service, pedestrian and bicycle trails, protective fencing (including soundwalls), pedestrian/bicycle bridges, storm drain crossings, wetland mitigation, hawk mitigation for authorized facilities herein, access gates and fencing and related open space improvements. Authorized facilities include acquisition of any and all parkland as well as open space/bike trail/public access easements required for development of property within the CFD.

Specific Plan Infrastructure Fee Infrastructure: Authorized facilities include any and all improvements that are included in the Specific Plan Infrastructure Fee Program adopted by the City Council on September 8, 2015, including any future amendments thereto.

Specific Plan Infrastructure Fee Obligation: Subject to the provisions of the Act, authorized facilities include payment of the following SPIF obligations for all development that would be subject to SPIF obligations within the entire CFD:

- SPIF Infrastructure Fee (including the SPIF Set-Aside component)
- SPIF Public Facilities Land Equalization Fee Component
- SPIF Parkland Equalization Fee Component
- SPIF Administrative Fee.

Other Incidental Expenses and Bond Issuance Costs: In addition to the above facilities, other incidental expenses as authorized by the Mello-Roos Community Facilities Act of 1982, including, but not limited to, the cost of planning and designing the facilities (including the cost of environmental evaluation, remediation and mitigation); engineering and surveying; construction staking; utility relocation and demolition costs incidental to the construction of the public facilities; costs of project/construction management; costs (including the costs of legal services) associated with the formation of the Mello-Roos CFD; issuance of bonds (if any); determination of the amount of taxes; collection of taxes; payment of taxes; costs of calculating and providing reimbursements from one-time special tax payments; or costs otherwise incurred in order to carry out the authorized purposes of the CFD; and any other expenses incidental to the formation and implementation of the CFD and to the construction, completion, inspection and acquisition of the authorized facilities.

Services

The services to be financed by the CFD include the following:

- Open Space improvements, operations and management, monitoring, maintenance (including general maintenance, signage, City owned fence maintenance, trash and debris collection, and bike trails and their appurtenances [drainage culverts or pipes from adjacent subdivisions] within open space), creation and maintenance of fire breaks, Permits, Vandalism/Graffiti, Flood Conveyance (Vegetation/tree removals), Beaver dam removals, Outfall/drainage swale maintenance, Erosion control/bank stabilization, Native planting/replanting, Pre and post emergent, maintenance activities as required by a 404 permit and Operations and Management Plan-Conservation and Passive Recreation Open Space, dated June 9, 2017, and repair and replacement of facilities within open space areas in the Project Area.

- The maintenance of on-site landscape corridors and paseos designed to serve land uses within the CFD, including general maintenance, masonry walls, accent lighting, water and utility costs.
- The maintenance of streetlights, including any utility costs related thereto.
- The maintenance of medians, entries, and entry monumentation.
- Neighborhood park maintenance, and repair and replacement.
- Community amenities, such as a community clubhouse.
- Storm water management, water quality structural controls, including drainage swales constructed between storm drain facilities and receiving waters.
- Miscellaneous costs related to any of the items described above including planning, engineering, GIS, legal, and city and county administration costs.
- The levy of special taxes to accumulate sinking funds for anticipated future repairs or replacement costs of landscape corridors, irrigation facilities, medians, entries and entry monumentation, lighting, neighborhood parks, storm water management and other facilities maintained by the CFD as determined by the Administrator.

Annual maintenance functions and costs generally will include the installation, maintenance and servicing of ground cover, shrubs and trees, irrigation systems, street lighting, fencing, sound walls, sidewalks, monuments, enhanced open space maintenance including but not limited to maintaining the enhanced open space areas located adjacent to avoided or created habitat mitigation areas and other buffer areas between the enhanced open space and vertical development, bike trails, walkways, entry signage, street pavers, and labor, materials, supplies, utilities (including water and electricity) and equipment, as applicable, for property owned or maintained by the City. Annual maintenance costs include an allowance for long-term repair and replacement of improvements.

The CFD may fund any of the following related to the maintenance of the services described above: obtaining, repairing, reconstructing, furnishing, operating and maintaining equipment, apparatus or facilities related to providing the services and/or equipment, apparatus, facilities or fixtures in areas to be maintained, paying the salaries and benefits of the personnel necessary or convenient to provide the services, and other related expenses and the provision of reserves for repairs and replacements for the future provision of services. It is expected that the services will be provided by the City, either with its own employees or by contract with third parties, or any combination thereof. The CFD may also fund administrative fees of the City related to the CFD.

Fiscal Year 2020/21 Collections & Expenditures

Facilities

06/30/2020 Balance	Amount Collected	Expended Amount	06/30/2021 Balance	Project Status
\$0	\$0	\$0	\$0	On-going

Services

06/30/2020 Balance	Amount Collected	Expended Amount	06/30/2021 Balance	Project Status
\$0	\$0	\$0	\$0	On-going

City of Folsom
Community Facilities District No. 23 (Folsom Ranch)
Improvement Area 6
Established May 26, 2020

Purpose of Special Tax

Facilities

The public facilities for Community Facilities District No. 23 (Folsom Ranch) ("CFD") include the following:

Transportation Improvements: Eligible roadway improvements include, but are not limited to: acquisition of land and easements; roadway design; project management; bridge crossings and culverts; clearing, grubbing, and demolition; grading, soil import/export, paving (including slurry seal), and decorative/enhanced pavement concrete and/or pavers; joint trenches, underground utilities and undergrounding of existing utilities; dry utilities and appurtenances; curbs, gutters, sidewalks, bike trails (including onsite and off-site), enhanced fencing, and access ramps; street lights, signalization, and traffic signal control systems; bus turnouts; signs and striping; erosion control; median and parkway landscaping and irrigation; entry monumentation; bus shelters, Bus Rapid Transit improvements including transfer stations and regional public transit improvements; masonry walls; traffic control and agency fees; and other improvements related thereto. Eligible improvements for the roads listed herein also include any and all necessary underground potable and recycled water, sanitary sewer, and storm drainage system improvements. Authorized facilities include the following transportation improvements:

- All public roadway improvements designed to meet the needs of development within the CFD, including internal subdivision streets and related underground utilities.

Water System Improvements: Authorized facilities include any and all water facilities designed to meet the needs of development of property within the CFD. These facilities include, but may not be limited to: water storage, treatment and distribution facilities including waterlines and appurtenances, gate valves, pressure reducing stations, flow meters, fire hydrants, and other improvements related thereto such as site clearing, grading and paving; curbs and gutters; booster pump stations and power; stand-by generators; site lighting, drainage, sanitary sewer, and water service; landscaping and irrigation; access gates, and fencing; and striping and signage.

Recycled Water System Improvements: Authorized facilities include any and all recycled water system facilities designed to meet the needs of development of property within the CFD. These facilities include, but may not be limited to: treatment and distribution facilities including pipelines and appurtenances, gate valves, flow meters, booster pump pressurization system, and other improvements related thereto - such as site clearing, grading and paving; curbs and gutters; booster pump stations; stand-by generators; site lighting, drainage, sanitary sewer, and water service; landscaping and irrigation; access gates, and fencing; and striping and signage.

Drainage System Improvements: Authorized facilities include any and all drainage and storm drain improvements designed to meet the needs of development of property within the CFD. These facilities include, but may not be limited to: excavation and grading, pipelines and appurtenances, outfalls and water quality measures, detention/retention basins, drainage pretreatment facilities, drainage ways/channels, pump stations, landscaping and irrigation; access roads, gates, and fencing; and striping and signage and other improvements related thereto.

Wastewater System Improvements: Authorized facilities include any and all wastewater facilities designed to meet the needs of development of property within the CFD. These facilities include, but may not be limited to, pipelines and all appurtenances thereto; manholes; tie-in to existing main lines; force mains; lift stations; upgrades to existing lift stations; odor-control facilities; and permitting related thereto; and related sewer system improvements.

Park, Parkway and Open Space Improvements: Authorized facilities include any and all improvements to parks, parkways and open space required for development of property within the CFD. These facilities include, but may not be limited to: grading, turf, shrubs and trees, landscaping irrigation, site lighting, drainage, sanitary sewer and water service, pedestrian and bicycle trails, protective fencing (including soundwalls), pedestrian/bicycle bridges, storm drain crossings, wetland mitigation, hawk mitigation for authorized facilities herein, access gates and fencing and related open space improvements. Authorized facilities include acquisition of any and all parkland as well as open space/bike trail/public access easements required for development of property within the CFD.

Specific Plan Infrastructure Fee Infrastructure: Authorized facilities include any and all improvements that are included in the Specific Plan Infrastructure Fee Program adopted by the City Council on September 8, 2015, including any future amendments thereto.

Specific Plan Infrastructure Fee Obligation: Subject to the provisions of the Act, authorized facilities include payment of the following SPIF obligations for all development that would be subject to SPIF obligations within the entire CFD:

- SPIF Infrastructure Fee (including the SPIF Set-Aside component)
- SPIF Public Facilities Land Equalization Fee Component
- SPIF Parkland Equalization Fee Component
- SPIF Administrative Fee.

Other Incidental Expenses and Bond Issuance Costs: In addition to the above facilities, other incidental expenses as authorized by the Mello-Roos Community Facilities Act of 1982, including, but not limited to, the cost of planning and designing the facilities (including the cost of environmental evaluation, remediation and mitigation); engineering and surveying; construction staking; utility relocation and demolition costs incidental to the construction of the public facilities; costs of project/construction management; costs (including the costs of legal services) associated with the formation of the Mello-Roos CFD; issuance of bonds (if any); determination of the amount of taxes; collection of taxes; payment of taxes; costs of calculating and providing reimbursements from one-time special tax payments; or costs otherwise incurred in order to carry out the authorized purposes of the CFD; and any other expenses incidental to the formation and implementation of the CFD and to the construction, completion, inspection and acquisition of the authorized facilities.

Services

The services to be financed by the CFD include the following:

- Open Space improvements, operations and management, monitoring, maintenance (including general maintenance, signage, City owned fence maintenance, trash and debris collection, and bike trails and their appurtenances [drainage culverts or pipes from adjacent subdivisions] within open space), creation and maintenance of fire breaks, Permits, Vandalism/Graffiti, Flood Conveyance (Vegetation/tree removals), Beaver dam removals, Outfall/drainage swale maintenance, Erosion control/bank stabilization, Native planting/replanting, Pre and post emergent, maintenance activities as required by a 404 permit and Operations and Management Plan-Conservation and Passive Recreation Open Space, dated June 9, 2017, and repair and replacement of facilities within open space areas in the Project Area.

- The maintenance of on-site landscape corridors and paseos designed to serve land uses within the CFD, including general maintenance, masonry walls, accent lighting, water and utility costs.
- The maintenance of streetlights, including any utility costs related thereto.
- The maintenance of medians, entries, and entry monumentation.
- Neighborhood park maintenance, and repair and replacement.
- Community amenities, such as a community clubhouse.
- Storm water management, water quality structural controls, including drainage swales constructed between storm drain facilities and receiving waters.
- Miscellaneous costs related to any of the items described above including planning, engineering, GIS, legal, and city and county administration costs.
- The levy of special taxes to accumulate sinking funds for anticipated future repairs or replacement costs of landscape corridors, irrigation facilities, medians, entries and entry monumentation, lighting, neighborhood parks, storm water management and other facilities maintained by the CFD as determined by the Administrator.

Annual maintenance functions and costs generally will include the installation, maintenance and servicing of ground cover, shrubs and trees, irrigation systems, street lighting, fencing, sound walls, sidewalks, monuments, enhanced open space maintenance including but not limited to maintaining the enhanced open space areas located adjacent to avoided or created habitat mitigation areas and other buffer areas between the enhanced open space and vertical development, bike trails, walkways, entry signage, street pavers, and labor, materials, supplies, utilities (including water and electricity) and equipment, as applicable, for property owned or maintained by the City. Annual maintenance costs include an allowance for long-term repair and replacement of improvements.

The CFD may fund any of the following related to the maintenance of the services described above: obtaining, repairing, reconstructing, furnishing, operating and maintaining equipment, apparatus or facilities related to providing the services and/or equipment, apparatus, facilities or fixtures in areas to be maintained, paying the salaries and benefits of the personnel necessary or convenient to provide the services, and other related expenses and the provision of reserves for repairs and replacements for the future provision of services. It is expected that the services will be provided by the City, either with its own employees or by contract with third parties, or any combination thereof. The CFD may also fund administrative fees of the City related to the CFD.

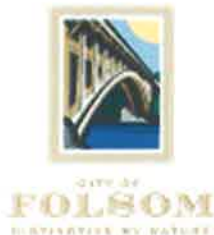
Fiscal Year 2020/21 Collections & Expenditures

Facilities

06/30/2020 Balance	Amount Collected	Expended Amount	06/30/2021 Balance	Project Status
\$0	\$0	\$0	\$0	On-going

Services

06/30/2020 Balance	Amount Collected	Expended Amount	06/30/2021 Balance	Project Status
\$0	\$0	\$0	\$0	On-going



Folsom City Council Staff Report

MEETING DATE:	12/14/2021
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10751 – A Resolution of the City Council Making Findings to Continue Teleconferencing Options for Public Meetings Under AB 361
FROM:	City Attorney's Office

RECOMMENDATION / CITY COUNCIL ACTION

Staff respectfully recommends that the City Council pass and adopt the following Resolution:

Resolution No 10751 - A Resolution of the City Council Making Findings to Continue Teleconferencing Options for Public Meetings Under AB 361.

BACKGROUND / ISSUE

Pursuant to AB 361, the City Council passed Resolution No. 10737 on October 26, 2021 to allow public meetings to continue offer teleconferencing as an option. In order to continue offering teleconferencing as an option for public meetings, **City Council action is required every 30 days.**

The rapid spread of the novel coronavirus 2019 (COVID-19) throughout California and the United States caused Governor Newsom to declare a state of emergency on March 4, 2020. The Sacramento County Board of Supervisors ratified the declaration of a state of emergency by the County Health Officer on March 10, 2020, and the Folsom City Council made a similar declaration of a local emergency on March 16, 2020.

In an effort to promote social distancing and reduce the rapid spread of COVID-19, Governor Newsom signed Executive Order N-29-20 on March 17, 2020 to allow public meetings be conducted via teleconferencing. Pursuant to the Governor's Executive Order N-08-21 dated June 11, 2021, Executive Order N-29-20 applies through the end of September 30, 2021.

California Legislature passed Assembly Bill 361 as an urgency measure to allow local governments to continue offer teleconferencing as an option for public meetings. AB 361 was signed into law by Governor Newsom on September 16, 2021, and becomes operative on October 1, 2021.

POLICY / RULE

In order for the City to continue to offer teleconferencing as an option in public meetings, **AB 361 requires findings be made every 30 days** that the nature of the emergency continues to impact the ability to meet safely in person, or that the State or local officials continue to impose or recommend social distancing.

ANALYSIS

In light of the expiration of Executive Order N-29-20, California Legislature passed Assembly Bill 361 as an urgency measure to allow public meetings to continue to offer teleconferencing as an option, provided that the local legislative body makes findings every 30 days that the nature of the emergency continues to impact the ability to meet safely in person, or that the State or local officials continue to impose or recommend social distancing.

Notwithstanding national and local vaccination efforts, new variants of COVID-19 have continued the wide spread of COVID-19 throughout communities. The COVID-19 public health emergency continues to pose a threat to the public's health and safety, and the circumstances of the State of Emergency proclaimed by Governor Newsom on March 4, 2020 have not yet been abated.

Due to the fact that the COVID-19 public health emergency continues to impact the ability to meet safety in person, and that state and local officials continue to recommend social distancing, the City Council has the ability to make necessary findings under AB 361 to allow the City to continue offer teleconferencing as an option for City public meetings.

FINANCIAL IMPACT

Negligible.

ENVIRONMENTAL REVIEW

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

ATTACHMENT

1. Resolution No. 10751 – A Resolution of the City Council Making Findings to Continue Teleconferencing Options for Public Meetings Under AB 361

Respectfully submitted,

Steven Wang, City Attorney

RESOLUTION NO. 10751**A RESOLUTION OF THE CITY COUNCIL MAKING FINDINGS TO CONTINUE TELECONFERENCING OPTIONS FOR PUBLIC MEETINGS UNDER AB 361**

WHEREAS, the Governor of the State of California proclaimed on March 4, 2020 a State of Emergency to exist in California as a result of the threat from the rapid spread of a respiratory illness caused by novel coronavirus 2019 (COVID-19); and

WHEREAS, on March 10, 2020 the Sacramento County Board of Supervisors ratified the County Public Health Officer's Proclamation of Local Public Health Emergency in Sacramento County due to the threat to public health and safety from COVID-19; and

WHEREAS, on March 16, 2020, the City Council adopted Resolution No. 10408 and proclaimed the existence of a local emergency in the City of Folsom; and

WHEREAS, Sacramento County has documented community transmission of COVID-19, with multiple cases of diagnosed patients and fatalities, and the County Health Officer has recommended measures to promote social distancing to prevent rapid transmission of COVID-19; and

WHEREAS, Governor Newsom signed Assembly Bill 361 on September 16, 2021 to allow meetings of legislative bodies to be conducted via teleconference, starting October 1, 2021, provided that findings are made every 30 days to continue teleconference meetings under AB 361.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Folsom hereby finds that it has reconsidered the circumstances of the State of Emergency, that the COVID-19 public health emergency continues to impact the ability to meet safely in person, and that State or local officials continue to impose or recommend social distancing.

BE IT FURTHER RESOLVED that public meetings of the City of Folsom may continue to offer teleconferencing as an option under AB 361.

PASSED AND ADOPTED this 14th day of December, 2021, by the following roll-call vote:

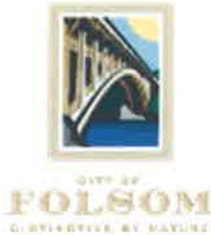
AYES: Councilmember(s):
NOES: Councilmember(s):
ABSENT: Councilmember(s):
ABSTAIN: Councilmember(s):

Michael D. Kozlowski, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

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Folsom City Council Staff Report

MEETING DATE:	12/14/2021
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10752 – A Resolution Authorizing the City Manager to Execute Amendment No. 1 to the Agreement (Contract No. 173-21 20-034) with Water Works Engineers, LLC for Design Services for the Folsom Blvd. 27-Inch Trunk Sewer Project (SECAP 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. 10752 - A Resolution Authorizing the City Manager to Execute Amendment No. 1 to the Agreement (Contract No. 173-21 20-034) with Water Works Engineers, LLC for Design Services for the Folsom Blvd. 27-Inch Trunk Sewer Project (SECAP Project).

BACKGROUND / ISSUE

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

In July 2020, through Resolution No. 10486, City Council authorized an agreement with Water Works Engineers, LLC to provide design services for the Folsom Blvd. 27-Inch Trunk Sewer Project (SECAP Project). The agreement with Water Works Engineers, LLC covered additional field studies (i.e., potholing, surveying), CEQA, alternative analysis of two

constraints including the pipeline crossing of Willow Creek and a high point in the existing 27-inch sewer pipeline at the intersection of Folsom Blvd. and Blue Ravine, environmental permitting, and 50% design level plans. Amendment No. 1 is for Water Works Engineers, LLC to provide additional design services in order to take the 50% design level plans to 100% design level plans.

This resolution will authorize the City Manager to execute Amendment No. 1 to the Agreement (Contract No. 173-21 20-034) with Water Works Engineers, LLC for design services for the Folsom Blvd. 27-Inch Trunk Sewer Project (SECAP Project).

POLICY / RULE

In accordance with Chapter 2.36 of the Folsom Municipal Code, supplies, equipment, services, and construction with a value of \$62,657 or greater shall be awarded by City Council.

ANALYSIS

The original design scope of work for the Folsom Blvd. 27-Inch Trunk Sewer Project (SECAP Project) included developing 50% design level plans to address project constraints at the creek crossing and at the intersection of Folsom Blvd. and Blue Ravine. Now that the project constraints have been analyzed, the scope of work within Amendment No. 1 includes:

- Update Field Studies for Final Design
- Prepare the CEQA Notice of Exemption
- Develop 80% Design Drawings and Project Specifications
- Develop 100% Design Drawings and Project Specifications
- Provide Engineering Services During Bidding

This resolution will authorize the City Manager to execute Amendment No. 1 to the agreement (Contract No. 173-21 20-034) with Water Works Engineers, LLC for design services for the Folsom Blvd. 27-Inch Trunk Sewer Project (SECAP Project). Amendment No. 1 will be in the amount of \$164,714 and the new total contract amount, including Amendment No. 1 is \$388,135.

FINANCIAL IMPACT

The Folsom Blvd. 27-Inch Trunk Sewer Project (SECAP Project) is included in the Capital Improvement Plan with a Fiscal Year 2021-22 project budget of \$6,005,000. The Environmental & Water Resources Department recommends that Amendment No. 1 to the agreement (Contract No. 173-21 20-034) for design services be awarded to Water Works Engineers, LLC for an additional \$164,714 for a new total contract not to exceed amount of \$388,135. Sufficient funds are budgeted and available in the Sewer Capital Fund (Fund 531) in Fiscal Year 2021-22.

ENVIRONMENTAL REVIEW

An initial review of the project indicates that the project likely qualifies for a “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, Section 15301 (Existing Facilities), 15302 (Replacement or Reconstruction), and/or 15304 (minor Alterations to Land). In the event that any findings require additional CEQA work or analysis beyond the work required for the Notice of Exemption this will be brought back to City Council for consideration and approval.

ATTACHMENT

Resolution No. 10752 - A Resolution Authorizing the City Manager to Execute Amendment No. 1 to the Agreement (Contract No. 173-21 20-034) with Water Works Engineers, LLC for Design Services for the Folsom Blvd. 27-Inch Trunk Sewer Project (SECAP Project)

Submitted,

Marcus Yasutake, Director

ENVIRONMENTAL AND WATER RESOURCES DEPARTMENT

RESOLUTION NO. 10752

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO. 1 TO THE AGREEMENT (CONTRACT NO. 173-21 20-034) WITH WATER WORKS ENGINEERS, LLC FOR DESIGN SERVICES FOR THE FOLSOM BOULEVARD 27-INCH TRUNK SEWER PROJECT (SECAP PROJECT)

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

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

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

WHEREAS, Water Works Engineers, LLC by reason of their past experience and abilities for performing these types of services, are qualified to perform the required engineering services for the project; and

WHEREAS, sufficient funds are budgeted and available in the Sewer Capital Fund (Fund 531) in the amount of \$164,714; 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 Amendment No. 1 to the Agreement (Contract No. 173-21 20-034) with Water Works Engineers, LLC for Design Services for the Folsom Blvd. 27-Inch Trunk Sewer Project (SECAP Project) in the amount of \$164,714, bringing the new total contract amount, including Amendment No. 1 to \$388,135.

PASSED AND ADOPTED this 14th day of December 2021, by the following roll-call vote:

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

Michael D. Kozlowski, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK



FOLSOM
CITY COUNCIL

Folsom City Council Staff Report

MEETING DATE:	12/14/2021
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10753 – A Resolution Authorizing the Police Department to Accept a U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, Alzheimer’s & Developmental Disability Tracking Devices Grant in The Amount Of \$121,491 and Appropriation of Funds
FROM:	Police Department

RECOMMENDATION / CITY COUNCIL ACTION

Staff recommends that the City Council approve Resolution No. 10753 – A Resolution Authorizing the Police Department to Accept a U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, Alzheimer’s & Developmental Disability Tracking Devices Grant in The Amount Of \$121,491 and Appropriation of Funds.

BACKGROUND / ISSUE

The Folsom Police Department utilizes all resources to assist in the location of a missing person. Both the Police and Fire Departments employ a person-centered approach that minimizes restrictive interventions and has a direct link to individuals and families of individuals with forms of dementia or developmental disabilities. Some of these individuals are already enrolled in the progressive location assistance services offered currently: H.E.L.P. (Help Every Lost Person), Project Lifesaver, and Vitals Aware Services. Unfortunately, many Folsom residents are unaware of these services that may benefit them. With the assistance of grant funding, the Police Department can address the problem by raising awareness and purchasing and providing tracking technology “tool kits” for those individuals who are identified as being at risk and wish to voluntarily participate in the Department’s program. These tool kits will include the offering of enrollment in the three assistance programs already offered as well as tracking technology such as a Project

Lifesaver transmitter band and/or Vitals beacon. Additionally, we intend to partner with Ring video doorbells and offer their products to qualified residents as part of the tool kit.

With additional funding we plan to expand our assistance programs to ensure the safety and reduce the incidence of wandering persons, facilitate their rescue and recovery, and recognize or respond appropriately to calls involving these individuals. In order to accomplish these goals, the Folsom Police Department has been awarded a Grant in the amount of \$121,491.

These funds will be used to reimburse the Folsom Police Department for tracking device equipment and supplies, alert programs, and training devices. There are no matching fund requirements associated with this grant and the grant activity period runs from October 1, 2021 through September 30, 2024.

POLICY / RULE

This grant acceptance and appropriation of funds requires City Council approval.

ANALYSIS

By participating in the Alzheimer's & Developmental Disability Tracking Devices Grant program, the Police Department will offer the community life-saving technology at no cost and assist the Office of Justice Programs in developing best practices for these noninvasive and nonpermanent tracking methods. The goal of this proactive program is to purchase, develop, and implement locally based tracking technology for individuals with forms of dementia such as Alzheimer's disease or developmental disabilities such as autism or Down's Syndrome, who, due to their condition, wander from safe environments

FINANCIAL IMPACT

There is no fiscal impact associated with this grant. Equipment, supplies, alert programs, and training device costs related to work done under the Alzheimer's & Developmental Disability Tracking Devices grant will be reimbursed by the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance. The grant funding as well as associated expenses will require an additional appropriation in the Fiscal Year 2021-22 Police Department Budget in the General Fund (Fund 010). The requested appropriation for FY 2021 – 22 is \$49,098.44. The remainder of the grant expenses and revenue will be included in the FY 2022-23 (36,443.48) and 2023-24 (35,948.08) during the budget process for those fiscal years.

ENVIRONMENTAL REVIEW

There is no environmental impact.

ATTACHMENTS

Resolution No. 10753 – A Resolution Authorizing the Police Department to Accept a U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, Alzheimer's & Developmental Disability Tracking Devices Grant in The Amount Of \$121,491 and Appropriation of Funds

Submitted,



Richard Hillman, Chief of Police

RESOLUTION NO. 10753

A RESOLUTION AUTHORIZING THE POLICE DEPARTMENT TO ACCEPT A U.S. DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, BUREAU OF JUSTICE ASSISTANCE, ALZHEIMER’S & DEVELOPMENTAL DISABILITY TRACKING DEVICES GRANT IN THE AMOUNT OF \$121,491 AND APPROPRIATION OF FUNDS

WHEREAS, the City of Folsom’s Mission is to provide a safe, healthy, and vibrant community through innovation, responsive, and effective delivery of services to maintain and enhance the quality of life of our residents; and,

WHEREAS, the city of Folsom’s Core Values support innovations; and,

WHEREAS, the Police Department believes the program will enhance and expand public safety efforts; and,

WHEREAS, the Police Department has been awarded a grant in the amount of \$121,491 to fund this project; and,

WHEREAS, an additional appropriation will be required in the Police Department FY 2021-22 Budget in the General Fund (Fund 010), in the amount of \$49,098; 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 acceptance of a grant titled the Alzheimer’s and Developmental Disability Tracking Devices Grant from the Department of Justice in the amount of \$121,491.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Finance Director is authorized to appropriate an additional \$49,098 in the Fiscal Year 2021-22 Police Department Budget in the General Fund (Fund 010) to be reimbursed by the Department of Justice.

PASSED AND ADOPTED this 14th day of December, 2021, by the following roll-call vote:

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

Michael D. Kozlowski, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK



CITY OF
FOLSOM
JUSTITIAS ET JUSTITIAE

Folsom City Council Staff Report

MEETING DATE:	12/14/2021
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10754 – A Resolution Authorizing the City Manager to Execute an Agreement with Downtown Ford Sales to Purchase Two Ford Trucks for the Parks & Recreation Department
FROM:	Parks and Recreation Department

RECOMMENDATION / CITY COUNCIL ACTION

The Parks & Recreation Department recommends that the City Council pass and adopt Resolution No. 10754 - A Resolution Authorizing the City Manager to Execute an Agreement with Downtown Ford Sales to Purchase Two Ford Trucks for the Parks & Recreation Department.

BACKGROUND / ISSUE

On May 25, 2021, The City Council appropriated \$82,000 for the purchase of two trucks for the Parks and Recreation Department in the General Fund.

POLICY / RULE

Section 2.36.120 of the Folsom Municipal Code states, in part, that contracts for supplies, equipment, services and construction with an estimated value of \$62,657 or greater shall be awarded by the City Council.

ANALYSIS

Staff received three bids for the trucks with the lowest bid received at \$41,770.29 per truck from Downtown Ford Sales.

The vehicles are needed to replace an aging vehicle in the Lighting and Landscape division that is no longer reliable as well as to obtain a properly outfitted vehicle for part-time park maintenance staff assigned to park renovation projects. Three quotes were obtained from local Ford dealerships with the lowest bid received coming from Downtown Ford Sales in the amount of \$41,770.29 per truck which includes delivery, sales tax and tire fees.

FINANCIAL IMPACT

A total of \$82,000 was appropriated in the Fiscal Year 2021-22 Operating Budget for the purchase of two trucks for the Parks and Recreation Department. The Lighting and Landscape Services division had \$40,000 appropriated and can absorb the additional \$1,770.29 for one vehicle. The Park Maintenance division had \$42,000 appropriated for one vehicle in the General Fund (Fund 010) in Fleet Management.

There are sufficient funds available in the Fiscal Year 2021-22 General Fund (Fund 010) Operating Budget for the purchase of two vehicles.

ENVIRONMENTAL REVIEW

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

ATTACHMENTS

1. Resolution No. 10754 - A Resolution Authorizing the City Manager to Execute an Agreement with Downtown Ford Sales to Purchase Two Ford Trucks for the Parks & Recreation Department

Submitted,

Lorraine Poggione,
Parks and Recreation Director

RESOLUTION NO. 10754

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH DOWNTOWN FORD SALES TO PURCHASE TWO FORD TRUCKS FOR THE PARKS & RECREATION DEPARTMENT

WHEREAS, on May 25, 2021, City Council appropriated \$82,000 to replace two vehicles for Parks and Recreation; and

WHEREAS, three quotes were obtained and the lowest cost for each vehicle is \$41,770.29 at Downtown Ford Sales; and

WHEREAS, sufficient funds are budgeted and available in the Fiscal Year 2021-22 General Fund Operating Budget (Fund 010) for both vehicles;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Folsom that the City Manager is hereby authorized to execute an agreement, in a form acceptable to the City Attorney, with Downtown Ford Sales to purchase two Ford trucks for the Parks & Recreation Department in a not-to-exceed amount of \$83,540.58.

PASSED AND ADOPTED this 14th day of December, 2021 by the following roll-call vote:

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

Michael D. Kozlowski, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

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Folsom City Council Staff Report



MEETING DATE:	12/14/2021
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10755 - A Resolution Authorizing the City Manager to Execute Amendment No. 3 to the Contract with Kimley-Horn and Associates, Inc. for Grant Application Assistance for the Folsom Placerville Rail Trail Project (Contract No. 173-21 17-013) and Appropriation of Funds
FROM:	Parks and Recreation Department

RECOMMENDATION / CITY COUNCIL ACTION

Staff Recommends the City Council Approve Resolution No. 10755 – A Resolution Authorizing the City Manager to Execute Amendment No. 3 to the Contract with Kimley-Horn and Associates, Inc. for Grant Application Assistance for the Folsom Placerville Rail Trail Project (Contract No. 173-21 17-013) and Appropriation of Funds.

BACKGROUND / ISSUE

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

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

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

Placerville Rail Trail Project. The objective in applying for the grant is to seek the remaining funding needed to complete the design and obtain funds for construction.

With City Council approval, Kimley-Horn and Associates is prepared to assist the City with submitting a grant application for Caltrans ATP Cycle 6 to fully fund the Folsom-Placerville Rail Trail Project.

POLICY / RULE

In accordance with Chapter 2.36 of the Folsom Municipal Code, Public Works projects or purchases costing \$62,657 or greater shall be awarded by the City Council.

ANALYSIS

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

The Folsom-Placerville Rail Trail Contract Amendment No. 1 authorized for Kimley-Horn and Associates to prepare additional environmental studies requested by Caltrans during the environmental review phase of the project. The Folsom-Placerville Rail Trail Contract Amendment No. 2 authorized additional services from Kimley-Horn and Associates to prepare the Initial Study/Mitigated Negative Declaration for the proposed project. Contract Amendment No. 3 would authorize Kimley-Horn and Associates to assist the City with the preparation of a grant application for the Active Transportation Program (ATP) Cycle 6 Medium Infrastructure grant application as provided by the Caltrans Division of Local Assistance (DLA). The grant application will be prepared in a manner consistent with the Caltrans published guidelines.

The extra work associated with the proposed grant assistance services is an amount not-to-exceed \$23,937.25 for a total contract amount of \$312,206.25.

FINANCIAL IMPACT

The current contract with Kimley-Horn and Associates, is in the amount of \$288,629. Contract Amendment No. 3, which provides grant assistance services, is an amount not-to-exceed \$23,937.25 which would come from the Transportation System Management Fund (Fund 206) to cover the grant application assistance services. The total value of the amended contract will increase to \$312,566.5. The Transportation System Management Fund has funding available for the additional appropriation. This additional appropriation will be as a transfer from the Transportation System Management Fund to the Trail Grant Fund (Fund 223) and will also increase the project budget to \$1,233,838.

ENVIRONMENTAL REVIEW

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

ATTACHMENT

1. Resolution No. 10755 – A Resolution Authorizing the City Manager to Execute Amendment No. 3 to the Contract with Kimley-Horn and Associates, Inc. for Grant Application Assistance for the Folsom Placerville Rail Trail Project (Contract No. 173-21 17-013) and Appropriation of Funds

Submitted,

Lorraine Poggione,
Parks and Recreation Department Director

RESOLUTION NO. 10755

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO. 3 TO THE CONTRACT WITH KIMLEY-HORN AND ASSOCIATES, INC. FOR GRANT APPLICATION ASSISTANCE FOR THE FOLSOM PLACERVILLE RAIL TRAIL PROJECT (CONTRACT NO. 173-21 17-013) AND APPROPRIATION OF FUNDS

WHEREAS, on February 27, 2017 Kimley-Horn and Associates was selected based on their qualifications and experience in engineering design services; and

WHEREAS, it was determined that additional grant funding is necessary to complete the full scope of the project; and

WHEREAS, the additional cost for grant assistance services is \$23,937.25, for a revised total not-to-exceed contract amount of \$312,566.50; and

WHEREAS, there are sufficient funds available in the Transportation System Management Fund (Fund 206) in Fiscal Year 2021-22 for the additional appropriation in the amount of \$23,937.25 for a total project budget of \$1,233,838.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Folsom authorizes the City Manager to execute Amendment No. 3 in the amount of \$23,937.25 to the contract with Kimley-Horn and Associates for grant funding assistance for the Folsom Placerville Rail Trail Project.

BE IT FURTHER RESOLVED that the Finance Director is authorized to appropriate an additional \$23,937.25 from the Transportation System Management Fund (Fund 206) as a transfer to the Trail Grant Fund (Fund 223).

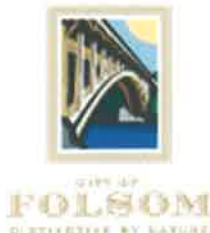
PASSED AND ADOPTED this 14th day of December 2021, by the following roll-call vote:

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

Michael D. Kozlowski, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK



Folsom City Council Staff Report

MEETING DATE:	12/14/2021
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10757 – A Resolution Authorizing the City Manager to Execute a Lease Agreement Between the City of Folsom and Kelli Vaccaro, a Sole Proprietor Doing Business as Kid’s Inc., for Lease of City Property Located at 405 Natoma Station Drive
FROM:	Parks and Recreation Department

RECOMMENDATION / CITY COUNCIL ACTION

The Parks and Recreation Department recommends that the City Council pass and adopt Resolution No. 10757- A Resolution Authorizing the City Manager to Execute a Lease Agreement Between the City of Folsom and Kelli Vaccaro, a Sole Proprietor Doing Business as Kid’s Inc., for Lease of City Property Located at 405 Natoma Station Drive.

BACKGROUND / ISSUE

On April 23, 2021, the City released a Request for Proposal (RFP) to lease the city-owned building space at 405 Natoma Station Drive. One proposal was received and was deemed non-responsive. On June 22, 2021 City Council approved Resolution No. 10654-A Resolution Rejecting all Bids for Short or Long Term Lease at 405 Natoma Station Drive. Staff received direction to re-issue the RFP and include additional advertising venues to expand the reach. On July 12, 2021, the RFP was re-issued with proposals being due on August 31, 2021.

POLICY / RULE

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

ANALYSIS

On August 31, 2021 one proposal was received from Kid's Inc. Staff assembled a team of seven reviewers; six (6) were city staff and one (1) person was from the Folsom Greater Partnership. Staff reviewed the proposal and had several follow-up questions regarding obtaining full-year financial information, repayment terms for their Paycheck Protection Program (PPP) loan, estimated value of tenant improvements, clarification about a sub-lease clause, and confirmation that the applicant would be paying for the interior Americans with Disabilities Act (ADA) improvements.

There were a few additional requests and terms that required further direction from City Council. Those items were discussed at closed session on November 9 and staff received the direction needed to proceed with creating the Lease Agreement in Attachment 2. Kid's Inc. has reviewed and commented on the attached lease and is prepared to sign the agreement should City Council approve this Resolution.

Below are the major terms of the proposed lease:

- 10-year lease with option to renew the lease for two additional terms of 5 years each, for a potential total term of 20 years
- Lease term would begin April 1, 2022 and end March 31, 2032 (initial 10 years)
- City to waive up to \$4,500 in City-imposed building permit fees for tenant improvements
- Lessee is solely responsible for all interior improvements necessary to comply with the Americans with Disabilities Act (ADA)
- Lessee will be allowed to enter the premises on December 20, 2021 through March 31, 2022 without payment of rent to construct and install tenant improvements
- Lessee shall pay \$2.00 per square foot in rent (the building is 10,000 square feet). Annual escalator will be 3%.

FINANCIAL IMPACT

In year 1, monthly revenue will be \$20,000 or \$240,000 annually. By year 10, monthly revenue will be \$26,095 or \$313,140 annually. City is responsible to complete exterior ADA improvements which are estimated to be approximately \$120,000 and other landscape and irrigation repairs estimated at approximately \$20,000. Sufficient funds are available in the General Fund in the Facilities Budget (Fund 010).

ENVIRONMENTAL REVIEW

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

ATTACHMENTS

1. Resolution No. 10757 - A Resolution Authorizing the City Manager to Execute a Lease Agreement Between the City of Folsom and Kelli Vaccaro, a Sole Proprietor Doing Business as Kid's Inc., for Lease of City Property Located at 405 Natoma Station Drive
2. Proposed Lease Agreement between the City of Folsom and Kelli Vaccaro, Sole Proprietor Doing Business as Kid's Inc.

Submitted,

Lorraine Poggione, Director of Parks and Recreation

ATTACHMENT NO. 1

RESOLUTION NO. 10757

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE AGREEMENT BETWEEN THE CITY OF FOLSOM AND KELLI VACCARO, A SOLE PROPRIETOR DOING BUSINESS AS KID’S INC., FOR LEASE OF CITY PROPERTY LOCATED AT 405 NATOMA STATION DRIVE

WHEREAS, the City Council desires to lease the City-owned building at 405 Natoma Station Drive; and

WHEREAS, a Request for Proposal (RFP) was released on April 23, 2021 with one non-responsive submittal; and

WHEREAS, City Council directed staff to re-issue RFP on June 22, 2021; and

WHEREAS, the RFP was re-issued on July 12, 2021, and one proposal was received on August 31, 2021 which was deemed to be responsive; and

WHEREAS, the City desires to enter into a lease agreement with Kelli Vaccaro, a sole proprietor doing business as Kid’s Inc. for the lease of City-owned building at 405 Natoma Station Drive.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Folsom that the City Manager is hereby authorized to execute a lease agreement, in a form to be approved by the City Attorney, between the City of Folsom and Kelli Vaccaro, a sole proprietor doing business as Kid’s Inc., for the lease of City-owned building at 405 Natoma Station Drive.

PASSED AND ADOPTED this 14th day of December 2021, by the following roll-call vote:

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

Michael D. Kozlowski, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

ATTACHMENT NO. 2

LEASE AGREEMENT

This Lease Agreement is made and entered into as of this ___ day of December, 2021 between the City of Folsom (“Lessor”) and Kelli Vaccaro, a sole proprietor doing business as Kids Inc. (“Lessee”).

WHEREAS, Lessor owns of the former Brighton School building located at 405 Natoma Station Drive in Folsom, California, comprising approximately 10,314 square feet of building area (the “Facility”), described more fully in Exhibit A attached hereto and incorporated herein by reference.

WHEREAS, Lessor hereby leases to Lessee and Lessee leases from Lessor for the term, at the rental, and upon all the conditions set forth herein the Facility, together with all improvements thereon and appurtenances thereto, and subject to the conditions set forth below, the continuous and uninterrupted right of Lessee and its officers, employees, business invitees, customers and patrons, of access to and from Facility.

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

1. TERM. The term of this Lease shall be ten (10) years, commencing April 1, 2022 and ending on March 31, 2032, unless sooner terminated pursuant to any provisions hereof. Lessee has the option to renew the Lease for two additional terms of 5 years each upon giving Lessor not less than 180 days prior written notice of Lessee’s exercise of said option prior to the expiration of the initial or subsequent extended term. Failure to provide notice within the time herein provided to exercise the first option shall cause both options to terminate. Rent during the option term(s) shall be the then-prevailing market rent as determined by the Lessor at Lessor’s reasonable discretion following consultation with the Lessee.

2. RENT. Lessee shall pay to Lessor as rent for use of the Facility at the rates shown in Exhibit B attached hereto and incorporated herein by reference. This Lease is net of taxes, utilities, and insurance.

3. USE. During the term of this Lease, and any renewal hereof, Lessee shall use the Facility only as a preschool and childcare center, including afterschool programs, and for no other use. Included in this Lease is the non-exclusive license to Lessee for Lessee to use up to 83 parking spaces in the parking lot and up to 5 (non-ADA stalls) designated parking stalls for transport vans for purposes associated with this Lease. Lessee shall not permit any act or acts in or on the Facility or use the Facility or suffer it to be used in any manner which will cause a cancellation of any fire, liability, or other insurance policy covering the Facility or any part thereof.

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4. REPAIRS, MAINTENANCE, AND UTILITIES.

a. Lessor hereby grants Lessee a temporary license to enter into the Facility to construct and install Lessee's tenant improvements from December 20, 2021 through March 31, 2022 without payment of rent. Lessee shall bear all risks of loss, including but not limited to personal injury and property damage, while operating under this license.

b. Lessor agrees to waive up to \$4,500 in City-imposed building permit fees for tenant-improvements to the Facility desired by Lessee. Lessee shall comply with all City requirements for project submittal, plan review, plan check, inspection, and pay all fees (including non-City fees) applicable to Lessee's improvements except for the amount waived above. Subject to the foregoing, Lessee is solely responsible for all interior improvements necessary to comply with the Americans with Disabilities Act (ADA) at Lessee's sole cost and expense.

c. Lessor warrants that all operating systems in the Facility, including without limitation, HVAC, plumbing, electrical, and lighting shall be in good working order for the first 6 months of the Lease term. Except for warranty defects, Lessee shall maintain repair and replace all operating systems, including without limitation, HVAC, plumbing, electrical, and lighting, and shall procure an HVAC maintenance contractor to service and maintain HVAC.

d. Lessee shall provide and pay for maintenance and repair of the exterior area of the Facility, including, but not limited to, the exterior roof, mechanical units, and exterior side walls; provided that Lessee shall not be responsible for maintenance or repair attributable to exterior landscaping and irrigation of the Facility.

e. The Lessee shall pay the total cost of the water, sewer, electricity, gas, telephone, internet, communication services, alarm services, and other utility services inside the Facility.

f. The Lessee shall provide, perform, and pay for maintenance, repair, and janitorial services for the Facility.

5. ALTERATIONS AND IMPROVEMENTS. Lessee shall have the right to make alterations and improvements to the Facility subject to the following terms and conditions:

a. No alterations or improvements made by Lessee shall in any way impair the structural stability of the building or diminish the value of the property.

b. All alterations or improvements (except for interior painting, and hanging of pictures or similar objects) shall be first approved in writing by the Lessor, but said approval shall not be unreasonably withheld by Lessor.

c. Lessee shall keep the Facility and every part of the Facility free and clear of any mechanics' liens or other liens arising out of the construction of any such alterations or improvements.

d. All alterations and improvements made to the Facility shall become the property of the Lessor and shall remain on and be surrendered with the Facility at the expiration or sooner termination of this Lease or any renewal or extension of this Lease.

e. Lessee's personal property and its trade fixtures, including machinery, equipment, and furnishings, shall remain the property of Lessee and may be removed by Lessee. Any personal property, trade fixtures, or equipment not removed by Lessee within thirty (30) days after the termination of this Lease or any extension thereof, shall automatically become the property of the Lessor. Lessee shall repair any damage to the Facility caused by Lessee's removal of its personal property, trade fixtures, or equipment, but Lessee shall have no obligation to remove such items from the Facility at any time.

6. ENTRY AND INSPECTION. Lessee shall permit Lessor or Lessor's agents to enter the Facility at all reasonable times and upon reasonable notice for the purpose of inspecting the Facility, and shall permit Lessor, at any time within sixty (60) days prior to the expiration of this Lease to place upon the Facility any usual "To Let" or "For Lease" signs, and permit persons desiring to lease the Facility to inspect the Facility at reasonable times.

7. HAZARDOUS MATERIALS. Lessee shall not use, store, or dispose of any hazardous substances upon the Facility, except the use and storage of such substances that are customarily used in Lessee's business, and are in compliance with all environmental laws. Hazardous substances means any hazardous waste, substance, or toxic materials defined or regulated under any law or regulations.

8. MECHANICS LIENS. Lessee agrees to keep the Facility from any and all claims of claims of persons or firms or corporations who, at the request of Lessee or its employees or contractors, furnish labor or materials to or for the benefits of the Facility and Lessee further agrees to hold Lessor harmless from any and all claims.

9. DAMAGE/DESTRUCTION. If the Facility is damaged or destroyed in whole or in part by fire other casualty strictly unrelated to Lessee's actions, inactions, or operations, Lessor shall repair and restore the Facility to a good tenantable condition. Rent shall abate wholly if the entire Facility is untenable, or shall abate pro rata for the portion rendered untenable in case only a portion of the Facility is untenable, until the Facility is restored to a tenantable condition. Lessor shall commence and complete all work required to be done under this Section with reasonable promptness and diligence, but Lessor shall not in default in any required performance if delay in performance results from, flood, storm, labor disputes, shortage of materials or transportation facilities, governmental regulations, war, act of God or other causes beyond Lessor's reasonable control. If Lessor shall not commence such repair or restoration within thirty (30) days after such damage or destruction shall occur or if repair or restoration will require more than one hundred twenty (120) days to complete, Lessor or Lessee may thereafter, at its option, terminate this Lease by giving written notice of its election to do so at any time prior to the commencement of such repair or restoration. In that event, this Lease shall terminate as of the date such notice is received by the intended recipient of the notice.

Notwithstanding any other provisions to the contrary, Lessee shall insure and shall be solely responsible for repairing and restoring Lessee's trade fixtures and personal property located in or on the Facility in the event of damage or destruction of the Facility.

10. FIRE INSURANCE. Lessee shall maintain, during the term of this Lease and any renewal hereof, coverage against loss or damage to the Facility in the amount of not less than ninety (90) percent of its full insurable value, against perils included within the classifications of fire, extended coverage, vandalism, malicious mischief, and special extended perils.

11. INSURANCE. Lessee, at its sole cost, shall maintain liability and property damage insurance during the entire term of this Lease as required in Exhibit C attached hereto and incorporated herein by reference.

12. SIGNS. Any and all signs or advertisements of any nature extending into, on, or located over the Facility, shall conform to all City of Folsom zoning and building codes and shall be approved by Lessor in writing prior to construction, use, or erection thereof.

13. TAXES. The terms of this Lease may result in the creation of a possessory interest. If such possessory interest is vested in a private party to this Lease, the private party may be subjected to payment of personal property taxes levied on such interest. Lessee shall be solely responsible for the payment of, and shall pay before they become delinquent, all taxes, assessments and fees assessed or levied upon Lessee or the Facility, or any interest therein, including, but not limited to, buildings, structures, fixtures, equipment or other property installed, or constructed thereon. Lessee further agrees not to allow such taxes, assessments or fees to become delinquent and as such to become a lien against the Facility or any improvement thereto. Nothing herein contained shall be deemed to prevent or prohibit Lessee from contesting the validity or amount of any such tax, assessment or fee in the manner authorized by law. The obligation to make any payments pursuant to this Section shall survive the expiration of the term of this Lease.

Unless otherwise provided by this Section, Lessee shall pay Lessor any other taxes, assessments, or fees, which the Lessor may become obligated to pay in connection with the ownership or maintenance of the Facility.

14. ASSIGNMENT AND SUBLETTING. Lessee shall not encumber, assign, sublet, or otherwise transfer this Lease, any right or interest in this Lease, or any right or interest in the Facility, without the prior written consent of Lessor, which may be withheld at Lessor's sole and complete discretion. A consent of Lessor to one assignment, subletting, or occupation and use by another person shall not be deemed to be a consent to any subsequent assignment, subletting, or occupation and use by another person. Any encumbrance, assignment, transfer, or subletting in violation of this requirements hereof, whether it be voluntary or involuntary, by operation of law, or otherwise, is void and shall, at the option of Lessor, terminate this Lease.

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15. TERMINATION OF LEASE.

a. In the event the Lessee determines in good faith that it no longer practicably, economically, or operationally can do business from the Facility, upon making a reasonable showing of same to Lessor, Lessee shall have the right to terminate this Lease upon giving ninety (90) days prior written notice to Lessor.

b. It is understood and agreed by the parties hereto that Lessor shall and hereby does reserve the right to cancel or terminate this Lease prior to expiration of the term or renewed or extended term hereof as follows:

- (i) If the Lessee is in default or breach of this Lease, as specified in Section 18 of this Lease or as otherwise provided by law; or,
- (ii) Upon 365 days notice without cause.

16. RIGHTS AFTER TERMINATION. In the event of termination for default or unsatisfactory performance by the Lessee, the Lessor shall have the right (unless otherwise specified in the termination notice), at once and without further notice to the Lessee, or surety, to enter and take possession of the Facility occupied by the Lessee, and expel, oust and remove any and all parties who may occupy any portion of the Facility covered by this Lease, and any and all goods and chattels belonging to the Lessee or his associates which may be found in or upon same, without being liable for prosecution or to any claim for damages therefor. Upon such termination by the Lessor, all rights, powers and privileges of the Lessee shall cease, and the Lessee shall immediately vacate any and all space occupied by Lessee under this Lease, and shall make no claims of any kind whatsoever against the Lessor, its agents or representatives, by reason of such termination, or any act incident thereto.

17. COMPLIANCE WITH LAWS. During the term of this Lease and any renewals hereof, Lessee shall promptly execute and comply with all Federal, State, County, and City statutes, ordinances, regulations, laws, or other requirements applicable to the occupancy of the Facility, and the operation of the Facility as a preschool and childcare center.

18. DEFAULTS/REMEDIES.

LESSEE:

The occurrence of any one or more of the following events constitutes a material default and breach of this Lease by Lessee:

a. The failure by Lessee to make any payment of rent or any other payment required to be made by Lessee hereunder, as and when due, where the failure continuous for a period of twenty (20) calendar days after written notice thereof from Lessor to Lessee.

b. The failure by Lessee to observe or perform any of the covenants, conditions, or provisions of this Lease to be observed or performed by Lessee, other than those described in

Subsection a., above, where the failure continues for a period of thirty (30) calendar days after notice thereof from Lessor to Lessee; provided, however, that if the nature of Lessee's default is such that more than thirty (30) calendar days are reasonably required for its cure, then Lessee shall not be deemed in default if Lessee commences such cure within the thirty (30) day period and thereafter diligently completes the cure.

- c. The appointment of a receiver or the making of any general assignment, or general arrangement for the benefit of creditors.
- d. The filing of a petition in bankruptcy by or against Lessee.
- e. The judicial declaration of Lessee as bankrupt.
- f. The appointment of a trustee or receiver to take possession of substantially all Lessee's assets located at the Facility or of Lessee's interest in this Lease, if possession is not restored within thirty (30) calendar days.
- g. The attachment, execution or other judicial seizure of substantially all Lessee's assets located at the Facility or of Lessee's interest in this Lease, if the seizure is not discharged within thirty (30) calendar days.

In the event of any such default or breach with the exception of bankruptcy or receivership, by Lessee, Lessor may, after giving written notice as provided above, pursue those remedies available to Lessor under the laws or judicial decisions of the State of California. In the event of bankruptcy or receivership, this Lease shall immediately terminate and possession of the Facility shall immediately return to Lessor.

If Lessee breaches this Lease or is in default, as provided above, the Lessor may terminate this Lease upon written notice as provided herein. On such termination, the Lessor may recover from Lessee:

- (i) The worth at the time of award of the unpaid rent which has been earned at the time of termination;
- (ii) The worth at the time of award of the amount by which the unpaid rent which would have been earned after termination until the time of award exceeds the amount of such rental loss that Lessee proved could have been unreasonably avoided;
- (iii) The worth at the time of award of the amount by which the unpaid rent for the balance of the term after the time of award exceeds the amount of such rental loss for such period that Lessee proves could be reasonably avoided; and
- (iv) Any other amount necessary to compensate Lessor for all the detriment proximately caused by Lessee's failure to perform his obligations under

this Lease, or which in the ordinary course of things would likely to result therefrom.

The “worth at the time of award” of the amounts referred to in Subsections (i) and (ii) hereinabove is computed by allowing interest at the legal rate. The worth at the time of award of the amount referred to in paragraph (iii) of this Subsection is computed by discounting such amount at the legal rate of interest.

Even though Lessee breaches this Lease or is in default, as provided above, this Lease continues in effect for so long as the Lessor does not terminate Lessee’s right of possession; and the Lessor may enforce all its rights and remedies under this Lease, including the right to recover the rent as it becomes due under this Lease, unless the breach by Lessee constitutes a breach and abandonment of the Lease, in which case the Lessor may enforce all its rights and remedies except its right to recover rent as it becomes due.

The rights of the Lessor under this Lease shall be cumulative to all other rights or remedies now or hereafter given to Lessor by law. Nothing in this Lease affects the right of Lessor to equitable relief where such relief is appropriate.

Nothing in this Lease affects the rights of the parties under statutory provisions relating to actions for unlawful detainer, forcible entry, and forcible detainer. If Lessor brings an action in unlawful detainer, and possession of the property is no longer an issue because possession of the property is delivered to Lessor before trial or, if there is no trial, before judgment is entered, unless Lessor amends the complaint to state a claim for damages not recoverable in the unlawful detainer proceeding, the bringing of an unlawful detainer, forcible entry, or forcible detainer action as described hereinabove does not affect Lessor’s right to bring a separate action for relief on termination, or in equity; but no relief shall be requested and no damages shall be recovered in the subsequent action for any detriment for which claim for damages was made and determined on the merits in the previous action.

Efforts by the Lessor to mitigate the damages caused by Lessee’s breach of this Lease do not waive the Lessor’s right to recover damages under this Section.

Nothing in this Section affects the right of the Lessor to indemnification for liability arising prior to the termination of this Lease for personal injuries or property damage as provided in Section 25 of this Lease.

19. DEFAULTS/REMEDIES.

LESSOR:

Lessor shall not be in default unless Lessor fails to perform obligations required of it within a reasonable time, but in no event later than thirty (30) days after written notice by Lessee to Lessor; provided that if the nature of Lessor’s obligation is such that more than thirty (30) days are reasonably required for performance, then Lessor shall not be in default if Lessor

commences performance within the thirty (30) day period and thereafter diligently complete performance.

If Lessor defaults in the performance of any of the obligations or conditions required to be performed by Lessor under this Lease, Lessee may, after giving notice as provided above elect to terminate this Lease upon giving thirty (30) days written notice to Lessor of its intention to do so. In that event, this Lease shall terminate upon the date specified in the notice, unless Lessor has meanwhile cured the default. The foregoing shall be Lessee's sole remedy in the event of a breach or default by Lessor.

20. CONDEMNATION. If all of the Facility or any portion thereof is taken under the power of eminent domain, solely under the threat of the exercise of said power, or disposed of to satisfy federal requirements (all of which are herein called "condemnation"), this Lease shall automatically terminate as of the date the condemning authority takes title possession, whichever occurs first.

Any award or payment made upon condemnation of all or any part of the Facility shall be the property of Lessor, whether such award or payment is made as compensation for the taking of the fee or as severance damages; provided Lessee shall be entitled to the portion of any such award or payment for loss of or damage to Lessee's trade fixture or removable personal property.

21. WAIVER. In the event that either Lessor or Lessee shall at any time or times waive any breach of this Lease by the other, such waiver shall not constitute a waiver of any other or succeeding breach of this Lease, whether of the same or any other covenant, condition or obligation. Waiver shall not be deemed effective until and unless signed by the waiving party.

22. BINDING EFFECT. This Lease shall be binding upon the parties hereto, their heirs, personal representatives, administrators, successors and assigns.

23. ASSUMPTION OF NEW OWNER. In the event Lessor transfers any interest in the Facility to any other party or entity, this Lease shall remain in full force and effect, with the new owner assuming the role of Lessor with all the rights and duties specified in this Lease.

24. SURRENDER. Lessee agrees to take good care of the Facility and to commit no waste, and suffer no injury to be done to the same, and to return the possession of the same to Lessor at the expiration of the term, in as good condition as at the commencement of this Lease, normal and wear tear, unavoidable accidents and damage by casualty excepted.

If Lessee fails to surrender the Facility upon the expiration or termination of this Lease, Lessee shall indemnify and hold the Lessor harmless from all liability and expense resulting from the delay or failure to surrender, including, without limitation, claims made by any succeeding tenant founded on or resulting from Lessee's failure to surrender.

25. INDEMNITY. Lessee shall indemnify, protect, defend, save and hold Lessor, its officers, employees, and agents, harmless from any and all claims or causes of action for death or injury to persons, or damage to property resulting from intentional or negligent acts, errors, or

omissions of Lessee or Lessee's officers, employees, volunteers, and agents during performance of this Lease, or from any violation of any federal, state, or municipal law or ordinance, to the extent caused, in whole or in part, by the willful misconduct, negligent acts, or omissions of Lessee or its employees, subcontractors, or agents, or by the quality or character of Lessee's work, or resulting from the negligence of the Lessor, its officers, employees, volunteers and agents, except for loss caused solely by the gross negligence of the Lessor. It is understood that the duty of Lessee to indemnify and hold harmless includes the duty to defend as set forth in Section 2778 of the California Civil Code. Acceptance by Lessor of insurance certificates and endorsements required under this Lease does not relieve Lessee from liability under this indemnification and hold harmless clause. This indemnification and hold harmless clause shall survive the termination of this Lease and shall apply to any damages or claims for damages whether or not such insurance policies shall have been determined to apply. By execution of this Lease, Lessee acknowledges and agrees to the provisions of this Section and that it is a material element of consideration.

26. NOTICES. All notices and other communications contemplated shall be in writing and shall be deemed given when personally delivered or received by mail, and shall be personally delivered or mailed by certified mail, return receipt requested, with postage and fees paid, as follows:

Lessor: City of Folsom
Attn: City Manager
50 Natoma Street
Folsom, California 95630

Lessee: Kids Inc.
c/o Kelli Vaccaro
139 Stonington Way
Folsom, California 95630

27. ENTIRE AGREEMENT. All preliminary and contemporaneous agreements and understandings are merged and incorporated into this Lease which contains the entire agreement between the parties. This Lease may not be modified or amended in any manner except by an instrument in writing executed by the parties hereto.

28. VENUE. This Lease and all matters relating to it shall be governed by the laws of the State of California and any action brought relating to this Lease shall be held exclusively in a state court in the County of Sacramento

29. ATTACHMENTS, HEADINGS, TERMS. All attachments referred to herein are hereby incorporated by reference into this Lease. The headings and underscoring contained herein are for convenience purposes only and shall not be used to interpret nor be deemed to extend or limit the specific sections. The work or words enclosed in quotation marks shall be construed as defined terms for purposes of this Lease. The terms "Lessor" and Lessee" shall be

construed to mean, when required by the context, the directors, officers, employees, invitees, contractors, materialmen, servants and agents of Lessor and Lessee.

30. ATTORNEY'S FEES. If either party named herein brings an action to enforce the terms of this Lease or to declare rights hereunder, the prevailing party in any such action, on trial or appeal, shall be entitled to reasonable attorney's fees to be paid by losing party as fixed by the Court.

31. EXECUTION AND DELIVERY. This Lease shall not be binding nor confer any rights upon either party unless and until executed and mutually delivered by and between both parties.

32. RELATIONSHIP OF PARTIES. This Lease does not create the relationship of principal and agent or a partnership or joint venture, or of any association other than that of Lessor and Lessee.

33. TIME OF ESSENCE. Time and specific performance are each of the essence of this Lease.

34. AUTHORITY TO EXECUTE. The person or persons executing this Lease on behalf of the parties hereto warrants and represents that he/she/they has/have the authority to execute this Lease on behalf of their entity and has/have the authority to bind their party to the performance of its obligations hereunder.

35. COUNTERPARTS. This Lease may be executed in one or more counterparts with each counterpart being deemed an original. No counterpart shall be deemed to be an original or presumed delivered unless and until the counterparts executed by the other parties hereto are in the physical possession of the party or parties seeking enforcement thereof.

[END OF DOCUMENT – SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the parties have caused this Lease to be executed on the date first above written.

LESSEE:

Kelli Vaccaro, a sole proprietor doing business as Kids Inc. *(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

LESSOR:

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:

Lorraine Poggione Date
Parks and Recreation Director

Steven Wang, City Attorney Date

EXHIBIT A PROJECT DESCRIPTION

APN: 072-0850-029

ADDRESS: 405 NATOMA STATON DRIVE

LOCATION: WITHIN ERNIE SHELDON YOUTH COMPLEX

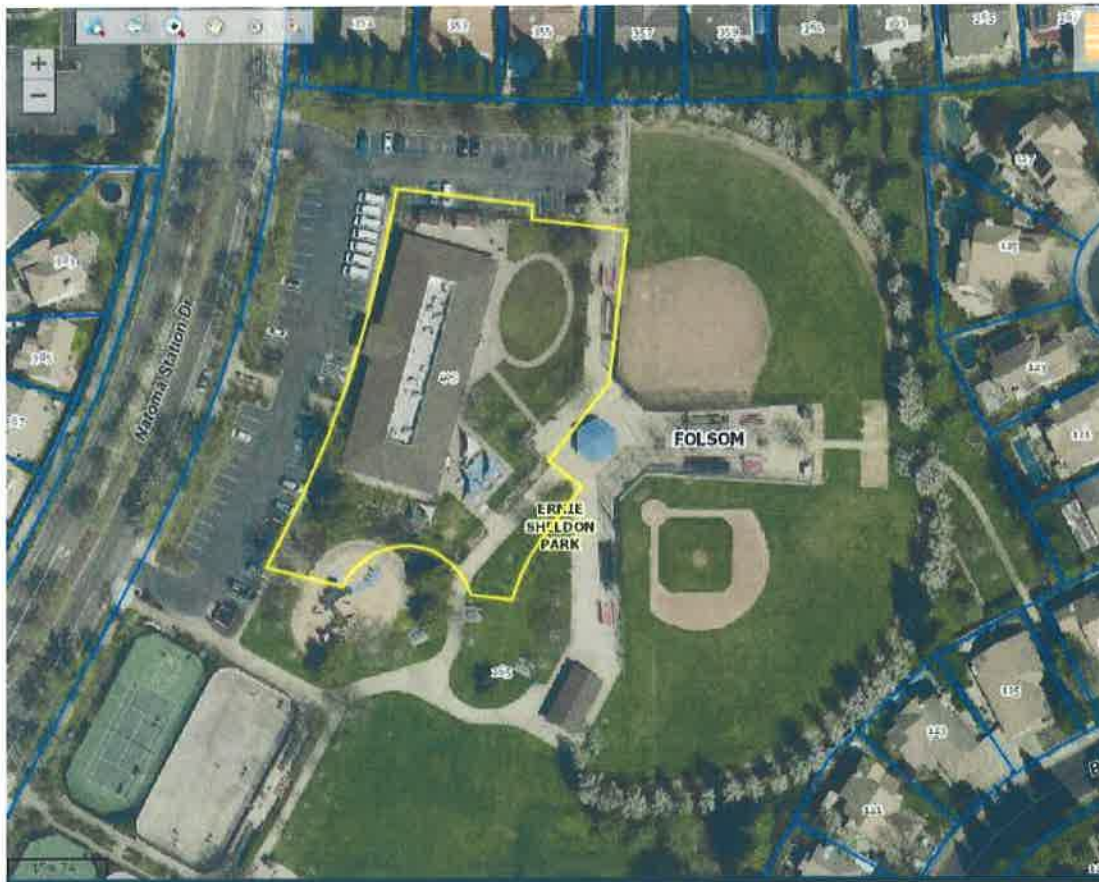


EXHIBIT B

FACILITY LEASE RATES for

405 NATOMA STATION DRIVE

Time Period	\$/RSF/MO		\$/MONTH	
December 20, 2021 - March 31, 2022	No Rent		No Rent	
April 1, 2022 - March 31, 2023	\$ 2.00	/ RSF	\$ 20,000	plus NNN
April 1, 2023- March 31, 2024	\$ 2.06	/RSF	\$ 20,600	plus NNN
April 1, 2024 - March 31, 2025	\$ 2.12	/ RSF	\$ 21,218	plus NNN
April 1, 2025- March 31, 2026	\$ 2.19	/ RSF	\$ 21,855	plus NNN
April 1, 2026 - March 31, 2027	\$ 2.25	/ RSF	\$ 22,510	plus NNN
April 1, 2027- March 31, 2028	\$ 2.32	/ RSF	\$ 23,185	plus NNN
April 1, 2028 - March 31, 2029	\$ 2.39	/ RSF	\$ 23,881	plus NNN
April 1, 2029- March 31, 2030	\$ 2.46	/ RSF	\$ 24,597	plus NNN
April 1, 2030 - March 31, 2031	\$ 2.53	/ RSF	\$ 25,335	plus NNN
April 1, 2031- March 31, 2032	\$ 2.61	/ RSF	\$ 26,095	plus NNN

(Escalation is
based on 3% per
year)

EXHIBIT C INSURANCE

NOTE: The word “Consultant” in this Exhibit refers to either “Consultant” or “Contractor” as the term is used in the Agreement/Contract to which this Exhibit is attached.

- A. During the term of this Agreement, Consultant shall maintain in full force and effect at all times during the term of the contract, at its sole cost and expense, policies of insurance as set forth herein:

General Liability:

- a. General liability insurance including, but not limited to, protection for claims of bodily injury and property damage liability, personal and advertising injury liability and product and completed operations liability.
- b. Coverage shall be at least as broad as Insurance Services Office Commercial General Liability coverage form CG 0001 (occurrence).
- c. Claims-made coverage is not acceptable.
- d. The limits of liability shall not be less than:

Each occurrence:	One Million Dollars (\$1,000,000)
Products & Completed Operations:	One Million Dollars (\$1,000,000)
Personal & Advertising Injury:	One Million Dollars (\$1,000,000)
- e. If a general aggregate limit of liability is used, the minimum general aggregate shall be twice the ‘each occurrence’ limit or the policy shall contain an endorsement stating that the general aggregate limit shall apply separately to the project that is the subject of the contract.
- f. If a products and completed operations aggregate limit of liability is used, the minimum products and completed operation aggregate shall be twice the ‘each occurrence’ limit or the policy shall contain an endorsement stating that the products and completed operations aggregate limit shall apply separately to the project which is the subject of the contract.
- g. If the Consultant maintains higher limits than the minimums shown above, the City requires and shall be entitled to coverage for the higher limits maintained by the Consultant. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the City.

Automobile Liability:

- h. Automobile liability insurance providing protection against claims of bodily injury and property damage arising out of ownership, operation, maintenance, or use of owned, hired, and non-owned automobiles.
- i. Coverage shall be at least as broad as Insurance Services Office Automobile Liability coverage form CA 0001, symbol 1 (any auto).
- j. The limits of liability per accident shall not be less than:

Combined Single Limit

One Million Dollars (\$1,000,000)

- k. If Automobile Liability coverage, as required above, is provided by the Commercial General Liability form, the General Liability policy shall include an endorsement providing automobile liability as required above.

Workers' Compensation

- l. Workers' Compensation Insurance, with coverage as required by the State of California (unless the Consultant is a qualified self-insurer with the State of California), and Employer's Liability coverage.
- m. Employer's Liability Coverage with a limit not less than \$1,000,000 per accident for bodily injury and disease.
- n. Consultant shall sign and file with the City department responsible for this Agreement/Contract the Worker's Compensation Certificate contained in the Project Manual.

Insurance Required in the Supplementary Conditions: Consultant shall be required to comply with all conditions as stipulated in the Standard Construction Specifications, any supplementary conditions and any special provisions as applicable.

Professional Liability Insurance

If required, errors and omissions, malpractice or professional liability insurance with coverage of not less than \$1,000,000 per claim.

Other Insurance Provisions:

- o. The Consultant's General Liability and Automobile Liability policies shall contain, or be endorsed to contain, the following provisions:
- i. The City, its officials, employees, agents and volunteers shall be covered and specifically named as additional insureds on a separate endorsement as respects liability arising out of activities performed by or on behalf of the Consultant, products and completed operations of the Consultant, premises owned, occupied, or used by the Consultant, or automobiles owned, leased, hired, or borrowed by the Consultant in a form acceptable to the City Attorney.
 - ii. The Endorsement requirement may be satisfied with express provisions in the insurance policy(ies) which identifies any person or entity required to be included as an insured under the policy. A copy of the declarations page identifying the policy number, and pertinent provisions in the policy providing additional insured coverage shall be provided to the City.
 - iii. The policy shall contain no special limitations on the scope of coverage afforded to the City, its officials, employees, agents or volunteers.
- p. For any claims related to the project, the Consultant's General Liability and Automobile insurance coverage shall be primary insurance in their coverage of the City and its officers, officials, employees, agents, or volunteers, and any insurance or self-insurance maintained by the City, its officers, officials, employees, agents or volunteers shall be excess of the Consultant's insurance and shall not contribute with it.
- q. Any failure to comply with reporting or other provisions of the policies on the

part of the Consultant, including breaches of warranties, shall not affect coverage provided to the City, its officers, officials, employees, agents or volunteers.

- r. The Consultant's Workers Compensation and Employer's Liability policies shall contain an endorsement that waives any rights of subrogation against the City, its officers, officials, employees, agents, and volunteers.
- s. Each insurance policy shall state that coverage shall not be suspended, voided, canceled by either party, reduced in coverage or in limits, non-renewed, or materially changed except after **30 days prior written notice** by certified mail has been given to the City. Ten days prior written notice by certified mail shall be given to the City in the event of cancellation due to nonpayment of premium.

Acceptability of Insurers: Insurance is to be placed with insurers with a **Bests' rating of no less than A:VII.**

The Consultant shall furnish the City with Certificates of Insurance and endorsements or insurance binders, signed by a person authorized by the insurer to bind coverage on its behalf, evidencing the coverage required by this section, the Standard Specifications, Special Provisions and/or any Supplementary Conditions. **The Consultant shall furnish complete, certified copies of all required insurance policies, including original endorsements specifically required hereunder if requested.**

The Consultant shall report, by telephone to the Project Manager within 24 hours, and also report in writing to the City within 48 hours, after Consultant or any Subcontractors or agents have knowledge of, any accident or occurrence involving death of or serious injury to any person or persons, or damage in excess of Ten Thousand Dollars (\$10,000) to property of the City or others, arising out of any work done by or on behalf of the Consultant as part of the contract.

Such report shall contain:

- t. the date and time of the occurrence,
- u. the names and addresses of all persons involved, and
- v. a description of the accident or occurrence and the nature and extent of the injury or damage.

The City, at its discretion, may increase the amounts and types of insurance coverage required hereunder at any time during the term of the contract by giving 30 days written notice.

If the Consultant fails to procure or maintain insurance as required by this section, the Standard Specifications, and any Supplementary Conditions, or fails to furnish the City with proof of such insurance, the City, at its discretion, may procure any or all such insurance. Premiums for such insurance procured by the City shall be deducted and retained from any sums due the Consultant under the contract.

Failure of the City to obtain such insurance shall in no way relieve the Consultant from any of its responsibilities under the contract.

The making of progress payments to the Consultant shall not be construed as relieving the Consultant or its Subcontractors of responsibility for loss or direct physical loss, damage, or destruction occurring prior to final acceptance by the City.

The failure of the City to enforce in a timely manner any of the provisions of this section shall not act as a waiver to enforcement of any of these provisions at any time during the term of the contract.

In the event Consultant carries Excess Liability Coverage, the Excess Liability Coverage shall apply to any and all claims related to the project on a primary and non-contributory basis, and the City's insurance or self-insurance coverage shall be excess to the Consultant's Excess Liability Coverage.

EXHIBIT C
[INSURANCE REQUIREMENT]

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FOLSOM
EST. 1842
CREATED BY NATURE

Folsom City Council Staff Report

MEETING DATE:	12/14/2021
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10761 - A Resolution Authorizing the City Manager to Execute a Design and Consulting Services Contract with TJKM for the Folsom Lake Crossing and East Natoma Street Safety Improvements Project 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. 10761 - A Resolution Authorizing the City Manager to Execute a Design and Consulting Services Contract with TJKM for the Folsom Lake Crossing and East Natoma Street Safety Improvements Project and Appropriation of Funds.

BACKGROUND / ISSUE

The Fixing America's Surface Transportation Act (FAST) was signed into law on December 4, 2015. Under FAST, the Highway Safety Improvement Program (HSIP) is a core federal-aid program to States for the purpose of achieving a significant reduction in fatalities and serious injuries on all public roads. California's Local HSIP focuses on infrastructure projects with nationally recognized crash reduction factors (CRFs). Local HSIP projects must be identified based on crash experience, crash potential, crash rate, or other data-supported means.

Using the data-based conclusions and recommendations of the draft 2021 Local Road Safety Plan (LRSP), the Public Works Department applied for and received funding for three separate HSIP funded projects.

In October 2021, City Council approved Resolution No. 10730 - A Resolution Authorizing the City Manager to Execute Program Supplement Agreements to Administering Agency-State Agreement 03-5288S21. One of the three projects that received HSIP funding, identified in Resolution No. 10730 as the Median Barrier Project, is the subject of this engineering design

contract and is now named the Folsom Lake Crossing and East Natoma Street Safety Improvement Project. Project specifics are shown in the table below:

<ul style="list-style-type: none"> • Folsom Lake Crossing - Folsom Dam Road and Johnny Cash Trail entrance • E. Natoma Street - Folsom Lake Crossing and Gionata Way • E. Natoma Street - Cimmaron Circle and Fargo Way • Folsom Auburn Road - Pinebrook Road and Folsom Dam Road 	<p>Construct median barrier, install dynamic/variable speed warning signs, and delineators, reflectors, and/or object markers (with retro-reflectivity).</p>	<p>State HSIP Funding \$ 1,031,400</p>
---	--	--

The scope of the Design and Consulting Services Contract with TJKM will consist of field investigations, preparing base maps and utility research, a traffic study at the intersection of East Natoma Street and Gionata Way, project plans, specifications, and estimates, bidding and construction support services.

HSIP requires that any engineering design component of awarded funding must be encumbered in the same calendar year that the funds were awarded; therefore this design contract must be encumbered no later than December 31, 2021.

Several property owners in the La Collina Dal Lago neighborhood have expressed interest in the results of the traffic study at East Natoma and Gionata Way. Upon completion of that study, and prior to proceeding with any project design components that may be affected by the study, staff plans to share the results with both the interested property owners and the Traffic Safety Committee.

Staff publicly advertised a Request for Proposals to provide Professional Engineering Services on September 22, 2021 and received two proposals on November 17, 2021. Proposals were received from TJKM and REY Engineers.

POLICY / RULE

Section 2.36.080 of the Folsom Municipal Code states, in part, that contracts for supplies, equipment, services, and construction with an estimated value of \$62,657 or greater shall be awarded by the City Council.

ANALYSIS

The proposal review panel consisted of three Public Works staff members. Each panel member individually reviewed and scored the proposals as described in the Proposal Evaluation/Consultant Selection section of the RFP. Each panel member was given a scoring matrix, with the results of those reviews shown below:

	Reviewer A		Reviewer B		Reviewer C	
	TJKM	REY	TJKM	REY	TJKM	REY
Understanding of Work (30 Points)	25	25	26	20	25	20
Experience with Similar Work (25 Points)	20	17	23	18	25	20
Project Team (10 Points)	25	15	22	20	25	20
Familiarity with State Procedures (10 Points)	10	10	9	9	10	10
Proposal Quality (10 Points)	8	7	7	7	10	10
Scoring Total	88	74	87	74	95	80

In addition to the scoring results above, the fact that TJKM has more experience on similar projects and has a licensed traffic engineer on the project team were major deciding factors in the consultant selection.

FINANCIAL IMPACT

The City was awarded State HSIP funds in the amount of \$1,031,400 for this project. The contract with TJKM would be authorized for a not to exceed amount of \$95,712.41. Staff is requesting an appropriation in the amount of \$95,712.41 from the Transportation Improvement Fund (Fund 446) for this project, which will be reimbursed to that fund through Caltrans invoicing.

It should be noted that the cost estimate from REY to provide these services was within 11% of the cost of TJKM.

ENVIRONMENTAL REVIEW

The scope of TJKM's professional services includes providing environmental evaluations and a technical memorandum that will be submitted to Caltrans for approval of the project as it pertains to the California Environmental Quality Act (CEQA).

ATTACHMENT

Resolution No. 10761 - A Resolution Authorizing the City Manager to Execute a Design and Consulting Services Contract with TJKM for the Folsom Lake Crossing and East Natoma Street Safety Improvements Project and Appropriation of Funds

Submitted,



Mark Rackovan, PUBLIC WORKS DIRECTOR

RESOLUTION NO. 10761**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A DESIGN AND CONSULTING SERVICES CONTRACT WITH TJKM FOR THE FOLSOM LAKE CROSSING AND EAST NATOMA STREET SAFETY IMPROVEMENTS PROJECT AND APPROPRIATION OF FUNDS**

WHEREAS, using recommendations of the 2021 Local Road Safety Plan, the Public Works Department applied for and received Highway Safety Improvement Program (HSIP) funds in the amount of \$1,031,400 for the design and construction of roadway safety countermeasures on Folsom Lake Crossing, East Natoma Street and Folsom Auburn Road; and

WHEREAS, a Request for Proposal to provide Professional Engineering Services was publicly advertised on September 22, 2021 and on November 17, 2021 proposals were received from TJKM and REY Engineers; and

WHEREAS, the proposals were individually reviewed by a proposal review panel consisting of three Public Works Employees, with TJKM being chosen as the most qualified firm by all reviewers; and

WHEREAS, the agreement will be for the not to exceed amount of \$95,712.41; and

WHEREAS, an additional appropriation in the amount of \$95,712.41 will be required in the Transportation Improvement Fund (Fund 446); and

WHEREAS, there are no matching funds required to utilize these HSIP funds; 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 Design and Consulting Services Contract with TJKM for the Folsom Lake Crossing and East Natoma Street Safety Improvements Project in the amount of \$95,712.41

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Finance Director is authorized to appropriate \$95,712.41 from the Transportation Improvement Fund (Fund 446) .

PASSED AND ADOPTED this 14th day of December 2021, by the following roll-call vote:

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

Michael D. Kozlowski, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK



CITY OF
FOLSOM
DISTINGUISHED BY NATURE

Folsom City Council Staff Report

MEETING DATE:	12/14/2021
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10762 – A Resolution Authorizing Adoption of an Amendment to the Memorandum of Understanding between the City of Folsom and the Folsom Middle Management Group
FROM:	Human Resources Department Finance Department

RECOMMENDATION / CITY COUNCIL ACTION

It is recommended that the City Council pass and adopt Resolution No. 10762 – A Resolution Authorizing Adoption of an Amendment to the Memorandum of Understanding between the City of Folsom and the Folsom Middle Management Group

BACKGROUND / ISSUE

The existing Memorandum of Understanding between the City of Folsom and the Folsom Middle Management Group (FMMG) contains Article V, Section 2, Longevity Pay. The wording in this section does not comply with the California Public Employees Retirement System (CalPERS) wording to be included in the salary calculation for retirement benefits. Staff is proposing to remove one sentence in Article V, Section 2, Longevity Pay, paragraph A that refers to the longevity pay being contingent on the annual performance evaluation of the employee. This amendment will not change the percentage paid or the years of service required to earn the longevity benefit.

POLICY / RULE

Section 2.08.040, Powers and Duties of City Manager, Subsection G describes the duties of the City Manager to administer all contracts of which the City is a party, including contingency appropriations for construction contracts, and assure that the city's interests are safeguarded, terms are enforced and all elements of any contract are faithfully administered, delegating such oversight and authority to the several departments and offices as he/she shall deem appropriate.

ANALYSIS

Staff was notified by CalPERS that a longevity-eligible employee that retired from the city was denied longevity pay from being included in the salary calculation due to the wording in the Memorandum of Understanding (MOU). The MOU contains wording making longevity pay contingent on a satisfactory evaluation. The city has never tied the longevity pay to a satisfactory performance evaluation. The longevity pay is only based on length of service with the city. This amendment will not amend the length of service or the percentage paid as longevity pay.

Below is the current wording with the sentence to be removed shown with a strike through.

Article V, Section 2, Longevity Pay

- A. Subject to subsection B below, employees hired on or before July 1, 2010 in the FMMG bargaining unit shall be eligible to receive longevity pay beginning with ten (10) or more years of City service. ~~Longevity Pay is contingent upon the fact that the eligible employee has received an overall satisfactory or above rating in his/her last annual performance evaluation.~~ The Longevity Pay formula is based on 2 ½% increments and is as follows:

2 1/2% after ten (10) years of City service;
 an additional 2 ½% for a total of 5% after fifteen (15) years of City service;
 an additional 2 ½% for a total of 7 ½% after twenty (20) years of City service.

- B. Employees hired after July 1, 2010 shall not be eligible to receive Longevity Pay.

Staff has been in contact with the employee representative of FMMG and they agree with the change to the MOU.

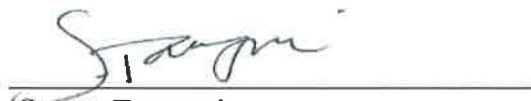
ATTACHMENTS

1. Resolution No. 10762 – A Resolution Authorizing Adoption of the Amendment to the Memorandum of Understanding between the City of Folsom and the Folsom Middle Management Group
2. Proposed Addendum to the Memorandum of Understanding between the City of Folsom and the Folsom Middle Management Group

Submitted,



Allison Garcia
 Human Resources Manager



Stacey Tamagni
 Finance Director/CFO

ATTACHMENT 1

RESOLUTION NO. 10762

**A RESOLUTION AUTHORIZING ADOPTION OF AN AMENDMENT TO THE
MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF FOLSOM AND
THE FOLSOM MIDDLE MANAGEMENT GROUP**

WHEREAS, the City of Folsom and the Folsom Middle Management Group have reached an agreement to amend the existing Memorandum of Understanding regarding certain terms and conditions of employment:

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Folsom that the Addendum to the Memorandum of Understanding (MOU) between the Folsom Middle Management Group for the term of January 1, 2020 to December 31, 2022 is hereby approved, and

BE IT FURTHER RESOLVED that the City Council of the City of Folsom authorizes the City Manager to execute said Amendment to the Memorandum of Understanding on behalf of the City of Folsom.

PASSED AND ADOPTED this 14th day of December, 2021, by the following roll-call vote:

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

Michael D. Kozlowski, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

ATTACHMENT 2

**Amendment To
2019-2022
Memorandum of Understanding (MOU)
Between
City of Folsom and Folsom Middle Management Group (FMMG)**

The Parties hereby agree to the following:

The purpose of this Amendment is to correct Article V, Section 2, to reflect the intent and practice with regard to Longevity Pay. Contrary to the language in Article V, Section 2, Longevity Pay has never been tied to a satisfactory performance evaluation and has always been expected to be part of salary calculation included in CalPERS retirement. No employee has ever been denied longevity pay due to less than satisfactory performance.

Parties agree to the following:

Article V, Section 2, Longevity Pay

- A. Subject to subsection B below, employees hired on or before July 1, 2010 in the FMMG bargaining unit shall be eligible to receive longevity pay beginning with ten (10) or more years of City service. ~~Longevity Pay is contingent upon the fact that the eligible employee has received an overall satisfactory or above rating in his/her last annual performance evaluation.~~ The Longevity Pay formula is based on 2 1/2% increments and is as follows:
 - 2½% after ten (10) years of City service;
 - an additional 2½% for a total of 5% after fifteen (15) years of City service;
 - an additional 2½% for a total of 7½% after twenty (20) years of City service.
- B. Employees hired after July 1, 2010 shall not be eligible to receive Longevity Pay.

This Addendum shall be effective immediately.

City of Folsom:

For FMMG:

Elaine Andersen
City Manager

Ryan Neves
FMMG President



CITY OF
FOLSOM
DISTINGUISHED BY NATURE

Folsom City Council Staff Report

MEETING DATE:	12/14/2021
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10763 – A Resolution Authorizing Adoption of an Amendment to the Memorandum of Understanding between the City of Folsom and the International Union of Operating Engineers, Local 39
FROM:	Human Resources Department Finance Department

RECOMMENDATION / CITY COUNCIL ACTION

It is recommended that the City Council pass and adopt Resolution No. 10763 – A Resolution Authorizing Adoption of an Amendment to the Memorandum of Understanding between the City of Folsom and the International Union of Operating Engineers, Local 39

BACKGROUND / ISSUE

The existing Memorandum of Understanding between the City of Folsom and the International Union of Operating Engineers, Local 39 (IUOE) contains Article VI, Section 3, Longevity Pay. The wording in this section does not comply with the California Public Employees Retirement System (CalPERS) wording to be included in the salary calculation for retirement benefits. Staff is proposing to remove one sentence in Article VI, Section 3, Longevity Pay, paragraph A that refers to the longevity pay being contingent on the annual performance evaluation of the employee. This amendment will not change the percentage paid or the years of service required to earn the longevity benefit.

POLICY / RULE

Section 2.08.040, Powers and Duties of City Manager, Subsection G describes the duties of the City Manager to administer all contracts of which the City is a party, including contingency appropriations for construction contracts, and assure that the city's interests are safeguarded, terms are enforced and all elements of any contract are faithfully administered, delegating such oversight and authority to the several departments and offices as he/she shall deem appropriate.

ANALYSIS

Staff was notified by CalPERS that a longevity-eligible employee that retired from the city was denied longevity pay from being included in the salary calculation due to the wording in the Memorandum of Understanding (MOU). The MOU contains wording making longevity pay contingent on a satisfactory evaluation. The city has never tied the longevity pay to a satisfactory performance evaluation. The longevity pay is only based on length of service with the city. This amendment will not amend the length of service or the percentage paid as longevity pay.

Below is the current wording with the sentence to be removed shown with a strike through.

Article VI, Section 3, Longevity Pay

- A. Subject to subsection B below, employees in the IUOE bargaining unit shall be eligible to receive Longevity Pay beginning with ten (10) or more years of City service. ~~Longevity Pay is contingent upon the fact that the eligible employee has received an overall satisfactory or above rating in his/her last annual performance evaluation.~~ The Longevity Pay formula is based on 2 ½% increments and is as follows:
- 2 1/2% after ten (10) years of City service;
 - an additional 2 ½% for a total of 5% after fifteen (15) years of City service;
 - an additional 2 ½% for a total of 7 ½% after twenty (20) years of City service.
- B. Employees hired after July 1, 2010 shall not be eligible to receive Longevity Pay.

Staff has been in contact with the employee representative of IUOE and they agree with the change to the MOU.

ATTACHMENTS

1. Resolution No. 10763 – A Resolution Authorizing Adoption of the Amendment to the Memorandum of Understanding between the City of Folsom and the International Union of Operating Engineers, Local 39
2. Proposed Addendum to the Memorandum of Understanding between the City of Folsom and the International Union of Operating Engineers, Local 39

Submitted,



Allison Garcia
Human Resources Manager



Stacey Tamagni
Finance Director/CFO

ATTACHMENT 1

RESOLUTION NO. 10763

A RESOLUTION AUTHORIZING ADOPTION OF AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF FOLSOM AND THE INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL 39

WHEREAS, the City of Folsom and International Union of Operating Engineers, Local 39 (IUOE) have reached an agreement to amend the existing Memorandum of Understanding regarding certain terms and conditions of employment:

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Folsom that the Addendum to the Memorandum of Understanding (MOU) between International Union of Operating Engineers, Local 39 for the term of September 1, 2019 to June 30, 2022 is hereby approved, and

BE IT FURTHER RESOLVED that the City Council of the City of Folsom authorizes the City Manager to execute said Amendment to the Memorandum of Understanding on behalf of the City of Folsom.

PASSED AND ADOPTED this 14th day of December, 2021, by the following roll-call vote:

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

Michael D. Kozlowski, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

ATTACHMENT 2

**Amendment To
2019-2022
Memorandum of Understanding (MOU)
Between
City of Folsom and International Union of Operating Engineers, Local 39**

The Parties hereby agree to the following:

The purpose of this Amendment is to correct Article VI, Section 3, to reflect the intent and practice with regard to Longevity Pay. Contrary to the language in Article VI, Section 3, Longevity Pay has never been tied to a satisfactory performance evaluation and has always been expected to be part of salary calculation included in CalPERS retirement. No employee has ever been denied longevity pay due to less than satisfactory performance.

Parties agree to the following:

Article VI, Section 3, Longevity Pay

- A. Subject to subsection B below, employees in the IUOE bargaining unit shall be eligible to receive Longevity Pay beginning with ten (10) or more years of City service. ~~Longevity Pay is contingent upon the fact that the eligible employee has received an overall satisfactory or above rating in his/her last annual performance evaluation.~~ The Longevity Pay formula is based on 2 1/2% increments and is as follows:
- 2½% after ten (10) years of City service;
 - an additional 2½% for a total of 5% after fifteen (15) years of City service;
 - an additional 2½% for a total of 7½% after twenty (20) years of City service.
- B. Employees hired after July 1, 2010 shall not be eligible to receive Longevity Pay.

This Addendum shall be effective immediately.

City of Folsom:

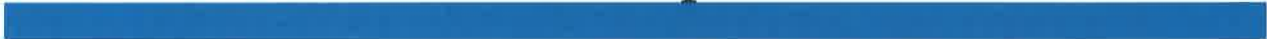
For IUOE, Local 39:

Elaine Andersen
City Manager

Chuck Thiel
Business Representative



Folsom City Council Staff Report



MEETING DATE:	12/14/2021
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10764 – A Resolution Authorizing Adoption of an Amendment to the Memorandum of Understanding between the City of Folsom and the City of Folsom Fire Department Middle Management Employees
FROM:	Human Resources Department Finance Department

RECOMMENDATION / CITY COUNCIL ACTION

It is recommended that the City Council pass and adopt Resolution No. 10764 – A Resolution Authorizing Adoption of an Amendment to the Memorandum of Understanding between the City of Folsom and the City of Folsom Fire Department Middle Management Employees

BACKGROUND / ISSUE

The existing Memorandum of Understanding between the City of Folsom and the City of Folsom Fire Department Middle Management Employees (CFFDMME) contains Article III, Section 4, Longevity Pay. The wording in this section does not comply with the California Public Employees Retirement System (CalPERS) wording to be included in the salary calculation for retirement benefits. Staff is proposing to remove one sentence in Article III, Section 4, Longevity Pay, paragraph A that refers to the longevity pay being contingent on the annual performance evaluation of the employee. This amendment will not change the percentage paid or the years of service required to earn the longevity benefit.

POLICY / RULE

Section 2.08.040, Powers and Duties of City Manager, Subsection G describes the duties of the City Manager to administer all contracts of which the City is a party, including contingency appropriations for construction contracts, and assure that the city’s interests are safeguarded,

terms are enforced and all elements of any contract are faithfully administered, delegating such oversight and authority to the several departments and offices as he/she shall deem appropriate.

ANALYSIS

Staff was notified by CalPERS that a longevity-eligible employee that retired from the city was denied longevity pay from being included in the salary calculation due to the wording in the Memorandum of Understanding (MOU). The MOU contains wording making longevity pay contingent on a satisfactory evaluation. The city has never tied the longevity pay to a satisfactory performance evaluation. The longevity pay is only based on length of service with the city. This amendment will not amend the length of service or the percentage paid as longevity pay.

Below is the current wording with the sentence to be removed shown with a strike through.

Article III, Section 4, Longevity Pay

- A. Subject to subsection B below, employees shall be eligible to receive longevity pay beginning with ten (10) or more years of City service. ~~Longevity Pay is contingent upon the fact that the eligible employee has received an overall satisfactory or above rating in his/her last annual performance evaluation.~~ The Longevity Pay formula is based on 2.5% increments and is as follows:

2.5% after ten (10) continuous years of city service
TO 5% after fifteen (15) continuous years of city service
TO 7.5% after twenty (20) continuous years of city service.

- B. Employees hired after July 1, 2010 shall not be eligible to receive Longevity Pay.

Staff has been in contact with the employee representative of CFFDMME and they agree with the change to the MOU.

ATTACHMENTS

1. Resolution No. 10764 – A Resolution Authorizing Adoption of the Amendment to the Memorandum of Understanding between the City of Folsom and the City of Folsom Fire Department Middle Management Employees
2. Proposed Addendum to the Memorandum of Understanding between the City of Folsom and the City of Folsom Fire Department Middle Management Employees

Submitted,



Allison Garcia
Human Resources Manager



Stacey Tamagni
Finance Director/CFO

ATTACHMENT 1

RESOLUTION NO. 10764

A RESOLUTION AUTHORIZING ADOPTION OF AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF FOLSOM AND CITY OF FOLSOM FIRE DEPARTMENT MIDDLE MANAGEMENT EMPLOYEES

WHEREAS, the City of Folsom and City of Folsom Fire Department Middle Management Employees (CFFDMME) have reached an agreement to amend the existing Memorandum of Understanding regarding certain terms and conditions of employment:

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Folsom that the Addendum to the Memorandum of Understanding (MOU) between the Folsom Middle Management Group for the term of January 1, 2020 to December 31, 2022 is hereby approved, and

BE IT FURTHER RESOLVED that the City Council of the City of Folsom authorizes the City Manager to execute said Amendment to the Memorandum of Understanding on behalf of the City of Folsom.

PASSED AND ADOPTED this 14th day of December, 2021, by the following roll-call vote:

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

Michael D. Kozlowski, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

ATTACHMENT 2

**Amendment To
2020-2022
Memorandum of Understanding (MOU)
Between
City of Folsom and City of Folsom Fire Department Middle Management Employees
(CFFDMME)**

The Parties hereby agree to the following:

The purpose of this Amendment is to correct Article III, Section 4, to reflect the intent and practice with regard to Longevity Pay. Contrary to the language in Article III, Section 4, Longevity Pay has never been tied to a satisfactory performance evaluation and has always been expected to be part of salary calculation included in CalPERS retirement. No employee has ever been denied longevity pay due to less than satisfactory performance.

Parties agree to the following:

Article III, Section 4, Longevity Pay

A. Subject to subsection B below, employees shall be eligible to receive longevity pay beginning with ten (10) or more years of City service. ~~Longevity Pay is contingent upon the fact that the eligible employee has received an overall satisfactory or above rating in his/her last annual performance evaluation.~~ The Longevity Pay formula is based on 2.5% increments and is as follows:

- 2.5% after ten (10) continuous years of city service
- TO 5% after fifteen (15) continuous years of city service
- TO 7.5% after twenty (20) continuous years of city service.

B. Employees hired after July 1, 2010 shall not be eligible to receive Longevity Pay.

This Addendum shall be effective immediately.

City of Folsom:

For CFFDMEE:

Elaine Andersen
City Manager

Mark Piacentini
CFFDMME Representative

Chad Wilson
CFFDMME Representative



CITY OF
FOLSOM
GROWING BY NATURE

Folsom City Council Staff Report

MEETING DATE:	12/14/2021
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10765 – A Resolution Accepting the AB1600 Development Fees Annual Report for the Fiscal Year ended June 30, 2021
FROM:	Finance Department

RECOMMENDATION / CITY COUNCIL ACTION

Staff recommends the City Council approve Resolution No. 10765– A Resolution Accepting the AB1600 Development Fees Annual Report for the Fiscal Year ended June 30, 2021.

BACKGROUND / ISSUE

Following the passage of Proposition 13 in 1978, many cities began charging fees on new development to fund public improvements and services such as streets, transit facilities, sewers, and storm drains. These fees are commonly known as development impact fees. In order to ensure that these fees were spent in a timely manner and on projects for which they were being collected, the State Legislature passed a bill known as AB 1600 (Mitigation Fee Act). This bill applies to developer fees, increased, or imposed on or after January 1, 1989. AB 1600 enacts Government Code Sections 66000-66008 that generally contain four requirements:

1. A local jurisdiction must follow the process set forth in the bill and make certain determinations regarding the purpose and use of the fees, and establish a “nexus” or connection between a development project or class of project and the public improvement being financed with the fee.
2. The fee revenue must be segregated from the general fund in order to avoid commingling of public improvement fees and the general fund.

3. If a local jurisdiction has had possession of a developer fee for five years or more and has not committed that money to a project or actually spent that money, then it must make findings describing the continuing need for that money. In addition, an annual report must be made of fees collected, interest earned, projects on which fees were expended, and any transfers or loans from the fee account. This report is to be reviewed by the local agency assessing the fees.
4. If a local jurisdiction cannot make the findings required under paragraph 3, the city or county must refund the fees collected.

The attached report provides the information required by Government Code for the development fees that fall under this disclosure requirement. In some instances, the ending fund balance amount is less than the remaining appropriation because outstanding advances and loans are not included in the fund balance. Cash balances are sufficient for the remaining appropriations. No refunds have been made nor are any required. More information on these funds and all other capital project funds is available in the annual budget adopted by Council in May 2021 and in the Annual Comprehensive Financial Report (ACFR).

This report was compiled with the unaudited City financial records. The audited ACFR will be available at the end of the current calendar year.

This report has been on file with the City Clerk's office as of November 30, 2021.

POLICY / RULE

Policy 11.6 of the General Plan states:

It is the Policy of the City of Folsom to require new development to bear the cost of its increased demand/effect on municipal services and facilities so as not to create a greater burden on existing residents. Development contributes to the need for the expansion and extension of the City's circulation, water, sewer, storm drainage, and parks systems and other capital improvements, facilities, and equipment to adequately serve the development area. Service expansion and extension is not necessarily site-specific; rather, it is generally related to a larger area and the City as a whole. In order to accommodate the new development, maintain an acceptable level of service, and alleviate the effects of the increased demand on City services, it is the policy of the City of Folsom to require certain necessary improvements as a part of the development and/or the payment of municipal services and facilities fees consistent with the proportional effect of the development on such services. . .

ANALYSIS

For fiscal year ended June 30, 2021 development impact fee funds for all revenues totaled \$24,132,680. Of the \$24.13 million, \$17,301,400 are impact fees, the remaining \$6,831,280


are grants, reimbursements, interest, and miscellaneous revenue. Expenditures totaled \$14,795,701.

Upon review, it is determined that all fees have been spent or committed within 5 years of receipt, and thus no refunds are required.

ATTACHMENTS

1. Resolution No. 10765 - A Resolution Accepting the AB1600 Development Fees Annual Report for the Fiscal Year Ended June 30, 2021
2. The Development Fees Annual Report for the City of Folsom for the Fiscal Year Ended June 30, 2021

Submitted,



Stacey Tamagni, Finance Director

ATTACHMENT 1

RESOLUTION NO. 10765

A RESOLUTION ACCEPTING THE AB1600 DEVELOPMENT FEES ANNUAL REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2021

WHEREAS, Policy 11.6 of the General Plan requires new development to bear the cost of its increased demand/effect on municipal services and facilities so as not to create a greater burden on existing residents; and

WHEREAS, the City of Folsom has imposed and collected the Development Impact Fees based upon several adopted Nexus Reports that were completed in accordance with Government Code Section 66000, et. al.; and

WHEREAS, Section 66006(b) 2 of the Government Code of the State of California mandates that the “local agency shall review the information (concerning local agency improvement fees) made available to the public...at the next regularly scheduled public meeting...”

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Folsom hereby accepts the Development Fees Annual Report for the Fiscal Year Ended June 30, 2021 on file in the City Clerk’s office.

PASSED AND ADOPTED this 14th day of December 2021, by the following roll-call vote:

AYES: Councilmember(s):

NOES: Councilmember(s):

ABSTAIN: Councilmember(s):

ABSENT: Councilmember(s):

Michael D. Kozlowski, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

ATTACHMENT 2

Development Impact Fee Report

Fiscal Year Ended June 30, 2021

City of Folsom



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**Annual Report
Development Impact Fees
For the City of Folsom
For the Fiscal Year Ended June 30, 2021**

Government Code Section 66006 requires local agencies to submit annual and five year reports detailing the status of development impact fees. The annual report must be made available to the public and presented to the public agency (City Council) at least fifteen days after it is made available to the public.

This report summarizes the following information for each of the development fee programs:

1. A brief description of the fee program.
2. Schedule of fees.
3. Beginning and ending balances of the fee program.
4. Amount of fees collected and the interest earned.
5. Disbursement information, including operating transfers.

ANALYSIS

For the fiscal year ended June 30, 2021 all fund revenues totaled \$24,132,680, while expenditures totaled \$14,795,701.

The table below summarizes, by program, the impact fees collected in FY 2020-21.

	<u>Fiscal Year End June 30, 2021</u>
Housing Trust Fund	\$ 11,442.62
Humbug-Willow Creek Fee	\$ 17,264.50
Supplemental Park Fee	\$ -
Park Improvements	\$ 446,418.81
Police Capital	\$ 48,085.48
Fire Capital	\$ 77,106.99
General Capital	\$ 117,262.66
Transportation Improvement	\$ 547,306.40
Drainage Capital Improvement	\$ 71,862.25
Light Rail Transportation	\$ 46,721.84
General Park Equip Cap	\$ 83,624.39
Water Impact Fee	\$ 67,733.00
Water Capital Improvement	\$ 201,146.12
Sewer Capital	\$ 39,834.53
Facilities Augmentation Critical	\$ -
Facilities Augmentation General	\$ 7.00
Solid Waste Capital	\$ 74,494.00
FPA Highway 50 Improvement	\$ 1,031,101.78
FPA Highway 50 Interchange	\$ 2,096,083.86
FPA Transit Impact	\$ 1,064,446.34
FPA Corporation Yard	\$ 661,296.66
FPA Specific Plan Capital	\$ 10,215,971.52
FPA Solid Waste Capital	\$ 382,189.14
Total Impact Fees Collected	<u>\$ 17,301,399.89</u>

**City of Folsom
Developer Impact Fee Compliance 2021
Housing Trust**

Fund 221

Section 3.90.010 of the Folsom Municipal Code establishes the provision for collection of a Housing Trust Fund impact fee. The housing trust fund is intended to be utilized with other sources of funding including, but not limited to, fee deferrals, fee waivers, federal tax credits, tax-exempt mortgage revenue bonds, community development block grants, and HOME funds. The purpose of this fee is to further the policies, goals and programs of the housing element of the City's general plan and to help facilitate the development of affordable housing within the City.

Monies in the housing trust fund shall be used to promote the goals and policies of the housing element of the general plan; to implement any housing assistance plan, program, or guidelines adopted by the City Council; and to increase and improve the supply of housing affordable to low and very low income households, with priority given to residential projects which include very low income units, as well as other housing related purposes. Housing trust funds may be used for loans, grants, equity participation or other funding mechanisms to accomplish these purposes. The housing trust fund may be used to cover reasonable administrative, legal, consulting, or other housing related expenses, which are not reimbursed to the City through processing fees.

HOUSING TRUST FUND FEE SCHEDULE

<u>Use Category</u>	<u>Fee per Gross Square Foot</u>
Office	\$ 1.73
Retail	\$ 1.73
Light Industrial	\$ 1.73
Heavy Industrial/Manufacturing	\$ 1.73
Light Industrial/Manufacturing	\$ 1.73

**Statement of Revenues Expenditures and Changes in Fund Balance
for Last Five Fiscal Years**

<u>Description</u>	<u>FY 2016/17</u>	<u>FY 2017/18</u>	<u>FY 2018/19</u>	<u>FY 2019/20</u>	<u>FY 2020/21</u>
Revenues					
Fees	\$ 250,751	\$ 61,088	\$ 53,712	\$ 175,956	\$ 11,443
Interest	13,577	14,628	21,476	41,916	27,568
Other Revenues	15,000	27,745	15,000	6,000	6,000
Total Revenues	<u>\$ 279,328</u>	<u>\$ 103,462</u>	<u>\$ 90,188</u>	<u>\$ 223,872</u>	<u>\$ 45,011</u>
Expenditures					
AB 1600 Expenditures	\$ 94,929	\$ 92,230	\$ 11,405	\$ 4,067	\$ 1,310
AB 1600 Transfers Out	1,793	2,500	3,771	2,222	1,956
	<u>\$ 96,722</u>	<u>\$ 94,730</u>	<u>\$ 15,176</u>	<u>\$ 6,289</u>	<u>\$ 3,266</u>
Revenues less Expenditures	\$ 182,606	\$ 8,732	\$ 75,012	\$ 217,583	\$ 41,745
Fund Balance, Beginning of Year	\$ 1,622,490	\$ 1,805,096	\$ 1,813,828	\$ 1,888,839	\$ 2,106,422
Fund Balance, End of Year	<u>\$ 1,805,096</u>	<u>\$ 1,813,828</u>	<u>\$ 1,888,839</u>	<u>\$ 2,106,422</u>	<u>\$ 2,148,167</u>
¹ Loan Receivable	\$ 849,683	\$ 849,683	\$ 849,683	\$ 841,289	\$ 841,289
Available Fund Balance	<u>\$ 955,413</u>	<u>\$ 964,145</u>	<u>\$ 1,039,156</u>	<u>\$ 1,265,132</u>	<u>\$ 1,306,877</u>

Notes:

¹ Loan Receivable are loans issued for development of affordable housing projects.

Housing Trust

Five Year Revenue Test Using First In First Out Method					
Available Revenue Current Year	\$ 279,328	\$ 103,462	\$ 90,188	\$ 223,872	\$ 45,011
Available Revenue Prior Fiscal Year (2-yr Old Funds)	318,662	279,328	103,462	90,188	223,872
Available Revenue Prior Fiscal Year (3-yr Old Funds)	311,517	318,662	279,328	103,462	90,188
Available Revenue Prior Fiscal Year (4-yr Old Funds)	45,906	262,693	318,662	279,328	103,462
Available Revenue Prior Fiscal Year (5-yr Old Funds)	-	-	247,516	318,662	279,328
Available Revenue Prior Fiscal Year (6-yr and beyond)	-	-	-	249,620	565,016
Total Revenue Available	\$ 955,413	\$ 964,145	\$ 1,039,156	\$ 1,265,132	\$ 1,306,877

Notes:

Result: The Housing Trust Fee Fund reports funds being held beyond the five-years as described by AB1600. The City currently has funding requests for two proposed housing projects.

Capital Improvement Projects

FY 2020-21 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
Operations	\$ 1,310	100%	\$ 1,310	\$ -
Administrative Overhead (interfund transfer)	1,956	100%	1,956	- ¹
	\$ 3,266		\$ 3,266	\$ -

FY 2019-20 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
Operations	\$ 4,067	100%	\$ 4,067	\$ -
Administrative Overhead (interfund transfer)	2,222	100%	2,222	- ¹
	\$ 6,289		\$ 6,289	\$ -

FY 2018-19 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
Operations	\$ 11,405	100%	\$ 11,405	\$ -
Administrative Overhead (interfund transfer)	3,771	100%	3,771	- ¹
	\$ 15,176		\$ 15,176	\$ -

FY 2017-18 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
Operations	\$ 92,230	100%	\$ 92,230	\$ -
Administrative Overhead (interfund transfer)	2,500	100%	2,500	- ¹
	\$ 94,730		\$ 94,730	\$ -

FY 2016-17 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
Operations	\$ 94,929	100%	\$ 94,929	\$ -
Administrative Overhead (interfund transfer)	1,793	100%	1,793	- ¹
	\$ 96,722		\$ 96,722	\$ -

Notes:

¹ Interfund transfers are used to reimburse the General Fund for providing General Government support.

**City of Folsom
Developer Impact Fee Compliance 2021
Humbug-Willow Creek Fee**

Fund 223

Section 4.12.010 of the Folsom Municipal Code establishes the provision for collection of a Humbug-Willow Creek Parkway impact fee. The Humbug-Willow Creek Parkway fund is intended to be utilized with other sources of funding including, but not limited to, the residential construction tax, capital improvement-new construction service charge, drainage fees, Quimby Act fees, major road fees and park Improvement Fee. The purpose of this fee is to further the long-range planning efforts of the General Plan to develop the Humbug-Willow Creek Parkway. New development, and the expansion of existing development within the city, generates the need for financing the planning and construction of recreational trail, and passive recreational amenities along the Humbug-Willow Creek Parkway.

HUMBUG-WILLOW CREEK FUND FEE SCHEDULE

<u>Use Category</u>	<u>Basis</u>	<u>Fee Amount</u>
Residential, Single Family	Per Unit	\$ 276
Residential, Multiple Family	Per Unit	\$ 174
Mobile Dwellings	Per Unit	\$ 151
Commercial/Industrial Development	Sq. Ft.	\$ 0.0670

**Statement of Revenues Expenditures and Changes in Fund Balance
for Last Five Fiscal Years**

<u>Description</u>	<u>FY 2016/17</u>	<u>FY 2017/18</u>	<u>FY 2018/19</u>	<u>FY 2019/20</u>	<u>FY 2020/21</u>
Revenues					
Fees	\$ 47,430	\$ 146,538	\$ 107,206	\$ 81,891	\$ 17,265
Interest	-	229	-	-	-
Grant Reimbursements	2,056,066	2,590,416	2,402,241	68,123	40,000
Other Revenues	267,607	40,063	244,493	123,785	74,160
Total Revenues	\$ 2,371,103	\$ 2,777,246	\$ 2,753,940	\$ 273,799	\$ 131,424
Expenditures					
AB 1600 Expenditures	\$ 2,521,133	\$ 2,452,183	\$ 2,678,645	\$ 544,809	\$ 30,308
Other Expenses	-	-	-	-	-
AB 1600 Transfers Out	-	-	106,013	69,653	79,472
	\$ 2,521,133	\$ 2,452,183	\$ 2,784,658	\$ 614,462	\$ 109,780
Revenues less Expenditures	\$ (150,030)	\$ 325,063	\$ (30,718)	\$ (340,664)	\$ 21,644
Fund Balance, Beginning of Year	\$ (968,842)	\$ (1,118,872)	\$ (793,809)	\$ (824,527)	\$ (1,165,191)
Fund Balance, End of Year	\$ (1,118,872)	\$ (793,809)	\$ (824,527)	\$ (1,165,191)	\$ (1,143,546)
Assigned Fund Balance	\$ -	\$ -	\$ -	\$ -	\$ -
Available Fund Balance	\$ (1,118,872)	\$ (793,809)	\$ (824,527)	\$ (1,165,191)	\$ (1,143,546)

Humbug-Willow Creek Fee Fund

Five Year Revenue Test Using First In First Out Method

Available Revenue Current Year	\$ -	\$ -	\$ -	\$ -	\$ -
Available Revenue Prior Fiscal Year (2-yr Old Funds)	-	-	-	-	-
Available Revenue Prior Fiscal Year (3-yr Old Funds)	-	-	-	-	-
Available Revenue Prior Fiscal Year (4-yr Old Funds)	-	-	-	-	-
Available Revenue Prior Fiscal Year (5-yrs and beyond)	-	-	-	-	-
Available Revenue Greater than Five Prior Fiscal Years	-	-	-	-	-
Total Revenue Available	\$ -	\$ -	\$ -	\$ -	\$ -

Result: Five Year Revenue test met in accordance with Government Code 66001

Capital Improvement Projects

FY 2020-21 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
Placerville Rail Trail	\$ 30,308	100%	\$ 30,308	\$ -
General Government Overhead (interfund transfer)	79,472	100%	79,472	-
	<u>\$ 109,780</u>		<u>\$ 109,780</u>	<u>\$ -</u>

FY 2019-20 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
Oak Parkway Trail Undercrossing	\$ 626,199	85%	\$ 534,574	\$ 91,625
Placerville Rail Trail	10,235	100%	10,235	-
General Government Overhead (interfund transfer)	69,653	100%	69,653	-
	<u>\$ 706,087</u>		<u>\$ 614,462</u>	<u>\$ 91,625</u>

FY 2018-19 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
Folsom Lake Trail Phase 2	\$ 4,515	0%	\$ -	\$ 4,515
Lake Natoma Class 1 Trail	868,568	100%	868,568	-
Lake Natoma Water Front Trail	48,500	100%	48,500	-
Oak Parkway Trail Undercrossing	1,728,829	98%	1,691,614	37,215
Placerville Rail Trail	28,233	100%	28,233	-
General Government Overhead (interfund transfer)	106,013	100%	106,013	-
	<u>\$ 2,784,658</u>		<u>\$ 2,636,915</u>	<u>\$ 41,730</u>

FY 2017-18 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
Folsom Lake Trail Phase 2	\$ 1,984,345	98%	\$ 1,937,133	47,212
Lake Natoma Class 1 Trail	329,160	100%	329,160	-
Oak Parkway Trail Undercrossing	61,878	100%	61,878	-
Placerville Rail Trail	124,012	100%	124,012	-
	<u>\$ 2,499,395</u>		<u>\$ 2,452,183</u>	<u>\$ 47,212</u>

FY 2016-17 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
Folsom Lake Trail Phase 2	\$ 1,798,872	100%	\$ 1,798,872	\$ -
Lake Natoma Class 1 Trail	173,877	99%	171,638	2,239
Lake Natoma Water Front Trail	598,421	62%	371,525	226,895
Levy Park Trail	66,786	100%	66,786	-
Oak Parkway Trail Undercrossing	100,820	100%	100,820	-
Placerville Rail Trail	11,492	100%	11,492	-
	<u>\$ 2,750,267</u>		<u>\$ 2,521,133</u>	<u>\$ 229,134</u>

Notes:

¹ Interfund transfers are used to reimburse the General Fund for providing General Government support.

**City of Folsom
Developer Impact Fee Compliance 2021
Supplemental Park Fee**

Fund 411

Section 4.10.010 of the Folsom Municipal Code establishes the provision for collection of a Park Improvement impact fee. The fee established by this chapter is in addition to any other fees or charges, or taxes, required by law or city code as a condition of development, including, but not limited to, the residential construction tax levied by Chapter 17.90, capital improvement—new construction service charge levied by Chapter 17.92, drainage fees levied by Chapter 17.95, Quimby Act fees levied by Chapter 16.32 and major road fees levied by Chapter 12.04. The fee established by this chapter is to be collected for park and recreation facilities for which an account shall be established and funds appropriated, and for which a proposed construction schedule shall be adopted. The fee imposed by this chapter is necessary in order to assure compliance with the applicable general plan requirements that new development bear the cost for park and recreation infrastructure which is needed to serve such development.

SUPPLEMENTAL PARK IMPROVEMENT FUND FEE SCHEDULE

This fee is no longer charged

**Statement of Revenues Expenditures and Changes in Fund Balance
for Last Five Fiscal Years**

Description	FY 2016/17	FY 2017/18	FY 2018/19	FY 2019/20	FY 2020/21
Revenues					
Fees	\$ -	\$ -	\$ -	\$ -	\$ -
Interest	3,962	3,938	5,912	5,703	3,276
Other Revenues	-	-	-	-	-
Total Revenues	\$ 3,962	\$ 3,938	\$ 5,912	\$ 5,703	\$ 3,276
Expenditures					
AB 1600 Expenditures	\$ -	\$ -	\$ -	\$ -	\$ -
Other Expenses	-	-	-	-	-
AB 1600 Transfers Out	-	-	-	435	-
	\$ -	\$ -	\$ -	\$ 435	\$ -
Revenues less Expenditures	\$ 3,962	\$ 3,938	\$ 5,912	\$ 5,268	\$ 3,276
Fund Balance, Beginning of Year	\$ 261,563	\$ 265,525	\$ 269,463	\$ 275,375	\$ 280,643
Fund Balance, End of Year	\$ 265,525	\$ 269,463	\$ 275,375	\$ 280,643	\$ 283,919
Assigned Fund Balance	\$ -	\$ -	\$ -	\$ -	\$ -
Available Fund Balance	\$ 265,525	\$ 269,463	\$ 275,375	\$ 280,643	\$ 283,919

Five Year Revenue Test Using First In First Out Method

Available Revenue Current Year	\$ 3,962	\$ 3,938	\$ 5,912	\$ 5,703	\$ 3,276
Available Revenue Prior Fiscal Year (2-yr Old Funds)	10,491	3,962	3,938	5,912	5,703
Available Revenue Prior Fiscal Year (3-yr Old Funds)	152,078	10,491	3,962	3,938	5,912
Available Revenue Prior Fiscal Year (4-yr Old Funds)	96,263	152,078	10,491	3,962	3,938
Available Revenue Prior Fiscal Year (5-yr and beyond)	2,731	96,263	152,078	10,491	3,962
Available Revenue Greater than Five Prior Fiscal Years	-	2,731	98,994 ¹	250,637	261,128
Total Revenue Available	\$ 265,525	\$ 269,463	\$ 275,375	\$ 280,643	\$ 283,919

Notes:

Result: The Supplemental Park Improvement Fund reports funds being held beyond the five-years as described by AB1600. Per the 2022 Capital Improvement Plan funds are reserved for the Benevento Family Park project. The Supplemental Park Improvement Fund will be utilized for a total of \$275,000 for this project which is currently in the design phase.

**Supplemental Park Fee
Capital Improvement Projects**

	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
FY 2020-21 Projects				
General Government Overhead (interfund transfer)	\$ -	100%	\$ -	\$ -
	<u>\$ -</u>		<u>\$ -</u>	<u>\$ -</u>
FY 2019-20 Projects				
General Government Overhead (interfund transfer)	\$ 435	100%	\$ 435	\$ - ¹
	<u>\$ 435</u>		<u>\$ 435</u>	<u>\$ -</u>
FY 2018-19 Projects				
General Government Overhead (interfund transfer)	\$ -	100%	\$ -	\$ -
	<u>\$ -</u>		<u>\$ -</u>	<u>\$ -</u>
FY 2017-18 Projects				
General Government Overhead (interfund transfer)	\$ -	100%	\$ -	\$ -
	<u>\$ -</u>		<u>\$ -</u>	<u>\$ -</u>
FY 2016-17 Projects				
General Government Overhead (interfund transfer)	\$ -	100%	\$ -	\$ -
	<u>\$ -</u>		<u>\$ -</u>	<u>\$ -</u>

¹ Interfund transfers are used to reimburse the General Fund for providing General Government support.

**City of Folsom
Developer Impact Fee Compliance 2021
City-Wide Park Improvement Fund**

Fund 412

Section 4.10.010 of the Folsom Municipal Code establishes the provision for collection of a Park Improvement impact fee. The fee established by this chapter is in addition to any other fees or charges, or taxes, required by law or city code as a condition of development, including, but not limited to, the residential construction tax levied by Chapter 17.90, capital improvement—new construction service charge levied by Chapter 17.92, drainage fees levied by Chapter 17.95, Quimby Act fees levied by Chapter 16.32 and major road fees levied by Chapter 12.04. The fee established by this chapter is to be collected for park and recreation facilities for which an account shall be established and funds appropriated, and for which a proposed construction schedule shall be adopted. The fee imposed by this chapter is necessary in order to assure compliance with the applicable general plan requirements that new development bear the cost for park and recreation infrastructure which is needed to serve such development.

CITY-WIDE PARK IMPROVEMENT FUND FEE SCHEDULE

Use Category	Basis	Fee Amount
Residential, Single Family	Per Unit	\$ 7,037
Residential, Multiple Family	Per Unit	\$ 4,675
Residential Senior dwelling	Per Unit	\$ 3,614
Mobile Dwellings	Per Unit	\$ 2,701
Commercial/Industrial Development	Sq. Ft.	\$ 0.476

**Statement of Revenues Expenditures and Changes in Fund Balance
for Last Five Fiscal Years**

Description	FY 2016/17	FY 2017/18	FY 2018/19	FY 2019/20	FY 2020/21
Revenues					
Fees	\$ 1,232,680	\$ 3,819,319	\$ 2,539,916	\$ 2,034,287	\$ 446,419
Interest	37,901	34,929	42,345	141,800	19,163
Grant Reimbursements	-	-	-	-	-
Other Revenues	(17,119)	-	2,643	7,334	1,488
Total Revenues	\$ 1,253,461	\$ 3,854,248	\$ 2,584,905	\$ 2,183,421	\$ 467,070
Expenditures					
AB 1600 Expenditures	\$ 1,611,108	\$ 5,256,400	\$ 999,904	\$ 145,665	\$ 149,220
Other Expenses	-	-	-	-	-
AB 1600 Transfers Out	\$ 12,813	\$ 21,737	\$ 43,231	\$ 80,371	\$ 21,528
	\$ 1,623,921	\$ 5,278,137	\$ 1,043,135	\$ 226,036	\$ 170,748
Revenues less Expenditures	\$ (370,460)	\$ (1,423,889)	\$ 1,541,769	\$ 1,957,386	\$ 296,322
Fund Balance, Beginning of Year	\$ 2,226,782	\$ 1,856,322	\$ 432,434	\$ 1,974,203	\$ 3,931,589
Fund Balance, End of Year	\$ 1,856,322	\$ 432,434	\$ 1,974,203	\$ 3,931,589	\$ 4,227,910
Assigned Fund Balance	\$ 6,326,934	\$ -	\$ -	\$ -	\$ -
Available Fund Balance	\$ (4,470,612)	\$ 432,434	\$ 1,974,203	\$ 3,931,589	\$ 4,227,910

City-Wide Park Improvement Fund

Five Year Revenue Test Using First In First Out Method

Available Revenue Current Year	\$ 1,253,461	\$ 432,434	\$ 1,974,203	\$ 2,183,421	\$ 467,070
Available Revenue Prior Fiscal Year (2-yr Old Funds)	601,804	-	-	1,748,168	2,183,421
Available Revenue Prior Fiscal Year (3-yr Old Funds)	1,057	-	-	-	1,577,419
Available Revenue Prior Fiscal Year (4-yr Old Funds)	-	-	-	-	-
Available Revenue Prior Fiscal Year (5-yr and beyond)	-	-	-	-	-
Available Revenue Greater than Five Prior Fiscal Years	-	-	-	-	-
Total Revenue Available	\$ 1,856,322	\$ 432,434	\$ 1,974,203	\$ 3,931,589	\$ 4,227,910

Result: Five Year Revenue test met in accordance with Government Code 66001

Capital Improvement Projects

FY 2020-21 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
Operations	\$ 27,846	100%	\$ 27,846	\$ -
Davies Park	4,650	100%	4,650	-
Benevento Park (Empire Ranch Site 51)	15,236	100%	15,236	-
Sutter Middle School Gym	100,000	100%	100,000	-
Memorial/Celebratory Benches	1,488	0%	-	1,488
General Government Overhead (interfund transfer)	21,528	100%	21,528	-
	\$ 170,748		\$ 169,260	\$ 1,488

FY 2019-20 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
Operations	\$ 37,067	80%	\$ 29,733	\$ 7,334
BT Collins Park	1,838	100%	1,838	-
Econome Park (Site 44)	6,760	100%	6,760	-
Sutter Middle School Gym	100,000	100%	100,000	-
General Government Overhead (interfund transfer)	80,371	100%	80,371	-
	\$ 226,036		\$ 218,702	\$ 7,334

FY 2018-19 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
Operations	\$ 90,537	97%	\$ 87,894	\$ 2,643
Livermore Park	(5,518)	100%	(5,518)	-
Johnny Cash Art Park	(371)	100%	(371)	-
Johnny Cash Trail Art	9,216	100%	9,216	-
Econome Park (Site 44)	806,040	100%	806,040	-
Sutter Middle School Gym	100,000	100%	100,000	-
General Government Overhead (interfund transfer)	43,231	100%	43,231	-
	\$ 1,043,135		\$ 1,040,492	\$ 2,643

FY 2017-18 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
Operations	\$ 208,624	100%	\$ 208,624	\$ -
Lew Howard Park	377	100%	377	-
Livermore Park	37,291	100%	37,291	-
Johnny Cash Art Park	34,288	100%	34,288	-
Econome Park (Site 44)	4,975,820	100%	4,975,820	-
	\$ 5,256,400		\$ 5,256,400	\$ -

FY 2016-17 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
Operations	\$ 134,126	144%	\$ 192,471	\$ -
Lew Howard Park	76,788	24%	18,443	58,345
Econome Park (Site 44)	1,392,767	100%	1,392,767	-
Zoo Barn	388,343	2%	7,427	380,916
	<u>\$ 1,992,024</u>		<u>\$ 1,611,108</u>	<u>\$ 439,261</u>

Notes:

¹ Interfund transfers are used to reimburse the General Fund for providing General Government support.

City of Folsom
Developer Impact Fee Compliance 2021
Police Capital

Fund 428

Section 3.80.010 of the Folsom Municipal Code establishes the provision to implement the City General Plan, Urban Development Policy No. 11.6, and to provide for adequate police, fire and general governmental services and facilities to serve new residential, industrial and commercial development throughout the City. The City Council determined that the existing police, fire and general governmental services and facilities would be inadequate to accommodate the needs generated by projected new residential, industrial and commercial growth in the City, and additional services and facilities were needed to protect and promote the health, safety and welfare of Folsom residents and businesses. Under this section of the City's Municipal Charter the City established three improvement funds entitled the police improvement fund, the fire improvement fund and the general government improvement fund. The amount of the capital improvement new construction fee shall be established by resolution adopted by the City Council of the City, and shall be based upon the determination in the Nexus Studies of: (1) the use of the fee and the type of development on which the fee is imposed; (2) the need for the facilities and/or services created by the new residential and commercial development; and (3) the reasonable cost of the facilities and/or services attributable to new development. (Ord. 871 § 1 (part), 1997) All fees collected pursuant to this chapter shall be deposited in these improvement funds and shall be expended solely to finance the planning, construction and development of the facilities and services identified in the Nexus Studies.

POLICE CAPITAL FUND FEE SCHEDULE

<u>Use Category</u>	<u>Basis</u>	<u>Fee Amount</u>
Single Family Residential	Per Unit	\$ 601
Multi-Family Residential	Per Unit	\$ 681
Mobile Dwellings	Per Unit	\$ 156
Commercial Lodging	Per Unit	\$ 35
Commercial Development	Sq. Ft.	\$ 1.012
Industrial Development	Sq. Ft.	\$ 0.875

**Statement of Revenues Expenditures and Changes in Fund Balance
for Last Five Fiscal Years**

<u>Description</u>	<u>FY 2016/17</u>	<u>FY 2017/18</u>	<u>FY 2018/19</u>	<u>FY 2019/20</u>	<u>FY 2020/21</u>
Revenues					
Fees	\$ 242,736	\$ 535,099	\$ 307,384	\$ 376,561	\$ 48,085
Interest	6,920	7,697	13,649	19,536	13,505
Other Revenues	-	-	-	-	-
Total Revenues	\$ 249,656	\$ 542,796	\$ 321,033	\$ 396,098	\$ 61,590
Expenditures					
AB 1600 Expenditures	\$ -	\$ -	\$ -	\$ 117,796	\$ 43,185
Debt Service - interfund transfer	300,000	500,000	-	-	-
AB 1600 Transfers Out	-	-	-	716	-
	\$ 300,000	\$ 500,000	\$ -	\$ 118,512	\$ 43,185
Revenues less Expenditures	\$ (50,344)	\$ 42,796	\$ 321,033	\$ 277,586	\$ 18,405
Fund Balance, Beginning of Year	\$ 451,113	\$ 400,769	\$ 443,565	\$ 764,598	\$ 1,042,184
Fund Balance, End of Year	\$ 400,769	\$ 443,565	\$ 764,598	\$ 1,042,184	\$ 1,060,589
Assigned Fund Balance	\$ 500,000	\$ -	\$ -	\$ -	\$ -
Available Fund Balance	\$ (99,231)	\$ 443,565	\$ 764,598	\$ 1,042,184	\$ 1,060,589

Police Capital

Five Year Revenue Test Using First In First Out Method

Available Revenue Current Year	\$ 249,656	\$ 443,565	\$ 321,033	\$ 396,098	\$ 61,590
Available Revenue Prior Fiscal Year (2-yr Old Funds)	151,113	-	443,565	321,033	396,098
Available Revenue Prior Fiscal Year (3-yr Old Funds)	-	-	-	325,053	321,033
Available Revenue Prior Fiscal Year (4-yr Old Funds)	-	-	-	-	281,868
Available Revenue Prior Fiscal Year (5-yr Old Funds)	-	-	-	-	-
Available Revenue Greater than Five Prior Fiscal Years	-	-	-	-	-
Total Revenue Available	\$ 400,769	\$ 443,565	\$ 764,598	\$ 1,042,184	\$ 1,060,589
Assigned Fund Balance	500,000	-	-	-	-
Total Available Revenue	\$ (99,231)	\$ 443,565	\$ 764,598	\$ 1,042,184	\$ 1,060,589

Result: Five Year Revenue test met in accordance with Government Code 66001

Capital Improvement Projects

	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
FY 2020-21 Projects				
Police HQ Remodel	\$ 43,185	100%	\$ 43,185	\$ -
General Government Overhead (interfund transfer)	-	0%	-	-
	\$ 43,185		\$ 43,185	\$ -
FY 2019-20 Projects				
Purchase of Police Vehicles	\$ 117,796	100%	\$ 117,796	\$ -
General Government Overhead (interfund transfer)	716	100%	716	-
	\$ 118,512		\$ 118,512	\$ -
FY 2018-19 Projects				
	\$ -		\$ -	\$ -
FY 2017-18 Projects				
Debt Ser. on Municipal Svcs. Complex (interfund transfer)	\$ 1,285,125	39%	\$ 500,000	\$ 785,125
General Government Overhead (interfund transfer)	-		-	-
	\$ 1,285,125		\$ 500,000	\$ 785,125
FY 2016-17 Projects				
Debt Ser. on Municipal Svcs. Complex (interfund transfer)	\$ 1,419,410	21%	\$ 300,000	\$ 1,119,410
General Government Overhead (interfund transfer)	-		-	-
	\$ 1,419,410		\$ 300,000	\$ 1,119,410

Notes:

¹ Interfund transfers are used to reimburse the General Fund for providing General Government support.

City of Folsom
Developer Impact Fee Compliance 2021
Fire Capital

Fund 441

Section 3.80.010 of the Folsom Municipal Code establishes the provision to implement the City General Plan, Urban Development Policy No. 11.6, and to provide for adequate police, fire and general governmental services and facilities to serve new residential, industrial and commercial development throughout the City. The City Council determined that the existing police, fire and general governmental services and facilities would be inadequate to accommodate the needs generated by projected new residential, industrial and commercial growth in the City, and additional services and facilities were needed to protect and promote the health, safety and welfare of Folsom residents and businesses. Under this section of the City's Municipal Charter the City established three improvement funds entitled the police improvement fund, the fire improvement fund and the general government improvement fund. The amount of the capital improvement new construction fee shall be established by resolution adopted by the City Council of the City, and shall be based upon the determination in the Nexus Studies of: (1) the use of the fee and the type of development on which the fee is imposed; (2) the need for the facilities and/or services created by the new residential and commercial development; and (3) the reasonable cost of the facilities and/or services attributable to new development. (Ord. 871 § 1 (part), 1997) All fees collected pursuant to this chapter shall be deposited in these improvement funds and shall be expended solely to finance the planning, construction and development of the facilities and services identified in the Nexus Studies.

FIRE CAPITAL FUND FEE SCHEDULE

<u>Use Category</u>	<u>Basis</u>	<u>Fee Amount</u>
Single Family Residential	Per Unit	\$ 1,086
Multi-Family Residential	Per Unit	\$ 1,050
Mobile Dwellings	Per Unit	\$ 1,083
Commercial Lodging	Per Unit	\$ 939
Commercial Development	Sq. Ft.	\$ 0.634
Industrial Development	Sq. Ft.	\$ 0.276

**Statement of Revenues Expenditures and Changes in Fund Balance
for Last Five Fiscal Years**

<u>Description</u>	<u>FY 2016/17</u>	<u>FY 2017/18</u>	<u>FY 2018/19</u>	<u>FY 2019/20</u>	<u>FY 2020/21</u>
Revenues					
Fees	\$ 245,913	\$ 832,887	\$ 478,923	\$ 503,670	\$ 77,107
Interest	15,621	50,565	46,994	26,669	(12,922)
Other Revenues	-	-	-	-	-
Total Revenues	\$ 261,534	\$ 883,452	\$ 525,916	\$ 530,339	\$ 64,185
Expenditures					
AB 1600 Expenditures	\$ 35,352	\$ 1,393,613	\$ 1,785,969	\$ -	\$ 2,008,060
Debt Service - interfund transfer	80,389	79,493	80,049	80,420	-
Other Expenses	-	-	-	-	-
AB 1600 Transfers Out	-	-	1,487	43,784	52,861
	\$ 115,741	\$ 1,473,106	\$ 1,867,505	\$ 124,204	\$ 2,060,921
Revenues less Expenditures	\$ 145,793	\$ (589,654)	\$ (1,341,589)	\$ 406,135	\$ (1,996,736)
Fund Balance, Beginning of Year	\$ 2,979,173	\$ 3,124,965	\$ 2,535,312	\$ 1,193,723	\$ 1,599,857
Fund Balance, End of Year	\$ 3,124,965	\$ 2,535,312	\$ 1,193,723	\$ 1,599,857	\$ (396,879)
Assigned Fund Balance	\$ 4,457,369	\$ -	\$ -	\$ -	\$ -
Available Fund Balance	\$ (1,332,404)	\$ 2,535,312	\$ 1,193,723	\$ 1,599,857	\$ (396,879)

Fire Capital

Five Year Revenue Test Using First In First Out Method

Available Revenue Current Year	\$ 261,534	\$ 883,452	\$ 525,916	\$ 530,339	\$ -
Available Revenue Prior Fiscal Year (2-yr Old Funds)	305,133	261,534	667,807	525,916	-
Available Revenue Prior Fiscal Year (3-yr Old Funds)	448,359	305,133	-	543,602	-
Available Revenue Prior Fiscal Year (4-yr Old Funds)	540,325	448,359	-	-	-
Available Revenue Prior Fiscal Year (5-yr Old Funds)	218,428	540,325	-	-	-
Available Revenue Greater than Five Prior Fiscal Years	1,351,186	96,509	-	-	-
Total Revenue	\$ 3,124,965	\$ 2,535,312	\$ 1,193,723	\$ 1,599,857	\$ -
Assigned Fund Balance	4,456,369	-	-	-	-
Total Available Revenue	\$ (1,331,404)	\$ 2,535,312	\$ 1,193,723	\$ 1,599,857	\$ -

Result: Five Year Revenue test met in accordance with Government Code 66001

Capital Improvement Projects

	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
FY 2020-21 Projects				
Station 38 Remodel	\$ 2,430,715	83%	\$ 2,008,060	\$ 422,655
General Government Overhead (interfund transfer)	52,861	100%	52,861	-
	<u>\$ 2,483,576</u>		<u>\$ 2,060,921</u>	<u>\$ 422,655</u>
FY 2019-20 Projects				
Debt Service on Fire Station 35 (interfund transfer)	\$ 223,388	36%	\$ 80,420	\$ 142,968
General Government Overhead (interfund transfer)	43,784	100%	43,784	-
	<u>\$ 267,172</u>		<u>\$ 124,204</u>	<u>\$ 142,968</u>
FY 2018-19 Projects				
Debt Service on Fire Station 35 (interfund transfer)	\$ 222,357	36%	\$ 80,049	\$ 142,308
Fire Station #39	2,161,413	83%	1,785,969	375,444
General Government Overhead (interfund transfer)	1,487	100%	1,487	-
	<u>\$ 2,385,257</u>		<u>\$ 1,867,505</u>	<u>\$ 517,752</u>
FY 2017-18 Projects				
Debt Service on Fire Station 35 (interfund transfer)	\$ 222,313	36%	\$ 79,493	\$ 142,820
Fire Station #39	3,735,921	37%	1,393,613	2,342,308
General Government Overhead (interfund transfer)	-	-	-	-
	<u>\$ 3,958,234</u>		<u>\$ 1,473,106</u>	<u>\$ 2,485,128</u>
FY 2016-17 Projects				
Debt Service on Fire Station 35 (interfund transfer)	\$ 223,303	36%	\$ 80,389	\$ 142,914
Fire Station #39	224,020	16%	35,352	188,668
General Government Overhead (interfund transfer)	-	0%	-	-
	<u>\$ 447,323</u>		<u>\$ 115,741</u>	<u>\$ 331,582</u>

Notes:

- ¹ Interfund transfers are used to reimburse the General Fund for the impact fee portion of the debt service payments and capital expenses.
- ² Interfund transfers are used to reimburse the General Fund for providing General Government support.

**City of Folsom
Developer Impact Fee Compliance 2021
General Capital**

Fund 445

Section 3.80.010 of the Folsom Municipal Code establishes the provision to implement the City General Plan, Urban Development Policy No. 11.6, and to provide for adequate police, fire and general governmental services and facilities to serve new residential, industrial and commercial development throughout the City. The City Council determined that the existing police, fire and general governmental services and facilities would be inadequate to accommodate the needs generated by projected new residential, industrial and commercial growth in the City, and additional services and facilities were needed to protect and promote the health, safety and welfare of Folsom residents and businesses. Under this section of the City's Municipal Charter the City established three improvement funds entitled the police improvement fund, the fire improvement fund and the general government improvement fund. The amount of the capital improvement new construction fee shall be established by resolution adopted by the City Council of the City, and shall be based upon the determination in the Nexus Studies of: (1) the use of the fee and the type of development on which the fee is imposed; (2) the need for the facilities and/or services created by the new residential and commercial development; and (3) the reasonable cost of the facilities and/or services attributable to new development. (Ord. 871 § 1 (part), 1997) All fees collected pursuant to this chapter shall be deposited in these improvement funds and shall be expended solely to finance the planning, construction and development of the facilities and services identified in the Nexus Studies.

GENERAL CAPITAL FUND FEE SCHEDULE

Use Category	Basis	Fee Amount
Single Family Residential	Per Unit	\$ 1,596
Multi-Family Residential	Per Unit	\$ 1,596
Mobile Dwellings	Per Unit	\$ 1,589
Commercial Lodging	Per Unit	\$ 228
Commercial Development	Sq. Ft.	\$ 0.498
Industrial Development	Sq. Ft.	\$ 0.495

**Statement of Revenues Expenditures and Changes in Fund Balance
for Last Five Fiscal Years**

Description	FY 2016/17	FY 2017/18	FY 2018/19	FY 2019/20	FY 2020/21
Revenues					
Fees	\$ 354,644	\$ 1,242,626	\$ 701,310	\$ 714,359	\$ 117,263
Interest	13,482	19,876	37,077	3,681	10,224
Other Revenues	-	-	-	-	-
Total Revenues	\$ 368,126	\$ 1,262,502	\$ 738,387	\$ 718,041	\$ 127,487
Expenditures					
AB 1600 Expenditures	\$ 16,331	\$ 117,834	\$ 42,871	\$ 2,505	\$ 1,582
Debt Service - interfund transfer	400,000	600,000	1,856,110	-	-
Other Expenses	-	-	-	-	-
AB 1600 Transfers Out	4,667	4,617	2,702	152,745	-
	\$ 420,998	\$ 722,451	\$ 1,901,683	\$ 155,250	\$ 1,582
Revenues less Expenditures	\$ (52,871)	\$ 540,051	\$ (1,163,296)	\$ 562,790	\$ 125,905
Fund Balance, Beginning of Year	\$ 881,191	\$ 828,320	\$ 1,368,371	\$ 205,075	\$ 767,865
Fund Balance, End of Year	\$ 828,320	\$ 1,368,371	\$ 205,075	\$ 767,865	\$ 893,770
Assigned Fund Balance	\$ -	\$ -	\$ -	\$ -	\$ -
Available Fund Balance	\$ 828,320	\$ 1,368,371	\$ 205,075	\$ 767,865	\$ 893,770

General Capital

Five Year Revenue Test Using First in First Out Method

Available Revenue Current Year	\$ 368,126	\$ 1,262,502	\$ 205,075	\$ 718,041	\$ 127,487
Available Revenue Prior Fiscal Year (2-yr Old Funds)	217,310	105,869	-	49,824	718,041
Available Revenue Prior Fiscal Year (3-yr Old Funds)	242,884	-	-	-	48,242
Available Revenue Prior Fiscal Year (4-yr Old Funds)	-	-	-	-	-
Available Revenue Prior Fiscal Year (5-yr Old Funds)	-	-	-	-	-
Available Revenue Greater than Five Prior Fiscal Years	-	-	-	-	-
Total Revenue Available	\$ 828,320	\$ 1,368,371	\$ 205,075	\$ 767,865	\$ 893,770

Result: Five Year Revenue test met in accordance with Government Code 66001

Capital Improvement Projects

FY 2020-21 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
General Government Overhead (interfund transfer)	\$ 1,582	100%	\$ 1,582	\$ -
	\$ 1,582		\$ 1,582	\$ -

FY 2019-20 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
Software upgrade	\$ 4,840	57%	\$ 2,745	\$ 2,095
Capital Equipment	156,847	96%	150,000	6,847
General Government Overhead (interfund transfer)	2,505	100%	2,505	-
	\$ 164,192		\$ 155,250	\$ 8,942

FY 2018-19 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
Software upgrade	\$ 87,620	49%	\$ 42,871	\$ 44,749
Debt Service on City Hall (interfund transfer)	1,856,110	100%	1,856,110	-
General Government Overhead (interfund transfer)	2,702	100%	2,702	-
	\$ 1,946,432		\$ 1,901,683	\$ 44,749

FY 2017-18 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
Fiber upgrade (City Hall campus)	\$ 107,484	100%	\$ 107,484	\$ -
Software upgrade	18,248	57%	10,350	7,898
Debt Service on City Hall (interfund transfer)	1,285,125	47%	600,000	685,125
General Government Overhead (interfund transfer)	4,617	100%	4,617	-
	\$ 1,415,474		\$ 722,451	\$ 693,023

FY 2016-17 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
Software upgrade	\$ 36,980	44%	\$ 16,331	\$ 20,649
Debt Service on City Hall (interfund transfer)	1,419,410	28%	400,000	1,019,410
General Government Overhead (interfund transfer)	4,667	100%	4,667	-
	\$ 1,461,057		\$ 420,998	\$ 1,040,059

Notes:

¹ Interfund transfers are used to reimburse the General Fund for providing General Government support.

² Interfund transfers are used to reimburse the General Fund for the impact fee portion of the debt service payments.

**City of Folsom
Developer Impact Fee Compliance 2021
Transportation Improvement Fund**

Fund 446

Section 12.04.060 of the Folsom Municipal Code establishes the provision for a transportation improvement fee. The purpose of the fee is to establish a fund for financing transportation facilities as identified in the circulation element of the city general plan and those studies which identify specific transportation facility improvements called for in the circulation element and the estimated costs thereof. Improvements include construction of new transportation facilities where there are none and reconstruction of existing transportation facilities which are not sufficient to accommodate increased traffic caused by new development. The area of benefit of the transportation facilities is the entire corporate limits of the City.

TRANSPORTATION IMPROVEMENT FUND FEE SCHEDULE

<u>Use Category</u>	<u>Basis</u>	<u>Fee Amount</u>
Single Family Residential	Per Unit	\$ 8,168
Multi-Family Residential	Per Unit	\$ 5,717
Mobile Dwellings	Per Unit	\$ 5,717
Commercial / Retail	Sq. Ft.	\$ 12.27
Industrial / Office	Sq. Ft.	\$ 5.33
Hospital	Sq. Ft.	\$ 12.27
Hotel / Motel	Sq. Ft.	\$ 12.27
Other	Sq. Ft.	\$ 5.23
Additional Land Uses		
High Trip Commercial	Sq. Ft.	\$ 48.67
Gas Stations	Per Fueling Station	\$ 10,914

**Statement of Revenues Expenditures and Changes in Fund Balance
for Last Five Fiscal Years**

<u>Description</u>	<u>FY 2016/17</u>	<u>FY 2017/18</u>	<u>FY 2018/19</u>	<u>FY 2019/20</u>	<u>FY 2020/21</u>
Revenues					
Fees	\$ 1,743,678	\$ 4,570,833	\$ 3,058,578	\$ 2,339,992	\$ 547,306
Interest	23,905	40,237	523,814	355,678	(61,334)
Other Revenues	2,379,653	974,361	577,843	1,668,308	5,911,747
Total Revenues	\$ 4,147,236	\$ 5,585,431	\$ 4,160,235	\$ 4,363,978	\$ 6,397,720
Expenditures					
AB 1600 Expenditures	\$ 3,289,400	\$ 1,480,795	\$ 5,299,363	\$ 7,927,850	\$ 8,993,579
Other Expenses	53,761	13,186	102,483	152,118	117,918
AB 1600 Transfers Out	130,410	72,728	91,884	41,545	100,682
	\$ 3,473,571	\$ 1,566,709	\$ 5,493,730	\$ 8,121,513	\$ 9,212,179
Revenues less Expenditures	\$ 673,665	\$ 4,018,722	\$ (1,333,495)	\$ (3,757,534)	\$ (2,814,459)
Fund Balance, Beginning of Year	\$ 9,527,682	\$ 10,201,347	\$ 14,220,069	\$ 12,886,574	\$ 9,129,040
Fund Balance, End of Year	\$ 10,201,347	\$ 14,220,069	\$ 12,886,574	\$ 9,129,040	\$ 6,314,581
Available Fund Balance	\$ 10,201,347	\$ 14,220,069	\$ 12,886,574	\$ 9,129,040	\$ 6,314,581

Five Year Revenue Test Using First In First Out Method

Available Revenue Current Year	\$ 4,147,236	\$ 5,585,431	\$ 4,160,235	\$ 4,363,978	\$ 6,314,581
Available Revenue Prior Fiscal Year (2-yr Old Funds)	2,641,533	4,147,236	5,585,431	4,160,235	-
Available Revenue Prior Fiscal Year (3-yr Old Funds)	3,412,578	2,641,533	3,140,908	604,827	-
Available Revenue Prior Fiscal Year (4-yr Old Funds)	-	1,845,869	-	-	-
Available Revenue Prior Fiscal Year (5-yr Old Funds)	-	-	-	-	-
Available Revenue Greater than Five Prior Fiscal Years	-	-	-	-	-
Total Revenue Available	\$ 10,201,347	\$ 14,220,069	\$ 12,886,574	\$ 9,129,040	\$ 6,314,581

Result: Five Year Revenue test met in accordance with Government Code 66001

Transportation Improvement Fund Interfund Loan

Per Resolution 9815 an interfund loan was approved by the City Council in the amount \$5,004,701 to be used for the completion of Econome Family Park. The resolution established the term as ten years at an interest rate equivalent to the quarterly interest earnings by all City investments, (currently approximately 2% to 2.5% per year). During fiscal year 2018 an interfund loan was made in the amount of \$2,000,000 from the Transportation Improvement Fund to the Park Improvement Capital Fund. The Park Capital Improvement Fund made a payment of \$1,000,000 plus interest on June 30, 2018, \$330,000 on June 30, 2019, \$300,000 in December 2019, and \$300,000 on March 31, 2021. The Econome Family Park opened on July 12, 2018. The interfund loan outstanding as of June 30, 2021 is \$70,000.

Capital Improvement Projects

	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
FY 2020-21 Projects				
East Bidwell Frontage Improvements	\$ 251,712	100%	\$ 251,712	\$ -
Capital SE Connect Seg D3	6,322,280	100%	6,322,280	-
Empire Ranch Rd Interchange	230,580	100%	230,580	-
East Bidwell Widening	563,324	100%	563,324	-
East Bidwell / Iron Pt Signal Delineation	34,040	100%	34,040	-
Green Valley Road Widening	830,339	100%	830,339	-
Intelligent Transportation System	174,992	95%	166,019	8,973
Median Improvement Program	15,723	100%	15,723	-
Local Streets & Roads Program	34,754	100%	34,754	-
New Traffic Signal Improvement	84,430	100%	84,430	-
Orangevale Bridge	6,367	100%	6,367	-
Prairie City / Blue Ravine	342,415	100%	342,415	-
Rainbow Bridge Repair	10,306	100%	10,306	-
Riley Street Feasibility Study	72,412	100%	72,412	-
Traffic Signal System Upgrade	62,098	43%	26,653	35,445
Engineering Overhead (interfund transfer)	100,682	100%	100,682	-
General Government Overhead (interfund transfer)	120,144	100%	120,144	-
	\$ 9,256,597		\$ 9,212,179	\$ 44,419
FY 2019-20 Projects				
East Bidwell Frontage Improvements	\$ 376,391	100%	\$ 376,391	\$ -
Empire Ranch Rd Interchange	289,408	100%	289,408	-
East Bidwell Widening	322,717	100%	322,717	-
East Bidwell / Iron Pt Signal Delineation	28,143	100%	28,143	-
Green Valley Road Widening	5,893,164	100%	5,893,137	26
Intelligent Transportation System	294,278	92%	271,121	23,157
Iron Point Rail Road Crossing Modifications	8,000	100%	8,000	-
Local Streets & Roads Program	34,706	77%	26,706	8,000
New Traffic Signal Improvement	477,280	100%	477,280	-
Prairie City / Blue Ravine	15,768	100%	15,768	-
Rainbow Bridge Repair	30,074	100%	30,074	-
Riley Street Feasibility Study	66,054	100%	66,054	-
Traffic Signal System Upgrade	153,200	80%	123,050	30,150
Engineering Overhead (interfund transfer)	41,545	100%	41,545	-
General Government Overhead (interfund transfer)	152,118	100%	152,118	-
	\$ 8,182,846		\$ 8,121,513	\$ 61,333

FY 2018-19 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
East Bidwell Frontage Improvements	\$ 218,007	100%	\$ 218,007	\$ -
East Bidwell Infill	598	100%	598	-
East Bidwell Widening	65,808	100%	65,808	-
East Bidwell / Iron Pt Signal Delineation	290,820	100%	290,820	-
Greenback / Madison Paving	2,144,312	19%	416,174	1,728,138
Green Valley Road Widening	704,818	100%	704,818	-
Highway 50 Facilities	37,841	100%	37,841	-
Intelligent Transportation System	148,291	100%	148,291	-
Iron Point Rail Road Crossing Modifications	761,820	100%	761,820	-
Median Improvement Program	3,692	100%	3,692	-
New Traffic Signal Improvement	2,396,298	100%	2,396,298	-
Orangevale Bridge	35,395	100%	35,395	-
Rainbow Bridge Repair	30,851	100%	30,851	-
Regional Transportation Coordination	55,000	57%	31,276	23,724
ROW Asset Management	5,079	100%	5,079	-
Traffic Signal System Upgrade	251,001	43%	107,370	143,631
Engineering Overhead (interfund transfer)	91,884	100%	91,884	- ²
General Government Overhead (interfund transfer)	147,707	100%	147,707	- ¹
	<u>\$ 7,389,223</u>		<u>\$ 5,493,730</u>	<u>\$ 1,895,493</u>

FY 2017-18 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
East Bidwell Widening	\$ 75,954	100%	\$ 75,954	\$ -
Empire Ranch Rd Interchange	88,339	100%	88,339	-
Green Valley Road Widening	104,469	100%	104,469	-
Highway 50 Facilities	9,785	100%	9,785	-
Intelligent Transportation System	73,583	100%	73,583	-
New Traffic Signal Improvement	423,211	100%	423,211	-
Orangevale Bridge	170,386	82%	139,102	31,284
Rainbow Bridge Repair	426,438	100%	426,438	-
Regional Transportation Coordination	47,622	100%	47,622	-
ROW Asset Management	23,721	100%	23,721	-
Miscellaneous Road Improvements	1,220	100%	1,220	-
Engineering Overhead (interfund transfer)	13,186	100%	13,186	- ²
General Government Overhead (interfund transfer)	72,728	100%	72,728	- ¹
	<u>\$ 1,530,644</u>		<u>\$ 1,499,359</u>	<u>\$ 31,284</u>

FY 2016-17 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
East Bidwell Infill	\$ 96,301	100%	\$ 96,301	\$ -
East Bidwell Widening	44,246	100%	44,246	-
Green Valley Road Widening	83,852	100%	83,852	-
Highway 50 Facilities	25,921	100%	25,921	-
Intelligent Transportation System	144,935	100%	144,935	-
Natoma / Tacana Soundwall	342,562	100%	342,562	-
New Traffic Signal Improvement	33,419	100%	33,419	-
Orangevale Bridge	2,299,564	33%	759,573	1,539,991
Rainbow Bridge Repair	78,147	75%	58,735	19,412
ROW Asset Management	42,173	100%	42,173	-
Traffic Signal System Upgrade	180,177	55%	98,280	81,897
Miscellaneous Road Improvements	-	0%	-	-
Engineering Overhead (interfund transfer)	53,761	100%	53,761	- ²
General Government Overhead (interfund transfer)	130,410	100%	130,410	- ¹
	<u>\$ 3,555,468</u>		<u>\$ 1,914,168</u>	<u>\$ 1,641,300</u>

Notes:

¹ Interfund transfers are used to reimburse the General Fund for providing General Government support.

² Interfund transfers are used to reimburse the General Fund for providing Engineering support

**City of Folsom
Developer Impact Fee Compliance 2021
Drainage Capital**

Fund 448

Section 17.95.030 of the Folsom Municipal Code establishes the provision for collection of a fee to establish a drainage fund. The City Council declares and finds that it is necessary to adopt and establish the entire City as a zone for the improvement and construction of trunk and collection drainage facilities, including waterways, pumping plants, levees and other facilities utilized for controlling drainage and storm waters within the City in order to promote and protect the public health, safety, comfort, convenience and general welfare from uncontrolled drainage and storm water. (Ord. 620 § 1, 1988; Ord. 368 (part), 1978)

For any residential structure, residential subdivision or parcel map, whether for single-family or multiple-family use, the fee shall be \$832 per dwelling unit. For commercial or industrial buildings, commercial or industrial subdivision and all other land uses not otherwise provided for in this chapter or improvements appurtenant thereto, the fee shall be \$5,055 per acre. When only a portion of a site is being developed, the city engineer may, by written agreement with the property owner, defer that portion of the fees due on the undeveloped portion of the site. (Ord. 620 § 1, 1988)

DRAINAGE CAPITAL FUND FEE SCHEDULE

<u>Use Category</u>	<u>Basis</u>	<u>Fee Amount</u>
Single Family Residential	Per Unit	\$ 1,037
Multi-Family Residential	Per Unit	\$ 1,037
Mobile Dwellings	Per Unit	\$ 1,037
Commercial Development	Per Acre	\$ 6,302
Industrial Development	Per Acre	\$ 6,302

**Statement of Revenues Expenditures and Changes in Fund Balance
for Last Five Fiscal Years**

<u>Description</u>	<u>FY 2016/17</u>	<u>FY 2017/18</u>	<u>FY 2018/19</u>	<u>FY 2019/20</u>	<u>FY 2020/21</u>
Revenues					
Fees	\$ 229,517	\$ 831,628	\$ 471,222	\$ 488,461	\$ 71,862
Interest	3,758	9,707	21,396	23,629	10,545
Grant Reimbursement	28,118	-	74,204	-	-
Other Revenues	-	-	-	-	-
Total Revenues	\$ 261,393	\$ 841,335	\$ 566,823	\$ 512,090	\$ 82,407
Expenditures					
AB 1600 Expenditures	\$ 122,259	\$ 147,271	\$ 87,904	\$ 459,797	\$ 167,547
Other Expenses	-	-	-	-	-
AB 1600 Transfers Out	79,221	213,348	89,494	78,174	68,181
	\$ 201,480	\$ 360,619	\$ 177,398	\$ 537,971	\$ 235,728
Revenues less Expenditures	\$ 59,913	\$ 480,716	\$ 389,425	\$ (25,881)	\$ (153,320)
Fund Balance, Beginning of Year	\$ 160,402	\$ 220,315	\$ 701,031	\$ 1,090,456	\$ 1,064,576
Fund Balance, End of Year	\$ 220,315	\$ 701,031	\$ 1,090,456	\$ 1,064,576	\$ 911,255
Assigned Fund Balance	\$ -	\$ -	\$ -	\$ -	\$ -
Available Fund Balance	\$ 220,315	\$ 701,031	\$ 1,090,456	\$ 1,064,576	\$ 911,255

Drainage Capital

Five Year Revenue Test Using First In First Out Method

Available Revenue Current Year	\$ 220,315	\$ 701,031	\$ 566,823	\$ 512,090	\$ 82,407
Available Revenue Prior Fiscal Year (2-yr Old Funds)	-	-	523,633	552,486	512,090
Available Revenue Prior Fiscal Year (3-yr Old Funds)	-	-	-	-	316,758
Available Revenue Prior Fiscal Year (4-yr Old Funds)	-	-	-	-	-
Available Revenue Prior Fiscal Year (5-yr Old Funds)	-	-	-	-	-
Available Revenue Greater than Five Prior Fiscal Years	-	-	-	-	-
Total Revenue Available	\$ 220,315	\$ 701,031	\$ 1,090,456	\$ 1,064,576	\$ 911,255

Result: Five Year Revenue test met in accordance with Government Code 66001

Capital Improvement Projects

FY 2020-21 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
Storm Drain Ponds	\$ 67,237	100%	\$ 67,237	\$ -
Willow Creek Estates Storm Drain Lining	7,307	100%	7,307	-
Flood Plain Mapping	3,654	100%	3,654	-
NPDES	5,616	100%	5,616	-
Weather Station	34,566	93%	32,196	2,370
Annual NPDES Water Quality	95,631	1%	1,160	94,471
Engineering Overhead (interfund transfer)	115,543	100%	115,543	-
General Government Overhead (interfund transfer)	3,015	100%	3,015	-
	\$ 332,569		\$ 235,728	\$ 96,841

FY 2019-20 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
Storm Drain Ponds	\$ 29,376	40%	\$ 11,827	\$ 17,549
Willow Creek Estates Storm Drain Lining	736,106	31%	229,471	506,635
Bidwell @ Bluestone Storm Drain Repair	71,100	100%	71,100	-
NPDES	29,093	100%	29,093	-
Weather Station	5,493	100%	5,493	-
Misc Expense	1,026	100%	1,026	-
Engineering Overhead (interfund transfer)	186,722	100%	186,722	-
General Government Overhead (interfund transfer)	3,240	100%	3,240	-
	\$ 1,062,155		\$ 537,971	\$ 524,184

FY 2018-19 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
Storm Drain Ponds	\$ 330,596	2%	\$ 7,163	\$ 323,432
Willow Creek Estates Storm Drain Lining	10,185	100%	10,185	-
Engineering Overhead (interfund transfer)	156,862	100%	156,862	-
General Government Overhead (interfund transfer)	3,187	100%	3,187	-
	\$ 500,830		\$ 177,398	\$ 323,432

FY 2017-18 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
Flood Plain Mapping	\$ 2,753	100%	\$ 2,753	\$ -
Storm Drain Ponds	14,805	100%	14,805	-
Annual Street Projects	4,380	100%	4,380	-
Weather Station	94,563	100%	94,563	-
Engineering Overhead (interfund transfer)	232,771	100%	232,771	-
General Government Overhead (interfund transfer)	11,348	100%	11,348	-
	\$ 360,620		\$ 360,620	\$ -

FY 2016-17 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures	
Stormwater Quality Management (interfund transfer)	\$ 15,616	100%	\$ 15,616	\$ -	²
Flood Plain Mapping	55,219	39%	21,384	33,835	
Storm Drain Ponds	8,790	65%	5,750	3,040	
Annual Street Projects	113,798	29%	33,220	80,578	
Engineering Overhead (interfund transfer)	84,214	100%	84,214	-	²
General Government Overhead (interfund transfer)	7,461	100%	7,461	-	¹
	<u>\$ 285,099</u>		<u>\$ 167,646</u>	<u>\$ 117,453</u>	

Notes:

¹ Interfund transfers are used to reimburse the General Fund for providing General Government support.

² Interfund transfers are used to reimburse the General Fund for providing Engineering support

**City of Folsom
Developer Impact Fee Compliance 2021
Light Rail Impact Fee**

Fund 451

Section 10.50.040 of the Folsom Municipal Code establishes the provision for collection of a Light Rail Transportation Service Fee. The purpose of this fee is to implement the City General Plan, Urban Development Policy No. 17.20, which requires that the City develop a long range service system to service Folsom residents and businesses. As required by the General Plan, a long range transit plan has been developed entitled "City of Folsom Light Rail Transit Implementation Study, Final Report, dated February 1993" (hereafter the "transit study"), and includes an analysis of the feasibility and financing of: (1) Continued city-operated intra-community bus service; (2) Continued city-operated commuter bus service to downtown Sacramento and/or service to the nearest RT Metro Rail Station; and (3) Extending RT Metro service to Folsom and the preservation of future rights-of-way.

The fee established by chapter 10.50.010 is in addition to any other fees or charges or taxes, required by law or city code as a condition of development, including, but not limited to, the residential construction tax levied by Chapter 17.90, drainage fees levied by Chapter 17.95, major road fees levied by Chapter 12.04, capital improvement new construction fees levied by Chapter 17.92 and is necessary in order to assure compliance with the applicable general plan requirements that new development bear the cost for light rail transportation service infrastructure which is needed to serve such development.

LIGHT RAIL IMPACT FUND FEE SCHEDULE

<u>Use Category</u>	<u>Basis</u>	<u>Fee Amount</u>
Single Family Residential	Per Unit	\$ 724
Multi-Family Residential	Per Unit	\$ 498
Mobile Dwellings	Per Unit	\$ 498
Commercial Development	Sq. Ft.	\$ 0.230
Industrial Development	Sq. Ft.	\$ 0.095

**Statement of Revenues Expenditures and Changes in Fund Balance
for Last Five Fiscal Years**

<u>Description</u>	<u>FY 2016/17</u>	<u>FY 2017/18</u>	<u>FY 2018/19</u>	<u>FY 2019/20</u>	<u>FY 2020/21</u>
Revenues					
Fees	\$ 143,899	\$ 442,305	\$ 270,286	\$ 250,624	\$ 46,722
Interest	5,548	9,897	19,781	21,800	12,872
Other Revenues	-	-	-	-	-
Total Revenues	\$ 149,447	\$ 452,203	\$ 290,067	\$ 272,425	\$ 59,594
Expenditures					
AB 1600 Expenditures	\$ 81,999	\$ 72,937	\$ 143,966	\$ 67,804	\$ 127,315
Other Expenses	-	-	-	-	-
AB 1600 Transfers Out	4,685	7,054	10,745	3,658	78,176
	\$ 86,683	\$ 79,991	\$ 154,712	\$ 71,462	\$ 205,491
Revenues less Expenditures	\$ 62,764	\$ 372,212	\$ 135,355	\$ 200,963	\$ (145,897)
Fund Balance, Beginning of Year	\$ 324,929	\$ 387,693	\$ 759,905	\$ 895,260	\$ 1,096,223
Fund Balance, End of Year	\$ 387,693	\$ 759,905	\$ 895,260	\$ 1,096,223	\$ 950,326
Assigned Fund Balance	\$ -	\$ -	\$ -	\$ -	\$ -
Available Fund Balance	\$ 387,693	\$ 759,905	\$ 895,260	\$ 1,096,223	\$ 950,326

Light Rail Impact Fee

Five Year Revenue Test Using First In First Out Method

Available Revenue Current Year	\$ 149,447	\$ 452,203	\$ 290,067	\$ 272,425	\$ 59,594
Available Revenue Prior Fiscal Year (2-yr Old Funds)	100,106	149,447	452,203	290,067	272,425
Available Revenue Prior Fiscal Year (3-yr Old Funds)	138,140	100,106	149,447	452,203	290,067
Available Revenue Prior Fiscal Year (4-yr Old Funds)	-	58,149	3,543	81,528	328,240
Available Revenue Prior Fiscal Year (5-yr Old Funds)	-	-	-	-	-
Available Revenue Greater than Five Prior Fiscal Years	-	-	-	-	-
Total Revenue Available	\$ 387,693	\$ 759,905	\$ 895,260	\$ 1,096,223	\$ 950,326

Result: Five Year Revenue test met in accordance with Government Code 66001

Capital Improvement Projects

FY 2020-21 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
Safety Bumps	\$ 15,538	100%	\$ 15,538	\$ -
Light Rail Project	88,827	100%	88,827	-
Historic Folsom Station L&L	71,122	32%	22,950	48,172
Administrative and Engineering Overhead	78,176	100%	78,176	-
	\$ 253,663		\$ 205,491	\$ 48,172

FY 2019-20 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
SP-JPA Admin	\$ 30,000	100%	\$ 30,000	\$ -
Landscaping	91,209	41%	37,804	53,406
Administrative and Engineering Overhead	3,658	100%	3,658	-
	\$ 124,867		\$ 71,462	\$ 53,406

FY 2018-19 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
SP-JPA Admin	\$ 27,500	100%	\$ 27,500	\$ -
Landscaping	93,873	41%	38,908	54,965
Historic District Parking Signs	30,930	100%	30,930	-
Concrete repairs in Historic District Plaza	46,628	100%	46,628	-
Administrative and Engineering Overhead	10,745	100%	10,745	-
	\$ 209,677		\$ 154,712	\$ 54,965

FY 2017-18 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
SP-JPA Admin	\$ 27,500	100%	\$ 27,500	\$ -
Landscaping	99,241	46%	45,437	53,804
Administrative and Engineering Overhead	7,054	100%	7,054	-
	\$ 133,795		\$ 79,991	\$ 53,804

FY 2016-17 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
SP-JPA Admin	\$ 27,500	100%	\$ 27,500	\$ -
Landscaping	67,404	37%	25,276	42,128
Lighting Retrofit	25,196	100%	25,196	-
Administrative and Engineering Overhead	4,027	100%	4,027	-
	\$ 124,127		\$ 81,999	\$ 42,128

Notes:

¹ Interfund transfers are used to reimburse the General Fund for providing General Government and Engineering support.

**City of Folsom
Developer Impact Fee Compliance 2021
General Park Equipment Capital**

Fund 452

Section 4.10.010 of the Folsom Municipal Code establishes the provision for collection of a Park Improvement impact fee. The fee established by this chapter is in addition to any other fees or charges, or taxes, required by law or city code as a condition of development, including, but not limited to, the residential construction tax levied by Chapter 17.90, capital improvement—new construction service charge levied by Chapter 17.92, drainage fees levied by Chapter 17.95, Quimby Act fees levied by Chapter 16.32 and major road fees levied by Chapter 12.04. The fee established by this chapter is to be collected for park and recreation facilities for which an account shall be established and funds appropriated, and for which a proposed construction schedule shall be adopted. The fee imposed by this chapter is necessary in order to assure compliance with the applicable general plan requirements that new development bear the cost for park and recreation infrastructure which is needed to serve such development.

GENERAL PARK EQUIPMENT CAPITAL FUND FEE SCHEDULE

Use Category	Basis	Fee Amount
Residential		
Single Family	Per Unit	\$ 94
Single Family - HD	Per Unit	\$ 94
Multi-Family - LD	Per Unit	\$ 94
Multi-Family	Per Unit	\$ 94
Multi-Family - HD	Per Unit	\$ 94
Mobile Dwellings	Per Unit	\$ 44
Non-Residential		
Commercial Development	Sq. Ft.	\$ 0.018
Industrial Development	Sq. Ft.	\$ 0.018

**Statement of Revenues Expenditures and Changes in Fund Balance
for Last Five Fiscal Years**

Description	FY 2016/17	FY 2017/18	FY 2018/19	FY 2019/20	FY 2020/21
Revenues					
Fees	\$ 18,895	\$ 62,546	\$ 73,302	\$ 70,988	\$ 83,624
Interest	621	1,160	2,458	2,498	2,344
Other Revenues	-	-	-	-	-
Total Revenues	\$ 19,516	\$ 63,707	\$ 75,760	\$ 73,486	\$ 85,969
Expenditures					
AB 1600 Expenditures	\$ 16,000	\$ 6,378	\$ 80,935	\$ 9,121	\$ 3,646
Other Expenses	-	-	-	-	-
AB 1600 Transfers Out	-	-	-	149	137
	\$ 16,000	\$ 6,378	\$ 80,935	\$ 9,270	\$ 3,783
Revenues less Expenditures	\$ 3,516	\$ 57,329	\$ (5,175)	\$ 64,216	\$ 82,186
Fund Balance, Beginning of Year	\$ 31,034	\$ 34,550	\$ 91,879	\$ 86,704	\$ 150,919
Fund Balance, End of Year	\$ 34,550	\$ 91,879	\$ 86,704	\$ 150,919	\$ 233,105
Assigned Fund Balance	\$ -	\$ -	\$ -	\$ -	\$ -
Available Fund Balance	\$ 34,550	\$ 91,879	\$ 86,704	\$ 150,919	\$ 233,105

General Park Equipment

Five Year Revenue Test Using First In First Out Method

Available Revenue Current Year	\$ 19,516	\$ 63,707	\$ 73,302	\$ 73,486	\$ 85,969
Available Revenue Prior Fiscal Year (2-yr Old Funds)	10,384	19,516	13,402	75,760	73,486
Available Revenue Prior Fiscal Year (3-yr Old Funds)	4,650	8,656	-	1,673	73,650
Available Revenue Prior Fiscal Year (4-yr Old Funds)	-	-	-	-	-
Available Revenue Prior Fiscal Year (5-yr Old Funds)	-	-	-	-	-
Available Revenue Greater than Five Prior Fiscal Years	-	-	-	-	-
Total Revenue Available	\$ 34,550	\$ 91,879	\$ 86,704	\$ 150,919	\$ 233,105

Result: Five Year Revenue test met in accordance with Government Code 66001

Capital Improvement Projects

	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
FY 2020-21 Projects				
Park Maintenance Equipment (interfund transfer)	\$ 3,646	100%	\$ 3,646	\$ -
General Government Overhead (interfund transfer)	137	100%	137	-
	<u>\$ 3,783</u>		<u>\$ 3,783</u>	<u>\$ -</u>
FY 2019-20 Projects				
Park Maintenance Equipment (interfund transfer)	\$ 9,121	100%	\$ 9,121	\$ -
General Government Overhead (interfund transfer)	149	100%	149	-
	<u>\$ 9,270</u>		<u>\$ 9,270</u>	<u>\$ -</u>
FY 2018-19 Projects				
Park Maintenance Equipment (interfund transfer)	\$ 80,935	100%	\$ 80,935	\$ -
General Government Overhead (interfund transfer)	-	0%	-	-
	<u>\$ 80,935</u>		<u>\$ 80,935</u>	<u>\$ -</u>
FY 2017-18 Projects				
Park Maintenance Equipment (interfund transfer)	\$ 6,378	100%	\$ 6,378	\$ -
General Government Overhead (interfund transfer)	-	0%	-	-
	<u>\$ 6,378</u>		<u>\$ 6,378</u>	<u>\$ -</u>
FY 2016-17 Projects				
Park Maintenance Equipment (interfund transfer)	\$ 18,595	86%	\$ 16,000	\$ 2,595
General Government Overhead (interfund transfer)	-	0%	-	-
	<u>\$ 18,595</u>		<u>\$ 16,000</u>	<u>\$ 2,595</u>

Notes:

- ¹ Interfund transfers are used to reimburse the General Fund for providing General Government support.
- ² Interfund transfers are used to reimburse the General Fund where the equipment costs were expensed.

**City of Folsom
Developer Impact Fee Compliance 2021
Water Impact Fund**

Fund 456

Section 13.30.010 of the Folsom Municipal Code establishes the provision for collection of a Water Impact Fee. On October 31, 1988, the Folsom City Council approved and adopted its General Plan (the "General Plan") identifying proposed growth within the city limits and further identifying the impacts of such growth upon public facilities within the city including the impacts on water supply and the water supply system. The City of Folsom water master plan dated December 1998 (Water Plan) was adopted by the City Council on May 25, 1999 by Resolution No. 6028. The water plan analyzed the City's present and projected water supply and facilities demands, and the costs of water conservation efforts within developed areas of the City.

Section 13.30.030 established a water impact fee which is imposed on the construction of all new commercial, industrial and residential buildings that are to be served with water supplies owned and treated by the City. This fee shall be imposed on all new construction within the City, unless such property is otherwise exempt as provided for in Section 13.30.070 of this chapter. The fee established by this chapter is in addition to any other fees or charges or taxes that are required by law or City code as a condition of development. (Ord. 912 § 1 (part), 1999).

WATER IMPACT FUND FEE SCHEDULE

<u>Use Category</u>	<u>Basis</u>	<u>Fee Amount</u>
Single Family Residential	Per Unit	\$ 985
Multi-Family Residential	Per Unit	\$ 530
Commercial	Per Acre	\$ 1,326
Industrial / Office	Per Acre	\$ 1,326

**Statement of Revenues Expenditures and Changes in Fund Balance
for Last Five Fiscal Years**

<u>Description</u>	<u>FY 2016/17</u>	<u>FY 2017/18</u>	<u>FY 2018/19</u>	<u>FY 2019/20</u>	<u>FY 2020/21</u>
Revenues					
Fees	\$ 179,384	\$ 512,641	\$ 330,840	\$ 272,941	\$ 67,733
Interest	29,481	6,699	94,239	34,955	26,224
Other Revenues	7,500	-	-	-	454,001
Total Revenues	\$ 216,364	\$ 519,340	\$ 425,079	\$ 307,896	\$ 547,959
Expenditures					
AB 1600 Expenditures	\$ 34,184	\$ 36,004	\$ 175,872	\$ 158,198	\$ 184,902
Other Expenses	103,165	122,387	103,503	104,226	47,139
AB 1600 Transfers Out	-	-	-	-	-
	\$ 137,349	\$ 158,391	\$ 279,375	\$ 262,424	\$ 232,041
Revenues less Expenditures	\$ 79,015	\$ 360,949	\$ 145,704	\$ 45,472	\$ 315,918
Fund Balance, Beginning of Year	\$ 1,826,306	\$ 1,905,321	\$ 2,266,270	\$ 2,411,974	\$ 2,457,446
Fund Balance, End of Year	\$ 1,905,321	\$ 2,266,270	\$ 2,411,974	\$ 2,457,446	\$ 2,773,364
Assigned Fund Balance	\$ 1,283,000	\$ -	\$ -	\$ -	\$ -
Available Fund Balance	\$ 622,321	\$ 2,266,270	\$ 2,411,974	\$ 2,457,446	\$ 2,773,364

Water Impact Fund

Five Year Revenue Test Using First In First Out Method

Available Revenue Current Year	\$ 216,364	\$ 519,340	\$ 330,840	\$ 307,896	\$ 547,959
Available Revenue Prior Fiscal Year (2-yr Old Funds)	128,766	216,364	519,340	425,079	307,896
Available Revenue Prior Fiscal Year (3-yr Old Funds)	288,035	128,766	216,364	519,340	425,079
Available Revenue Prior Fiscal Year (4-yr Old Funds)	335,393	288,035	128,766	216,364	519,340
Available Revenue Prior Fiscal Year (5-yr Old Funds)	287,140	335,393	288,035	128,766	216,364
Available Revenue Greater than Five Prior Fiscal Years	¹ 649,623	778,372	928,629	860,001	756,726
Total Revenue Available	\$ 1,905,321	\$ 2,266,270	\$ 2,411,974	\$ 2,457,446	\$ 2,773,364
Assigned Fund Balance	1,283,000	-	-	-	-
Total Available Revenue	\$ 622,321	\$ 2,266,270	\$ 2,411,974	\$ 2,457,446	\$ 2,773,364

Notes:

The Water Impact Fee Fund reports funds being held beyond the five-years as described by AB1600. Per the 2021 Capital Improvement Plan funds are reserved for the Empire Ranch Non-Potable Water Well Project. The Water Capital Improvement Fund will be utilized for an additional \$450,000 for this project. The fund will also be utilized for rebates to customers to reduce water use (\$90,000).

Capital Improvement Projects

FY 2020-21 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
GSWC Inter-Tie Booster	\$ 142,506	100%	\$ 142,506	\$ -
Regional Water Authority	17,500	100%	17,500	-
Recycled Water	24,896	100%	24,896	-
Dry Year and Water Conservation (interfund transfer)	40,653	100%	40,653	- ²
General Government Overhead (interfund transfer)	6,486	100%	6,486	- ¹
	\$ 232,041		\$ 232,041	\$ -

FY 2019-20 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
GSWC Inter-Tie Booster	\$ 166,654	95%	\$ 158,198	\$ 8,456
Dry Year and Water Conservation (interfund transfer)	100,000	100%	100,000	- ²
General Government Overhead (interfund transfer)	4,226	100%	4,226	- ¹
	\$ 270,880		\$ 262,424	\$ 8,456

FY 2018-19 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
GSWC Inter-Tie Booster	\$ 208,141	80%	\$ 167,416	\$ 40,725 ²
Dry Year and Water Conservation (interfund transfer)	100,000	100%	100,000	- ¹
General Government Overhead (interfund transfer)	3,503	100%	3,503	-
	\$ 311,644		\$ 270,919	\$ 40,725

FY 2017-18 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
GSWC Inter-Tie Booster	\$ 30,004	100%	\$ 30,004	\$ -
Regional Climate change analysis	6,000	100%	6,000	-
Dry Year and Water Conservation (interfund transfer)	118,049	100%	118,000	49 ²
General Government Overhead (interfund transfer)	-		-	- ¹
	\$ 154,053		\$ 154,004	\$ 49

FY 2016-17 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
GSWC Inter-Tie Booster	\$ 34,184	100%	\$ 34,184	\$ -
Dry Year and Water Conservation (interfund transfer)	114,804	87%	100,000	14,804 ²
General Government Overhead (interfund transfer)	3,165	100%	3,165	- ¹
	<u>\$ 152,153</u>		<u>\$ 137,349</u>	<u>\$ 14,804</u>

Notes:

¹ Interfund transfers are used to reimburse the General Fund for providing General Government support.

² Interfund transfers are used to reimburse the Water Operating Fund. The Water Operating Fund captured the expenses for water conservation.

**City of Folsom
Developer Impact Fee Compliance 2021
Water Connection Fund**

Fund 521

Section 13.24.060 of the Folsom Municipal Code establishes the provision for collection of a Water Connection Fee. Water connection charge was established to provide for the connection of water pipes to the city water system. (Ord 427, 1981)

WATER CAPITAL IMPROVEMENT FEE SCHEDULE

<u>Use Category</u>	<u>Basis</u>	<u>Fee Amount</u>
Single Family Residential	Per Unit	\$ 3,361
Multi-Family Residential	Per Unit	\$ 2,185
South Lexington Hills ⁽¹⁾	Per Unit	\$ 2,082
Mobile Dwellings	Per Unit	\$ 2,185
Commercial/Industrial		
3/4" meter		\$ 3,353
1" meter		\$ 8,360
1 1/2" meter		\$ 16,726
2" meter		\$ 26,766
3" meter		\$ 53,547
4" meter		\$ 83,695
6" meter		\$ 167,449
8" meter		\$ 268,010
10" meter		\$ 385,608

**Statement of Revenues Expenditures and Changes in Fund Balance
for Last Five Fiscal Years**

<u>Description</u>	<u>FY 2016/17</u>	<u>FY 2017/18</u>	<u>FY 2018/19</u>	<u>FY 2019/20</u>	<u>FY 2020/21</u>
Revenues					
Fees	\$ 691,148	\$ 1,403,343	\$ 892,951	\$ 431,405	\$ 201,146
Interest	26,458	11,118	188,406	175,569	(3,153)
Other Revenues	30,300	-	-	-	-
Total Revenues	\$ 747,906	\$ 1,414,462	\$ 1,081,356	\$ 606,974	\$ 197,993
Expenditures					
AB 1600 Expenditures	\$ 47,608	\$ 239,219	\$ 88,325	\$ 487,545	\$ 1,499,707
Other Expenses	-	-	-	-	-
AB 1600 Transfers Out	15,995	35,158	9,200	10,792	9,969
	\$ 63,603	\$ 274,377	\$ 97,525	\$ 498,337	\$ 1,509,676
Revenues less Expenditures	\$ 684,303	\$ 1,140,084	\$ 983,832	\$ 108,636	\$ (1,311,683)
Fund Balance, Beginning of Year	\$ 2,685,090	\$ 3,369,394	\$ 4,509,478	\$ 5,493,310	\$ 5,601,946
Fund Balance, End of Year	\$ 3,369,394	\$ 4,509,478	\$ 5,493,310	\$ 5,601,946	\$ 4,290,264
Assigned Fund Balance	\$ -	\$ -	\$ -	\$ -	\$ -
Available Fund Balance	\$ 3,369,394	\$ 4,509,478	\$ 5,493,310	\$ 5,601,946	\$ 4,290,264

Water Connection Capital Improvement Fund

Five Year Revenue Test Using First In First Out Method

Available Revenue Current Year	\$ 747,906	\$ 1,414,462	\$ 1,081,356	\$ 606,974	\$ 197,993
Available Revenue Prior Fiscal Year (2-yr Old Funds)	670,253	747,906	1,414,462	1,081,356	606,974
Available Revenue Prior Fiscal Year (3-yr Old Funds)	1,017,329	670,253	747,906	1,414,462	1,081,356
Available Revenue Prior Fiscal Year (4-yr Old Funds)	933,906	1,017,329	670,253	747,906	1,414,462
Available Revenue Prior Fiscal Year (5-yr Old Funds)	-	659,528	1,017,329	670,253	747,906
Available Revenue Greater than Five Prior Fiscal Years	-	-	562,004	1,080,995	241,573
Total Revenue Available	\$ 3,369,394	\$ 4,509,478	\$ 5,493,310	\$ 5,601,946	\$ 4,290,264

Notes:

The Water Connection Fee Fund reports funds being held beyond the five-years as described by AB1600. Per the 2022 Capital Improvement Plan funds are reserved for the Water Treatment Plant Pre-Treatment System Improvement project. The Water connection Fund will be utilized for an additional \$3.2 million for this project.

Capital Improvement Projects

	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
FY 2020-21 Projects				
Water Treatment Plant Polymer Reliability & Redundancy	\$ 109,390	23%	\$ 25,314	\$ 84,076
Water Treatment Plant Pre-Treatment System Imp	1,517,623	97%	1,474,393	43,231
General Government Overhead (interfund transfer)	9,969	100%	9,969	-
	\$ 1,636,983		\$ 1,509,676	\$ 127,307

	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
FY 2019-20 Projects				
Water Treatment Plant Polymer Reliability & Redundancy	\$ 553,307	23%	\$ 126,509	\$ 426,798
Water Treatment Plant Pre-Treatment System Imp	395,342	91%	361,036	34,306
General Government Overhead (interfund transfer)	10,792	100%	10,792	-
	\$ 959,441		\$ 498,337	\$ 461,103

	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
FY 2018-19 Projects				
Water Treatment Plant Polymer Reliability & Redundancy	\$ 43,849	47%	\$ 20,747	\$ 23,102
Water Treatment Plant Lime System Upgrades	25,820	33%	8,568	17,252
Water Treatment Plant Pre-Treatment System Imp	78,743	75%	59,010	19,732
General Government Overhead (interfund transfer)	9,200	100%	9,200	-
	\$ 157,612		\$ 97,525	\$ 60,087

	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
FY 2017-18 Projects				
Ground Water Investigation and Supply Grant	\$ 6,652	100%	\$ 6,652	\$ -
Urban Water Management Program	2,592	100%	2,592	-
Water Treatment Plant Grading and Pump Station Reuse	1,643,646	14%	224,334	1,419,311
Water Treatment Plant Actiflo/Polymer Capacity	11,701	48%	5,640	6,060
General Government Overhead (interfund transfer)	35,158	100%	35,158	-
	\$ 1,699,749		\$ 274,377	\$ 1,425,372

FY 2016-17 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
Ground Water Investigation and Supply Grant	\$ 11,427.95	39%	\$ 4,428.75	\$ 6,999.20
La Collina Dal Lago Tank	30,233	100%	30,233	-
Urban Water Management Program	12,946	100%	12,946	-
General Government Overhead (interfund transfer)	15,995	100%	15,995	- ¹
	<u>\$ 70,602</u>		<u>\$ 63,603</u>	<u>\$ 6,999</u>

Notes:

¹ Interfund transfers are used to reimburse the General Fund for providing General Government support.

**City of Folsom
Developer Impact Fee Compliance 2021
Sewer Capital**

Fund 531

Section 13.25.010 of the Folsom Municipal Code establishes the provision for collection of a sewer connection charge. This charge shall be collected prior to the issuance of building permits for commercial/industrial development and dwelling units as established by resolution of the city council. The purpose of the fee is to establish a fund for financing equipment and capital improvement projects required to maintain municipal services at adequate levels as service requirements increase with the construction of commercial/industrial developments and dwelling units.

SEWER CAPITAL IMPROVEMENT FEE SCHEDULE

<u>Use Category</u>	<u>Basis</u>	<u>Fee Amount</u>
Single Family Residential	Per Unit	\$ 1,073
Multi-Family Residential	Per Unit	\$ 839
South Lexington Hills ⁽¹⁾	Per Unit	\$ 835
Mobile Dwellings	Per Unit	\$ 949
Commercial/Industrial		
3/4" inch		\$ 1,073
1" inch		\$ 1,073
2" inch		\$ 2,149
3" inch		\$ 3,438
4" inch		\$ 6,446
6" inch		\$ 10,744
8" inch		\$ 21,487
10" inch		\$ 34,379
12" inch		\$ 49,419

**Statement of Revenues Expenditures and Changes in Fund Balance
for Last Five Fiscal Years**

<u>Description</u>	<u>FY 2016/17</u>	<u>FY 2017/18</u>	<u>FY 2018/19</u>	<u>FY 2019/20</u>	<u>FY 2020/21</u>
Revenues					
Fees	\$ 100,642	\$ 275,694	\$ 114,800	\$ 56,832	\$ 39,835
Interest	1,983	9,133	14,996	15,655	13,343
Other Revenues	-	-	-	-	-
Total Revenues	\$ 102,625	\$ 284,827	\$ 129,796	\$ 72,487	\$ 53,178
Expenditures					
AB 1600 Expenditures	\$ 164,751	\$ 6,457	\$ -	\$ -	\$ -
Other Expenses	-	-	-	-	-
AB 1600 Transfers Out	1,265	365	327	1,002	949
	\$ 166,016	\$ 6,822	\$ 327	\$ 1,002	\$ 949
Revenues less Expenditures	\$ (63,391)	\$ 278,005	\$ 129,469	\$ 71,485	\$ 52,229
Fund Balance, Beginning of Year	\$ 12,061	\$ (51,330)	\$ 226,675	\$ 356,144	\$ 427,628
Fund Balance, End of Year	\$ (51,330)	\$ 226,675	\$ 356,144	\$ 427,628	\$ 479,857
Assigned Fund Balance	\$ -	\$ -	\$ -	\$ -	\$ -
Available Fund Balance	\$ (51,330)	\$ 226,675	\$ 356,144	\$ 427,628	\$ 479,857

Sewer Capital

Five Year Revenue Test Using First In First Out Method

Available Revenue Current Year	\$ (51,330)	\$ 226,675	\$ 129,796	\$ 72,487	\$ 53,178
Available Revenue Prior Fiscal Year (2-yr Old Funds)	-	-	226,348	129,796	72,487
Available Revenue Prior Fiscal Year (3-yr Old Funds)	-	-	-	225,345	129,796
Available Revenue Prior Fiscal Year (4-yr Old Funds)	-	-	-	-	224,396
Available Revenue Prior Fiscal Year (5-yr and beyond)	-	-	-	-	-
Available Revenue Greater than Five Prior Fiscal Years	-	-	-	-	-
Total Revenue Available	\$ (51,330)	\$ 226,675	\$ 356,144	\$ 427,628	\$ 479,857

Result: Five Year Revenue test met in accordance with Government Code 66001

Capital Improvement Projects

FY 2020-21 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
Engineering and Gen Government overhead	\$ 949	100%	\$ 949	\$ -

FY 2019-20 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
Engineering and Gen Government overhead	\$ 1,002	100%	\$ 1,002	\$ -

FY 2018-19 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
Engineering and Gen Government overhead	\$ 327	100%	\$ 327	\$ -

FY 2017-18 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
System Evaluation / Capacity	\$ 6,457	100%	\$ 6,457	\$ -
Engineering and Gen Government overhead	365	100%	365	-
	\$ 6,822		\$ 6,822	\$ -

FY 2016-17 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
System Evaluation / Capacity	\$ 164,751	100%	\$ 164,751	\$ -
Engineering and Gen Government overhead	1,265	100%	1,265	-
	\$ 166,016		\$ 166,016	\$ -

Notes:

¹ Interfund transfers are used to reimburse the General Fund for providing General Government and Engineering support.

**City of Folsom
Developer Impact Fee Compliance 2021
Facilities Augmentation Critical**

Fund 536

Section 3.40.010 of the Folsom Municipal Code establishes the provision for collection of a facilities augmentation fee for the Folsom south area facilities plan. The fee is intended to augment existing City fees and thereby provide the necessary means for financing the construction of the facilities identified in the Folsom south area facilities plan.

FACILITIES AUGMENTATION CRITICAL FEE SCHEDULE

This fee is based on location and lot size. For fees related to development of property in this area please contact the City.

**Statement of Revenues Expenditures and Changes in Fund Balance
for Last Five Fiscal Years**

Description	FY 2016/17	FY 2017/18	FY 2018/19	FY 2019/20	FY 2020/21
Revenues					
Fees	\$ -	\$ -	\$ -	\$ -	\$ -
Interest	3,616	2,306	320	691	438
Other Revenues	-	-	-	-	-
Total Revenues	\$ 3,616	\$ 2,306	\$ 320	\$ 691	\$ 438
Expenditures					
AB 1600 Expenditures	\$ -	\$ 199,284	\$ 2,629	\$ -	\$ -
Other Expenses	-	-	-	-	-
AB 1600 Transfers Out	-	637	590	1,987	144
	\$ -	\$ 199,921	\$ 3,219	\$ 1,987	\$ 144
Revenues less Expenditures	\$ 3,616	\$ (197,615)	\$ (2,899)	\$ (1,296)	\$ 294
Fund Balance, Beginning of Year	\$ 238,764	\$ 242,380	\$ 44,766	\$ 41,867	\$ 40,571
Fund Balance, End of Year	\$ 242,380	\$ 44,766	\$ 41,867	\$ 40,571	\$ 40,864
Assigned Fund Balance	\$ 236,985	\$ -	\$ -	\$ -	\$ -
Available Fund Balance	\$ 5,395	\$ 44,766	\$ 41,867	\$ 40,571	\$ 40,864

Five Year Revenue Test Using First In First Out Method

Available Revenue Current Year	\$ 3,616	\$ 2,306	\$ 320	\$ 691	\$ 144
Available Revenue Prior Fiscal Year (2-yr Old Funds)	3,490	3,616	2,306	320	691
Available Revenue Prior Fiscal Year (3-yr Old Funds)	5,718	3,490	3,616	2,306	320
Available Revenue Prior Fiscal Year (4-yr Old Funds)	4,801	5,718	3,490	3,616	2,306
Available Revenue Prior Fiscal Year (5-yrs and beyond)	1,299	4,801	5,718	3,490	3,616
Available Revenue Greater than Five Prior Fiscal Years	223,456 ¹	24,835	26,417	30,148	33,787
Total Revenue Available	\$ 242,380	\$ 44,766	\$ 41,867	\$ 40,571	\$ 40,864
Assigned Fund Balance	236,985	-	-	-	-
Total Available Revenue	\$ 5,395	\$ 44,766	\$ 41,867	\$ 40,571	\$ 40,864

Notes:

¹ The Facilities Augmentation Critical Fund reports funds being held beyond the five-years as described by AB1600. The Water Operating staff is currently evaluating the Water Treatment Plant Lime System Upgrade project for possible revisions to the scope of the project. The change will continue to utilize Facilities Augmentation impact fees which is estimated at \$40,000

**Facilities Augmentation Critical
Capital Improvement Projects**

FY 2020-21 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
General Government overhead (interfund transfer)	\$ 144	100%	\$ 144	\$ - ²
	<u>\$ 144</u>		<u>\$ 144</u>	<u>\$ -</u>

FY 2019-20 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
General Government overhead (interfund transfer)	\$ 1,987	100%	\$ 1,987	\$ - ²
	<u>\$ 1,987</u>		<u>\$ 1,987</u>	<u>\$ -</u>

FY 2018-19 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
Water Treatment Plant Lime System Upgrades	\$ 25,820	10%	\$ 2,629	\$ 23,191
General Government overhead (interfund transfer)	590	100%	590	- ²
	<u>\$ 26,410</u>		<u>\$ 3,219</u>	<u>\$ 23,191</u>

FY 2017-18 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
Water Treatment Plant Grading and Pump Station Reuse	\$ 1,643,646	12%	\$ 199,284	\$ 1,444,362
General Government overhead (interfund transfer)	637	100%	637	- ²
	<u>\$ 1,644,283</u>		<u>\$ 199,921</u>	<u>\$ 1,444,362</u>

FY 2016-17 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
Water Treatment Plant Mechanical Dewatering	\$ 5,605.00	0%	\$ -	\$ 5,605
General Government overhead (interfund transfer)	-	0%	-	- ²
	<u>\$ 5,605.00</u>		<u>\$ -</u>	<u>\$ 5,605</u>

Notes:

² Interfund transfers are used to reimburse the General Fund for providing General Government support.

**City of Folsom
Developer Impact Fee Compliance 2021
Facilities Augmentation General**

Fund 537

Section 3.40.010 of the Folsom Municipal Code establishes the provision for collection of a facilities augmentation fee for the Folsom south area facilities plan. The fee is intended to augment existing City fees and thereby provide the necessary means for financing the construction of the facilities identified in the Folsom south area facilities plan.

FACILITIES AUGMENTATION GENERAL FEE SCHEDULE

This fee is based on location and lot size. For fees related to development of property in this area please contact the City.

**Statement of Revenues Expenditures and Changes in Fund Balance
for Last Five Fiscal Years**

Description	FY 2016/17	FY 2017/18	FY 2018/19	FY 2019/20	FY 2020/21
Revenues					
Fees	\$ -	\$ -	\$ -	\$ -	\$ 7
Interest	7,024	5,670	5,170	932	857
Other Revenues	-	-	-	-	-
Total Revenues	\$ 7,024	\$ 5,670	\$ 5,170	\$ 932	\$ 864
Expenditures					
AB 1600 Expenditures	\$ 3,040	\$ 42,774	\$ 323,432	\$ 17,023	\$ -
Other Expenses	-	-	-	-	-
AB 1600 Transfers Out	-	1,238	1,139	1,112	4,970
	\$ 3,040	\$ 44,012	\$ 324,571	\$ 18,135	\$ 4,970
Revenues less Expenditures	\$ 3,984	\$ (38,342)	\$ (319,402)	\$ (17,203)	\$ (4,106)
Fund Balance, Beginning of Year	\$ 464,257	\$ 468,241	\$ 429,898	\$ 110,497	\$ 93,294
Fund Balance, End of Year	\$ 468,241	\$ 429,898	\$ 110,497	\$ 93,294	\$ 89,188
Assigned Fund Balance	\$ 720,770	\$ -	\$ -	\$ -	\$ -
Available Fund Balance	\$ (252,529)	\$ 429,898	\$ 110,497	\$ 93,294	\$ 89,188

Five Year Revenue Test Using First In First Out Method

Available Revenue Current Year	\$ 7,024	\$ 5,670	\$ 5,170	\$ 932	\$ 864
Available Revenue Prior Fiscal Year (2-yr Old Funds)	6,233	7,024	5,670	5,170	932
Available Revenue Prior Fiscal Year (3-yr Old Funds)	6,059	6,233	7,024	5,670	5,170
Available Revenue Prior Fiscal Year (4-yr Old Funds)	5,299	6,059	6,233	7,024	5,670
Available Revenue Prior Fiscal Year (5-yrs and beyond)	1,433	5,299	6,059	6,059	7,024
Available Revenue Greater than Five Prior Fiscal Years	442,193 ¹	399,613	80,341	68,439	69,528
Total Revenue Available	\$ 468,241	\$ 429,898	\$ 110,497	\$ 93,294	\$ 89,188
Assigned Fund Balance	720,770	-	-	-	-
Total Available Revenue	\$ (252,529)	\$ 429,898	\$ 110,497	\$ 93,294	\$ 89,188

Notes:

¹ The Facilities Augmentation General Fund reports funds being held beyond the five-years as described by AB1600. The Storm Drain Ponds project is in process. Per the FY 22 Capital Improvement Plan the estimated cost will be \$100,000 and will reduce the potential for flooding in the area.

**Facilities Augmentation General
Capital Improvement Projects**

FY 2020-21 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
General Government Overhead (interfund transfer)	\$ 4,970	100%	\$ 4,970	\$ -
	\$ 4,970		\$ 4,970	\$ -
FY 2019-20 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
Storm Drain Ponds	\$ 29,376	58%	\$ 17,023	\$ 12,353
General Government Overhead (interfund transfer)	1,112	100%	1,112	-
	\$ 30,488		\$ 18,135	\$ 12,353
FY 2018-19 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
Storm Drain Ponds	\$ 330,596	98%	\$ 323,432	\$ 7,164
General Government Overhead (interfund transfer)	1,139	100%	1,139	-
	\$ 331,735		\$ 324,571	\$ 7,164
FY 2017-18 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
Water Treatment Plant Grading and Pump Station Reuse	\$ 1,643,646	3%	\$ 42,774	\$ 1,600,872
General Government Overhead (interfund transfer)	1,238	100%	1,238	-
	\$ 1,644,884		\$ 44,012	\$ 1,600,872
FY 2016-17 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
Storm Drain Ponds	\$ 8,790	35%	\$ 3,040	\$ 5,750
General Government Overhead (interfund transfer)	-	0%	-	-
	\$ 8,790		\$ 3,040	\$ 5,750

Notes:

² Interfund transfers are used to reimburse the General Fund for providing General Government support.

**City of Folsom
Developer Impact Fee Compliance 2021
Solid Waste Capital Improvement Fund**

Fund 541

Section 3.20.045 of the Folsom Municipal Code established a capital improvement service charge which shall be collected prior to the issuance of building permits for all residential development and upon application to the finance department for all commercial/industrial development as established by resolution of the City Council. The purpose of the fee is to establish a fund for financing equipment and capital improvement purchases required to maintain municipal services at adequate levels as service requirements increase with the construction of commercial/industrial developments and dwelling units.

SOLID WASTE CAPITAL IMPROVEMENT FEE SCHEDULE

Use Category	Basis	Fee Amount
Single Family Residential	Per Unit	\$ 363
Multi-Family Residential	Per Unit	\$ 166
Mobile Dwellings	Per Unit	\$ 166
Commercial/Industrial		
2 yard dumpster		\$ 4,064
3 yard dumpster		\$ 4,092
4 yard dumpster		\$ 4,149
6 yard dumpster		\$ 4,319
10 yard roll-off		\$ 13,304
20 yard roll-off		\$ 13,661
30 yard roll-off		\$ 14,211
40 yard roll-off		\$ 14,519

**Statement of Revenues Expenditures and Changes in Fund Balance
for Last Five Fiscal Years**

Description	FY 2016/17	FY 2017/18	FY 2018/19	FY 2019/20	FY 2020/21
Revenues					
Fees	\$ 77,363	\$ 219,702	\$ 122,216	\$ 52,732	\$ 74,494
Interest	175	2,463	6,813	8,435	3,749
Other Revenues	-	-	-	-	-
Total Revenues	\$ 77,538	\$ 222,164	\$ 129,029	\$ 61,167	\$ 78,243
Expenditures					
AB 1600 Expenditures	\$ 63,575	\$ -	\$ 18,250	\$ 25,010	\$ 27,128
Other Expenses	-	-	-	-	-
AB 1600 Transfers Out	3,001	2,278	2,727	392	345,234
	\$ 66,576	\$ 2,278	\$ 20,977	\$ 25,402	\$ 372,362
Revenues less Expenditures	\$ 10,962	\$ 219,886	\$ 108,052	\$ 35,765	\$ (294,119)
Fund Balance, Beginning of Year	\$ 10,929	\$ 21,891	\$ 241,777	\$ 349,830	\$ 385,595
Fund Balance, End of Year	\$ 21,891	\$ 241,777	\$ 349,830	\$ 385,595	\$ 91,476
Assigned Fund Balance	\$ -	\$ -	\$ -	\$ -	\$ -
Available Fund Balance	\$ 21,891	\$ 241,777	\$ 349,830	\$ 385,595	\$ 91,476

Solid Waste Capital Improvement Fund

Five Year Revenue Test Using First In First Out Method

Available Revenue Current Year	\$ 21,891	\$ 222,344	\$ 129,029	\$ 61,167	\$ 78,243
Available Revenue Prior Fiscal Year (2-yr Old Funds)	-	19,613	220,801	129,029	13,233
Available Revenue Prior Fiscal Year (3-yr Old Funds)	-	-	-	195,399	-
Available Revenue Prior Fiscal Year (4-yr Old Funds)	-	-	-	-	-
Available Revenue Prior Fiscal Year (5-yr and beyond)	-	-	-	-	-
Available Revenue Greater than Five Prior Fiscal Years	-	-	-	-	-
Total Revenue Available	\$ 21,891	\$ 241,957	\$ 349,830	\$ 385,595	\$ 91,476

Result: Five Year Revenue test met in accordance with Government Code 66001

Capital Improvement Projects

	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
FY 2020-21 Projects				
Garbage Containers	\$ 27,128	100%	\$ 27,128	\$ - ²
Solid Waste Capital Equipment (interfund transfer)	344,127	100%	344,127	-
General Government overhead (interfund transfer)	1,107	100%	1,107	- ¹
	\$ 372,362		\$ 372,362	\$ -
FY 2019-20 Projects				
Garbage Containers	\$ 25,010	100%	\$ 25,010	\$ -
General Government overhead (interfund transfer)	392	100%	392	- ¹
	\$ 25,402		\$ 25,402	\$ -
FY 2018-19 Projects				
Garbage Containers	\$ 18,250	100%	\$ 18,250	\$ -
General Government overhead (interfund transfer)	2,727	100%	2,727	- ¹
	\$ 20,977		\$ 20,977	\$ -
FY 2017-18 Projects				
General Government overhead (interfund transfer)	\$ 2,278	100%	\$ 2,278	\$ - ¹
FY 2016-17 Projects				
Garbage Containers	\$ 63,675	100%	\$ 63,675	\$ -
General Government overhead (interfund transfer)	3,001	100%	3,001	- ¹
	\$ 66,676		\$ 66,676	\$ -

Notes:

¹ Interfund transfers are used to reimburse the General Fund for providing General Government support.

² Interfund transfers are used to reimburse the Solid Waste Operating Fund. The Solid Waste Operating Fund captured the expenses for the purchase.

**City of Folsom
Developer Impact Fee Compliance 2021
Folsom Plan Area Highway 50 Improvements**

Fund 443

Section 3.120.040 of the Folsom Municipal Code establishes the provision for collection of a Highway 50 Improvement Fee. The purpose of this fee is to fund certain improvements to Highway 50 that serve the Folsom plan area such as, for example: Highway 50 segments from Sunrise to Hazel; Hazel to Folsom Boulevard, Folsom Boulevard to Scott Road, and the Hazel interchange modifications, as described in the PFFP and the nexus study, and including but not limited to those improvements identified in the memorandum of understanding dated December 17, 2014, entered into between the City and Caltrans.

FOLSOM PLAN AREA HIGHWAY 50 IMPROVEMENT FEE

<u>Use Category</u>	<u>Basis</u>	<u>Fee Amount</u>
Single Family Residential	Per Unit	\$ 1,398
Single Family Residential High Density	Per Unit	\$ 1,272
Multi-Family Residential Low Density	Per Unit	\$ 1,145
Multi-Family Residential Medium Density	Per Unit	\$ 1,018
Multi-Family Residential High Density	Per Unit	\$ 954
Mixed Use - Residential	Per Unit	\$ 890
Mixed User - Commercial	Sq. Ft.	\$ 1.71
Office Park	Sq. Ft.	\$ 1.43
General Commercial	Sq. Ft.	\$ 2.03
Community Commercial	Sq. Ft.	\$ 2.03
Regional Commercial	Sq. Ft.	\$ 1.45

**Statement of Revenues Expenditures and Changes in Fund Balance
for Last Five Fiscal Years**

<u>Description</u>	<u>FY 2016/17</u>	<u>FY 2017/18</u>	<u>FY 2018/19</u>	<u>FY 2019/20</u>	<u>FY 2020/21</u>
Revenues					
Fees	\$ -	\$ 23,256	\$ 313,824	\$ 379,114	\$ 1,031,102
Interest	-	26	(29,124)	11,965	49,022
Other Revenues	-	-	-	-	-
Total Revenues	\$ -	\$ 23,282	\$ 284,700	\$ 391,078	\$ 1,080,124
Expenditures					
AB 1600 Expenditures	\$ -	\$ -	\$ -	\$ -	\$ -
Other Expenses	-	-	-	-	-
AB 1600 Transfers Out	-	-	-	38	-
	\$ -	\$ -	\$ -	\$ 38	\$ -
Revenues less Expenditures	\$ -	\$ 23,282	\$ 284,700	\$ 391,040	\$ 1,080,124
Fund Balance, Beginning of Year	\$ -	\$ -	\$ 23,282	\$ 307,982	\$ 699,022
Fund Balance, End of Year	\$ -	\$ 23,282	\$ 307,982	\$ 699,022	\$ 1,779,146
Assigned Fund Balance	\$ -	\$ -	\$ -	\$ -	\$ -
Available Fund Balance	\$ -	\$ 23,282	\$ 307,982	\$ 699,022	\$ 1,779,146

FPA Highway 50 Improvements

Five Year Revenue Test Using First In First Out Method					
Available Revenue Current Year	\$ -	\$ 23,282	\$ 284,700	\$ 391,078	\$ 1,080,124
Available Revenue Prior Fiscal Year (2-yr Old Funds)	-	-	23,282	284,700	391,078
Available Revenue Prior Fiscal Year (3-yr Old Funds)	-	-	-	23,244	284,700
Available Revenue Prior Fiscal Year (4-yr Old Funds)	-	-	-	-	23,244
Available Revenue Prior Fiscal Year (5-yr Old Funds)	-	-	-	-	-
Available Revenue Greater than Five Prior Fiscal Years	-	-	-	-	-
Total Revenue Available	\$ -	\$ 23,282	\$ 307,982	\$ 699,022	\$ 1,779,146

Result: Five Year Revenue test met in accordance with Government Code 66001

Capital Improvement Projects

FY 2020-21 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
	\$ -	0%	\$ -	\$ -
	-	0%	-	-
	-	0%	-	-
	<u>\$ -</u>		<u>\$ -</u>	<u>\$ -</u>

FY 2019-20 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
General Government overhead (interfund transfer)	\$ 38	100%	\$ 38	\$ - ¹
	-	0%	-	-
	-	0%	-	-
	<u>\$ 38</u>		<u>\$ 38</u>	<u>\$ -</u>

FY 2018-19 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
	\$ -	0%	\$ -	\$ -
	-	0%	-	-
	-	0%	-	-
	<u>\$ -</u>		<u>\$ -</u>	<u>\$ -</u>

FY 2017-18 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
	\$ -	0%	\$ -	\$ -
	-	0%	-	-
	-	0%	-	-
	<u>\$ -</u>		<u>\$ -</u>	<u>\$ -</u>

Notes:

¹ Interfund transfers are used to reimburse the General Fund for providing General Government support.

City of Folsom
Developer Impact Fee Compliance 2021
Folsom Plan Area Highway 50 Interchange Fee

Fund 444

Section 3.120.040 of the Folsom Municipal Code establishes the provision for collection of a Highway 50 Interchange Fee. The purpose of this fee is to fund a fair share contribution toward certain Highway 50 interchanges that serve the Folsom plan area, such as, for example, the Empire Ranch Road interchange, the Oak Avenue parkway interchange, the Scott/Bidwell interchange modifications, the Prairie City Road interchange modifications, and the Rowberry Drive Overcrossing, as described in the PFFP and the nexus study.

FOLSOM PLAN AREA HIGHWAY 50 INTERCHANGE FEE

Use Category	Basis	Fee Amount
Single Family Residential	Per Unit	\$ 2,845
Single Family Residential High Density	Per Unit	\$ 2,586
Multi-Family Residential Low Density	Per Unit	\$ 2,326
Multi-Family Residential Medium Density	Per Unit	\$ 2,067
Multi-Family Residential High Density	Per Unit	\$ 1,940
Mixed Use - Residential	Per Unit	\$ 1,811
Mixed User - Commercial	Sq. Ft.	\$ 3.49
Office Park	Sq. Ft.	\$ 2.93
General Commercial	Sq. Ft.	\$ 4.11
Community Commercial	Sq. Ft.	\$ 4.11
Regional Commercial	Sq. Ft.	\$ 3.01

**Statement of Revenues Expenditures and Changes in Fund Balance
for Last Five Fiscal Years**

Description	FY 2016/17	FY 2017/18	FY 2018/19	FY 2019/20	FY 2020/21
Revenues					
Fees	\$ -	\$ 47,286	\$ 640,268	\$ 768,668	\$ 2,096,084
Interest	-	52	(12,566)	25,483	74,372
Other Revenues	-	-	-	-	-
Total Revenues	\$ -	\$ 47,338	\$ 627,702	\$ 794,151	\$ 2,170,456
Expenditures					
AB 1600 Expenditures	\$ -	\$ -	\$ -	\$ -	\$ -
Other Expenses	-	-	-	-	-
AB 1600 Transfers Out	-	-	-	77	-
	\$ -	\$ -	\$ -	\$ 77	\$ -
Revenues less Expenditures	\$ -	\$ 47,338	\$ 627,702	\$ 794,074	\$ 2,170,456
Fund Balance, Beginning of Year	\$ -	\$ -	\$ 47,338	\$ 675,041	\$ 1,469,115
Fund Balance, End of Year	\$ -	\$ 47,338	\$ 675,041	\$ 1,469,115	\$ 3,639,571
Assigned Fund Balance	\$ -	\$ -	\$ -	\$ -	\$ -
Available Fund Balance	\$ -	\$ 47,338	\$ 675,041	\$ 1,469,115	\$ 3,639,571

FPA Highway 50 Interchange

Five Year Revenue Test Using First In First Out Method

Available Revenue Current Year	\$ -	\$ 47,338	\$ 627,703	\$ 794,151	\$ 2,170,456
Available Revenue Prior Fiscal Year (2-yr Old Funds)	-	-	47,338	627,703	794,151
Available Revenue Prior Fiscal Year (3-yr Old Funds)	-	-	-	47,261	627,703
Available Revenue Prior Fiscal Year (4-yr Old Funds)	-	-	-	-	47,261
Available Revenue Prior Fiscal Year (5-yr Old Funds)	-	-	-	-	-
Available Revenue Greater than Five Prior Fiscal Years	-	-	-	-	-
Total Revenue Available	\$ -	\$ 47,338	\$ 675,041	\$ 1,469,115	\$ 3,639,571

Result: Five Year Revenue test met in accordance with Government Code 66001

Capital Improvement Projects

FY 2020-21 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
	\$ -	0%	\$ -	\$ -
	-	0%	-	-
	-	0%	-	-
	<u>\$ -</u>		<u>\$ -</u>	<u>\$ -</u>

FY 2019-20 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
General Government overhead (interfund transfer)	\$ 77	100%	\$ 77	\$ - ¹
	-	0%	-	-
	-	0%	-	-
	<u>\$ 77</u>		<u>\$ 77</u>	<u>\$ -</u>

FY 2018-19 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
	\$ -	0%	\$ -	\$ -
	-	0%	-	-
	-	0%	-	-
	<u>\$ -</u>		<u>\$ -</u>	<u>\$ -</u>

FY 2017-18 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
	\$ -	0%	\$ -	\$ -
	-	0%	-	-
	-	0%	-	-
	<u>\$ -</u>		<u>\$ -</u>	<u>\$ -</u>

Notes:

¹ Interfund transfers are used to reimburse the General Fund for providing General Government support.

**City of Folsom
Developer Impact Fee Compliance 2021
Folsom Plan Area Transit Impact**

Fund 449

Section 3.120.040 of the Folsom Municipal Code establishes the provision for collection of a Transit Fee. The purpose of this fee is to fund public transit improvements in the Folsom plan area, including, but not limited to, improvements to the transit corridor, transit parking, transit stops, and a share of the public transit vehicles, as described in the PFFP and the nexus study.

FOLSOM PLAN AREA TRANSIT FEE

<u>Use Category</u>	<u>Basis</u>	<u>Fee Amount</u>
Single Family Residential	Per Unit	\$ 1,444
Single Family Residential High Density	Per Unit	\$ 1,313
Multi-Family Residential Low Density	Per Unit	\$ 1,182
Multi-Family Residential Medium Density	Per Unit	\$ 1,051
Multi-Family Residential High Density	Per Unit	\$ 984
Mixed Use - Residential	Per Unit	\$ 920
Mixed User - Commercial	Sq. Ft.	\$ 1.76
Office Park	Sq. Ft.	\$ 1.48
General Commercial	Sq. Ft.	\$ 2.09
Community Commercial	Sq. Ft.	\$ 2.09
Regional Commercial	Sq. Ft.	\$ 1.53

**Statement of Revenues Expenditures and Changes in Fund Balance
for Last Five Fiscal Years**

<u>Description</u>	<u>FY 2016/17</u>	<u>FY 2017/18</u>	<u>FY 2018/19</u>	<u>FY 2019/20</u>	<u>FY 2020/21</u>
Revenues					
Fees	\$ -	\$ 24,012	\$ 325,208	\$ 389,982	\$ 1,064,446
Interest	-	27	5,680	13,222	15,331
Other Revenues	-	-	-	-	-
Total Revenues	\$ -	\$ 24,039	\$ 330,888	\$ 403,204	\$ 1,079,777
Expenditures					
AB 1600 Expenditures	\$ -	\$ -	\$ -	\$ -	\$ -
Other Expenses	-	-	-	-	-
AB 1600 Transfers Out	-	-	-	39	-
	\$ -	\$ -	\$ -	\$ 39	\$ -
Revenues less Expenditures	\$ -	\$ 24,039	\$ 330,888	\$ 403,165	\$ 1,079,777
Fund Balance, Beginning of Year	\$ -	\$ -	\$ 24,039	\$ 354,927	\$ 758,092
Fund Balance, End of Year	\$ -	\$ 24,039	\$ 354,927	\$ 758,092	\$ 1,837,869
Assigned Fund Balance	\$ -	\$ -	\$ -	\$ -	\$ -
Available Fund Balance	\$ -	\$ 24,039	\$ 354,927	\$ 758,092	\$ 1,837,869

FPA Transit Impact

Five Year Revenue Test Using First In First Out Method

Available Revenue Current Year	\$ -	\$ 24,039	\$ 330,888	\$ 403,204	\$ 1,079,777
Available Revenue Prior Fiscal Year (2-yr Old Funds)	-	-	24,039	330,888	403,204
Available Revenue Prior Fiscal Year (3-yr Old Funds)	-	-	-	24,039	330,888
Available Revenue Prior Fiscal Year (4-yr Old Funds)	-	-	-	-	24,000
Available Revenue Prior Fiscal Year (5-yr Old Funds)	-	-	-	-	-
Available Revenue Greater than Five Prior Fiscal Years	-	-	-	-	-
Total Revenue Available	\$ -	\$ 24,039	\$ 354,927	\$ 758,131	\$ 1,837,869

Result: Five Year Revenue test met in accordance with Government Code 66001

Capital Improvement Projects

FY 2020-21 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
	\$ -	0%	\$ -	\$ -
	-	0%	-	-
	-	0%	-	-
	\$ -		\$ -	\$ -

FY 2019-20 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
General Government overhead (interfund transfer)	\$ 39	100%	\$ 39	\$ - ¹
	-	0%	-	-
	-	0%	-	-
	\$ 39		\$ 39	\$ -

FY 2018-19 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
	\$ -	0%	\$ -	\$ -
	-	0%	-	-
	-	0%	-	-
	\$ -		\$ -	\$ -

FY 2017-18 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
	\$ -	0%	\$ -	\$ -
	-	0%	-	-
	-	0%	-	-
	\$ -		\$ -	\$ -

Notes:

¹ Interfund transfers are used to reimburse the General Fund for providing General Government support.

**City of Folsom
Developer Impact Fee Compliance 2021
Folsom Plan Area Corporation Yard**

Fund 459

Section 3.120.040 of the Folsom Municipal Code establishes the provision for collection of a Corporation Yard Fee. The purpose of this fee is to fund the cost of land for the corporation yard, and the fair share of the cost of facilities and construction of the city's new corporation yard necessary to accommodate future growth in the city and the Folsom plan area, as described in the PFFP and the nexus study.

FOLSOM PLAN AREA CORPORATION YARD FEE

<u>Use Category</u>	<u>Basis</u>	<u>Fee Amount</u>
Single Family Residential	Per Unit	\$ 1,369
Single Family Residential High Density	Per Unit	\$ 830
Multi-Family Residential Low Density	Per Unit	\$ 499
Multi-Family Residential Medium Density	Per Unit	\$ 239
Multi-Family Residential High Density	Per Unit	\$ 180
Mixed Use - Residential	Per Unit	\$ 224
Mixed User - Commercial	Sq. Ft.	\$ 0.51
Office Park	Sq. Ft.	\$ 0.35
General Commercial	Sq. Ft.	\$ 0.41
Community Commercial	Sq. Ft.	\$ 0.46
Regional Commercial	Sq. Ft.	\$ 0.37

**Statement of Revenues Expenditures and Changes in Fund Balance
for Last Five Fiscal Years**

<u>Description</u>	<u>FY 2016/17</u>	<u>FY 2017/18</u>	<u>FY 2018/19</u>	<u>FY 2019/20</u>	<u>FY 2020/21</u>
Revenues					
Fees	\$ -	\$ 22,752	\$ 307,980	\$ 123,134	\$ 661,297
Interest	-	-	5,359	4,708	2,760
Other Revenues	-	580,000	-	-	-
Total Revenues	\$ -	\$ 602,752	\$ 313,339	\$ 127,842	\$ 664,057
Expenditures					
AB 1600 Expenditures	\$ -	\$ 580,000	\$ 1,995	\$ 310,480	\$ 281,332
Other Expenses	-	-	-	-	-
AB 1600 Transfers Out	-	-	-	16,512	588
	\$ -	\$ 580,000	\$ 1,995	\$ 326,992	\$ 281,920
Revenues less Expenditures	\$ -	\$ 22,752	\$ 311,344	\$ (199,150)	\$ 382,137
Fund Balance, Beginning of Year	\$ -	\$ -	\$ 22,752	\$ 334,096	\$ 134,946
Fund Balance, End of Year	\$ -	\$ 22,752	\$ 334,096	\$ 134,946	\$ 517,083
Assigned Fund Balance	\$ -	\$ -	\$ -	\$ -	\$ -
Available Fund Balance	\$ -	\$ 22,752	\$ 334,096	\$ 134,946	\$ 517,083

FPA Corporation Yard

Five Year Revenue Test Using First In First Out Method

Available Revenue Current Year	\$ -	\$ 22,752	\$ 313,339	\$ 127,842	\$ 517,083
Available Revenue Prior Fiscal Year (2-yr Old Funds)	-	-	20,757	7,104	-
Available Revenue Prior Fiscal Year (3-yr Old Funds)	-	-	-	-	-
Available Revenue Prior Fiscal Year (4-yr Old Funds)	-	-	-	-	-
Available Revenue Prior Fiscal Year (5-yr Old Funds)	-	-	-	-	-
Available Revenue Greater than Five Prior Fiscal Years	-	-	-	-	-
Total Revenue Available	\$ -	\$ 22,752	\$ 334,096	\$ 134,946	\$ 517,083

Result: Five Year Revenue test met in accordance with Government Code 66001

Capital Improvement Projects

	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
FY 2020-21 Projects				
Purchase Corp Yard Property	\$ 281,332	100%	\$ 281,332	\$ -
General Government overhead (interfund transfer)	588	100%	588	-
	<u>\$ 281,920</u>		<u>\$ 281,920</u>	<u>\$ -</u>
FY 2019-20 Projects				
Purchase Corp Yard Property	\$ 310,480	100%	\$ 310,480	\$ -
General Government overhead (interfund transfer)	16,512	100%	16,512	-
	<u>\$ 326,992</u>		<u>\$ 326,992</u>	<u>\$ -</u>
FY 2018-19 Projects				
Purchase Corp Yard Property	\$ 1,995	100%	\$ 1,995	\$ -
FY 2017-18 Projects				
Purchase Corp Yard Property	\$ 580,000	100%	\$ 580,000	\$ -

Notes:

¹ Interfund transfers are used to reimburse the General Fund for providing General Government support.

City of Folsom
Developer Impact Fee Compliance 2021
Folsom Plan Area Specific Plan Capital

Fund 472

Section 3.120.040 of the Folsom Municipal Code establishes the provision for collection of a Specific Plan fee. The fee is comprised of 7 subcomponents as follows:

1. The general capital facilities component of the FPASP fee is to fund acquisition of general capital facilities, including, but not limited to: furniture, fixtures and equipment for city facilities (including fire and police facilities); police and fire vehicles and uniformed personnel turnout gear, public works vehicles and equipment, library materials, such as books, computers, and other materials; and other general capital needs of the city in the Folsom plan area, as described in the PFFP and the nexus study.
2. The library component of the FPASP fee is to fund the construction of a branch library in the Folsom plan area, as described in the PFFP and the nexus study.
3. The municipal services center component of the FPASP fee is to fund the construction of a municipal services center in the Folsom plan area that allows customers to make utility bill and license payments, register for recreation programs, obtain and file building planning and permit applications and employment applications, and request code enforcement and other public services, as described in the PFFP and the nexus study.
4. The police component of the FPASP fee is to fund a police substation to serve the Folsom plan area, which is anticipated to include a public information counter area, conference rooms, lockers and showers, interview rooms and supervisor offices, as described in the PFFP and the nexus study.
5. The fire component of the FPASP fee is to fund two new fire stations to serve the Folsom plan area, as described in the PFFP and the nexus study.
6. The parks component of the FPASP fee is to fund the construction of one hundred twenty-five acres of parkland in the Folsom plan area comprised of two community parks, five neighborhood parks, and two local parks, as described in the PFFP and the nexus study.
7. The trails component of the FPASP fee is to fund the construction of approximately thirty miles of trails in the Folsom plan area, which include trails, a Class 1 bike path, Class II bike lanes, intersection protection, trail bridges, under-crossings, and design costs, as described in the PFFP and the nexus study.

FOLSOM PLAN AREA SPECIFIC PLAN FEE

<u>Use Category</u>	<u>Basis</u>	<u>Fee Amount</u>
Single Family Residential	Per Unit	\$ 13,568
Single Family Residential High Density	Per Unit	\$ 13,568
Multi-Family Residential Low Density	Per Unit	\$ 9,725
Multi-Family Residential Medium Density	Per Unit	\$ 9,725
Multi-Family Residential High Density	Per Unit	\$ 9,725
Mixed Use - Residential	Per Unit	\$ 9,725
Mixed User - Commercial	Sq. Ft.	\$ 2.95
Office Park	Sq. Ft.	\$ 2.20
General Commercial	Sq. Ft.	\$ 2.52
Community Commercial	Sq. Ft.	\$ 2.75
Regional Commercial	Sq. Ft.	\$ 2.32

**Statement of Revenues Expenditures and Changes in Fund Balance
for Last Five Fiscal Years**

<u>Description</u>	<u>FY 2016/17</u>	<u>FY 2017/18</u>	<u>FY 2018/19</u>	<u>FY 2019/20</u>	<u>FY 2020/21</u>
Revenues					
Fees	\$ -	\$ 225,540	\$ 3,053,840	\$ 4,184,947	\$ 10,215,972
Interest	-	250	71,735	234,593	129,911
Other Revenues	-	-	-	-	-
Total Revenues	\$ -	\$ 225,790	\$ 3,125,575	\$ 4,419,540	\$ 10,345,882
Expenditures					
AB 1600 Expenditures	\$ -	\$ -	\$ -	\$ 192,000	\$ 312,072
Other Expenses	-	-	-	-	-
AB 1600 Transfers Out	-	-	-	366	-
	\$ -	\$ -	\$ -	\$ 192,366	\$ 312,072
Revenues less Expenditures	\$ -	\$ 225,790	\$ 3,125,575	\$ 4,227,174	\$ 10,033,810
Fund Balance, Beginning of Year	\$ -	\$ -	\$ 225,790	\$ 3,351,364	\$ 7,578,538
Fund Balance, End of Year	\$ -	\$ 225,790	\$ 3,351,364	\$ 7,578,538	\$ 17,612,348

FPA Specific Plan Capital

Five Year Revenue Test Using First In First Out Method

Available Revenue Current Year	\$ -	\$ 225,790	\$ 3,125,575	\$ 4,419,540	\$ 10,345,882
Available Revenue Prior Fiscal Year (2-yr Old Funds)	-	-	225,790	3,125,575	4,419,540
Available Revenue Prior Fiscal Year (3-yr Old Funds)	-	-	-	33,423	2,846,926
Available Revenue Prior Fiscal Year (4-yr Old Funds)	-	-	-	-	-
Available Revenue Prior Fiscal Year (5-yr Old Funds)	-	-	-	-	-
Available Revenue Greater than Five Prior Fiscal Years	-	-	-	-	-
Total Revenue Available	\$ -	\$ 225,790	\$ 3,351,365	\$ 7,578,538	\$ 17,612,348

Result: Five Year Revenue test met in accordance with Government Code 66001

Capital Improvement Projects

	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
FY 2020-21 Projects				
FPA Neighborhood Park #3	\$ 32,072	100%	\$ 32,072	\$ -
Russell Ranch Bike Trail	280,000	100%	280,000	-
	<u>\$ 312,072</u>		<u>\$ 312,072</u>	<u>\$ -</u>
FY 2019-20 Projects				
Equipment	\$ 192,000	100%	\$ 192,000	\$ -
General Government overhead (interfund transfer)	366	100%	366	-
	<u>\$ 192,366</u>		<u>\$ 192,366</u>	<u>\$ -</u>
FY 2018-19 Projects				
	\$ -	0%	\$ -	\$ -
FY 2017-18 Projects				
	\$ -	0%	\$ -	\$ -

Notes:

¹ Interfund transfers are used to reimburse the General Fund for providing General Government support.

**City of Folsom
Developer Impact Fee Compliance 2021
Folsom Plan Area Solid Waste Capital**

Fund 544

Section 3.120.040 of the Folsom Municipal Code establishes the provision for collection of a Solid Waste Fee. The purpose of this fee is to fund solid waste vehicles and waste container purchases required to maintain the level of municipal solid waste service in the Folsom plan area described in the PFFP and the nexus study.

FOLSOM PLAN AREA SOLID WASTE FEE

Use Category	Basis	Fee Amount
Single Family Residential	Per Unit	\$ 515
Single Family Residential High Density	Per Unit	\$ 515
Multi-Family Residential Low Density	Per Unit	\$ 342
Multi-Family Residential Medium Density	Per Unit	\$ 342
Multi-Family Residential High Density	Per Unit	\$ 342
Mixed Use - Residential	Per Unit	\$ 342
Mixed User - Commercial	Sq. Ft.	\$ 0.39
Office Park	Sq. Ft.	\$ 0.39
General Commercial	Sq. Ft.	\$ 0.39
Community Commercial	Sq. Ft.	\$ 0.39
Regional Commercial	Sq. Ft.	\$ 0.39

**Statement of Revenues Expenditures and Changes in Fund Balance
for Last Five Fiscal Years**

Description	FY 2016/17	FY 2017/18	FY 2018/19	FY 2019/20	FY 2020/21
Revenues					
Fees	\$ -	\$ 8,550	\$ 115,876	\$ 158,853	\$ 382,189
Interest	-	9	2,024	5,067	5,787
Other Revenues	-	-	-	-	-
Total Revenues	\$ -	\$ 8,559	\$ 117,900	\$ 163,919	\$ 387,976
Expenditures					
AB 1600 Expenditures	\$ -	\$ -	\$ -	\$ -	\$ 34,905
Other Expenses	-	-	-	-	-
AB 1600 Transfers Out	-	-	-	14	-
	\$ -	\$ -	\$ -	\$ 14	\$ 34,905
Revenues less Expenditures	\$ -	\$ 8,559	\$ 117,900	\$ 163,905	\$ 353,071
Fund Balance, Beginning of Year	\$ -	\$ -	\$ 8,559	\$ 126,459	\$ 290,365
Fund Balance, End of Year	\$ -	\$ 8,559	\$ 126,459	\$ 290,365	\$ 643,436
Assigned Fund Balance	\$ -	\$ -	\$ -	\$ -	\$ -
Available Fund Balance	\$ -	\$ 8,559	\$ 126,459	\$ 290,365	\$ 643,436

FPA Solid Waste Capital

Five Year Revenue Test Using First In First Out Method

Available Revenue Current Year	\$ -	\$ 8,559	\$ 117,900	\$ 163,919	\$ 387,976
Available Revenue Prior Fiscal Year (2-yr Old Funds)	-	-	8,559	117,900	163,919
Available Revenue Prior Fiscal Year (3-yr Old Funds)	-	-	-	8,546	91,541
Available Revenue Prior Fiscal Year (4-yr Old Funds)	-	-	-	-	-
Available Revenue Prior Fiscal Year (5-yr Old Funds)	-	-	-	-	-
Available Revenue Greater than Five Prior Fiscal Years	-	-	-	-	-
Total Revenue Available	\$ -	\$ 8,559	\$ 126,459	\$ 290,365	\$ 643,436

Result: Five Year Revenue test met in accordance with Government Code 66001

Capital Improvement Projects

FY 2020-21 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
Garbage Containers	\$ 34,905	100%	\$ 34,905	\$ -
	-	0%	-	-
	-	0%	-	-
	\$ 34,905		\$ 34,905	\$ -

FY 2019-20 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
General Government overhead (interfund transfer)	\$ 14	100%	\$ 14	\$ -
	-	0%	-	-
	-	0%	-	-
	\$ 14		\$ 14	\$ -

FY 2018-19 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
	\$ -	0%	\$ -	\$ -
	-	0%	-	-
	-	0%	-	-
	\$ -		\$ -	\$ -

FY 2017-18 Projects	Project Amount Expended	Percent Funded by Impact Fees	Impact Fee Expenditures	Non-Impact Fee Expenditures
	\$ -	0%	\$ -	\$ -
	-	0%	-	-
	-	0%	-	-
	\$ -		\$ -	\$ -

Notes:

¹ Interfund transfers are used to reimburse the General Fund for providing General Government support.

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CITY OF
FOLSOM
Dedicated to the Future

Folsom City Council Staff Report

MEETING DATE:	12/14/2021
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10766 – A Resolution Accepting a Grant from the Sacramento Metropolitan Air Quality Management District for Sacramento Emergency Clean Air and Transportation Program Funding for Two Zero Emission Electric Refuse Trucks
FROM:	Public Works Department

RECOMMENDATION / CITY COUNCIL ACTION

The Public Works Department recommends that the City Council pass and adopt Resolution No. 10766 – A Resolution Accepting a Grant from the Sacramento Metropolitan Air Quality Management District for Sacramento Emergency Clean Air and Transportation Program Funding for Two Zero Emission Electric Refuse Trucks.

BACKGROUND / ISSUE

The Folsom 2035 General Plan adopted by the Folsom City Council includes a goal of reducing the consumption of carbon-intensive fuels. In Fiscal Year 2020-21 the City of Folsom purchased 217,000 gallons of diesel fuel. Nearly 90 percent of that was utilized in the City’s fleet of refuse collection vehicles. The exhaust from diesel engines exposes the community to dangerous green-house gas emissions. Converting to electric refuse trucks has the potential to significantly reduce green-house gas emissions produced by City operations. In addition, while the initial purchase price of an electric refuse truck far exceeds the cost of the diesel trucks, the operating cost is much lower, so long term savings are expected.

As authorized by Resolution No. 10617, the Solid Waste Division (Division) applied for \$200,000 of Sacramento Emergency Clean Air and Transportation Program (SECAT) funding on March 30, 2021. The City has been notified by the administering agency, Sacramento Metropolitan Air Quality Management District (SMAQMD), that our project was approved for funding.

Due to the high cost of electric refuse vehicles, the Division is working to maximize the use of grant funding to pilot two trucks. To secure the SMAQMD funding, it is necessary to enter into an agreement accepting the terms of this grant; however, this does not obligate the City to complete the project. The agreement will secure the funding in the event the City decides to complete the project within the specified timeframe.

This grant is eligible to stack with a previous grant award of \$102,361 from SMAQMD and with our award of \$240,000 from the Hybrid and Zero-emission Truck and Bus Voucher Incentive Project (HVIP). Stacking of these three funding sources is the highest level of funding available to date. If the Division is able to secure all three funding sources, the Division will opt for this funding over the grant of Volkswagen Mitigation Funds (VW) in the amount of \$400,000 that cannot be combined with any of the others.

POLICY / RULE

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

ANALYSIS

The Division has applied for and been awarded four grants toward the purchase of two electric refuse trucks. The VW funding is the single largest funding source at \$400,000. Since the award of the VW funding the Division became aware of the availability of a SECAT grant that is stackable and when combined provides funding higher than VW. With this Resolution, the Division seeks to secure \$200,000 in SECAT funding, making the stackable funding the highest combination of funding for this project.

This technology has the potential to eliminate emissions from refuse collection vehicles; however, since the technology is relatively new and very costly, the Division would like to purchase two residential side loaders, which are the largest portion of the collection fleet, to pilot the technology and evaluate the effectiveness within the operation.

The Lion Electric Co. has been awarded a cooperative bidding contract from the California Department of General Services for Class 8 refuse trucks. The Lion Class 8 trucks are 100 percent electric so in addition to eliminating emissions, they will eliminate the possibility of hydraulic spills which are costly to clean up and leave stains on City streets. The purchase price for two Lion Electric Co. refuse trucks is estimated at \$1,300,000.

The cost of the vehicles less available funding is expected to make the purchase price comparable to the amount we would pay for a residential side loader. The cost of a side loader in fiscal year 2021-22 is approximately \$400,000. The reduced cost of electricity versus fuel

and lower maintenance cost are expected to provide year over year savings. When final vehicle specifications and cost are determined, staff will provide a return-on-investment analysis and request authorization to start the project.

In addition to the truck purchase price, the Division would also need to invest in charging infrastructure. The Division previously reported an estimate of approximately \$93,000 as provided by an electrician contracted by Sacramento Municipal Utility District (SMUD). Since then, it has been determined that an additional transformer or a transformer upgrade will be necessary for the charging infrastructure. An updated estimate is not available at this time but is expected to be much higher than the original estimate. Infrastructure planning will include conduit and power necessary to minimize the impact of expanding the electric refuse fleet in the future. SMUD has funding available to contribute to the cost of infrastructure; however, no funding has been secured for the infrastructure at this time.

FINANCIAL IMPACT

Acceptance of the SECAT grant does not have a direct financial impact. Upon final determination of all available funding and project costs, the Division will request approval to proceed with the purchase of two electric refuse vehicles. If the purchase is made using both grants from SMAQMD combined with HVIP, there would be an initial outlay of Solid Waste enterprise funds of approximately \$970,000. After reimbursement from the grant the net cost to the City is estimated at \$730,000. The purchase price of equivalent diesel trucks is \$800,000. The electric vehicles are also expected to have a lower overall cost of ownership due to reduced fuel and maintenance cost.

ENVIRONMENTAL REVIEW

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

ATTACHMENT

Resolution No. 10766 – A Resolution Accepting a Grant from the Sacramento Metropolitan Air Quality Management District for Sacramento Emergency Clean Air and Transportation Program Funding for Two Zero Emission Electric Refuse Trucks

Submitted,


Mark Rackovan, PUBLIC WORKS DIRECTOR

RESOLUTION NO. 10766

**A RESOLUTION ACCEPTING A GRANT FROM THE SACRAMENTO
METROPOLITAN AIR QUALITY MANAGEMENT DISTRICT FOR SACRAMENTO
EMERGENCY CLEAN AIR AND TRANSPORTATION PROGRAM FUNDING FOR
TWO ZERO EMISSION ELECTRIC REFUSE TRUCKS**

WHEREAS, the Folsom 2035 General Plan includes a commitment to reduce the consumption of carbon-intensive fuels through the purchase of more efficient vehicles; and

WHEREAS, the Solid Waste Division desires to purchase two electric refuse vehicles to pilot the feasibility of the technology within the City of Folsom waste collection operation; and

WHEREAS, the Sacramento Metropolitan Air Quality Management District (SMAQMD) provides funding for zero emission vehicles through the Sacramento Emergency Clean Air and Transportation Program (SECAT); and

WHEREAS, in March 2021 the Solid Waste Division applied for SECAT funding for the purchase of two zero emission electric refuse vehicles and disposal of two diesel refuse vehicles; and

WHEREAS, the Solid Waste Division was approved for grant funding in the amount of \$200,000; 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 hereby authorizes the City Manager to execute an agreement with the Sacramento Metropolitan Air Quality Management District accepting Sacramento Emergency Clean Air and Transportation grant funding in the amount of \$200,000.

PASSED AND ADOPTED this 14th day of December 2021, by the following roll-call vote:

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

 Michael D. Kozlowski, MAYOR

ATTEST:

 Christa Freemantle, CITY CLERK



CITY OF
FOLSOM
C. 1854 INCORPORATED BY A. 1854

Folsom City Council Staff Report

MEETING DATE:	12/14/2021
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10773 - A Resolution Authorizing Additional Spending Under the Current Agreement with Schaefer Systems Inc. (Contract No. 173-21 17-067) for the Purchase of Residential Solid Waste Containers 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. 10773 - A Resolution Authorizing Additional Spending Under the Current Agreement with Schaefer Systems Inc. (Contract No. 173-21 17-067) for the Purchase of Residential Solid Waste Containers and Appropriation of Funds.

BACKGROUND / ISSUE

The Solid Waste Division (Division) of the Public Works Department is responsible for providing timely collection of residential and commercial solid waste and recycling in the City of Folsom. The Division needs to purchase recycling, refuse and green waste containers (cans) on a continuing basis to maintain a working inventory of six different can types for curbside collection. The majority of cans purchased will be used to replace damaged cans currently in service; however, some will also be used to provide additional service to existing customers, as well as to provide cans to new homes. Prompt replacement of damaged cans and providing additional cans where needed enables the City to provide reliable and efficient service for collection of the City's residential waste. In addition, properly functioning containers help prevent litter and protect material from water intrusion, which can increase disposal cost and reduce the recyclability of some material.

The Division has a contract with Schaefer Systems Inc. (Schaefer) to supply residential collection containers. Historically the turnaround time for receiving an order is four to six

weeks. Currently the Division is experiencing wait times of 16 to 18 weeks. This has resulted in the Division occasionally running out of cans and it is anticipated that this will continue to happen as a result of the current global supply chain issues. Schaefer has reported that the additional demand for containers created by Senate Bill 1383 (SB 1383) combined with a strained labor market and supply chain delays for materials and machine parts have all contributed to their difficulty in meeting customer demands. Schaefer has recently invested in additional equipment and technology and is working to resolve the impacts to customers, however, in the meantime, it is prudent for the Division to purchase larger quantities to avoid service failures.

In addition, changing plans related to commercial organics recycling is placing further strain on the Division's container supply. The city currently has approximately 400 business accounts that are out of compliance with organics recycling mandates. The city has historically relied on private haulers to provide organics recycling services; however, with so many businesses out of compliance and being placed under a compliance schedule by CalRecycle, the Division is opting to expand services to collect food waste from businesses. The initial cost of providing cans for commercial food waste was not anticipated by the current budget.

When preparing the budget for Fiscal Year 2021-22 the Division projected enough funding for cans to last six weeks into the following fiscal year. To stop the cycle of running out of cans, the Division is requesting funding that will allow adaptation to the current wait times by purchasing enough inventory to last 18 weeks into Fiscal Year 2022-23. This will ensure the city's ability provide consistent and reliable service.

POLICY / RULE

In accordance with Section 5.05 of the Adopted Charter of the City of Folsom; appropriations in excess of the adopted budget must be approved by resolution of the City Council.

ANALYSIS

The Division executed a contract with Schaefer in Fiscal Year 2017-18 for the purchase of cans. The contract was awarded by cooperative purchasing through National Joint Powers Alliance (NJPA) contract #041217. The Division has been satisfied with the quality and service provided by Schaefer and wishes to continue purchasing residential waste cans under the existing contract.

The contract with Schaefer allows annual spending up to the amount in the adopted budget. The Division is requesting an increase to the Fiscal Year 2021-22 budget through the appropriation of an additional \$120,000 from the Solid Waste current cash balance. This would ensure adequate supply to meet customer needs by increasing inventory on hand. Staff has analyzed recent inventory patterns to estimate the monthly usage and the current inventory to estimate ongoing needs. The current budget would supply enough containers to last approximately eight months. This would leave us with no inventory on hand early next fiscal

year. A purchase early in the next fiscal year could take 16 to 18 weeks to arrive, leaving the Division and our customers without cans for months.

FINANCIAL IMPACT

The increase to planned inventory of on-hand residential cans was not included in the budget and an additional appropriation of funds in the amount of \$120,000 will be required. The funds are currently available in the Solid Waste Operating Fund (Fund 540).

ENVIRONMENTAL REVIEW

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

ATTACHMENT

Resolution No. 10773 - A Resolution Authorizing Additional Spending Under the Current Agreement with Schaefer Systems Inc. (Contract No. 173-21 17-067) for the Purchase of Residential Solid Waste Containers and Appropriation of Funds.

Submitted,



Mark Rackovan, PUBLIC WORKS DIRECTOR

RESOLUTION NO. 10773**A RESOLUTION AUTHORIZING ADDITIONAL SPENDING UNDER THE CURRENT AGREEMENT WITH SCHAEFER SYSTEMS INC. (CONTRACT NO. 173-21 17-067) FOR THE PURCHASE OF RESIDENTIAL SOLID WASTE CONTAINERS AND APPROPRIATION OF FUNDS**

WHEREAS, Solid Waste Division has an ongoing need to purchase solid waste containers to continue to conduct solid waste and recyclables collections safely and efficiently; and

WHEREAS, Solid Waste Division has an existing contract with Schaefer Systems Inc. for the purchase of residential waste containers; and

WHEREAS, supply chain delays have necessitated the Solid Waste Division to modify its inventory management strategy to maintain more inventory on hand; and

WHEREAS, the existing contract for solid waste containers allows an annual not to exceed amount of the City Council adopted Solid Waste budget allocated for cans; and

WHEREAS, the amount budgeted for residential containers in the Fiscal Year 2021-22 Solid Waste Division budget does not support an increase to planned inventory on hand; and

WHEREAS, the Solid Waste Division included a projected cost of \$387,024 for residential collection containers in the Fiscal Year 2021-22 budget; and

WHEREAS, the Solid Waste Division is requesting an additional appropriation of \$120,000 in Fiscal Year 2021-22 for the purchase of residential containers; and

WHEREAS, sufficient funds are available in the Solid Waste Operating Fund (Fund 540); and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Folsom authorize additional spending under the current agreement with Schaefer Systems, Inc. (Contract No. 173-21 17-067) for the Purchase of Residential Solid Waste Containers.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Finance Director is authorized to appropriate \$120,000 from the Solid Waste Operating Fund (Fund 540) for the purchase of additional residential waste collection containers.

PASSED AND ADOPTED this 14th day of December 2021, by the following roll-call vote:

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

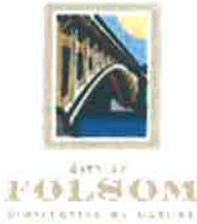
ABSTAIN: Councilmember(s):

Michael D. Kozlowski, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

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Folsom City Council Staff Report

MEETING DATE:	12/14/2021
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10774 - A Resolution Authorizing the City Manager to Execute a Construction Agreement with Sierra National Construction, Inc. for the Duchow Way at Rumsey Way Intersection Drainage Improvement Project
FROM:	Public Works Department

RECOMMENDATION / CITY COUNCIL ACTION

The Public Works Department recommends that the City Council pass and adopt Resolution No. 10774 – A Resolution Authorizing the City Manager to Execute a Construction Agreement with Sierra National Construction, Inc. for the Duchow Way at Rumsey Way Intersection Drainage Improvement Project.

BACKGROUND / ISSUE

The City of Folsom currently owns and maintains a storm drain system within the Duchow Way at Rumsey Way intersection. The existing storm drain system collects runoff from portions of Duchow Way, Rumsey Way, and Price Way, as well as adjacent residential and commercial private properties. The main storm drain line consists of an 18-inch pipe running south to north along Rumsey Way, with several smaller diameter lateral pipes connecting to the main line often without manholes or junction structures. Most segments of the pipe are corrugated metal pipe (CMP).

In August, during routine storm drain inspections, the Public Works Department found that a section of 12” diameter CMP had collapsed. Interim repairs were made by Public Works staff, but during subsequent rain events in October, excessive ponding occurred throughout the intersection. Further investigation revealed that multiple pipes within the intersection had reduced capacity due to obstructions caused by the continually failing pipe. Throughout October and November, during heavy rain events, Public Works staff had to set out a sump

pump to drain the ponding water to minimize flooding within the intersection.

Staff developed the proposed project to replace the failing pipe and alleviate the ongoing flooding within the intersection. The project consists of installing new City standard drain inlets at all corners of the intersection and placing new 12-inch reinforced concrete storm drain laterals with new manhole connections to the main line within the road right-of-way. The new storm drain lines will replace the existing damaged and failing corrugated metal pipe laterals that have caused the excessive ponding to occur.

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 \$62,657 or greater shall be awarded by City Council.

ANALYSIS

Public Works staff prepared the bid package and solicited three bids on November 12, 2021. On November 30, 2021, the Public Works Department received the following bids:

1. Sierra National Construction, Inc.	\$ 99,069
2. Doug Veerkamp General Engineering, Inc.	\$ 128,629
3. Rawles Engineering, Inc.	\$ 129,200

The Engineer’s Estimate for this project was \$75,000. The Public Works Department has evaluated the bids and found them to be in order and recommends that the contract be awarded to the low-bidder, Sierra National Construction, Inc. Staff will use the City’s standard agreement in a form acceptable to the City Attorney.

FINANCIAL IMPACT

The contract with Sierra National Construction, Inc. would be authorized for \$99,069, with the project budgeted for a total not to exceed amount of \$108,976, which will include a ten percent contingency in the amount of \$9,907.

Sufficient funds are budgeted and available in the Localized Drainage Improvements Project, Project No. 7010, which utilizes Measure A funds.

ENVIRONMENTAL REVIEW

This project has been deemed categorically exempt from environmental review under the California Environmental Quality Act (CEQA) per Section 15301, Existing Facilities, and Section 15302, Replacement or Reconstruction.

ATTACHMENTS

1. Resolution No. 10774 - A Resolution Authorizing the City Manager to Execute a Construction Agreement with Sierra National Construction Inc. for the Duchow Way at Rumsey Way Intersection Drainage Improvement Project
2. Duchow Way at Rumsey Way Intersection Drainage Improvement Project Exhibit

Submitted,



Mark Rackovan, PUBLIC WORKS DIRECTOR

Attachment 1

RESOLUTION NO. 10774

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION AGREEMENT WITH SIERRA NATIONAL CONSTRUCTION, INC. FOR THE DUCHOW WAY AT RUMSEY WAY INTERSECTION DRAINAGE IMPROVEMENT PROJECT

WHEREAS, the City of Folsom desires to repair the existing deteriorated storm drain infrastructure within the intersection of Duchow Way, Rumsey Way, and Price Way; and

WHEREAS, the project was advertised and bids were opened on November 30, 2021; and

WHEREAS, the lowest responsive, responsible bidder was Sierra National Construction, Inc. with a bid of \$99,069; and

WHEREAS, sufficient funds are budgeted and available in the Localized Drainage Improvements Project, Project No. 7010, which utilizes Measure A funds; and

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

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Folsom authorizes the City Manager to execute a construction agreement with Sierra National Construction, Inc. for the Duchow Way at Rumsey Way Intersection Drainage Improvement Project for \$99,069, with the budgeted amount to include a ten percent contingency for a total not to exceed amount of \$108,976.

PASSED AND ADOPTED this 14th day of December 2021, by the following roll-call vote:

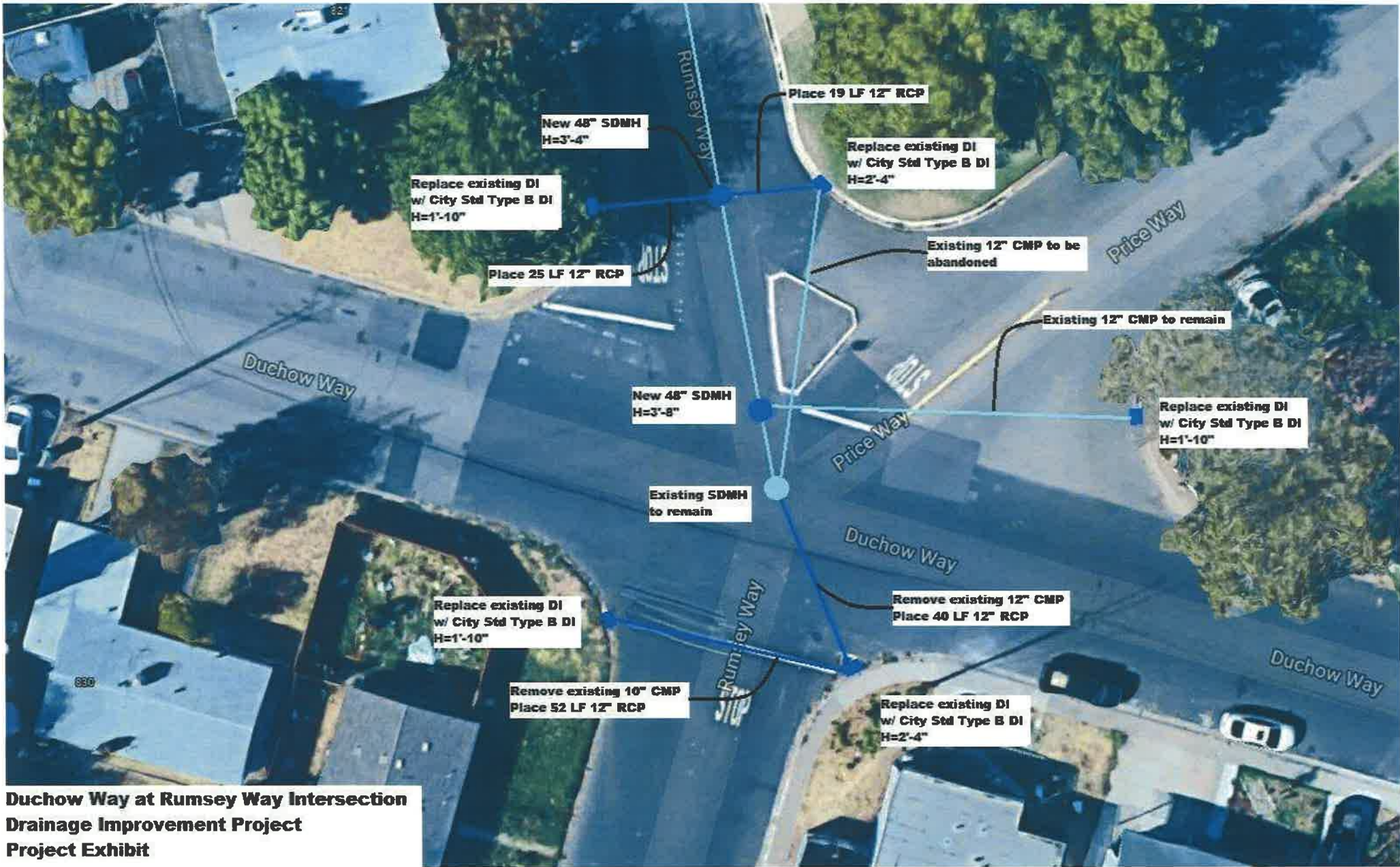
- AYES:** Councilmember(s):
- NOES:** Councilmember(s):
- ABSENT:** Councilmember(s):
- ABSTAIN:** Councilmember(s):

Michael D. Kozlowski, MAYOR

ATTEST:

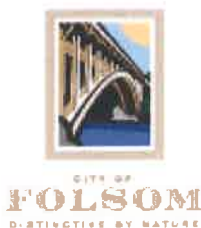
Christa Freemantle, CITY CLERK

Attachment 2



**Duchow Way at Rumsey Way Intersection
Drainage Improvement Project
Project Exhibit**

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Folsom City Council Staff Report

MEETING DATE:	12/14/2021
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10778 - A Resolution Authorizing the City Manager to Execute a Memorandum of Understanding between the City of Folsom and the Folsom Police Officers Association (FPOA)
FROM:	Human Resources Department

RECOMMENDATION / CITY COUNCIL ACTION

The Interim Human Resources Director recommends that the City Council pass and adopt Resolution No. 10778 – A Resolution Authorizing the City Manager to Execute a Memorandum of Understanding between the City of Folsom and the Folsom Police Officers Association (FPOA).

BACKGROUND / ISSUE

The existing Memorandum of Understanding (MOU) between the City of Folsom and the Folsom Police Officers Association (FPOA) expires on December 31, 2021. The parties began negotiations on a new MOU on August 5, 2021, and reached a tentative agreement on November 15, 2021. The FPOA ratified the tentative agreement on December 7, 2021. The new proposed successor MOU is being presented to the City Council on December 14, 2021, for consideration and approval.

POLICY / RULE

Government Code Title 1, Division 4, Chapter 10 commonly known as the Meyers-Milias-Brown Act requires that representatives of the Governing Body of a public agency shall meet and confer in good faith regarding wages, hours, and other terms and conditions of employment with representatives of recognized employee organizations. Both parties shall endeavor to reach a tentative agreement within the scope of representation, and, if a tentative agreement is reached and ratified by the respective parties, they shall prepare a written memorandum of understanding.

ANALYSIS and FINANCIAL IMPACT

A tentative agreement was reached by the parties and the proposed successor Memorandum of Understanding, which will be effective January 1, 2022, contains the following changes that have some economic impact, as outlined below. The changed provisions are as follows:

1. The MOU term will be for three (3) years: January 1, 2022, through December 31, 2024.
2. The classes of Police Officer (Lateral), Police Corporal, Police Sergeant, Communications Supervisor, and Dispatcher II shall have one salary range, consisting of nine (9) steps, with three (3) percent between steps.
 - Employee step assignment shall be equal to the salary step the employee is currently assigned. The cost for the adjustment to the salary ranges will cost approximately \$366,500 in the first year in salary and benefit costs.
3. A cost-of-living adjustment (COLA) is provided for each year of the agreement:
 - Year 1: Effective January 1, 2022
 - 3.5% for Law Enforcement employees (Peace Officers & Dispatchers)
 - 3% for Miscellaneous employees
 - The cost for the first year of the COLA will increase salary and benefits approximately \$544,000
 - Year 2: Effective January 1, 2023
 - 3% for all Law Enforcement and Miscellaneous employees
 - The cost for the second year of the COLA will increase salary and benefits approximately \$520,500.
 - Year 3: Effective January 1, 2024
 - 3% for all Law Enforcement and Miscellaneous employees
 - The cost for the third year of the COLA will increased salary and benefits approximately \$553,000.
4. A Market Adjustment will be made for Communications Supervisor in order for the top step of the supervisory classification to be set at no less than 15% above the top step of the nearest subordinate rank (Dispatcher II). The cost of the market adjustment will cost approximately \$29,500 in the first year in salary and benefits.
5. Night Shift Differential
 - Effective January 1, 2022, dispatchers and sworn personnel who are assigned and work night shift shall receive a night shift differential of \$1.00 per hour. *(This change is only to update current language.)*
 - Effective January 1, 2023, dispatchers and sworn personnel who are assigned and work night shift shall receive a night shift differential of \$1.25 per hour.
 - Effective January 1, 2024, dispatchers and sworn personnel who are assigned and work night shift shall receive a night shift differential of \$1.50 per hour.

6. The City may offer one or more of the following employment enhancements for Lateral Hires (effective for both Police Officers and Dispatchers)
 - Annual Leave accrual at a rate consistent with the Lateral hire's last place of employment as a police officer/dispatcher.
 - Training and education incentives
 - Salary step placement consistent with the candidate's previous experience as a police officer/dispatcher.
 - Crediting up to 40 hours of personal leave time (no cash value)

7. Law Enforcement Retention Pay for Peace Officers and Dispatchers will be as follows:
 - 2 ½% after 10 years of full-time City service
 - Additional 2 ½% after 15 years of full-time City service
 - Additional 2 ½% after 20 years of full-time City service

The cost to add retention pay will increase salary and benefit costs approximately \$7,400 in the first year.

8. A variety of non-economical and clarification language changes were also agreed upon.

ATTACHMENTS

1. Resolution No. 10778 - A Resolution Authorizing the City Manager to Execute a Memorandum of Understanding between the City of Folsom and the Folsom Police Officers Association (FPOA)

2. Proposed Memorandum of Understanding between the City of Folsom and the FPOA for the term of January 1, 2022, through December 31, 2024.

Submitted,

John Spittler, Interim Human Resources Director

Attachment 1

RESOLUTION NO. 10778

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A
MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF FOLSOM
AND THE FOLSOM POLICE OFFICERS ASSOCIATION (FPOA)**

RESOLUTION NO. 10778

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF FOLSOM AND THE FOLSOM POLICE OFFICERS ASSOCIATION (FPOA)

WHEREAS, the City of Folsom and the Folsom Police Officers Association (FPOA) have met and conferred in good faith since August 5th, 2021; and

WHEREAS, the parties reached a tentative agreement on November 15th, 2021; and

WHEREAS, the members of the Folsom Police Officers Association (FPOA) ratified the tentative agreement on December 7th, 2021; and

WHEREAS, the City Manager and the City’s negotiation team recommend the City Council adopt the tentative agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FOLSOM, that the City Council adopts the tentative agreement between the City of Folsom and the Folsom Police Officers Association (FPOA) for the period of January 1, 2022 to December 31, 2024; and

BE IT FURTHER RESOLVED, that the City Council of the City of Folsom authorizes the City Manager to execute a Memorandum of Understanding between the City of Folsom and the Folsom Police Officers Association (FPOA).

PASSED AND ADOPTED on this 14th day of December 2021, by the following roll-call vote:

AYES: Councilmember(s):

NOES: Councilmember(s):

ABSENT: Councilmember(s):

ABSTAIN: Councilmember(s):

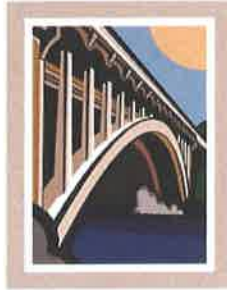
Michael D. Kozlowski, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

Attachment 2

**Proposed Memorandum of Understanding between the City of Folsom and the FPOA
for the term of January 1, 2022, through December 31, 2024.**



CITY OF
FOLSOM
DISTINCTIVE BY NATURE

MEMORANDUM OF UNDERSTANDING

BETWEEN

CITY OF FOLSOM

AND

FOLSOM POLICE OFFICERS ASSOCIATION

January 1, 2022 through December 31, 2024

FPOA Memorandum of Understanding
 1/1/22 to 12/31/24

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FPOA Memorandum of Understanding
1/1/22 to 12/31/24

PREAMBLE

This Memorandum of Understanding, hereinafter referred to as "the Agreement", entered into by the City of Folsom, hereinafter referred to as "the City", or "the employer", pursuant to Section 3500 et seq. of the Government Code of the State of California and the Folsom Police Officers Association, hereinafter referred to as "the Association" or "FPOA" has as its purpose the promotion of harmonious labor relations between the City and the FPOA; establishment of an equitable and peaceful procedure for the resolution of differences; and the establishment of rates of pay, hours of work, and other terms and conditions of employment.

It is understood and agreed that this Memorandum of Understanding (MOU) supersedes and replaces all previous such actions on these points by and between the City of Folsom and the Folsom Police Officers Association. Where ordinances and policies that may conflict with the Memorandum of Understanding exist, the Memorandum of Understanding will prevail.

The term "Agreement" as used herein means the written agreement provided under section 3505.1 of the Government Code.

ARTICLE I - RECOGNITION AND COVERAGE

A. Recognition:

Folsom Police Officers Association is recognized as the exclusive representative, as provided in the City's Employer-Employee Relations Rules for all employees assigned to the Police Bargaining Unit in the following classifications and any other classification which is agreed between the parties to be included in the Police bargaining Unit.

Animal Control Officer
Community Service Officer
Communications Supervisor
Crime & Intelligence Analyst
Dispatcher I/II
Police Corporal
Police Officer
Police Records Clerk
Police Records Supervisor
Police Sergeant
Property and Evidence Technician
Volunteer Coordinator

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B. Total Agreement:

This Memorandum of Understanding constitutes a full and complete agreement by the parties and contains all of the matters upon which the parties have reached agreement. Therefore, except as provided herein, the City and the Association, for the duration of this Agreement, each voluntarily and unqualifiedly waives the right, and each agrees that the other shall not be obligated to bargain collectively, with respect to any subject or matter referred to or covered in this Agreement, as well as any subject or matter not referred to or covered in this Agreement.

C. Severability of Provisions:

Should any section, clause or provision of this Agreement be declared illegal by final judgment of a court of competent jurisdiction, such invalidation of such section, clause or provision shall not invalidate the remaining portions hereof, and such remaining portions shall remain in full force and effect for the duration of this Agreement. In the event of such invalidation, the parties agree to meet and confer concerning substitute provisions for provisions rendered or declared illegal.

ARTICLE II – MANAGEMENT RIGHTS

All City rights and functions, except those which are expressly abridged by this Agreement, shall remain vested with the City. The rights of the City include, but are not limited to, the exclusive right to:

- A. Manage the City generally and to determine issues of policy.
- B. Determine the existence of facts which is the basis of management decisions.
- C. Determine the necessity for and organization of any service or activity conducted by the City, and to expand or diminish services.
- D. Determine the nature, manner, means, technology, and extent of services to be provided to the public.
- E. Determine methods of financing.
- F. Determine types of equipment or technology to be used.
- G. Determine and/or change the facilities, methods, technology, means, organizational structure, and size and composition of the work force, and to

FPOA Memorandum of Understanding
1/1/22 to 12/31/24

allocate and assign the work by which the City operations are to be conducted.

- H. Determine and change the number of locations, relocations, and types of operations, processes, and materials to be used in carrying out all City functions, including, but not limited to, the right to contract for or sub-contract any work or operation of the City.
- I. Assign work to and schedule employees in accordance with requirements as determined by the City, and to establish and change work schedules and assignments upon reasonable notice and good faith meet and confer.
- J. Lay off employees from duties because of lack of work or funds, or under conditions where continued work would be ineffective or non-productive.
- K. Establish and modify productivity and performance programs and standards.
- L. Dismiss, suspend without pay, demote, reprimand, withhold salary step increases, or otherwise discipline employees for cause.
- M. Determine minimum qualifications, skills, abilities, knowledge, selection procedures and standards, and job classifications, and to reclassify employees.
- N. Hire, transfer, promote, and demote employees.
- O. Determine policies, procedures, and standards for selection, training, and promotion of employees.
- P. Establish reasonable employee performance standards including, but not limited to, quality and quantity standards; and to require compliance therewith.
- Q. Maintain order and efficiency in City facilities and operations.
- R. Establish, publish, and/or modify rules and regulations to maintain order and safety and health in the City. The City agrees to meet and confer on any items that fall within the scope of Government Code Section 3500 et. seq.
- S. Restrict the activity of an employee organization on the municipal property and on municipal time except as set forth in the City's Personnel Rules.
- T. Take any and all necessary action to carry out the mission of the City in emergencies.

FPOA Memorandum of Understanding
1/1/22 to 12/31/24

ARTICLE III – NO STRIKE

FPOA agrees that during the term of this Agreement, neither it nor its officers, employees, representatives, or members will engage in, encourage, sanction, support or suggest any strikes, work stoppages, boycotts, slowdowns, mass resignations, mass absenteeism or any other similar actions which would involve suspension of, or interference with, the normal work of the City of Folsom. In the event that FPOA members participate in such activities in violation of this provision, FPOA shall notify those members so engaged to cease and desist from such activities and shall instruct the members to return to their normal duties.

ARTICLE IV – EMPLOYEE RIGHTS

A. Union Bank Time:

1. Employees in the bargaining unit may, but are not required to, donate accrued Annual Leave, Holiday Leave, or Furlough Time in no less than one-half (.5) hour increments, into a bank of hours from which designated FPOA representatives may draw time for the purposes of conducting association business, including but not limited to, training programs and seminars. Donated time will be transferred from the donating employee's accrued Annual Leave, Holiday Leave, or Furlough Time to the Union Bank as a one-time donation or from Annual Leave on a regular basis each pay period.
2. The FPOA President or designee must approve, fill out and submit a leave request slip for all employees using the Union Bank. The release of employees on Union Bank Time shall be subject to the needs of the City, as determined by the Police Chief.
3. The FPOA shall submit a request to the Police Chief or designee for the release of employees on Union Bank Time at least 7 calendar days prior to the desired time off or as otherwise approved by the Police Chief.

B. Non-discrimination:

The City agrees not to discriminate against any employee because of membership in the Association or because of any activities on behalf of the Association. The City further agrees not to discriminate, harass, or reprise against any employee as a result of their exercise of their rights under this Agreement, or under Section 3500 et seq., of the Government Code of the State of California.

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C. Access to Personnel Files:

The City shall maintain only one (1) personnel file on each person in the Human Resources Department. A duplicate personnel file shall be maintained at the Police Department. Both files shall be kept secured.

Upon request by an employee, the employee and/or his/her authorized representative may review the personnel files during regular business hours, except where denial of access is authorized by statute.

Information contained in an employee's personnel file shall be confidential and available for inspection only to authorized management/administrative personnel and the supervisor of the employee; except, however, that information in an employee's personnel file may be released pursuant to court order, subpoena, or with a release signed by the employee. The department shall notify the employee of the existence of such court order, subpoena, or a motion for court order to gain access to the personnel file prior to the release of any information.

No material which relates to the employee's conduct, attitude, work performance, or service will be included in his/her personnel file without being signed and dated by the author of such material. Before such material is placed in the employee's file, the department head shall provide the employee the opportunity to review the material and sign and date it. A copy of such material shall be provided to the employee. The employee shall have the right to insert in his/her file within thirty (30) days of the employer placing the item in the file, supplementary material and a written response to any item in the file. Such response shall remain attached to the material it supplements for as long as the material remains in the file.

Internal affairs investigations shall be kept in a separate file under the employee's name and shall be purged and destroyed after five (5) years. Such files shall be maintained in the Police Department.

D. Purging Personnel Files:

Upon the request of an employee, and with the approval of the Police Chief, counseling memos and reprimands shall be removed from personnel files after two (2) years. These items, along with disciplinary actions (i.e., suspensions, reductions in pay, and demotions) shall be removed and destroyed after five (5) years in accordance with the City's records retention policy.

ARTICLE V – SALARY AND OTHER COMPENSATION

FPOA Memorandum of Understanding
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A. Salary Increases:

1. Effective January 1, 2022, all employees in the following classes shall receive a salary increase of 3%:

Animal Control Officer
Community Services Officer
Crime & Intelligence Analyst
Police Records Clerk
Police Records Supervisor
Property and Evidence Technician
Volunteer Coordinator

2. Effective January 1, 2022, all employees in the following classes shall receive a salary increase of 3.5%:

Communications Supervisor
Dispatcher I/II
Police Corporal
Police Officer
Police Sergeant

3. Effective January 1, 2023, all employees shall receive a salary increase of 3%.
4. Effective January 1, 2024, all employees shall receive a salary increase of 3%.

B. Market Adjustments:

Effective January 1, 2022, the salary range for the class of Communication Supervisor shall receive a special salary increase of approximately 2.93% (may be adjusted slightly to fit current City salary range structure).

C. Market Survey:

The City agrees to conduct a market survey of the classes of Police Officer, Police Sergeant, Dispatcher II, and Police Records Clerk. The survey shall be concluded not later than 120 days prior to the expiration of this MOU. The parties agree to meet and confer over survey results.

1. The purpose of the study is to determine the relationship of the total compensation for employees in the job classifications identified above

FPOA Memorandum of Understanding
1/1/22 to 12/31/24

when compared to comparable job classifications in the following agencies: City of Elk Grove, City of Rocklin, City of West Sacramento, City of Sacramento, City of Roseville, City of Citrus Heights, and County of Sacramento.

2. Compensation, for purposes of this study, shall constitute the following elements:
 - a. Base salary (top step in the salary range)
 - b. Maximum contribution to health insurance
 - c. Uniform Allowance
 - d. Employer payment of employee share of retirement
 - e. Maximum Education/POST Incentive Pay
 - f. Social Security
3. Study results will identify the mean (average) and relative ranking of the base salary and total compensation, by classification, comparing the City of Folsom to those agencies identified in subsection 1 above.
4. The parties agree to meet and confer not later than April 1, 2024, to discuss amendments to this Section. Topics to be discussed shall include, but not be limited to, agencies to be surveyed, compensation elements (data) to be collected, and tax base of agencies surveyed.

D. Salary Ranges:

The first-year salary range for each job classification in the Police Bargaining Unit are set forth in Attachment A, *Salary Schedules*, of this Agreement. The Salary Range for each classification includes Salary Increases (Article V, Section A above), and any Market Adjustment Article V, Section B above). It is understood that implementation of any salary increase, or market adjustment may vary slightly due to rounding. Procedures for step advancement, promotion, demotion, transfer, and layoff as set forth in City of Folsom Personnel Rules and Regulations, and the MOU shall apply. Should unusual circumstances or rigid adherence to the current salary range structure cause an unforeseen inequity, the City Manager may authorize a special salary adjustment appropriate to the circumstance(s).

1. Effective January 1, 2022, the classes of Police Officer, Police Corporal, Police Sergeant, Communications Supervisor, and Dispatcher II shall have one salary range (Attachment A). The salary range for each classification shall consist of nine (9) steps, with three (3) percent between steps. The highest step in the existing salary range(s) for each class shall constitute the highest step in the new salary range for each class. For all

FPOA Memorandum of Understanding
1/1/22 to 12/31/24

other classes in the FPOA bargaining unit, the current salary range structure shall remain unchanged.

- a. When converting to the new salary range, employee step assignment shall be equal to the salary step the employee is assigned on January 1, 2022. For example, an employee assigned to Step Six (6) on January 1, 2022, shall be assigned to Step Six (6) in the new salary range.
2. Employees in the classes of Police Corporal and Police Sergeant who are assigned to Range A on January 1, 2022, shall convert to the new salary range (Item D.1 above) on the first calendar day after December 31, 2024. Range A shall continue for employees who are assigned to Range A through December 31, 2024. Employee step assignment into the new range (Item D.1 above) shall be equal to the Range A salary step the employee is assigned on December 31, 2024. Effective January 1, 2022, all new appointments into the classes of Police Corporal and Police Sergeant shall be appointed to the new salary range (Item D.1, above).

E. Creation of Salary Range A and Salary Range B:

Except for the class of Police Officer, Police Corporal, Police Sergeant, Community Services Officer, Communications Supervisor and Dispatcher II, each job classification shall have two salary ranges: Range A and Range B. Procedures for step advancement, promotion, demotion, transfer, and layoff as set forth in City of Folsom personnel rules and the MOU shall apply. Any unit-wide salary change shall be applied equally to Range A and Range B. Such salary changes may vary slightly due to rounding.

Salary Range A

Where Salary Range A applies, Salary Range A shall be the salary range for employees employed by the City prior to February 6, 2014. Said employees shall be assigned Range A for City job classifications for the remainder of their continuous employment with the City.

Salary Range B

Where Salary Range B applies, employees who are hired on or after February 6, 2014, shall be assigned to Salary Range B. Said employees shall be assigned Range B for City job classifications for the remainder of their continuous employment with the City.

For classifications with Salary Range A and B, the top step of Salary Range B

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shall be 100% of the top step of Salary Range A for each job classification.

Except for the class of Community Services Officer, Salary Range B shall consist of thirteen (13) salary steps.

Community Services Officer shall have a single salary range. The salary range for Community Services Officer shall consist of 12 steps.

Dispatcher I is a 12-month probationary/trainee position and shall have a separate 1-step salary range. Upon successful completion of the 12-month trainee opportunity as Dispatcher I, employees will be promoted to Dispatcher II.

F. Salary Step Placement:

Employee step placement in the salary range for each classification are shown in Attachment B, *Salary Step Placement*.

G. Clothing/Uniform Allowance:

1. Plain Clothes Assignments:

When the Police Chief assigns employees to a plain clothes assignment (for more than 3 months consecutively), such employees shall receive a clothing allowance of \$1000.00 per year. Plain clothes assignments are those assignments that require professional business attire. Other plain clothes assignments that do not require daily wearing of professional business attire may qualify for the allowance based upon individual written approval by the Chief of Police. Appropriate justification shall be made for such approval.

Employees assigned to a plain clothes assignment shall be responsible for the cleaning of their own clothing, except that employees in a plain clothes assignment may have their department issued uniforms cleaned as needed based upon uniformed or overtime assignments.

Clothing allowance shall be paid annually in conjunction with bi-annual shift changes, on or before January 20th and on or before July 20th of each fiscal year. Employees assigned to a plain clothes assignment in January or in July of each year shall receive the annual clothing allowance for the year, payable as described above. Employees assigned to a plain clothes assignment after shift changes will receive a pro-rated clothing allowance.

2. Sworn Personnel

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As provided in Section 4 below, the City agrees to provide the initial issue of uniforms to all sworn employees and the City shall pay for the cleaning and replacement of all uniforms.

Any proposed change to the uniforms will only be done after meet and confer with the Association.

The City agrees to report to PERS the estimated value of \$850 per fiscal year for each uniformed employee for purposes of cleaning, maintaining and replacing uniforms.

3. Non-Sworn Employees:

The City agrees to provide the initial issue of uniforms to all non-sworn employees, consistent with department policy.

4. Uniform Issuance/Replacement -- All Employees:

The City will provide the initial issue of uniforms to all employees of the department. The City shall replace any uniform or authorized equipment, which has been lost, stolen, damaged or rendered unserviceable as a result of on-duty activity. Personnel will receive authorization for uniform replacement from their immediate supervisor.

H. Educational Incentive Pay:

1. Employees shall be eligible to receive education incentive pay after the employee has completed their one (1) year probationary period.
 - a. Exception: Employees hired into the department as "lateral hires" shall receive education incentive pay upon hire.
 - b. Exception: Employees hired as entry level Dispatcher I (step 1), which is a trainee level, have a 12-month probationary period in the entry level position, followed by an additional 6-month probationary period upon promotion to Dispatcher II (step 2). Education incentive pay eligibility commences on the first pay period following achievement of non-probationary status as Dispatcher II. Obtaining POST certification quickly will not impact date of promotion or date of educational incentive pay.
2. Police Officers and Sergeants will be entitled to receive educational incentive pay based on the following:

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Police Officers

Either:

- a. Police Officers and Police Corporals who possess the following degree(s) from a recognized college or university:
 - (1) Associate of Arts degree shall receive a salary increase of 5%.
 - (2) Bachelor of Arts/Science degree shall receive a salary increase of 10%.
 - (3) In no event shall a Police Officer or Police Corporal who possesses both an Associate of Arts degree and a Bachelor of Arts/Science degree receive more than 10%.

Or:

- b. Police Officers and Police Corporals who possess the following POST certificates:
 - (1) Intermediate POST certificate shall receive a salary increase of 5%.
 - (2) Advanced POST certificate shall receive a salary increase of 10%. In no event shall an officer who possesses both an Intermediate POST certificate and an Advanced POST certificate receive a salary increase of more than 10%.

Sergeants

Either:

- a. Sergeants who possess the following degree(s) from a recognized college or university:
 - (1) Associate of Arts (AA) degree shall receive a salary increase of 5%.
 - (2) Bachelor of Arts/Science (BA/BS) degree shall receive a salary increase of 10%.
 - (3) In no event shall a Sergeant who possesses both an AA degree and a BA/BS degree receive more than 10%.

Or:

- b. Sergeants who possess the following POST certificates:

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- (1) Intermediate POST certificate shall receive a salary increase of 5%.
 - (2) Advanced POST certificate shall receive a salary increase of 10%.
 - (3) In no event shall a Sergeant who possesses both an Intermediate POST certificate and an Advanced POST certificate receive more than 10%.

3. With the exception of Item 5 below, no Police Officer, Police Corporal, or Sergeant who possesses an AA or BA/BS college degree(s) and POST certificate(s) shall receive a total EIP salary increase of more than 10%.

4. Communications Supervisors, Dispatchers, Police Records Clerks, Property & Evidence Technicians, Records Supervisors:
 - a. Dispatchers with the possession of Dispatch POST certification shall receive 7.5%.
 - b. Records Supervisor with the possession of POST certification shall receive 7.5%.
 - c. Dispatchers. Property & Evidence Technicians or Police Records Clerks with possession of:
 - Associate of Arts Degree shall receive 2.5%.
 - Bachelor of Arts Degree shall receive 5%.
 - d. With the exception of Item 5 below, no Dispatcher or Technician who possess an AA or BA/BS college degree(s) and Dispatch Certification receive a total EIP salary increase of more than 10%.

5. Master's Degree:

Employees hired prior to July 1, 2010 who are in possession of a Masters of Arts/Masters of Science degree receive an additional 5% incentive. Degrees shall be related to the field of Law Enforcement or Public Administration as approved by the Chief of Police. Employees hired on or after July 1, 2010 shall not qualify for an additional 5% for a Masters of Arts/Masters of Science degree.

6. Crime & Intelligence Analyst Certificate:

Employees in the class of Crime and Intelligence Analyst who submit

FPOA Memorandum of Understanding
1/1/22 to 12/31/24

evidence that they possess a Crime & Intelligence Certificate from an accredited institution approved by the City shall, one time only, be advanced in the salary range by an amount equal to approximately 10%: For employees assigned to range A, advancement shall equal two steps. For employees assigned to range B, advancement shall equal four steps.

7. Notwithstanding subsections 1 through 5 above, for the period beginning July 1, 2010 and ending June 30, 2011, employee advancement from one Education Incentive Pay level to the next EIP level shall be frozen. Employees who would normally have advanced to a higher EIP level during this period shall advance to the next higher level twelve (12) months from the date they would have otherwise qualified and shall not receive any retroactive payment.

I. Tuition Reimbursement Policy:

With the advance written approval of the Department and City and upon satisfactory completion with a grade "C" or better, the City shall reimburse an eligible, permanent unit member for the cost of tuition from a recognized college or university (on a course-by-course basis) for courses having a strong nexus to City law enforcement duties and benefit to the City. All classes will be taken on the unit member's own time.

1. Eligibility:

- a. In order to qualify for tuition reimbursement, a unit member shall have attained permanent status (successfully completed entry-level probation) as a unit member in Folsom. No reimbursement will be made for classes taken during the eligibility period or prior to attaining permanent status.

Classes successfully challenged will not be eligible for reimbursement.

- b. Recognized colleges or universities are those institutions of higher learning accredited by one or more of the following accrediting organizations: Middle States Association of Colleges and Schools, New England Association of Schools and Colleges, North Central Association of Colleges and Schools, Northwest Commission on Colleges and Universities, Southern Association of Colleges and Schools, and Western Association of Schools and Colleges.

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2. Tuition shall be reimbursed as follows:¹
 - a. For unit members who have completed a total of 60 or less undergraduate ²semester units, the City will reimburse a unit member in the amount of the cost of per unit tuition for a resident student enrolled at a Los Rios Junior College District community college.
 - b. For unit members who have a total of 61 or more undergraduate semester units, the City will reimburse a unit member in the amount of the cost of per semester tuition for either a part time student or full-time student (depending on the number of units carried by the unit member for the semester) for a California resident student enrolled at California State University, Sacramento (CSUS).
 - c. For unit members who are enrolled in a graduate program, the City will reimburse a unit member in the amount of the cost of per semester tuition for either a part time student or full-time student (depending on the number of units carried by the unit member for the semester) for a California resident student enrolled at California State University, Sacramento (CSUS).
3. In any one semester or quarter, the maximum reimbursement for class(es) required books in total shall be a maximum of \$500 per semester.
4. Approval of Tuition Reimbursement Claims:

Approval of a claim for tuition reimbursement shall be as follows:

- a. Claims for tuition reimbursement will be denied for any course or class that has not received prior written approval by the Department and City.
- b. Tuition reimbursement shall be on a course by course basis.

¹ A college quarter system will be converted to a semester system. The semester system that coincides with that used at CSUS will be used.

² Upon specific approval of the Chief of Police, a unit member who has completed a total of 60 or less undergraduate semester units, may be reimbursed at the CSUS rate referenced in (b) for a lower division course if currently enrolled in CSUS in a four-year course of study and the lower division units are part of that course of study.

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- c. All requests for tuition reimbursement, whether for a single class or a class that is part of an approved program are subject to available funds as determined by the City. Approval for any program does not guarantee approval or available funds for any subsequent class.
- (1) In order to expedite tuition reimbursement, claim approval, a unit member may seek City approval to enter into a course of study for a specified degree or certificate. Degree or certificate program approval must have a strong nexus to City law enforcement duties as approved in writing by the Department. A request for approval of a degree program or certificate shall include a current, full course description inclusive of mandatory core and elective course options.
 - (2) For each selection of an elective option, the unit member shall obtain the approval of the Department based upon the option most beneficial to the Department and City.
 - (3) If a course of study approval has been granted, the unit member may submit the previously granted approval and indicate the completed course description included in the approval.
- d. Tuition reimbursement is not authorized for course work (unit credit) that applies to previous academic or professional experience. Nor is reimbursement authorized for course work necessitated by a change in a course of study, major, a repetition of a course for any reason or other academic circumstance.

J. Canine Officers:

Officers assigned to the Canine Program will be compensated for thirty (30) minutes each day (at time and one-half) for time spent off-duty caring for their dogs.

K. Night Shift Differential:

Dispatchers and sworn personnel who work night shift shall receive a night shift differential of \$1.00 per hour. The department will designate which hours/shifts shall qualify for payment of night shift differential.

Effective January 1, 2023, night shift differential shall increase to \$1.25 per hour.

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Effective January 1, 2024, night shift differential shall increase to \$1.50 per hour.

L. Training Differential - Dispatchers:

City agrees to pay employees in the classification of Dispatcher an additional 5% salary differential when assigned the responsibility for training newly hired Dispatcher(s).

M. Training Differential:

When an employee is assigned as a FTO, PTO, ITO, CTO, TTO, or CSTO, he/she shall receive a pay differential of 5% for all hours worked while assigned to train another employee. Employees in the class of Corporal shall not be eligible for a Training Differential.

Any FTO, PTO reassigned to another shift to perform the duties of a PTO shall receive the 5% pay differential for the duration of that assignment. Such reassignments shall be made pursuant to current operating procedure.

When an officer is assigned by the Police Chief as a Master Officer, the officer shall receive the 5% pay differential for the duration of the assignment.

The parties agree that creation of the class of Police Corporal satisfies the requirement contained in Section M. The position of Master Officer shall be eliminated not later than July 1, 2016.

N. Longevity Pay:

1. Subject to subsections 2 and 3 below, the City will pay employees represented by the FPOA for their continued longevity based on the following formula. The Longevity Pay increments will be paid on a monthly basis.

	2 1/2%	After 10 years of full-time City service
Additional	2 1/2%	After 15 years of full-time City service
Additional	2 1/2%	After 20 years of full-time City service

Longevity pay shall not exceed a total of 7 1/2% per month for an employee with twenty or more years of full-time City service.

2. Notwithstanding subsection 1 above, for the period beginning July 1, 2010, and ending June 30, 2011, employee advancement from one Longevity Pay increment to the next increment shall be frozen. Employees who would normally have advanced to a higher increment

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during this period shall advance to the next higher increment twelve (12) months from their anniversary date and shall not receive any retroactive payment nor shall the elapsed time period between July 1, 2010, and June 30, 2011, be counted for any future advancement.

- 3. Employees hired after July 1, 2010, shall not be eligible to receive Longevity Pay.

O. Bilingual Pay:

- 1. The Police Chief may designate not more than ten (10) employees as eligible to receive a 2.5% Bilingual Pay differential. Employees eligible for Bilingual Pay must (1) speak a foreign language as identified by the City; (2) agree to utilize his/her bilingual ability on the job; and (3) demonstrate bilingual proficiency satisfactory to the Director of Human Resources. Such assignments shall be in writing and must be renewed on an annual basis.
- 2. Employees shall maintain the necessary training and certification standards established by the City to continue to receive bilingual pay. All employees receiving bilingual pay shall have their bilingual performance included as part of the employee's City performance evaluation. Performance that falls below "meets expectations" may subject the employee to loss of bilingual pay.

O. Law Enforcement Retention Pay:

- 1. In an effort to encourage employee retention, effective January 1, 2022, the City will pay designated Peace Officers and Dispatchers a Law Enforcement Retention Pay differential based on the following formula. Law Enforcement Retention Pay increments will be paid on a monthly basis.

	2 ½%	After 10 years of full-time City service
Additional	2 ½%	After 15 years of full-time City service
Additional	2 ½%	After 20 years of full-time City service

Designated Peace Officers and Dispatchers currently receiving Longevity Pay, shall have their benefit converted to Law Enforcement Retention Pay consistent with the Law Enforcement Retention Pay formula above. Law Enforcement Retention Pay shall not exceed a total of 7 ½% per month for an employee with twenty or more years of full-time City service.

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All special pay in this Section shall be deemed longevity pay and reported to CalPERS as special compensation pursuant to C.C.R. Section 571.

ARTICLE VI – RETIREMENT

A. Public Employees Retirement System (PERS) -- Formula:

1. All safety employees hired prior to June 30, 2010 shall receive the retirement benefit of 3% @50. All safety employees hired on or after July 1, 2010 but prior to January 1, 2013 shall receive the retirement benefit of 2%@50. All employees hired on or after January 1, 2013 shall receive the retirement benefit of 2.7%@57 or as specified in the California Public Employee's Pension Reform Act of 2013 (PEPRA).
2. All miscellaneous employees hired prior to June 30, 2010 shall receive the retirement benefit of 2.7@55. All miscellaneous employees hired on or after July 1, 2010 shall receive the retirement benefit of 2%@55. All employees hired on or after January 1, 2013 shall receive the retirement benefit 2%@62 or as specified in the California Public Employee's Pension Reform Act of 2013 (PEPRA).
3. All employees hired prior to June 30, 2010, shall receive the retirement benefit based on the single highest twelve (12) months of compensation.

All employees hired on or after July 1, 2010, shall receive the retirement benefit based on the employee's highest average monthly compensation during thirty-six (36) consecutive months of employment as provided in state law pertaining to PERS.

B. Public Employees Retirement System (PERS) -- Retirement Benefit:

1. Safety employees shall pay 9% of the employee share of retirement and miscellaneous employees shall pay 8% of the employee share of retirement.
2. The City agrees to continue Government Code Section 20691, Conversion of Employer Paid Member Contributions (EPMC), for miscellaneous employees.
3. Employees hired on or after January 1, 2013 will pay the employee contribution as required by PERS, if different from Item 1 above.

C. Retiree Health Insurance:

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1. Existing employees who retire¹ from City service on July 1, 2007 or later may participate in the health insurance plans made available by the City for active employees. The amount of the City's monthly contribution shall be determined as set forth below. Any costs that exceed the maximum paid by the City towards retiree health insurance costs shall be borne by the retiree.
 - a. Employees who retire with less than 5 years of service² shall not be eligible to receive any City contribution toward the cost of retiree health insurance.
 - b. Employees who retire with more than 5 years of service shall qualify for a monthly City retiree health insurance contribution.
 - (1) Subject to the maximum set forth in Item 1.c. below, the City retiree health insurance contribution shall be as follows:
 - (2) Retiree only – an amount equal to the City's contribution towards active employee health insurance for the category of "employee only."
 - (3) Retiree and one dependent – an amount equal to the City's contribution towards active employee health insurance for the category of "employee plus one."
 - (4) Retiree and two or more dependents - an amount equal to the City's contribution towards active employee health insurance for the category of "employee plus one" plus \$100.
 - c. The City's monthly contribution toward the cost of retiree health insurance shall not exceed the maximum monthly contribution paid by the City to active employee health insurance for the categories of employee only (for retiree only), employee plus one (for retiree plus one dependent), and employee plus one plus \$100 (for retiree plus two or more dependents), as of January 1, 2012.
 - (1) The January 1, 2012 cap for each category shall be adjusted each January thereafter by an amount not the exceed 3%, depending on

¹ "Existing employees" are exclusively permanent and/or probationary employees of the City of Folsom on the date this Addendum is approved by the Folsom City Council. "Retire" or "retiree" is defined as any classified City employee who (1) applies for retirement with the Public Employees' Retirement System (PERS) within ninety (90) days after terminating employment with the City; and (2) receives a PERS retirement benefit.

² "Service" is defined as full time (or equivalent) continuous permanent and/or probationary employment status with the City of Folsom.

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the percent increase in the Consumer Price Index (CPI), U.S. Department of Labor, for November - November of the previous year, Index CPI-W, Urban Wage Earners and Clerical Workers, Series #CWUR0400SA0, United States. (Example, if the cost of living for the specified period increases by 2%, the cap shall be increased by 2%. If the cost of living for the specified period increases by 4%, the cap shall be increased by 3% (cost of living increases in the cap shall be rounded to the nearest tenth.)

2. The City shall contribute \$25 per pay period into an HRA for each probationary/permanent employee.

D. Retiree Dental and Vision Insurance:

Effective the first full pay period after approval of this MOU by the City Council, employees who retire from City service must have at least 120 months of continuous service as a City employee to qualify for dental and vision insurance benefits provided to active employees. The City shall contribute 5% of the premium per year of City service, up to an 80% City contribution.

E. Social Security Retirement Plan:

Employees in the Police Bargaining Unit shall maintain enrollment in the federal Social Security System (F.I.C.A.).

ARTICLE VII – INSURANCE

The City's obligation for health, dental, vision, life and disability insurance coverage is limited to plan contribution. Plan content, including eligibility criteria, is determined by the respective carriers.

A. Health Insurance:

1. Beginning January 1, 2011, the City's maximum monthly contribution for active employee health insurance coverage shall be adjusted annually to an amount equal to 50% of the increase above the 2010 Kaiser monthly premium rate for employee only category (\$507.89), employee plus 1 category (\$1,015.78), and employee plus 2 or more category (\$1,320.52), rounded to the next whole number.

Example:

Employee only category: The 2010 monthly premium for Kaiser employee only is \$507.89 and the City's maximum monthly contribution is \$486.00. If

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this premium increases by 10% for 2011, or to \$558.68, the City's contribution for 2011 for the employee only category would be computed as follows: $\$558.68 - \$507.89 = \$50.79$, $\$50.79 \times 50\% = \25.40 , $\$486.00 + \$25.40 = \$511.40$. After rounding to the next whole number, the City's maximum contribution for health insurance for the employee only category would be \$511 per month.

Employee plus 1 category: The 2010 monthly premium for Kaiser employee plus 1 is \$1,015.78 and the City's maximum monthly contribution is \$972.00. If this premium increases by 10% for 2011, or to \$1,117.36, the City's contribution for 2011 for the employee plus 1 category would be computed as follows: $\$1,117.36 - \$1,015.78 = \$101.58$, $\$101.58 \times 50\% = \50.79 , $\$972.00 + \$50.79 = \$1,022.79$. After rounding to the next whole number, the City's maximum contribution for health insurance for the employee plus 1 category would be \$1,023 per month.

Employee plus 2 or more category: The 2010 monthly premium for Kaiser employee plus 2 or more is \$1,320.52 and the City's maximum monthly contribution is \$1,263.00. If this premium increases by 10% for 2011, or to \$1,452.57, the City's contribution for 2011 for the employee plus 2 or more category would be computed as follows: $\$1,452.57 - \$1,320.52 = \$132.05$, $\$132.05 \times 50\% = \66.03 , $\$1,263 + \$66.03 = \$1,329.03$. After rounding to the next whole number, the City's maximum contribution for health insurance for the employee plus 2 or more category would be \$1,329 per month.

2. Employees who select a health plan with higher monthly premiums than the maximum monthly premium paid by the City (Section A, item 1 above) shall pay the difference through payroll deduction. Should employees select a health plan with lower monthly premiums than the maximum monthly premium paid the City, the City's contribution shall be limited to the cost of the monthly premium.
3. High Deductible Health Plans
 - a. The City agrees to offer two High Deductible Health Benefit Plans offered by the health benefit plan carriers.
 - b. The City agrees to make available a Health Savings Account (HSA) to eligible active employees who select either of the High Deductible Health Benefit Plans.
 - c. Tax status of contributions, contribution amounts, and use of HAS funds shall be in accordance with federal and state law.

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4. Health Insurance – Cash Back

- a. Probationary or permanent employees, who certify to the Human Resources Department that they have group health insurance coverage with comparable benefits to health plans offered by City, may decline to participate in City health insurance coverage.
- b. Employees who decline to participate in City health insurance coverage shall receive a cash back payment from the City of \$300 per month for each month the employee does not participate in City health insurance coverage.
- c. Employees who have declined to participate in City health plan coverage pursuant to this section may enroll in City health plan coverage only during the annual open enrollment period.
- d. This section shall be administered pursuant to procedures established by the City Human Resources Department.
- e. Employees who decline health insurance coverage shall continue to be eligible to participate in the City's vision and dental plans.
- f. An employee whose spouse is employed by the City and receives health insurance is also eligible to receive the cash back payment.

B. IRS 125 Reimbursement Account:

The City will provide access to an IRS 125 Reimbursement Account. Employees may participate in the account pursuant to administrative procedures established by the City.

C. Health Benefits Labor-Management Committee:

The parties agree to participate in a city-wide Health Benefits Labor-Management Committee to review existing health benefit programs, plan changes, and cost containment. The Health Benefits Labor-Management Committee shall be open to all employee organizations representing City employees. FPOA may select up to two representatives to participate in Committee meetings. Employees who participate in Committee meetings shall do so without loss of compensation.

D. Dental Insurance:

Dental insurance will be provided by Delta Dental Plan. Effective the first full pay period

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after approval of this MOU by the City Council, the City will contribute 80% of the monthly premium for an employee, employee and dependent, or employee and family as set forth in the plan document.

E. Vision Care:

Vision coverage will be provided Vision Services Plan. Effective the first full pay period after approval of this MOU by the City Council, the City will contribute 80% of the monthly premium for an employee, employee and dependent, or employee and family as set forth in the plan document.

F. Life Insurance:

The City agrees to continue to pay premiums to provide \$40,000 life insurance coverage and \$40,000 accidental death and dismemberment coverage for employees in the bargaining unit for the term of this Agreement.

Eligible dependents shall receive \$2,000 life insurance coverage.

G. Short Term Disability Program:

The City agrees to provide a Short-Term Disability Insurance Program as provided in the plan document, with the City paying 100% of the monthly premium rate for the weekly indemnity insurance program (short term disability) of 60% of salary for 26 weeks. The waiting period for initiation of benefits under the plan shall be 12 calendar days. This program is for non-job-related injuries or illness.

H. Long Term Disability Program:

The City agrees to provide a long-term disability program for employees in the bargaining unit as provided in the plan document. The plan shall provide for a maximum benefit of 60% of salary, up to age 65. This program is for non-job-related injuries or illness.

ARTICLE VIII – HOURS OF WORK AND OVERTIME

A. Work Shifts and Work Schedules:

The Police Chief or designee shall establish work shifts and work schedules for all employees. Employees shall work shifts of eight, nine, ten, eleven or twelve hours based on the Police Department's needs.

The Police Department may redefine the first and last day of any scheduled

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workweek for each shift. The redefined workweek will be implemented for each work schedule based on the Police Department's scheduling requirements.

Prior to any permanent change in work schedules, the department will give notice to the FPOA and, if requested by the FPOA, meet over the impact of such change.

As a result of a scheduled shift rotation, should an employee be required to work a different shift with less than a 12-hour period off between the old shift and the new, that employee shall be granted up to one scheduled shift off or paid administrative leave to ensure adequate rest between shifts. An employee's regular days off prior to the shift change shall not be changed for the purposes to avoid this provision.

All FLSA 7K exemptions for Police officers will apply, e.g., hours worked and overtime provisions, unless modified by this Memorandum of Understanding.

B. Daylight Savings Time:

Effective upon Council adoption, if the changeover from Daylight Savings Time to Standard Time in the fall results in an extended workday, employees shall be compensated for the actual number of hours worked, including overtime compensation if appropriate. If the changeover from Standard Time to Daylight Savings Time in the spring results in a reduced workday, employees will be compensated for the actual number of hours worked, except those employees shall be allowed to debit available annual leave, compensatory time or holiday leave balances to offset any loss of pay that would otherwise occur.

C. Shift Rotation Schedule:

1. The shift rotation schedule for non-probationary police officers and sergeants shall be by seniority bidding. The Chief of Police or designee can alter shift assignments when it is in the best interest of the department under the following circumstances (the Chief will advise the FPOA President of his actions and reasons therefore):
 - a. Deployment of probationary officers.
 - b. Deployment of patrol officers/sergeants in special assignment positions.
 - c. It is recognized by the Chief that there exists an issue of officer safety or the need to deploy a specific officer due to personal matters.

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2. Shift rotations shall occur during the following time periods:

Patrol Personnel:	March and September
Dispatch Personnel:	March and September

D. Shift Trade:

A shift trade system is authorized wherein an employee scheduled for duty on a given day and shift can, with prior notice to the Chief of Police or designee; arrange to have another employee work for him/her. Shift trades may only take place between employees who are in the same job classification and within the same pay period. Example, a Police Officer may only make a shift trade with another Police Officer. A Police Officer may not make a shift trade with a Police Sergeant.

E. Minimum Staffing Levels:

Police Department staffing levels shall be established by the Chief of Police.

F. Overtime:

Overtime may be required of any employee when the Chief of Police or designee determines it to be in the best interest of the City. Employees will be compensated only for overtime ordered or authorized by designated supervisory personnel. However, no employee may be required to work overtime during any scheduled workweek in which the employee is on unpaid status due to disciplinary action.

Overtime will be paid for any hours worked outside an employee's scheduled hours of work.

Time worked in excess of eight (8) hours in a day shall not count in determining whether an employee has worked in excess of forty (40) hours in a week.

The overtime rate of pay shall be either 1½ times the hourly rate of salary with respect to cash payment; or 1½ hours for each hour worked with respect to compensatory time off (CTO). Compensatory time off hours shall be included on payroll stubs.

G. Overtime Rotation System:

An overtime rotation system shall be approved by the Chief of Police which provides an equal opportunity for all officers to assume overtime assignments

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when the overtime is discretionary.

H. Call-In Pay:

1. Any employee called in to work with less than 24 hours' notice shall be compensated at a minimum of four hours at the overtime pay rate, except as reflected herein.
2. The City reserves the right to assign an employee to overtime work concurrent with the beginning or end of a shift, provided that an employee is given more than 24 hours' notice. In such cases, the employee will be compensated hour for hour at time and one half.
3. Employees will be compensated with a minimum of two (2) hours of overtime pay for departmental meetings and training held outside an employee's scheduled hours of work.

I. Telephone Standby/Court Preparation:

1. The City will pay a minimum of two (2) hours of overtime for telephone standby for court, or cancellation of a court appearance within 24 hours prior to the scheduled court appearance.
2. Employees scheduled to appear in court shall be compensated a minimum of four (4) hours at the overtime rate if the employee reports for the appearance. Employees who report for a court appearance shall not be eligible to receive the two (2) hours of overtime for court telephone standby or less than 24-hour Court cancellation as set forth in Item 1 above.

J. Compensatory Time Off:

Compensatory time off (CTO) may be accrued in lieu of overtime pay to a maximum of one hundred sixty (160) hours. Employees may take CTO off at the convenience of the City and upon approval of the Chief of Police.

1. Exception: Events or training, which are subject to outside reimbursement, will be posted in advance if eligible for overtime pay only. These instances must be pre-approved by the Chief of Police or designee and the overtime must be specifically posted as "eligible for overtime pay only."

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2. Effective the first full pay period after approval of this MOU by the City Council, employees may, within the first 30 days after ratification by the City Council, convert all accrued CTO to cash on an hour for hour basis.

K. Standby Duty – Dispatchers:

1. The City may assign a Dispatcher to Standby Duty, as it deems necessary. Standby Duty requires a Dispatcher so assigned:
 - a. To be ready to respond immediately to calls from the City and to be called into work;
 - b. To be reachable by telephone/pager;
 - c. To remain within a reasonable distance of the work location; and
 - d. To refrain from activities which might impair their ability to perform any assigned duties.
2. Standby Duty shall be for a 24-hour period.
3. Employees assigned to Standby Duty shall receive compensation of \$35.00 per 24-hour period.
4. Employees assigned to Standby Duty and who are called in to work shall be compensated at the overtime rate pursuant to Article VIII, Section E (Overtime) of the Agreement. Article VIII, Section G (Call-In Pay) of the Agreement shall also apply.
5. Standby Duty shall be assigned by the Police Department on an equitable basis based on the needs of the department.

ARTICLE IX – LEAVES

A. Annual Leave:

1. Employees shall receive the following Annual Leave credits:

Non-shift personnel (40-hour work week):

Length of Service	Annual Leave Allowance
0 – 5 years	16.34 hours per month
5 – 10 years	19.34 hours per month
10 – 15 years	22.34 hours per month
15+ years	24.34 hours per month

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Shift personnel:

Length of Service	Annual Leave Allowance
0 – 5 years	17.00 hours per month
5 – 10 years	20.00 hours per month
10 – 15 years	23.00 hours per month
15+ years	25.00 hours per month

2. Except as specified in Article IX, Section B below, employees shall not accrue sick leave. However, employees who have accumulated sick leave hours shall retain such hours and may use such leave credits pursuant to Article IX, Section B, below.
3. Annual leave credits may be used for any approved absence, including vacation and illness or injury. When annual leave is used for vacation, it will be scheduled pursuant to City Personnel Rules. When annual leave is used for illness or injury leave (e.g., sick leave) purposes, it will be taken pursuant to Article IX, Section B of this MOU.
4. Employees with annual leave balances that exceed the annual leave caps of 400 as of the date of ratification of this MOU by City Council, may retain such balances until the annual leave balances are reduced to the new cap.
 - a. To avoid exceeding the maximum of 400 hours of accumulated annual leave, the City may direct an employee to take time off on annual leave. However, in the event the City does not approve annual leave for an employee in an amount sufficient to reduce accumulated annual leave to 400 hours, the number of hours that exceed 400 hours shall be rolled over into sick leave until the annual leave balance is reduced to the cap.
5. Cash Out of Annual Leave
 - a. Employees may cash out up to 40 hours of annual leave per fiscal year.
 - b. Annual leave shall be cashed out pursuant to procedures established by the City Human Resources Department.
 - c. Accrued annual leave shall be cashed out upon separation of employment with the City on an hour for hour basis.
6. Annual vacation requests shall be approved based on department policy

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as approved by the Chief of Police.

B. Sick Leave:

1. Sick leave may be used by employees for purposes enumerated in City Personnel Rules.
2. The City's contract with CalPERS permits sick leave to be converted to service credit for purposes of retirement (Government Code section 20965).
3. Accrued sick leave shall not be cashed out.
4. There shall be no maximum on the number of hours of sick leave an employee may accrue (bank).

C. Holidays:

1. Employees who are not assigned by the Police Chief to work shifts shall receive the following:
 - a. The following holidays shall be observed by the City:
 - (1) New Year's Day (January 1)
 - (2) Martin Luther King Day
 - (3) President's Day (Washington's Birthday)
 - (4) Memorial Day
 - (5) Independence Day
 - (6) Labor Day
 - (7) Veterans Day
 - (8) Thanksgiving Day
 - (9) Friday following Thanksgiving Day
 - (10) December 24
 - (11) Christmas Day
 - (12) December 31
 - (13) One (1) personal holiday as set forth in Item e) below.
 - b. If any holiday falls on a Saturday, the proceeding Friday shall be observed as the holiday; and if any such holiday falls on a Sunday, the following Monday shall be observed as the holiday.
 - c. If a holiday occurs on the employee's first normal day off, the employee shall take the preceding day as the holiday; however, if the holiday occurs

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on the employee's second consecutive normal day off, the employee shall take the following day as the holiday.

- d. Notwithstanding the above, eligible employees who are not able to take a designated holiday day off shall be credited with one (1) additional day of annual leave (8 hours) for each holiday not taken. Examples of this would include a non-peace officer assigned to work a shift whose regularly scheduled work day falls on a holiday or a non-shift peace officer whose duties required him/her to work on a holiday.
- e. As listed under Item (a) above, employees shall be entitled to one (1) personal holiday (8 hours) per calendar year. The personal holiday shall be taken in the same manner and under the same rules as compensating time off (CTO), except that employees who have not completed their initial probationary period may not take their personal holiday until they have completed the probationary period.
- f. No holiday pay shall be accrued when an employee has been off work on unpaid status for more than 90 days.

2. Effective July 1, 2010:

Employees who are assigned by the Police Chief to work shifts shall cease accruing Holiday Leave time; instead, such employees shall receive a 6% Holiday Pay differential. Holiday Pay shall be multiplied by the employee's salary step. Employees with accrued Holiday Leave credits on the books may take such time off in the same manner as Annual Leave. Holiday Pay shall be compensable for retirement (PERS) purposes.

D. Use of Accrued Employee Furlough Time:

Between March 2009 and June 2010 employees (except employees in the classes of Dispatcher I, Dispatcher II, and Communications Supervisor) had their salary reduced 2 hours per pay period in exchange for accruing 2 hours per pay period of Furlough Time. For those employees with accrued Furlough Leave on the books, the use of Furlough Leave shall be treated the same as Annual Leave, except that accrued Furlough Leave shall have no cash value.

E. Maternity/Paternity Leave:

The City and FPOA agree that the family-leave policy will be to provide four (4) months of maternity/paternity leave, without compensation, consistent with law.

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F. FPOA Catastrophic Leave Bank:

1. The purpose of the FPOA catastrophic time bank is to enable employees to receive and donate accrued annual leave, sick leave, and compensating time off (CTO) credits to assist employees who have no leave and who will suffer a financial hardship due to a prolonged illness or injury to themselves or a member of the immediate family as defined in City Personnel Rules. The following conditions shall apply:
 - a. Catastrophic Leave will be available only to employees who have exhausted all of their own paid leave through a bonafide serious illness, injury or FPOA defined catastrophic.
 - b. The City shall administer the time bank.
 - c. An employee may be on disability insurance and use the time bank credits in the same manner that sick leave is used to supplement disability insurance benefits.
 - d. All donations are to be confidential, between the donating employee and the City.
 - e. Employees donating to the time bank must have forty (40) hours of annual leave or sick leave available after making a donation.
 - f. Donating employees must sign an authorization form (prepared by the City) and specify the employee who is to be a recipient of the donation. Employees relinquish all rights and claims to hours donated. Donor specific time does not require exhaustion of accrued leave time by recipient.
 - g. Donations shall be subject to applicable tax laws.
 - h. Availability of catastrophic leave time shall not delay or prevent the City from taking action to medically separate or disability retire an employee.
 - i. The City may require a physician's statement stating that the presence of the employee who is requesting catastrophic leave time to care for an ill or injured immediate family member is necessary.

ARTICLE X – MISCELLANEOUS

A. Fitness for Duty:

1. The City may require an employee to submit to a medical examination by a physician designated by the City to evaluate the capacity of the employee to perform the work of the employee's position. The decision to require an employee to submit to such medical examination shall be

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based upon reasonable cause to believe, by the employee's department head or designee, that the employee is unable to perform the work of the employee's position. The City shall pay the cost of such examination.

The physician shall make a written report to the City. Information provided by the City's physician shall be kept confidential. A copy of the physician's report shall be given to the employee.

After consideration of the report and other pertinent information, the City will take steps in accordance with State and Federal law regarding disabilities. If the City concludes the employee is unable to perform the work of his/her present position, the City may demote or transfer the employee to an appropriate position, including one of less than full time. If it is concluded that the employee is unable to perform the duties of his/her position and the employee cannot be demoted or transferred to another position, the employee's employment with the City may be terminated. Any such action shall be considered nondisciplinary. An employee who is terminated because he/she is unable to perform the duties of his/her position shall be placed on paid administrative leave until the date of separation.

An employee terminated pursuant to this section may elect, at the employee's cost, to an examination by a physician of the employee's choice. If the employee's physician finds the employee fit to perform his/her job duties the employee shall have the right to submit the matter to binding arbitration, pursuant to Article XI of this MOU.

After weighing the evidence submitted by both parties, the employee may be reinstated if the arbitrator determines that the employee is fit to perform the duties of his/her former position. Reinstatement shall not require current eligibility on any city employment list. The arbitrator may elect to pay the employee for some or all of the time between the termination date and the date of the arbitrator's award.

2. This section shall not supersede any rights and/or remedies the parties may have pursuant to the California Workers Compensation system and Labor Code.
3. The parties agree to meet during the term of this agreement to review policies and statutes that govern Fitness for Duty and insure compliance with state law.

B. City Vehicle Use:

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City vehicles shall be assigned at the discretion of the Chief of Police.

C. Probationary Period:

1. The City will require a 12-month probationary period for all classes in the police bargaining unit. All regular employees shall serve a 12-month probationary period upon appointment to a classification in the police bargaining unit; with the exception that employees appointed to the class of Police Officer shall begin their 12-month probationary period at the conclusion of academy graduation. Probationary periods may be extended consistent with City Personnel Rules.
2. Notwithstanding Section C, subsection 1 above, employees in the class of Crime and Intelligence Analyst shall not complete the probationary period until the employee possesses the Crime and Intelligence Certificate as set forth in Article V, Section J, subsection 6. Failure of any employee in the class of Crime and Intelligence Analyst to possess the Crime and Intelligence Certificate prior to conclusion of the probationary period shall cause the employee to be released from employment in the class.
3. Notwithstanding Section C, subsection 1 above, employees in the class of Dispatcher I/II, if starting in the entry level of Dispatcher I, will serve a minimum 18-month probationary period. This involves 12 months in the probationary trainee position of Dispatcher I, followed by another 6 months of probation upon advancement to Dispatcher II. Failure of any Dispatcher I to attain POST certification prior to the conclusion of the 12 months Dispatcher I probationary period shall cause the employee to be released from employment in the class.

D. Permanent Part-Time Employees:

Permanent part-time employees are employees hired off an eligible list and who work at least 20 hours per week and not more than 39 hours per week.

The City agrees to pay 100% of the health, dental, and vision insurance premiums for the employee-only category for permanent part-time employees. Permanent part-time employees shall have the option to purchase dependent coverage through the City at rates established by the City's health, dental and vision insurance carriers. When a permanent part-time employee purchases dependent coverage, the employee shall pay the difference between the amount paid by the City for employee-only coverage and the cost of the dependent coverage.

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Other benefits provided in the Memorandum of Understanding (MOU) between the City and the FPOA shall be allocated to permanent part-time employees on a pro-rata basis.

E. Voluntary Wellness Program:

The Police Department will implement a Voluntary Wellness Program for employees in the classes of Police Officer, Police Corporal, Police Sergeant, and Community Service Officer. The purpose of the program is to encourage the proper physical conditioning and health of law enforcement personnel. The department shall determine specific procedures and policies; however, key elements shall include:

1. Regular exercise regimen. Employees shall be granted up to four hours (not to exceed one hour per shift) of release time per workweek to exercise, call load permitting. Such time shall be scheduled at the discretion of appropriate supervisory personnel.
2. Participation in an annual "baseline" physical evaluation conducted by the department.
3. The Chief of Police shall be authorized to implement program changes which benefit additional members of the FPOA. Those additions will be published consistent with department directives.

Nothing in this section shall be deemed to interfere or infringe upon the right of the City to set work schedules and/or hours of work as set forth in Article II, Section 1 of this Agreement.

F. Personal Leave Time

1. Any Personal Leave Time (PLT) earned by employees and still remaining on the books may be used by employees for time off on an hour for hour basis until the employee has exhausted the bank. Use of PLT time shall be subject to the following:

PLT may be used by employees for time off on an hour for hour basis until the employee has exhausted the bank. Use of PLT time shall be subject to the following:

- a. Use of PLT shall be subject to the operating needs of the Police department.

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- b. Use of PLT shall not cause the Police department to backfill behind an employee using PLT.
 - c. PLT shall have no cash value and may not be cashed out. If an employee terminates employment with the City or retires, any PLT remaining in the bank shall be surrendered with no value to the employee.
2. At such time that the Chief of Police changes the work schedule for Dispatchers from a 12-hour day shift to a 10-hour day shift, Dispatchers shall accrue a one-time grant of 100 hours of Personal Leave Time.

Nothing in this section shall be deemed to interfere or infringe upon the right of the City to set work schedules and/or hours of work as set forth in Article II, Section I of this Agreement.

G. Bi-Weekly Pay Schedule:

Should the City decide to implement a bi-weekly pay schedule (26 pay periods per year) in lieu of the current bi-monthly pay schedule (24 pay periods per year), the City shall notify FPOA and implement the bi-weekly pay schedule the first month after July 1, 2011 or thereafter that contains three pay days. The parties agree to further language changes of this MOU necessary to conform to a biweekly pay schedule.

H. Mutual Aid Assignments:

All personnel assigned by the Chief of Police to provide Mutual Aid to another public agency will be compensated (portal to portal) from time of assignment to their return to the police headquarters. While on Mutual Aid assignment, personnel will be compensated at their regular rate of pay during their normally assigned shifts. Personnel assigned to work on days off shall be compensated at the overtime rate.

Specific policies and procedures applicable to Mutual Aid assignments shall be determined by the department.

I. Lateral Hire – Police Officer/Dispatcher

As a recruitment incentive for the lateral hire of a Police Officer or Dispatcher, the City may, at its discretion, offer one or more of the following employment enhancements:

- 1. Accrual of Annual Leave pursuant to Article IX, Section A, at the rate consistent with the vacation accrual rate of the lateral hire's last place of

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employment as a Police Officer/Dispatcher.

2. Training and education incentives pursuant to Article V, Section H.
3. Salary step placement consistent with the candidate's previous experience as a Police Officer/Dispatcher.
4. Crediting of up to forty (40) hours of personal leave time (PLT). PLT shall have no cash value. PLT shall be taken in a manner consistent with department vacation policy. Should a lateral hire terminate employment with the City, any unused PLT shall be forfeit.

ARTICLE XI – GRIEVANCE PROCEDURE

A. Definition:

The term "Grievance" as used in this Agreement is limited to a complaint or request of an employee, group of employees, or FPOA which involves the interpretation, application, or compliance with the provisions of this Agreement or City Rules.

B. Time Limits:

Grievances not presented within the time limits established for each step of this procedure shall not be considered. Should the City fail to answer within the established time limits, the grievance may be processed to the next level and the failure to answer shall be given the appropriate weight by the arbitrator.

When days are used in this article for the purpose of establishing time limits, those limits will be presumed to have been met when the appropriate forms are either personally delivered to the affected party or deposited in the U.S. mail, as evidenced by the appropriate postmark.

Time limits may be waived by mutual agreement between the parties. As referred to in this article, all "days" are "calendar days."

C. Presentation:

An employee and/or FPOA representative may present a grievance while on duty, provided such presentations and discussions do not disrupt City operations and are kept to a reasonable minimum.

D. Procedure:

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All grievances as defined herein shall be processed in accordance with this procedure. All grievances, beginning at Step 2 shall be filed on forms provided by the City for that purpose. FPOA may refuse to represent a grievant and the City may refuse to consider a grievance in those circumstances where the aggrieved party has not followed this procedure.

1. STEP 1. Within fifteen (15) days of the act(s) and/or omission(s) giving rise to the grievance or within fifteen (15) days of the time the employee or FPOA should reasonably have been aware of said act(s) and/or omission(s), the grievance shall be discussed informally with the person or persons most directly responsible for the circumstances which gave rise to the grievance. If the grievance is not resolved within fifteen (15) days of the date on which it is first presented at Step 1, the grievant may proceed to Step 2.
2. STEP 2. Within fifteen (15) days of receipt of the Step 1 answer, or if no answer is given, within thirty (30) days of the Step 1 meeting, the grievant, if still dissatisfied, shall file with the Police Chief, a formal written grievance. Within fifteen (15) days of the receipt of the formal grievance the Police Chief or designee shall meet with the grievant to discuss the matter. The Police Chief or designee shall respond to the grievant, in writing, within fifteen (15) days of the Step 2 meeting. The Step 2 response shall include the position of the Police Department and the reasons therefore, as related to the grievance.
3. STEP 3. Within fifteen (15) days of the Step 2 response or, if no Step 2 response is received, within thirty (30) days of the Step 2 meeting, the grievance may be presented in writing to the City's Employee Relations Officer. The Employee Relations Officer shall conduct such investigation as is deemed appropriate and shall issue a written determination within thirty (30) days of the date on which the grievance is first presented at Step 3. If the Employee Relations Officer fails to issue a written determination within the prescribed period of time or if the determination is not satisfactory to the grievant, the grievant may request that the matter be submitted to binding arbitration.

Matters involving the interpretation or application of this Agreement may only be submitted to Step 4 by FPOA. Employees may submit matters of discipline to arbitration pursuant to Article XII of this Agreement.

4. STEP 4. A request for binding arbitration shall be made in writing to the Employee Relations Officer within fifteen (15) days of the date which the grievant received a copy of the written determination of Step 3, or in the

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event that no Step 3 answer is received, within forty-five (45) days of the date of the Step 3 meeting. An arbitrator may be selected by mutual agreement between the parties. However, should the parties fail to voluntarily agree upon an arbitrator, the parties shall make a joint request to the American Arbitration Association or the Mediation and Conciliation Service of the State of California. The parties shall request a list of five (5) qualified arbitrators. Each party shall alternately strike one name from the list and the last remaining name shall serve as arbitrator. The first party to strike a name shall be determined by the toss of a coin.

The arbitrator's decision shall be final and binding on the City, FPOA, and the grievant. The arbitrator shall have no authority to add to or delete from the terms of this Agreement or City rules. All fees and costs of the arbitrator and court reporter, if any, shall be borne equally by the parties. In matters of discipline, which have not been submitted to arbitration by FPOA, all costs will be split between the parties to the arbitration and shall not include FPOA.

ARTICLE XII – DISCIPLINE PROCEDURE

A. Policy:

It is the policy of the City that discipline of City employees be imposed on an appropriate and consistent basis. When an employee engages in misconduct or when job performance is unsatisfactory in the judgment of the City, disciplinary action may be initiated. This article modifies disciplinary procedures identified in City Personnel Rules.

B. Definition:

As used herein, "disciplinary action" means written reprimand, suspension without pay, reduction in pay, demotion, or dismissal.

C. Persons Authorized to Initiate Disciplinary Action:

Discipline may be initiated by those authorized in the City Personnel Rules.

D. Application of Appeal Procedure:

1. **Permanent Status:** This article shall only apply to employees with permanent status with the City.
2. **Probationary Status:** An employee in probationary status shall have no right to grieve or arbitrate release from probationary appointment.

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3. Temporary Employee: An employee in a temporary position shall have no right to grieve or arbitrate release from temporary appointment.
4. Temporary Upgrade (Out of Class): An employee in a temporary upgrade status shall have no right to grieve or arbitrate release from temporary upgrade status.
5. A written reprimand shall be appealable only to the City Manager or his/her designee with the right to present the employee's position and supporting evidence, but no right to confront or cross examine witnesses. The decision of the City Manager or designee shall be final.
6. Upon the request of an employee, a written reprimand shall be removed from an employee's personnel file after two (2) years from the original date of issuance; provided, however, that the employee has not been subject to disciplinary action during the two (2) year period.
7. A counseling memorandum, letter of instruction or similar action shall not be considered formal disciplinary action. Such measures shall be considered corrective action. The Police Chief may issue General Orders defining corrective action measures and identify those management personnel who can issue such measures. Corrective action may not be appealed beyond the Police Chief.

E. Cause for Disciplinary Action:

1. Discipline shall be for cause. Examples of conduct or performance deficiencies that may warrant discipline include, but are not limited to (more examples can be found in the City Personnel Rules):
 - a. Misstatement of facts during the hiring process
 - b. Falsification of an entry on a City document (e.g., time card, expense report)
 - c. Disclosure of confidential information
 - d. Insubordination or willful disobedience
 - e. Incompetence, inefficiency or unsatisfactory job performance
 - f. Discriminatory, discourteous, or unbecoming behavior
 - g. Theft, misuse or unauthorized use or possession of City property
 - h. Dishonesty
 - i. Misconduct, i.e., any behavior that brings harm or discredit to the City
 - j. Being under the influence of illegal drugs or alcohol or possessing illegal drugs while on City property or on official business

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- k. Conviction of a felony or misdemeanor that involves moral turpitude, or any other conviction or pleas of nolo contendere (no contest) or diversion for such offense, which adversely affects, or brings discredit to, the City
- l. Excessive absence or tardiness
- m. Absence without approved leave
- n. Violation of a City rule, policy, or procedure
- o. Soliciting outside work for personal gain during the conduct of City business; engaging in outside employment for any business under contract by the City; participating in any outside employment that adversely affects the employee's City work performance; and engaging in unauthorized outside employment
- p. Loss or failure to maintain any license, certification, and/or clearance which is required as a minimum qualification or condition of employment for the employee's position

F. Preliminary Notice of Disciplinary Action:

1. A copy of the preliminary notice of disciplinary action shall be served upon the employee either personally, or by first class mail and certified mail, return receipt requested, to the last known address of the employee. The last known address shall be deemed to be the address that is within the employee's official personnel file. If notice is provided by mail, the employee should be deemed to have received notice ten (10) work days after the date of mailing.
2. The Preliminary Notice shall include:
 - a. A statement of the nature of the disciplinary action;
 - b. The effective date of the disciplinary action;
 - c. A statement of the reasons for the disciplinary action citing the item(s) under Article XII, Section E, General Orders, or the Personnel Rules which have been violated;
 - d. Any supporting material or documentation;
 - e. A Preliminary Notice of Disciplinary Action shall be valid provided it contains a statement advising the employee of the right to request a Skelly Meeting, the manner and time in which the request for a Skelly Meeting must be made, and the required content of the request for a Skelly Meeting; and
 - f. The name and address of the person to whom all written communication regarding this Skelly Meeting [alternatively, matter] shall be sent."

G. Skelly Meeting:

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1. An employee who is subject to disciplinary action shall have the right, within five (5) work days after receiving a Proposed Notice of Disciplinary Action to request a Skelly Meeting by filing a written request for a meeting signed by the employee or the employee's representative with the employee's consent with the City Human Resources Director.
2. Failure to respond or inaction within the specified time will result in the waiver of the right to a Skelly meeting and the proposed discipline becoming final.
3. Upon a written request for a Skelly meeting, the City shall appoint a "Skelly Officer". The Skelly Officer will meet with the employee, listen to arguments and receive documents presented by the employee. Within a reasonable time and in writing, the Skelly Officer shall respond to the City, with a copy to the employee and the employee's representative, if applicable. The Skelly Officer may recommend that the City dismiss, modify, or sustain the proposed discipline.
4. If the proposed discipline is sustained or modified by the City after the Skelly Meeting, the disciplinary action shall be implemented. A Final Notice of Disciplinary Action shall be served in the same manner as the Preliminary Notice of Disciplinary Action, except that the Final Notice of Disciplinary Action shall include a statement advising the employee of the right to appeal the action, the manner and time in which the appeal must be made, the required content of the appeal, and the name and address of the person to whom all written communication regarding the appeal shall be sent.

H. Appeal of Disciplinary Action:

1. Within ten (10) work days after receipt of the Final Notice of Disciplinary Action, disciplinary actions may be appealed to arbitration. Notice of the appeal must be filed with the Human Resources Director. If the employee fails to file a notice of appeal within this time period, the disciplinary action shall become final and there shall be no further appeal.
2. The decision of the arbitrator shall be final and binding on the parties. No appeal or review of the arbitrator's decision by Writ or other mechanism before any court, administrative tribunal or any other forum on any legal theory or basis shall be possible.
3. Appeals of disciplinary actions to arbitration shall be pursuant to Article XI

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(Grievance Procedure) of this Agreement, except that on disciplinary appeals:

- a. An appeal of a disciplinary action is a complaint of a permanent employee of whether there was cause for the disciplinary action taken against the employee.
- b. The parties to the discipline hearing and to the selection of the arbitrator shall be the employee, who may be represented by FPOA, self-represented, or independent counsel, and the City who may be represented by the Human Resources Department or counsel.
- c. The employee shall be entitled to appear personally at the hearing and produce evidence.
- d. The fees and expenses of the arbitrator, a court reporter and transcript if required by the arbitrator, shall be shared equally by the parties.

ARTICLE XIII – LAYOFF

A. Layoff

When it becomes necessary due to lack of work, lack of funds, or in the interest of economy, to reduce the number of employees in the Police Department bargaining unit, the order in which employees will be laid off within each class affected by the layoff shall be based on seniority as provided in Section C.

1. Area of Layoff:

The City shall determine the area(s) and positions in which layoffs may occur, including the identification of the division, work unit, class, and specific position. When a list of the affected areas and/or positions has been prepared, the City will give notice to FPOA prior to implementation of the layoff, and upon request, shall meet with FPOA in good faith regarding the impact of the layoff (consistent with Section H). Unless agreed otherwise, the following layoff procedure shall be followed:

- a. Employees holding temporary, seasonal, part-time, probationary, or provisional appointments in the class shall be laid off first. Employees serving in a regular part-time position shall be laid off second. Employees who have completed probation (i.e. permanent employees) shall be laid off last. Employees off work on approved leave (workers compensation, disability leave, etc.) who are

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identified for layoff shall be laid off in the same manner as if the employee was on active duty.

- b. Should it become necessary to lay off permanent employees, the employees laid off shall be those with the least service credit within the identified classifications in the department. If two (2) or more employees in this circumstance possess essentially the same amount of service credit, the Police department shall determine which person shall be laid off.

2. Seniority Defined:

Seniority shall be defined by the date of the most recent appointment to the classification. Time served as a probationary employee in the class shall be included in determining seniority.

3. Notification:

Employees to be laid off shall be given final written notification by the City of such action. Whenever possible, such notification shall be given a minimum of thirty (30) calendar days prior to the effective date of the layoff. At its discretion, the City may also issue preliminary written layoff notices.

4. Right to Demote:

Any employee who is scheduled for layoff shall have a right to demote to a class in which the employee formerly held permanent status. Any employee scheduled for layoff in a class outside the bargaining unit shall bump into a class in the bargaining unit if they formerly held permanent status in that class. If there is no authorized position in the class to which the employee would otherwise have a right to demote, then the employee shall be laid off from employment.

The right to demote shall be implemented as follows:

- a. If there is only one other lower salaried class in which the employee formerly held permanent status, the employee shall be demoted to that class. If there is no vacancy in that class and the demoting employee has less seniority than all other employees in that class, the demoting employee shall be laid off from that class and from employment.
- b. If there are two or more lower salaried classes in which the

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employee formerly held permanent status, the employee shall be demoted to that class in which the employee formerly held permanent status which has the highest salary. If there is no vacancy in that class, and the demoting employee has less seniority than all other employees in that class, the above process shall continue until the demoting employee either reaches a class in which the employee formerly held permanent status in which there is a vacancy or in which the employee is not the least senior employee in that class, or the employee is laid off from employment.

- c. An employee who is least senior in a class in which there is no vacancy and to which an employee demotes from a higher class shall be laid off from that class, and shall have the same right to demote as does any other employee who is laid off.
- d. An employee demoted under this procedure shall be deemed to have exercised the employee's right to demote and to have accepted each demotion, subject to the employee's right to resign from employment.
- e. An employee who is demoted from a class in which the employee holds permanent status shall be deemed for all purposes to have been laid off from each class from which the employee subsequently demotes or is displaced, including classes which the employee passes through because of the absence of a vacancy and insufficient seniority to occupy a position.

5. Reemployment:

The names of employees laid off in accordance with provisions of this section shall be placed on a reemployment list. Names shall be placed on a reemployment list by classification in order of seniority. A reemployment list will be used to fill vacancies in the classification before any other eligible list that exists for that classification. In the event that a person on layoff declines reemployment to a vacant position in the classification from which the employee was laid off, or cannot be contacted through telephone and certified mail within fifteen (15) working days, such person's name shall be removed from the reemployment list.

A reemployment list will remain in effect for two (2) years unless specifically extended, or sooner if exhausted. Upon reinstatement an employee will be eligible for all benefits acquired by the employee prior to

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the layoff, including prior Annual Leave accrual rates, health benefits provided in the current FPOA Memorandum of Understanding, retirement tier (as permitted by PERS law) and seniority. An employee shall not receive credit for time spent on layoff in computing time for any benefit entitlement. Rehire shall be subject to successful completion of pertinent psychological, medical, polygraph, and background investigations.

6. Appeals:

Interpretations of the provisions of this section may be appealed through the grievance procedure (Article XI) of this Agreement. Such grievances must be filed within five (5) work days of final written notification of the proposed layoff. For the purpose of appealing interpretations of this section, grievances shall be filed directly with the City Manager (Step 3 of the grievance procedure). The filing of a grievance shall not prevent the City from implementing the layoff. The reasons or necessity for the layoff shall not be subject to the grievance procedure or appeal.

7. Nothing in this section shall delay or limit the City's right to lay off employees.

ARTICLE XIV – TERM AND SIGNATURE CLAUSE

A. Term of Agreement:

This Memorandum of Understanding incorporates all modifications regarding wages, hours, and other terms and conditions of employment. This Memorandum of Understanding shall be effective as of January 1, 2022, and shall expire December 31, 2024. Should either party desire to commence the meet and confer process for the next subsequent Memorandum of Understanding, that party shall notify the other in writing no earlier than one hundred twenty (120) calendar days prior to the expiration date of the existing Memorandum of Understanding, and the meet and confer process shall begin no later than ninety (90) calendar days prior to the expiration date of this Agreement.

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B. Signature Clause:

The terms and conditions of this Memorandum of Understanding are executed this _____ day of _____, 2021 by the employer-employee representatives whose signatures appear below on behalf of their respective organizations.

CITY OF FOLSOM

FOLSOM POLICE OFFICERS ASSOCIATION

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ATTACHMENTS

Attachment A. Salary Schedules

Salary Schedule 2022 (effective January 1, 2022) - 3.50% (LE) & 3% (Misc.) COLA and Market Adjustments															
CLASSIFICATION	SCH	RNG	1	2	3	4	5	6	7	8	9	10	11	12	13
SAFETY:															
POLICE OFFICER <small>(Probationary/Pre-service)</small>	A/B	41P	70,508												
POLICE OFFICER <small>(POST Certified/Lateral)</small>	A/B	44P	79,981	82,380	84,852	87,397	90,019	92,720	95,501	98,366	101,317				
CORPORAL	A	48P	81,082	85,187	89,499	94,030	98,790	103,791	105,688	108,330					
	B	48P	85,517	88,082	90,725	93,447	96,250	99,137	102,112	105,175	108,330				
SERGEANT	A	54P	96,332	101,149	106,218	111,539	117,116	120,044	123,045						
	B		97,133	100,047	103,048	106,139	109,324	112,603	115,961	119,461	123,045				
MISCELLANEOUS:															
COMMUNICATIONS SUPERVISOR	A/B	49D	80,310	82,719	85,201	87,757	90,390	93,101	95,894	98,771	101,738				
CRIME ANALYST	A	45P	75,160	78,965	82,962	87,163	91,576	96,211	98,616						
	B	45P	73,327	75,160	77,039	78,965	80,940	82,962	85,037	87,163	89,341	91,576	93,864	96,211	98,616
DISPATCHER I	A/B		61,121												
DISPATCHER II	A	38D	69,837	71,933	74,091	76,313	78,603	80,961	83,390	85,891	88,468				
POLICE COMM SRVCS OFFICER	A	34P	53,435	56,107	57,510	58,948	60,421	61,932	63,480	65,067	66,694	68,361	70,070	71,822	
POLICE RECORDS CLERK	A	33P	47,022	49,379	51,831	54,435	57,153	60,011	61,511						
	B	33P	46,686	47,853	49,049	50,275	51,532	52,820	54,141	55,495	56,882	58,304	59,762	60,011	61,511
POLICE RECORDS SUPERVISOR	A	51P	58,090	60,985	64,028	67,240	70,599	74,129	75,983						
	B	51P	57,674	59,116	60,594	62,108	63,661	65,253	66,884	68,556	70,270	72,027	73,827	74,130	75,983
POLICE VOLUNTEER COORD	A	51P	58,090	60,985	64,028	67,240	70,599	74,129	75,983						
	B	51P	57,674	59,116	60,594	62,108	63,661	65,253	66,884	68,556	70,270	72,027	73,827	74,130	75,983
PROPERTY/EVIDENCE TECH	A	33P	47,022	49,379	51,831	54,435	57,153	60,011	61,511						
	B	33P	46,686	47,853	49,049	50,275	51,532	52,820	54,141	55,495	56,882	58,304	59,762	60,011	61,511
SR POLICE RECORDS CLERK	A	40P	52,759	55,397	58,167	61,076	64,129	67,336	69,019						
	B	40P	49,887	51,134	52,412	53,723	55,066	56,443	57,854	59,300	60,782	62,302	63,860	64,706	66,323

Note: Those on Schedule "A" were hired prior to 02/06/14. All others are Schedule "B."

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Salary Schedule 2023 (effective January 1, 2023) - 3.00% COLA															
CLASSIFICATION	SCH	RNG	1	2	3	4	5	6	7	8	9	10	11	12	13
SAFETY:															
POLICE OFFICER (Probationary/Pre-service)	A/B	41P	72,624												
POLICE OFFICER (POST Certified/Lateral)	A/B	44P	82,380	84,852	87,397	90,019	92,720	95,501	98,366	101,317	104,357				
CORPORAL	A	48P	83,515	87,743	92,184	96,851	101,754	106,904	108,858	111,580					
	B		88,082	90,725	93,447	96,250	99,137	102,112	105,175	108,330	111,580				
SERGEANT	A	54P	99,222	104,184	109,405	114,885	120,629	123,646	126,736						
	B	54P	100,047	103,048	106,139	109,324	112,603	115,981	119,461	123,045	126,736				
MISCELLANEOUS:															
COMMUNICATIONS SUPERVISOR	A/B	49D	82,719	85,201	87,757	90,390	93,101	95,894	98,771	101,734	104,790				
CRIME ANALYST	A	45P	77,414	81,334	85,451	89,778	94,323	99,097	101,575						
	B	45P	75,527	77,414	79,350	81,334	83,368	85,451	87,588	89,778	92,022	94,323	96,680	99,097	101,575
DISPATCHER I	A/B		62,954												
DISPATCHER II	A	38D	71,933	74,091	76,313	78,603	80,961	83,390	85,891	88,468	91,122				
POLICE COMM SRVCS OFFICER	A/B	34P	55,039	57,790	59,235	60,716	62,234	63,790	65,385	67,019	68,695	70,412	72,172	73,977	
POLICE RECORDS CLERK	A	33P	48,433	50,860	53,386	56,068	58,867	61,811	63,356						
	B	33P	48,086	49,288	50,521	51,784	53,078	54,405	55,765	57,159	58,588	60,053	61,554	61,811	63,356
POLICE RECORDS SUPERVISOR	A	51P	59,832	62,814	65,948	69,257	72,717	76,353	78,262						
	B	51P	59,404	60,889	62,411	63,972	65,571	67,210	68,890	70,613	72,378	74,188	76,042	76,354	78,262
POLICE VOLUNTEER COORD	A	51P	59,832	62,814	65,948	69,257	72,717	76,353	78,262						
	B	51P	59,404	60,889	62,411	63,972	65,571	67,210	68,890	70,613	72,378	74,188	76,042	76,354	78,262
PROPERTY/EVIDENCE TECH	A	33P	48,433	50,860	53,386	56,068	58,867	61,811	63,356						
	B	33P	48,086	49,288	50,521	51,784	53,078	54,405	55,765	57,159	58,588	60,053	61,554	61,811	63,356
SR POLICE RECORDS CLERK	A	40P	54,342	57,059	59,912	62,908	66,053	69,356	71,090						
	B	40P	51,384	52,668	53,985	55,334	56,718	58,136	59,589	61,079	62,606	64,171	65,775	66,647	68,313

Note: Those on Schedule "A" were hired prior to 02/06/014. All others are Schedule "B"

FPOA Memorandum of Understanding
1/1/22 to 12/31/24

Salary Schedule 2024 (effective January 1, 2024) - 3.00% COLA															
CLASSIFICATION	SCH	RNG	1	2	3	4	5	6	7	8	9	10	11	12	13
SAFETY:															
POLICE OFFICER (Probationary/Pre-service)	A/B	41P	74,802												
POLICE OFFICER (POST Certified/Lateral)	A/B	44P	84,852	87,397	90,019	92,720	95,501	98,366	101,317	104,357	107,488				
CORPORAL	A	48P	86,020	90,375	94,949	99,756	104,806	110,111	112,124	114,928					
	B		90,725	93,447	96,250	99,137	102,112	105,175	108,330	111,580	114,928				
SERGEANT	A	54P	102,198	107,309	112,687	118,332	124,248	127,355	130,538						
	B	54P	103,048	106,139	109,324	112,603	115,981	119,461	123,045	126,736	130,538				
MISCELLANEOUS:															
COMMUNICATIONS SUPERVISOR	A/B	49D	85,201	87,757	90,390	93,101	95,894	98,771	101,734	104,786	107,934				
CRIME ANALYST	A	45P	79,737	83,774	88,015	92,471	97,152	102,070	104,622						
	B	45P	77,792	79,737	81,731	83,774	85,869	88,015	90,216	92,471	94,782	97,152	99,580	102,070	104,622
DISPATCHER I	A/B		64,843												
DISPATCHER II	A	38D	74,091	76,313	78,603	80,961	83,390	85,891	88,468	91,122	93,856				
POLICE COMM SRVCS OFFICER	A/B	34P	56,690	59,524	61,012	62,538	64,101	65,704	67,346	69,030	70,756	72,524	74,338	76,196	
POLICE RECORDS CLERK	A	33P	49,886	52,386	54,987	57,750	60,633	63,665	65,257						
	B	33P	49,529	50,767	52,036	53,337	54,671	56,037	57,438	58,874	60,346	61,855	63,401	63,665	65,257
POLICE RECORDS SUPERVISOR	A	51P	61,627	64,699	67,927	71,334	74,899	78,644	80,610						
	B	51P	61,186	62,716	64,284	65,891	67,538	69,227	70,957	72,731	74,549	76,413	78,323	78,644	80,610
POLICE VOLUNTEER COORD	A	51P	61,627	64,699	67,927	71,334	74,899	78,644	80,610						
	B	51P	61,186	62,716	64,284	65,891	67,538	69,227	70,957	72,731	74,549	76,413	78,323	78,644	80,610
PROPERTY/EVIDENCE TECH	A	33P	49,886	52,386	54,987	57,750	60,633	63,665	65,257						
	B	33P	49,529	50,767	52,036	53,337	54,671	56,037	57,438	58,874	60,346	61,855	63,401	63,665	65,257
SR POLICE RECORDS CLERK	A	40P	55,972	58,771	61,710	64,795	68,035	71,437	73,223						
	B	40P	52,925	54,248	55,604	56,994	58,419	59,880	61,377	62,911	64,484	66,096	67,749	68,646	70,362

Note: Those on Schedule "A" were hired prior to 02/06/014. All others are Schedule "B."

FPOA Memorandum of Understanding
1/1/22 to 12/31/24

Attachment B. Salary Step Placement

Step Placement as of January 1, 2022 (Law Enforcement & Misc)															
CLASSIFICATION	SCH	RNG	1	2	3	4	5	6	7	8	9	10	11	12	13
SAFETY:			Current												
POLICE OFFICER <small>(Probationary/Pre-service)</small>	A/B	41P	68,124.06												
		41P	70,508.40												
			Current												
POLICE OFFICER <small>(POST Certified/Lateral)</small>	A/B	44P	74,303.44	76,160.61	78,064.94	80,016.43	82,017.18	84,067.19	86,168.55	88,323.37	90,531.64	92,794.41	95,503.65	97,891.13	
POLICE OFFICER <small>(POST Certified/Lateral)</small>		New Steps	77,276.16	79,594.45	81,982.28	84,441.75	86,975.00	89,584.25	92,271.78	95,039.94	97,891.13				
		Eff: 01/01/2022	79,980.83	82,380.26	84,851.66	87,397.21	90,019.13	92,719.70	95,501.29	98,366.33	101,317.32				
				3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%			
			Current												
CORPORAL	A	48P	78,340.58	82,306.44	86,472.43	90,850.25	95,449.15	100,280.72	102,113.78	104,666.86					
		B	86,472.49	88,634.65	90,904.75	93,176.95	95,449.15	97,835.59	100,280.72	102,113.78	104,666.86				
Eff: 01/01/2022 range for new appointments	A		81,082.50	85,187.17	89,498.96	94,030.01	98,789.87	103,790.54	105,687.76	108,330.20					
		B	85,516.86	88,082.36	90,724.84	93,446.58	96,249.98	99,137.48	102,111.60	105,174.95	108,330.20				
				3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%			
			Current												
SERGEANT	A	54P	93,074.24	97,728.68	102,626.28	107,767.03	113,155.12	115,984.88	118,883.83						
		B	95,401.99	100,171.72	102,626.28	105,191.94	107,767.03	110,461.60	113,155.12	115,984.88	118,883.83				
Eff: 01/01/2022 range for new appointments	A		96,331.84	101,149.19	106,218.20	111,538.87	117,115.54	120,044.36	123,044.76						
		B	97,132.67	100,046.65	103,048.05	106,139.49	109,323.68	112,603.39	115,981.49	119,460.93	123,044.76				
				3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%			
			Current												
MISCELLANEOUS:															
COMMUNICATIONS SUPERVISOR	A/B	49D	74,608.93	78,339.37	80,297.85	82,305.30	84,362.94	86,472.01	88,633.81	90,894.35	93,166.72	95,495.89			
		New Step	75,385.34	77,646.90	79,976.31	82,375.59	84,846.86	87,392.27	90,014.04	92,714.46	95,495.89				
		Market Adj	77,594.13	79,921.95	82,319.61	84,789.20	87,332.88	89,952.86	92,651.45	95,430.99	98,297.74				
Eff: 01/01/2022			80,309.92	82,719.22	85,200.80	87,756.82	90,389.53	93,101.21	95,894.25	98,771.08	101,738.16				
				3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%			

FPOA Memorandum of Understanding
1/1/22 to 12/31/24

Step Placement as of January 1, 2022 (Law Enforcement & Misc)															
CLASSIFICATION	SCH	RNG	1	2	3	4	5	6	7	8	9	10	11	12	13
			Current												
CRIME ANALYST	A	45P	72,970.43	76,664.87	80,545.86	84,624.41	88,908.29	93,408.51	95,744.16						
	B	45P	71,191.09	72,970.43	74,795.02	76,664.87	78,582.18	80,545.86	82,560.30	84,624.41	86,739.31	88,908.29	91,130.25	93,408.51	95,744.16
			Eff: 01/01/2022												
	A	45P	75,159.54	78,964.82	82,962.23	87,163.15	91,575.54	96,210.76	98,616.48						
	B	45P	73,326.82	75,159.54	77,038.87	78,964.82	80,939.64	82,962.23	85,037.10	87,163.15	89,341.49	91,575.54	93,364.16	96,210.76	98,616.48
			Current												
DISPATCHER I	A/B		59,053.75												
			Eff: 01/01/2022												
	A/B		61,120.63												
			Current												
DISPATCHER II	A	38D	62,006.32	65,145.50	68,443.35	71,908.32	75,548.77	77,437.40	79,373.31	81,357.65	83,391.62	85,476.31			
	B	38D	65,145.50	66,773.99	68,443.35	70,154.51	71,908.36	73,706.05	75,548.77	77,437.38	79,373.31	81,357.73	83,391.62	85,476.31	
			New Step												
		38D	67,475.79	69,500.06	71,585.06	73,732.62	75,944.59	78,222.93	80,569.62	82,986.71	85,476.31				
			Eff: 01/01/2022												
			69,837.44	71,932.56	74,090.54	76,313.26	78,602.65	80,960.73	83,389.56	85,891.24	88,467.98				
				3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%			
			Current												
POLICE COMM SRVCS OFFICER	A	34P	51,879.09	54,473.05	55,834.88	57,230.74	58,661.51	60,128.05	61,631.25	63,172.04	64,751.33	66,370.12	68,029.37	69,730.10	
			Eff: 01/01/2022												
	A	34P	53,435.47	56,107.24	57,509.93	58,947.66	60,421.36	61,931.89	63,480.19	65,067.20	66,693.87	68,361.22	70,070.25	71,822.01	
			Current												
POLICE RECORDS CLERK	A	33P	45,652.70	47,940.86	50,321.34	52,849.36	55,488.23	58,262.65	59,719.22						
	B	33P	45,325.85	46,459.01	47,620.48	48,810.99	50,031.25	51,282.03	52,564.09	53,878.19	55,225.14	56,605.78	58,020.92	58,262.65	59,719.22
			Eff: 01/01/2022												
	A	33P	47,022.28	49,379.09	51,830.98	54,434.84	57,152.88	60,010.53	61,510.80						
	B	33P	46,685.63	47,852.78	49,049.09	50,275.31	51,532.19	52,820.49	54,141.01	55,494.53	56,881.89	58,303.96	59,761.55	60,010.53	61,510.80
			Current												
POLICE RECORDS SUPERVISOR	A	51P	56,397.78	59,208.46	62,162.70	65,281.11	68,543.15	71,970.31	73,769.57						
	B	51P	55,994.01	57,393.86	58,828.71	60,299.42	61,806.91	63,352.09	64,935.88	66,559.28	68,223.27	69,928.85	71,677.07	71,970.71	73,769.99
			Eff: 01/01/2022												
	A	51P	58,089.72	60,984.71	64,027.59	67,239.54	70,599.45	74,129.41	75,982.65						
	B	51P	57,673.83	59,115.68	60,593.57	62,108.40	63,661.11	65,252.65	66,883.95	68,556.06	70,269.97	72,026.71	73,827.38	74,129.84	75,983.09
			Current												
POLICE VOLUNTEER COORD	A	51P	56,397.78	59,208.46	62,162.70	65,281.11	68,543.15	71,970.31	73,769.57						
	B	51P	55,994.01	57,393.86	58,828.71	60,299.42	61,806.91	63,352.09	64,935.88	66,559.28	68,223.27	69,928.85	71,677.07	71,970.71	73,769.99
			Eff: 01/01/2022												
	A	51P	58,089.72	60,984.71	64,027.59	67,239.54	70,599.45	74,129.41	75,982.65						
	B	51P	57,673.83	59,115.68	60,593.57	62,108.40	63,661.11	65,252.65	66,883.95	68,556.06	70,269.97	72,026.71	73,827.38	74,129.84	75,983.09

FPOA Memorandum of Understanding
1/1/22 to 12/31/24

Step Placement as of January 1, 2022 (Law Enforcement & Misc)															
CLASSIFICATION	SCH	RNG	1	2	3	4	5	6	7	8	9	10	11	12	13
			Current												
PROPERTY/EVIDENCE TECH	A	33P	45,652.70	47,940.86	50,321.34	52,849.36	55,488.23	58,262.65	59,719.22						
	B	33P	45,325.85	46,459.00	47,620.48	48,810.99	50,031.25	51,282.03	52,564.09	53,878.19	55,225.14	56,605.78	58,020.92	58,262.65	59,719.22
	A	33P	47,022.28	49,379.09	51,830.98	54,434.84	57,152.88	60,010.53	61,510.80						
	B	33P	46,685.63	47,852.77	49,049.09	50,275.31	51,532.19	52,820.49	54,141.01	55,494.53	56,881.89	58,303.96	59,761.55	60,010.53	61,510.80
			Current												
SR POLICE RECORDS CLERK	A	40P	51,222.34	53,783.50	56,473.06	59,296.74	62,261.56	65,374.63	67,008.99						
	B	40P	48,433.93	49,644.77	50,885.89	52,158.04	53,461.99	54,798.55	56,168.49	57,572.71	59,012.04	60,487.33	61,999.52	62,820.90	64,391.43
	A	40P	52,759.01	55,397.00	58,167.25	61,075.64	64,129.40	67,335.87	69,019.26						
	B	40P	49,886.95	51,134.11	52,412.46	53,722.78	55,065.85	56,442.50	57,853.54	59,299.90	60,782.40	62,301.95	63,859.51	64,705.52	66,323.17
Note: Those on Schedule "A" were hired prior to 02/26/04. All others are Schedule "B"															



CITY OF
FOLSOM
UNINCORPORATED BY CHARTER

Folsom City Council Staff Report

MEETING DATE:	12/14/2021
AGENDA SECTION:	Public Hearing
SUBJECT:	Resolution No. 10775 – A Resolution of the City Council Setting Forth Results of Protests in Connection with Utility Rate Hearing Conducted Pursuant to Proposition 218 and Establishing New Solid Waste Rates and Fees
FROM:	Public Works Department

RECOMMENDATION / CITY COUNCIL ACTION

The Public Works Department recommends that the City Council

1. Open the Proposition 218 Hearing,
2. Consider all protests against the proposed utility rate increases,
3. Consider whether or not to include in the proposed new solid waste rates charges for household hazardous waste (HHW) collection,
4. Direct the City Clerk to canvas and report the number of written protests received for the proposed rate increases for solid waste,
5. And if no majority protest exists, approve the proposed new utility rates and fees in Resolution No. 10775 – A Resolution of the City Council Setting Forth Results of Protests in Connection with Utility Rate Hearing Conducted Pursuant to Proposition 218 and Establishing New Solid Waste Rates and Fees

BACKGROUND / ISSUE

In 2019 the Solid Waste Division (Division) conducted a comprehensive rate study including evaluation of operational and capital needs. R3 Consulting Group, Inc. (R3) along with City staff analyzed the revenue requirements and rate structures for each line of service.

The 2019 rate study incorporated costs associated with meeting current needs; however, it did not account for additional staffing or other operational costs required to meet pending regulatory requirements relating to California's Short-Lived Climate Pollutant Reduction Strategy (SB 1383). The regulations necessary for compliance with SB 1383 were still being developed so the costs were unknown.

At the time of the previous rate study (2019), solid waste rates had not been adjusted since 2003. Despite the impending unknown expenses associated with SB 1383, the financial position of the Division necessitated proceeding with a rate adjustment in advance of the regulations. Staff expressed to City Council that it would be necessary to return with additional increases once the costs of SB 1383 could be predicted. The regulations were finalized in November of 2020, therefore allowing the Division to anticipate the cost of compliance by conducting the current rate study (2021).

The mandated programs required by SB 1383 will significantly increase costs. These include weekly collection of organic material from all residents and businesses, community outreach and education, enforcement, procurement of products made from recycled organic material (such as compost or mulch), as well as development of an edible food recovery program. The Division has been working with R3 over the past few months to incorporate the new program expenses into the City's existing rate model.

In addition, there are increases in two existing expenses included in the updated rate model. Since the last rate study Sacramento County has significantly increased the tipping fees (the cost to dispose of material) at Kiefer Landfill. Currently, the City of Folsom is contracted to take material to Kiefer at a reduced rate; however, the agreement expires June 30, 2022. Staff reached out to County staff to inquire what we should anticipate paying in the future. Based on our tonnage, an initial increase of \$600,000 per year is anticipated.

The other large expense not directly related to SB 1383 is the addition of two electric collection trucks to our fleet. In September of 2020 Governor Newsom issued Executive Order N-79-20 requiring all heavy-duty trucks sold in California to be zero emission by 2045. Since this technology has the potential to save costs in the long run, the Division is requesting funding to pilot two vehicles to evaluate their effectiveness in the operation. The Division has been awarded some grant funding; however, due to the high initial cost of converting to clean energy, there is still a significant investment required from the City. This is currently estimated at \$930,000.

On July 13, 2021, the City of Folsom conducted a Public Workshop regarding the current and proposed Solid Waste rates. During the Public Workshop, staff presented projected revenues and expenses to meet the new regulations. During the Public Workshop, there was no input or feedback from the public. City Council asked questions to staff regarding current and future programs and discussed the proposed SB 1383 surcharge and charging for bulky waste and household hazardous waste collection.

On July 27, 2021, staff again presented the proposed solid waste rates and answered questions from City Council. During this meeting, City Council approved Resolution No. 10673 authoring the issuance of a Proposition 218 notice for proposed five-year rate adjustments for solid waste. As required by Proposition 218, the City notified all property owners or customers of record at least 45 days prior to the December 14, 2021 Public Hearing where City Council will consider increases to solid waste rates. The City also conducted a public Open House Workshop on November 8, 2021 to discuss the proposed rate increases and answer customer questions. Feedback received following the Open House and Proposition 218 notice is provided in attachment no. 3 and in the analysis below.

Following the December 14, 2021 Public Hearing, and in absence of a majority protest, City Council may consider establishing new utility rates.

POLICY / RULE

In accordance with Chapter 3.20.063 of the Folsom Municipal Code, new municipal service charges shall be set by resolution approved by the City Council.

Prior to approving any rate adjustments, the City must comply with the requirements of Proposition 218 notice, protests and hearing by doing the following:

- Mail information regarding the proposed rate(s) to every property owner receiving solid waste service from the City.
- Conduct a Public Hearing regarding the proposed rate(s) at least 45 days after the notice is mailed to the property owners.
- Identify in the notice, the time, date, and location of the Public Hearing.
- Include in the notice a location where property owners can send in written protests.
- City Council must reject the proposed rate adjustments if written protests are presented by a majority of the affected property owners.
- At the Public Hearing, City Council must hold a hearing to consider all objections or protests to the proposed rate adjustments.

The schedule below reflects the procedural steps pursuant to Resolution No. 10673.

Item	Date
Direction to staff to Initiate Proposition 218 Notice	July 27, 2021 (Tuesday)
Proposition 218 Notices mailed- in order to meet the 45-day notification requirements under Proposition 218 prior to Public Hearing	October 22, 2021 (Friday)
Public Hearing - City Council Regular Meeting	December 14, 2021 (Tuesday)
Implementation of new rates	January 1, 2022 (Saturday)

ANALYSIS

As described during the Public Workshop and July 27, 2021 City Council meeting, user rates must be set at a level where a utility's operating and capital expenses match the revenues received from customers. To evaluate the adequacy of the existing rates, a comprehensive rate study is often performed. These studies help develop utility rates that are cost-based and proportional to the cost of service attributed to a specific customer class. Currently, the City uses the "cash basis" approach for establishing their revenue requirement and setting rates. This approach conforms to most public utility budgetary requirements and the calculation is easy to understand.

After the total revenue requirement is determined, it is then proportionally allocated to the users of the specific utility service. The allocation, usually analyzed through a cost of service analysis, reflects the cost relationships for collecting and disposing of solid waste. At the conclusion of the cost of service study, two key pieces of information are provided. First, the cost of service provides an understanding of the total revenues to be collected from each class of service. The other important piece of information provided by the cost of service analysis is the average unit costs.

To adjust for the impacts of SB 1383, City staff and R3 have completed a rate study to include program costs that are mandated by the new regulations. An initial analysis of the fund status was completed to establish the need for a rate adjustment. The base year of the established rate model was then set to Fiscal Year 2020-21 and projected SB 1383 program fees and other new costs were incorporated into Division expenses. The rates were then adjusted for each customer class to determine the rates necessary to meet the new requirements.

Due to the high cost of SB 1383 programs, the rate increases needed to cover costs were as high as 22% for commercial customers and 44%, or \$15.25 per month for the average residential customer. In an effort to mitigate such a large initial increase to cover the high cost of mandated programs, staff updated the model to include some strategies to increase rates moderately each year to spread the impact to customers.

Mitigation strategies include an internal loan, a temporary surcharge that sunsets after the full implementation of SB 1383 programs, and charges to currently subsidized extra programs. The proposed loan is for \$5,000,000 and includes a five-year payback period. The surcharge would provide the Division with funds needed for initial startup costs and five years of operating costs.

The last mitigation strategy, charging for currently subsidized programs, has multiple parts. The Bulky Waste Program currently provides three pickups for no additional charge. The proposed rates include a fee starting at \$25 for each pickup to recover a small percentage of the cost from the customers directly receiving the service. The same strategy was proposed to recover a small amount from customers using the Door-to-Door Household Hazardous Waste Service (HHW). The proposed fee for HHW starts at \$15 per appointment.

Staff is also proposing changes to the charges for additional organics and recycling containers. Currently residents are provided with up to two recycling and two green waste containers for no additional charge. There is a nominal monthly fee of \$2.75 per container for three or more containers. The proposed rates include an increase for three or more containers on January 1, 2022, to \$8.40 per extra green waste can and \$5.50 per extra recycle can for three or more containers. In July of 2022, a new rate structure would be implemented, and the base rate would only include one green waste, to be referred to as organics, and one recycle container. Additionally, residents will be required to accept both an organics and recycling container. The proposed charge for each additional organics container after the first is \$9.75 and for each additional recycling container after the first is \$6.25. Under the requirements of SB 1383 organics will be collected weekly so residents who surrender their second can will not lose overall capacity.

The impacts of SB 1383 and the associated rate study have been presented and discussed with the Utility Commission (UC) on four occasions. In a special meeting on July 6, 2021, the UC formally supported moving forward with a rate adjustment by passing the following motion:

The Utility Commission recommends to the City Council that it adopt a Solid Waste rate increase which encompasses:

- an internal loan not to exceed \$5 million;
- a moderate increase to the monthly solid waste rate and an SB1383 surcharge;
- a nominal fee charged for currently subsidized waste programs such as bulky waste and household hazardous waste collection; and
- an educational program to inform the public on the same.

Following the special meeting, City staff completed a rate schedule showing all proposed rates over next five-year period. The draft analysis of the proposed revenues and expenditures was presented to the City Council at the regular City Council meeting on July 13, 2021.

The proposed increases for some of the typical services are shown below.

Proposed Five-Year Rate Increases					
	Jan. 2022	FY23	FY24	FY25	FY26
Residential 65 Gallon	\$ 1.75	\$ 5.50	\$ 6.25	\$ 1.50	\$ 1.50
Residential 95 Gallon	\$ 2.00	\$ 6.25	\$ 7.00	\$ 1.75	\$ 1.75
65 Gallon Low-Income	\$ 1.25	\$ 4.25	\$ 5.00	\$ 0.50	\$ 1.50
65 Gallon Mobile Home	\$ 1.75	\$ 5.50	\$ 6.25	\$ 1.50	\$ 1.50
65 Gallon Mobile Low-Income	\$ 1.25	\$ 4.50	\$ 5.25	\$ 1.50	\$ 1.50
SB 1383 Surcharge (all residential accounts)	\$ 10.00	\$ 8.00	\$ 8.00	\$ 8.50	\$ 9.00
Commercial 4 CY 2x/week	\$ 16.00	\$ 16.00	\$ 18.00	\$ 28.00	\$ 30.00

The typical residential customer has a 65-gallon trash can, one recycling can and one organics can. The proposed monthly solid waste charges for the typical residential customer are shown below and a complete rate schedule is provided as an attachment.

Typical Residential Bill						
Description	Current Rate	1/1/2022	7/1/2022	7/1/2023	7/1/2024	7/1/2025
Solid Waste (65 gallon)	\$ 34.50	\$ 36.25	\$ 41.75	\$ 48.00	\$ 49.50	\$ 51.00
SB 1383 Surcharge	NA	\$ 10.00	\$ 8.00	\$ 8.00	\$ 8.50	\$ 9.00
Monthly Bill	\$ 34.50	\$ 46.25	\$ 49.75	\$ 56.00	\$ 58.00	\$ 60.00

Throughout the rate proposal process staff has made an extensive effort to provide outreach to the community. In addition to the mandated proposition 218 notice that was mailed to all property owners, the outreach campaign included:

- A printed notice directly on the October utility bills.
- Flyer inserted into all October utility bills.
- E-newsletter on July 23 and November 3.
- Printed in both the September/October and November/December newsletters mailed to all households.
- Social media posts July 26 on Facebook, NextDoor, and Twitter
- Four advertisements in the Folsom Telegraph. Two prior to the community meeting and two prior to the December 14 public hearing.
- A web page was created and advertised on all outreach.
- A notice was added to all service reminders in the Waste Collection app the first week of December.
- A community meeting was held on November 8.

The outreach efforts resulted in significant feedback from the community about the rates and a few recurring themes emerged. These include wanting smaller can options for cost and space considerations, and more enforcement against those who currently overfill containers, but the primary concern from the community has been related to charging for household hazardous waste (HHW) collection. Comments indicate that residents are very concerned that some will illegally dispose of HHW to avoid paying the fee regardless of the amount. With that feedback staff has reevaluated the impacts of this recommendation. The HHW fee is estimated to provide approximately \$45,000 the first year. Removing this fee would have a nominal impact on the fund balance resulting in 3.5% less reserve at the end of the five-year rate adjustment period.

Staff has provided two attachments to the Council Resolution, one with and one without the HHW fee included for the City Council to consider. The new solid waste rates and fees in the attachment selected by the City Council will be attached to the Council Resolution. The other feedback can be addressed with operational changes.

FINANCIAL IMPACT

The implementation of SB 1383 is projected to cost \$4,280,000 with ongoing operational expenses near \$2,000,000. Proposed rate increases and other mitigation strategies will provide revenue necessary to meet these obligations.

Failure to comply with the regulations of SB 1383 could result in fines of up to \$10,000 per violation per day, or potentially \$3,650,000 annually for a single violation.

ENVIRONMENTAL REVIEW

The increase and modification to solid waste rates for purpose of meeting operating expenses, purchasing equipment, supplies, and materials, and obtaining funds necessary to maintain service within the existing City service areas are exempt from environmental review under the California Environmental Quality Act, per Section 15273 of the CEQA Guidelines.

ATTACHMENTS

1. Resolution No. 10775 – A Resolution of the City Council Setting Forth Results of Protests in Connection with Utility Rate Hearing Conducted Pursuant to Proposition 218 and Establishing New Solid Waste Rates and Fees
 - a. Attachment No. 1 - Proposed Solid Waste Rates as shown on the proposition 218 notice mailed to all households
 - b. Alternate Attachment No. 1 - Proposed Solid Waste Rates as shown on the proposition 218 notice mailed to all households but omitting the fee for household hazardous waste collection
2. Resolution No. 10339 - A Resolution of the City Council of the City of Folsom Establishing Procedures for the Submission and Tabulation of Protests in Connection with Rate Hearings Conducted Pursuant to the Requirements of Proposition 218
3. Written public comments received following the proposition 218 notice

Submitted,



Mark Rackovan, Public Works Director

ATTACHMENT 1
RESOLUTION NO. 10775

RESOLUTION NO. 10775**A RESOLUTION OF THE CITY COUNCIL SETTING FORTH RESULTS OF PROTESTS IN CONNECTION WITH UTILITY RATE HEARING CONDUCTED PURSUANT TO PROPOSITION 218 AND ESTABLISHING NEW SOLID WASTE RATES AND FEES**

WHEREAS, Article XIIIID, Section 6 of the California Constitution requires the City Council to consider written protests to certain proposed increases to rates (fees or charges) for utility services; and

WHEREAS, at its regular meeting on September 24, 2019, the City Council adopted Resolution No. 10339 establishing procedures for the submission and tabulation of protests in connection with rate hearings conducted pursuant to the requirements set forth in Article XIIIID of the California Constitution to help ensure that the rights of those persons that are authorized to protest service charges are preserved; and

WHEREAS, rate studies performed for the City's solid waste enterprise recommended increases to the utility rates in order to meet on-going operational needs and program changes necessary for compliance with new and increased regulatory requirements and new state mandates including, but are not limited to, Senate Bill 1383, California's Short-Lived Climate Pollutants (SLCP): Organic Waste Methane Emissions Reductions; and

WHEREAS, the City Council reviewed the details of the financial analysis and proposed utility rates at a Public Workshop on July 13, 2021, and on July 27, 2021 authorized the issuance of a Proposition 218 notice for proposed 5-year rate adjustments for solid waste utilities; and

WHEREAS, notices of the proposed rate increases for solid waste utilities and the date, time and place of the December 14, 2021 public hearing to consider the proposed rate increases were mailed to all parcel owners subject to the proposed increases at least 45 days prior to the public hearing; and

WHEREAS, the City Council conducted a noticed public hearing for the proposed rate increases for solid waste utilities on December 14, 2021, received public comments and considered the results of protest proceedings in accordance with Proposition 218; and

WHEREAS, the City Clerk has tabulated all valid protests received by the conclusion of the December 14, 2021 public hearing against the proposed rate increases for solid waste utilities, and has determined that the number of valid protests received is insufficient to constitute a majority protest (50% plus 1).

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

SECTION 1: Recitals. The above recitals are true and correct and are hereby incorporated into this Resolution by reference.

SECTION 2: Protest Threshold. The number of parcels eligible to file a protest to the proposed solid waste rate increase for residential and non-residential customers is 25,726. The number of valid protests required to prevent adoption of a proposed solid waste rate increase is 12,864.

SECTION 3: Protest Votes. The number of valid protests to the proposed increase in solid waste rates received by the City at the end of the December 14, 2021, public hearing was _____.

SECTION 4: Results of Protests. The tabulations by the City Clerk of the number of valid protests received on the proposed solid waste rate increase are accepted and set forth that the protest results conclude that there is an insufficient number of valid protests received to constitute a majority protest to the proposed solid waste rate increase, whereby allowing the consideration to adopt proposed increases to said solid waste rates.

SECTION 5: Adoption of Rate Increases. The new solid waste rates shown in Attachment 1 attached to this Resolution are hereby approved and adopted.

SECTION 6: Effective Date of New Rates. New rates will take effect January 1, 2022.

PASSED AND ADOPTED this 14th day of December 2021, by the following roll-call vote:

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

Michael D. Kozlowski, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

**ATTACHMENT 1
TO
RESOLUTION NO. 10775
(SOLID WASTE RATES)**

Solid Waste Rates

12/14/2021 Item No.26.

RESIDENTIAL RATES*

	Present FY 2022	JAN. 2022	FY 2023**	FY 2024**	FY 2025	FY 2026
Monthly Fixed Charge (Trash can, One Recycle Can and One Organic Can)						
65 Gallon Trash	\$34.50	\$36.25	\$41.75	\$48.00	\$49.50	\$51.00
95 Gallon Trash	39.25	41.25	47.50	54.50	56.25	58.00
65 Gallon Low-Income	26.50	27.75	32.00	37.00	37.50	39.00
95 Gallon Low-Income	31.25	32.75	37.75	43.50	44.25	46.00
65 Gallon Mobile Home	30.00	31.75	37.25	43.50	45.00	46.50
95 Gallon Mobile Home	34.75	36.75	43.00	50.00	51.75	53.50
65 Gallon Mobile Low-Income	22.00	23.25	27.75	33.00	34.50	36.00
95 Gallon Mobile Low-Income	26.75	28.25	33.50	39.50	41.25	43.00
SB 1383 Surcharge (all residential)	--	10.00	8.00	8.00	8.50	9.00
Additional Services (Monthly Charge)						
Extra Trash Can (65 Gallon)	\$29.00	\$30.50	\$35.00	\$40.25	\$40.25	\$40.25
Extra Trash Can (95 Gallon)	33.75	35.50	40.75	46.75	46.75	46.75
Extra Green Waste (excess of 2 cans)	2.75	8.40	--	--	--	--
Extra Recycle (excess of 2 cans)	2.75	5.50	--	--	--	--
Extra Organics (excess of 1 can)***	--	--	9.75	11.25	11.50	11.75
Extra Recycle (excess of 1 can)***	--	--	6.25	7.25	7.50	7.75
Additional Charges (per Occurrence)						
Extra Pickup (any Can)	\$40.00	\$40.00	\$46.00	\$53.00	\$53.00	\$53.00
Can Cleaning	30.00	30.00	35.00	40.00	41.00	42.00
Can Replacement (other than normal wear)	86.00	86.00	99.00	114.00	117.00	121.00
Temporary Three Yard Dumpster	83.00	83.00	95.00	109.00	112.00	115.00
Extra Pickup - Three Yard Dumpster	47.00	47.00	54.00	62.00	64.00	66.00
Bulky Waste (up to 3x per year)***	--	25.00	29.00	33.00	34.00	35.00
Household Hazardous Waste***	--	15.00	17.00	20.00	21.00	22.00
Service Changes***	--	15.00	17.00	20.00	21.00	22.00

NONRESIDENTIAL RATES*

	Present FY 2022	JAN. 2022	FY 2023**	FY 2024**	FY 2025	FY 2026
<i>Monthly fixed charges include one pickup per week. The charge for multiple pickups is a factor of the base rate for one pickup.</i>						
Monthly Fixed Charge						
2 Yard Trash or Green Waste	\$126	\$132	\$139	\$146	\$157	\$169
3 Yard Trash or Green Waste	142	149	156	164	176	189
4 Yard Trash or Green Waste	159	167	175	184	198	213
6 Yard Trash or Green Waste	191	201	211	222	239	257
3 Yard Trash Compactor	263	276	290	305	328	353
4 Yard Trash Compactor	320	336	353	371	399	429
3 - 6 Yard Commingled Recycling	93	98	103	108	116	125
3 - 6 Yard Cardboard Recycling	85	89	93	98	105	113
8 Yard Cardboard Recycling	102	107	112	118	127	137
2 Yard Food Scraps	378	397	417	438	471	506
Additional Services (Monthly Charge)						
Recycle 95 Gallon (up to 2 cans, serviced every other week)	\$47	--	--	--	--	--
Green Waste 95 Gallon (up to 2 cans, serviced every other week)	47	--	--	--	--	--
Recycle 95 Gallon (1 can, every other week)***	--	\$49.25	\$51.75	\$54.25	\$58.25	\$62.50
Green Waste 95 Gallon (1 can, serviced weekly)***	--	49.25	51.75	54.25	58.25	62.50
Organic 64 Gallon (1 can, serviced weekly)***	--	76.50	80.25	84.25	90.50	97.25
Organic 65 Gallon (Extra can)***	--	63.75	67.00	70.25	75.50	81.25
Trash 95 Gallon***	--	49.25	51.75	54.25	58.25	62.50
Recycling Compliance Fee (waived if use City recycling service)	34.00	34.00	35.75	37.50	39.50	42.50
Sunday Service Premium	34.00	34.00	35.75	37.50	39.50	42.50
Additional Charges (per Occurrence)						
Dumpster Switch Out (Any Size)	\$82	\$82	\$86	\$90	\$97	\$104
Dumpster Service Return	23	23	24	25	27	29
Standby Service (per 5 minutes)	28	28	29	30	32	34
Lock Replacement	17	17	18	19	20	22
Extra pickup 2 yard (any material)	36	38	40	42	45	48
Extra pickup 3 yard (any material)	41	43	45	47	51	55
Extra pickup 4 yard (any material)	46	48	50	53	57	61
Extra pickup 6 yard (any material)	55	58	61	64	69	74
Extra pickup Compactor 3 yard	100	105	110	116	125	134
Extra pickup Compactor 4 yard	100	105	110	116	125	134
Universal Waste Pickup****	--	20	21	22	24	26
Bulky waste pickup	55	58	61	64	69	74

Solid Waste Rates

12/14/2021 Item No.26.

ROLL-OFF (NONRESIDENTIAL AND TEMPORARY LOCATIONS)

Charges (per Haul)	Present FY 2022	JAN. 2022	FY 2023**	FY 2024**	FY 2025	FY 2026
<i>Rates do not include tipping, which will be an additional pass through charge, or credit in the case of revenue. Revenue from the sale of the material will be applied toward the haul cost up to the haul cost only.</i>						
All Rolloff Container Sizes Delivery and Haul	\$484	\$484	\$523	\$554	\$582	\$611

SPECIAL EVENTS						
Delivery and One Pickup for up to 14 Cans, (combination of 65 or 95-gallon recycling or garbage Cans)	\$276	\$290	\$305	\$320	\$344	\$370
Extra Pickup (Includes up to 14 Cans of the same material type; additional cans \$2.00 each)	50	53	56	59	63	68
Special Event 3-6 yard Garbage or Recycling Service - delivery with one pickup	104	109	114	120	129	139
Special Event Each Additional Pickup for 3-6 yard Garbage Service	69	72	76	80	86	92
Special Event Each Additional Recycling Bin Pickup	55	58	61	64	69	74
Special Event Recycling Contamination Fee - all containers	55	58	61	64	69	74

**Can sizes are approximate and may vary by manufacturer. Current purchases are for 65 and 95 gallon.
 **FY 2023 and FY 2024 rates are higher than previously approved due to January 2022 increase.
 ***New rates.
 ****Univeral waste includes electronics, batteries, and bulbs. Rate includes pickup only. Disposal and/or recycling cost of all items will be charged as a pass-through at the current rate paid by the City.*

**ALTERNATE ATTACHMENT 1
TO
RESOLUTION NO. 10775

(SOLID WASTE RATES)
Household Hazardous Waste Fee omitted**

Solid Waste Rates

12/14/2021 Item No.26.

RESIDENTIAL RATES*

	Present FY 2022	JAN. 2022	FY 2023**	FY 2024**	FY 2025	FY 2026
Monthly Fixed Charge (Trash can, One Recycle Can and One Organic Can)						
65 Gallon Trash	\$34.50	\$36.25	\$41.75	\$48.00	\$49.50	\$51.00
95 Gallon Trash	39.25	41.25	47.50	54.50	56.25	58.00
65 Gallon Low-Income	26.50	27.75	32.00	37.00	37.50	39.00
95 Gallon Low-Income	31.25	32.75	37.75	43.50	44.25	46.00
65 Gallon Mobile Home	30.00	31.75	37.25	43.50	45.00	46.50
95 Gallon Mobile Home	34.75	36.75	43.00	50.00	51.75	53.50
65 Gallon Mobile Low-Income	22.00	23.25	27.75	33.00	34.50	36.00
95 Gallon Mobile Low-Income	26.75	28.25	33.50	39.50	41.25	43.00
SB 1383 Surcharge (all residential)	--	10.00	8.00	8.00	8.50	9.00
Additional Services (Monthly Charge)						
Extra Trash Can (65 Gallon)	\$29.00	\$30.50	\$35.00	\$40.25	\$40.25	\$40.25
Extra Trash Can (95 Gallon)	33.75	35.50	40.75	46.75	46.75	46.75
Extra Green Waste (excess of 2 cans)	2.75	8.40	--	--	--	--
Extra Recycle (excess of 2 cans)	2.75	5.50	--	--	--	--
Extra Organics (excess of 1 can)***	--	--	9.75	11.25	11.50	11.75
Extra Recycle (excess of 1 can)***	--	--	6.25	7.25	7.50	7.75
Additional Charges (per Occurrence)						
Extra Pickup (any Can)	\$40.00	\$40.00	\$46.00	\$53.00	\$53.00	\$53.00
Can Cleaning	30.00	30.00	35.00	40.00	41.00	42.00
Can Replacement (other than normal wear)	86.00	86.00	99.00	114.00	117.00	121.00
Temporary Three Yard Dumpster	83.00	83.00	95.00	109.00	112.00	115.00
Extra Pickup - Three Yard Dumpster	47.00	47.00	54.00	62.00	64.00	66.00
Bulky Waste (up to 3x per year)***	--	25.00	29.00	33.00	34.00	35.00
Service Changes***	--	15.00	17.00	20.00	21.00	22.00

NONRESIDENTIAL RATES*

	Present FY 2022	JAN. 2022	FY 2023**	FY 2024**	FY 2025	FY 2026
<i>Monthly fixed charges include one pickup per week. The charge for multiple pickups is a factor of the base rate for one pickup.</i>						
Monthly Fixed Charge						
2 Yard Trash or Green Waste	\$126	\$132	\$139	\$146	\$157	\$169
3 Yard Trash or Green Waste	142	149	156	164	176	189
4 Yard Trash or Green Waste	159	167	175	184	198	213
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3 Yard Trash Compactor	263	276	290	305	328	353
4 Yard Trash Compactor	320	336	353	371	399	429
3 - 6 Yard Commingled Recycling	93	98	103	108	116	125
3 - 6 Yard Cardboard Recycling	85	89	93	98	105	113
8 Yard Cardboard Recycling	102	107	112	118	127	137
2 Yard Food Scraps	378	397	417	438	471	506
Additional Services (Monthly Charge)						
Recycle 95 Gallon (up to 2 cans, serviced every other week)	\$47	--	--	--	--	--
Green Waste 95 Gallon (up to 2 cans, serviced every other week)	47	--	--	--	--	--
Recycle 95 Gallon (1 can, every other week)***	--	\$49.25	\$51.75	\$54.25	\$58.25	\$62.50
Green Waste 95 Gallon (1 can, serviced weekly)***	--	49.25	51.75	54.25	58.25	62.50
Organic 64 Gallon (1 can, serviced weekly)***	--	76.50	80.25	84.25	90.50	97.25
Organic 65 Gallon (Extra can)***	--	63.75	67.00	70.25	75.50	81.25
Trash 95 Gallon***	--	49.25	51.75	54.25	58.25	62.50
Recycling Compliance Fee (waived if use City recycling service)	34.00	34.00	35.75	37.50	39.50	42.50
Sunday Service Premium	34.00	34.00	35.75	37.50	39.50	42.50
Additional Charges (per Occurrence)						
Dumpster Switch Out (Any Size)	\$82	\$82	\$86	\$90	\$97	\$104
Dumpster Service Return	23	23	24	25	27	29
Standby Service (per 5 minutes)	28	28	29	30	32	34
Lock Replacement	17	17	18	19	20	22
Extra pickup 2 yard (any material)	36	38	40	42	45	48
Extra pickup 3 yard (any material)	41	43	45	47	51	55
Extra pickup 4 yard (any material)	46	48	50	53	57	61
Extra pickup 6 yard (any material)	55	58	61	64	69	74
Extra pickup Compactor 3 yard	100	105	110	116	125	134
Extra pickup Compactor 4 yard	100	105	110	116	125	134
Universal Waste Pickup****	--	20	21	22	24	26
Bulky waste pickup	55	58	61	64	69	74

Solid Waste Rates

12/14/2021 Item No.26.

ROLL-OFF (NONRESIDENTIAL AND TEMPORARY LOCATIONS)

Charges (per Haul)	Present FY 2022	JAN. 2022	FY 2023**	FY 2024**	FY 2025	FY 2026
<i>Rates do not include tipping, which will be an additional pass through charge, or credit in the case of revenue. Revenue from the sale of the material will be applied toward the haul cost up to the haul cost only.</i>						
All Rolloff Container Sizes Delivery and Haul	\$484	\$484	\$523	\$554	\$582	\$611
Additional Charges (per Occurrence)						
Relocation Fee (any size)	117	117	126	134	141	148
Per Load Contamination Fee (Bins at projects required to recycle, in addition to disposal fee)	117	117	126	134	141	148
Daily Charge Beyond 14-Day Rental Period	10	10	11	12	13	14
Compactor Rotation	35	35	38	40	42	44

SPECIAL EVENTS

Delivery and One Pickup for up to 14 Cans, (combination of 65 or 95-gallon recycling or garbage Cans)	\$276	\$290	\$305	\$320	\$344	\$370
Extra Pickup (Includes up to 14 Cans of the same material type; additional cans \$2.00 each)	50	53	56	59	63	68
Special Event 3-6 yard Garbage or Recycling Service - delivery with one pickup	104	109	114	120	129	139
Special Event Each Additional Pickup for 3-6 yard Garbage Service	69	72	76	80	86	92
Special Event Each Additional Recycling Bin Pickup	55	58	61	64	69	74
Special Event Recycling Contamination Fee - all containers	55	58	61	64	69	74

**Can sizes are approximate and may vary by manufacturer. Current purchases are for 65 and 95 gallon.*

***FY 2023 and FY 2024 rates are higher than previously approved due to January 2022 increase.*

****New rates.*

*****Univeral waste includes electronics, batteries, and bulbs. Rate includes pickup only. Disposal and/or recycling cost of all items will be charged as a pass-through at the current rate paid by the City.*

ATTACHMENT 2

RESOLUTION NO. 10339**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FOLSOM
ESTABLISHING PROCEDURES FOR THE SUBMISSION AND TABULATION OF
PROTESTS IN CONNECTION WITH RATE HEARINGS CONDUCTED PURSUANT
TO THE REQUIREMENTS OF PROPOSITION 218**

WHEREAS, Article XIID, Section 6 of the California Constitution requires the City Council to consider written protests to certain proposed increases to rates (fees or charges) for utility services; and

WHEREAS, Article XIID, Section 6 of the California Constitution does not offer specific guidance as to who may submit protests, how written protests are to be submitted, or how the City is to tabulate protests; and

WHEREAS, the City Council anticipates that there will be potential future impositions of fees or increases in utility rates. Adopting the policies and procedures set forth in this Resolution will help implement the requirements set forth in Article XIID of the California Constitution and help ensure that the rights of those persons that are authorized to protest service charges are preserved; and

WHEREAS, the City Council wishes to provide the City Clerk the flexibility to begin counting of the protest earlier than the close of the Public Hearing, if warranted; and

WHEREAS, a fee protest proceeding is not an election, but the City Clerk will maintain the confidentiality of protests as provided below and will maintain the security and integrity of protests at all times; and

WHEREAS, adopting this Resolution is in the public interest for the reasons set forth above and as further stated within Article XIID, Proposition 218 and State legislation relating to the implementation of Proposition 218.

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

SECTION 1: Recitals. The above recitals are true and correct and are hereby incorporated by reference.

SECTION 2: Adoption.

A. The City Council adopts the procedures set forth in this Resolution for conducting all proceedings required by California Constitution Article XIID for utility fee (as defined below) increases. Where no specific procedures are imposed by Article XIID or the Proposition 218 Omnibus Implementation Act (Government Code §§ 53750, et seq.), the procedures set forth in this Resolution apply. This Resolution may be referred to as the Proposition 218 Protest Proceedings Resolution.

B. Upon adoption of this Resolution, any and all resolutions, or rules or regulations of the City of Folsom in conflict with it, shall have no further force or effect to the extent of the

conflict. This Resolution supersedes all prior resolutions of the City to the extent that such resolutions established guidelines for the submission and tabulation of protests in connection with rate hearings conducted by the City pursuant to Article XIID, Section 6 of the California Constitution.

SECTION 3: Definitions. Unless the contrary is stated or clearly appears from the context, the following definitions govern the construction of the words and phrases used in this Resolution. Words and phrases not defined by this chapter will have the meaning set forth in California Constitution Article XIID or the Proposition 218 Omnibus Implementation Act.

A. "Act" means the Proposition 218 Omnibus Implementation Act found at Government Code §§ 53750. et seq.;

B. "Article 13D" means California Constitution Article XIID, Section 6.

C. "Manager" means the City Manager or designee.

D. "Parcel" means a Sacramento County (County) Assessor's parcel, the record owner or occupant of which is subject to the proposed rate that is the subject of the hearing.

E. "Property owner" or "parcel owner" has the same meaning set forth in Article 13D and means the person or persons whose name or names appear on the County Assessor's latest equalized assessment roll as the owner of a parcel.

F. "Protest" means a written protest filed with the City Clerk in accordance with Article XIID, the Act, and this Resolution as described in Article XIID, Section 6(a)(2).

G. "Rate" means a fee or charge imposed for utility services provided to customers in accordance with the Folsom Municipal Code ("FMC"), and other applicable law, by the City of Folsom.

H. "Record customer" and "customer of record" means the person or persons whose name or names appear on the City records as the person who is obligated to pay for utility services.

I. "Utility Services" means water, wastewater or solid waste services.

SECTION 4: Administration of Proceedings. The City Manager, or designee, is authorized to implement this Resolution in a manner consistent with the California Constitution and other applicable law.

SECTION 5: Notice. Notice of a proposed rate increase is provided as follows:

A. In general, the City will identify the record property owner(s) of each parcel to which the rate would be applied from the latest equalized tax roll produced by Sacramento County. The equalized tax roll is presumptive evidence of ownership of the land for rate protest purposes.

B. If more than one property owner has an interest in a parcel, all property owners (each property owner) must receive notice at the address for the property owner. All property owners and parties directly liable for paying the fee will be provided notice.

C. The notice must be sent by U.S. mail at least forty-five (45) days before the date set for the public hearing on the proposed rate.

D. The form of the notice of hearing will be on file with the City Clerk.

E. The notice provided by these procedures, in accordance with Article 13D, supersedes and is in lieu of notice required by any other statutes to levy or increase a rate.

F. The City Clerk, or designee, may certify the proper mailing of notices by an affidavit which constitutes conclusive proof of mailing in the absence of fraud.

G. The City will post the notice of proposed rates and public hearing at its official posting sites no less than 45 days before the public hearing upon the proposed rate.

H. Failure of any person to receive notice does not invalidate the proceedings.

SECTION 6: Protests against Rate Increases.

A. Each property owner or record customer of a parcel served by the City may submit a protest. This includes instances where a parcel is owned by more than one property owner or more than one name appears on the City's records as the record customer for a parcel.

B. If the owner(s) of the property desire to designate a particular owner as the person authorized to cast the protest for such parcel, they must file with the City Clerk, at any time before the commencement of the public hearing or the date of the election, as the case may be, a written authorization of such designation, signed by all the owners of record, and acknowledged in the manner that deeds of real property are required to be acknowledged to entitle such deeds to be recorded in the Sacramento County Recorder's Office.

C. Executors, administrators, and guardians may cast a protest on behalf of the estate represented by them. If such representatives are shown on the latest assessment roll as paying taxes and assessments on behalf of the property owner(s), that fact establishes the right of such representative(s) to cast a protest. If such representatives are not shown on the latest assessment roll, the representatives may file with the City Clerk, at any time before the commencement of the public hearing, or the date of the election, as the case may be, certified copies of the written documentation establishing the legal representation.

D. The protest of any public or quasi- public corporation, private corporation, or unincorporated association may be signed by any person so authorized in writing by the board of directors or trustees or other managing body thereof. Such authorization must be filed with the City Clerk, at any time before the commencement of the public hearing or the date of the election.

E. The Manager is designated as the voting representative with respect to City-owned property.

F. In any case where the documentation provided to the City Clerk is ambiguous or unclear, the City Attorney will determine whether the documentation is adequate for the purpose provided.

SECTION 7: Protest Submittal.

A. Any eligible property owner or record customer who is subject to the proposed rate that is the subject of the hearing who wants to protest the rate must submit a written protest to the City Clerk by:

1. Delivery to the City Clerk's Office at 50 Natoma Street, Folsom, CA 95630 during published business hours,
2. Mail to the City Clerk at 50 Natoma Street, Folsom, CA 95630, or
3. Personally, submitting to the City Clerk at the public hearing for the rate increase.

B. The protest must be in writing and must be submitted before the close of the public testimony portion of the public hearing for the rate increase.

C. Only protests that are properly submitted and signed by an eligible property owner or record customer will be counted as a valid protest. Only one protest shall be counted for each parcel of property regardless of the number of protests filed by property owners and/or record customers for the parcel.

D. If more than one protest is delivered, mailed or submitted in one envelope or at one time, then at least one of the protests contained in that envelope or concurrently delivered, mailed or submitted shall be signed by the person delivering, mailing or submitting those protests.

E. The City Clerk must stamp each written protest the date and time it is filed with the City Clerk for purposes of establishing whether the protest was filed before the close of the public testimony portion of the public hearing. Each protest must be received by the end of the public hearing, including those mailed to the City. No postmarks will be accepted for proof of meeting the submission deadline. No protest received after the close of the public testimony portion of the public hearing will be counted in determining the amount of protest, but the Council may, in its discretion, consider such protests in making its decision. Written protests may be withdrawn in writing at any time before the conclusion of the public testimony portion of the public hearing.

F. Because an original, wet signature is required, emailed, faxed and photocopied protests shall not be counted.

G. Although oral comments at the public hearing will not qualify as a formal protest unless accompanied by a written protest, the City Council welcomes input from the community during the public hearing on the proposed rate.

SECTION 8: Protest Requirements.

A. A protest must be submitted in writing and must include:

1. A statement it is a protest against the proposed rate that is the subject of the hearing.
2. Name of the property owner or record customer who is submitting the protest.
3. Identification of assessor's parcel number and/or street address of the parcel with respect to which the protest is made.
4. Original, wet signature and legibly printed name of the property owner or record customer who is submitting the protest.
5. Date the protest was signed.
6. A certification, by the named property owner affirming the contents of the protest are true and correct.

B. To be sure all pertinent information is provided and considered prior to a protest being filed, no protest shall be signed before the City has issued the formal notice that commences the 45-day protest period.

C. A protest shall not be counted if any of the required elements of this Section are omitted.

D. Only one protest will be counted per parcel as provided by Government Code Section 53755(b).

SECTION 9: Protest Withdrawal or Change.

A. **Withdrawal of Protest.** Any person who submits a protest may withdraw it by submitting to the City Clerk a written request that the protest be withdrawn. The withdrawal of a protest shall contain enough information to identify the affected parcel and the name of the property owner or record customer who submitted both the protest and the request it be withdrawn.

B. **Change to Protest.** Any person who submits a protest may change it by submitting to the City Clerk a written request the protest be changed, and then submit a new written protest that includes all the information required by this Resolution with the changes desired. The changed protest shall contain sufficient information to identify the affected parcel and the name of the property owner or record customer who submitted both the protest and the request it be changed.

SECTION 10: Public Hearing.

A. At the time and place fixed for the hearing, or at any time to which the hearing is adjourned, the Council must:

1. Hear all persons interested in the matter of the proposed fee increase;
2. Hear all objections, protests or other written communications from any owner of property subject to the proposed utility fee; and
3. Take and receive oral and documentary evidence pertaining to the proposed fee increase.

B. The hearing may be continued from time to time, as the Council determines necessary to complete its consideration of the proposed fee increase.

C. If the Council determines, after the close of the public testimony portion of the public hearing, that written protests were received from property owners or record customers representing a majority of the parcels subject to the proposed rate increase, the Council shall adopt a resolution setting forth the results of the protest process and the proceedings shall then be closed, and the rate cannot be approved by the City Council.

D. If the Council determines at the close of the public testimony portion of the public hearing that written protests were not received from property owners or record customers representing a majority of the parcels subject to the proposed rate, the Council shall adopt a resolution setting forth the results of the protest process and then may by resolution change the rate so long as it is in an amount that does not exceed the amount and methodology set forth in the public notices sent to the property owners.

SECTION 11: City Clerk

A. The City Clerk may begin counting written protests before the close of the public hearing without further Council action, if warranted. The Council may direct that the protests not be opened in the event that (i) there have not been enough unopened protests received to constitute a majority protest, (ii) there have been substantially more protests received than the number that would constitute a majority protest; or (iii) the Council determines that it does not wish to proceed to implement with the proposed fee increase.

B. The City Clerk shall not accept as valid any protest if she/he determines any of the following is true:

1. The protest does not conform to any of the requirements of this Resolution such as:
 - a. The protest does not state its opposition to the proposed change(s).
 - b. The protest does not name the property owner or record customer of the parcel identified in the protest as of the date of the public hearing.
 - c. The protest does not identify a parcel served by the City that is subject to the proposed change.
2. The protest does not bear an original, wet signature of the named property owner or record customer with respect to the parcel identified on the protest. Whether a

signature is valid shall be entrusted to the reasonable judgment of the City Clerk, who may consult signatures on file with County Officials or other appropriate public agencies.

3. The protest was altered in a way that raises a fair question as to whether the protest actually expresses the intent of a record owner or a customer of record to protest the rates.
4. The protest was not received by the City Clerk before the close of the public hearing on the proposed rates.
5. A request to withdraw or change the protest, pursuant to Section 9 above, was received prior to the close of the public hearing on the proposed rates.

C. The City Clerk's decision a protest is not valid shall constitute a final action of the City and shall not be subject to any internal appeal.

SECTION 12: Majority Protest.

A. A majority protest exists if written protests that comply with the requirements herein are timely submitted, and not withdrawn or changed, by the property owners or record customers of a majority (50% plus one) of the parcels subject to the proposed charge.

B. While the City may inform the public of the number of parcels served by the City when a notice of proposed rates is mailed, the number of parcels served by the City on the date of the hearing shall control in determining whether a majority protest exists.

SECTION 13: Tabulation of Protests. At the conclusion of the public hearing, the City Clerk shall tabulate all valid protests received, including those received prior to the conclusion of the public hearing, and shall report the result to the City Council. If the number of protests received is insufficient to constitute a majority protest, then the City Clerk may determine the absence of a majority protest without validating the protests received, but may instead deem them all valid without further examination. Further, if the number of protests received is obviously substantially fewer than the number required to constitute a majority protest, then the City Clerk may determine the absence of a majority protest without opening the envelopes which contain the protests.

SECTION 14: Report of Tabulation. If, at the conclusion of the public hearing, the City Clerk determines she/he will require additional time to validate and tabulate the protests because she/he has not made the determination described in Section 13, above, then she/he shall so advise the City Council, which may continue the related portion of the meeting to allow the validation and tabulation to be completed on another day or days. If so, then the City Council shall declare the time and place of tabulation, which shall be conducted in a place where interested members of the public may observe the tabulation, and the City Council shall declare the time at which the meeting shall be continued to receive and act on the tabulation report of the City Clerk.

SECTION 15: Effect of Invalidation. If any part of this Resolution or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity

will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Resolution are severable.

SECTION 16: Adoption. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED on this 24th day of September 2019, by the following roll-call vote:

AYES: Council Members: Aquino, Gaylord, Kozlowski, Sheldon, Howell

NOES: Council Members: None

ABSENT: Council Members: None

ABSTAIN: Council Members: None



Kerri M. Howell, MAYOR

ATTEST:



Christa Freemantle, CITY CLERK

ATTACHMENT 3

ATTACHMENT 3
TO
RESOLUTION NO. 10775

**(Comments Received by Email Following the Proposition 218 Notice Mailed October 22,
2021 - Department Responses Shown in Italic)**

Received: Monday, October 25, 2021 9:15 AM

I want to clearly state my opposition to the proposed rate increase. I understand Governor Newsom's Proposition 218 that he is insisting on further classification and separation of garbage. Living in the highest tax in the nation, very high gas, food constantly higher with every trip to the store, and many other inflationary items. Living in CA is becoming a miserable existence. I am on a fixed income. Having energy, utility waste going up, I can not pay this high increase in the the rate simply because Governor Newsom is the ultimate "money bags" through being born into a political family.

AGAIN, I OPPOSE THE WOLD WASTE UTILITY RATE INCREASE!

Yolanda Saladin
Folsom resident

Thank you for the email. I want to make sure you have the opportunity to formalize your opposition so it is counted. There is a form in the Proposition 218 notice that may be filled out and either delivered in person or mailed to the Folsom City Clerk's Office at 50 Natoma St, Folsom, CA 95630.

Initial Email Received: Sunday, October 24, 2021, 08:08:01 AM PDT

Perhaps you can answer a few questions regarding Proposition 218 Notification Rate Increases for residential garbage service. If you can't answer my questions, please direct them to other staff for a reply.

1. For Bulk Waste pick up, will every homeowner be charged one annual rate of \$25 for up to 3 pick ups? How will the billing work, once the pick up is scheduled the \$25 will be added to the next billing cycle? Is the \$25 per bulk waste pick up? What if a homeowner never uses bulk waste pick up, will they still be charged \$25 one time per year?

The \$25 charge would be per appointment. If you don't use the service, you would not be charged this fee. In regard to the billing, yes, this would be added to your bill after the pickup is scheduled.

2. Same for Haz Waste Pick up, see Question 1; **\$15 per pick up**? Will every residential homeowner be charged \$15 annually regardless if they use it?

Same as number #1. If you do not receive a pickup, you would never be charged this fee.

3. Can you check on the size of my grey solid waste trash garbage can? The Proposition 218 Notification flyer I received in the mail yesterday indicates a new rate increase for a

65 gallon trash can. I just checked my bill statement and I have a 60 gal solid waste can, please confirm. This is confusing, will Folsom send me a 65 gal solid waste can? If Folsom will be charging for a 65 gal can, then I assume I can request a larger can, correct since I will be paying for it? I have a second recycle can, will I be charged for that in Jan. 22? If I don't need the extra recycle can, can you pick up?

I agree, the can size is confusing. Our records indicate you already have a 65 gallon garbage can. Can sizes vary by manufacturer, but to my knowledge the smaller cans have always been 64 or 65 gallons. The billing statements categorize the cans as 60 or 90, but the actual size of all of our cans is slightly larger than shown on your bill. Under the current proposal, the charges for the second recycle can would start July 1, 2022. If you don't need the extra recycle we can pick it up.

4. What are Service Changes at \$15?

Under SB 1383 California residents are required to recycle all organic waste. Folsom will be accomplishing this by converting your green waste can to an organics can that will include both yard waste and food waste. Due to the putrescible nature of food waste, we will have to service the green can every week rather than every other week.

Thanks,
Jim Shattuck

Thanks for the reply. Also, the bulk waste pick up crew today that picked up my stuff were awesome, professional and swept any debris left.

I have some follow up questions.

1. I have an extra recycle can, am I currently being charged for that? It is not clear on my statement if I am being charged.

You are not being charged for the extra recycle can. Currently, there is no charge for the second one. There is however an error on your account and it is only showing one so I will get that corrected, but again, if you have it removed before any potential charges are implemented, you will not be charged.

2. Service Changes, still not clear what this is. Is the \$15 going to be added to my bill every month, if so clarify.

My apologies, I completely misunderstood your initial question. No, this is not a monthly charge, service changes refers to changing the number and/or size of containers at your home and it is for the delivery cost. It will only be charged if you make a change to your service; however, we will be waiving this fee during the implementation of the new program so if customers want to avoid paying for the 2nd recycle and/or organics can by turning it in, they are not charged a fee for doing so.

3. I suggest that the Billing Department correct all residential statements to indicate that a customer has a **65 gal can** if applicable as my statement indicates a 60 gal can. This will eliminate much confusion come July 22, as was the case in my email to you yesterday. You indicated that I have a 65 gal can.

I certainly will make that suggestion. Thank you.

4. Under SB 1383, will \$10 a month be used by Folsom under the bill language? Does this mean we put Cooked or raw food waste?

The \$10 per month would be a separate line item on your bill and would reference SB 1383. Yes, since the goal of SB 1383 is to reduce greenhouse gas emissions by removing organic waste from landfills, all food waste and food soiled paper (i.e. napkins and paper towels) will have to go in the green can and will need to be placed in compostable bags.

5. What is considered low income as noted in the flyer sent out by Folsom?

Income Eligibility Requirements

<i>Persons in Household</i>	<i>Monthly Income</i>	<i>Annual Income</i>
1	\$2,147	\$25,760
2	\$2,903	\$34,840
3	\$3,660	\$43,920
4	\$4,417	\$53,000
5	\$5,173	\$62,080
6	\$5,930	\$71,160
7	\$6,687	\$80,240
8	\$7,443	\$89,320

6. If passed, will the new charges go into effect January 2022 or July 2022 as indicated in your email?

Most of the new charges will start in January of 2022, but the charges for the 2nd blue and green cans are delayed until July 2022.

7. How much of the rate increase for everyone in Folsom are going to be used for service South of the 50?

None. The capital costs of adding services South of 50 are paid through impact fees that developers pay. Residents south of 50 then pay for their monthly service just the same as everyone else.

8. Is there an option to drop off hazardous waste at City Hall or other location to avoid the \$15 fee?

Yes, not at City Hall, but we do make appointments to drop off household hazardous waste at our corporation yard and those will continue to be available at no additional cost.

Lastly, can you let management know that by charging \$15 for hazardous waste pick up is wrong. The current hazardous waste free pick up is an awesome program. By charging a few as proposed, residents will most likely toss their haz waste in the solid waste can or down the gutter. Landfills will be polluted.

Thanks

Initial Email Received: Monday, October 25, 2021 2:28 PM

My name is Qian Xu. I live in Folsom. I have a question regarding the "Proposed Five-Year Rate Increases for Solid Waste Services": Is the rate increase for everyone? Does each household have a choice? My family is already composting all the organic waste by ourselves. We don't have organic waste. It doesn't seem to make sense for us to pay the significantly increased rate.

Thank you for your time.

Best regards,

Qian Xu

Hi Qian,

Thank you for your question. The City is required to provide weekly organics collection to each and every household. The additional cost of weekly (vs. the current bi-weekly) collection is one of the primary drivers of the rate increase and the City will incur that cost regardless of whether or not an individual household sets the can out. The cost to the City for processing waste will, and already does, vary by household depending on the overall amount of waste generated, but this makes up just a just a portion of the cost to make the service available to everyone. In addition, there are numerous other SB 1383 related requirements that are not directly related to the curbside organics service, but will increase cost. The City must comply with all SB 1383 mandates to avoid fines from the state.

Also, most households have some items such as meat, bones, dairy or prepared foods that you would not place in a backyard compost bin, but will be prohibited from placing in the grey garbage can. These items will need to be bagged in compostable bags and placed in the green organics can.

Thank you for the explanation. I appreciate your time.

Received: Wednesday, October 27, 2021 7:52 AM

My name is Lan Truong. My address is [address omitted].

My phone number is [omitted].

I am the property owner. I am hereby submitting a written protest to proposed 2022-2026 solid waste rate increases.

Thank you,

Lan Truong

Thank you for the email. I want to make sure you have the opportunity to formalize your opposition so it is counted. There is a form in the Proposition 218 notice that may be filled out and either delivered in person or mailed to the Folsom City Clerk's Office at 50 Natoma St, Folsom, CA 95630.

Initial Email Received: Wednesday, October 27, 2021 7:42 PM

I'm not against the rate increase since it brings needed composting services, however it'd be nice if it could be partially mitigated by offering smaller garbage bins for those that do not need such

a large one. The more you use, the more you should pay. We previously lived in Seattle with much higher rates and found these size options to be a good balance:

<https://www.seattle.gov/utilities/your-services/accounts-and-payments/rates/collection-and-disposal/garbage-rates>

Thank you for the email and supporting composting services in Folsom! There are many pros and cons to offering smaller containers. The primary reason we have not moved in that direction is that the actual cost of providing the service is not significantly less than other sizes. Most of the cost associated with your garbage service is related to the fixed cost of the labor and equipment it takes to provide the weekly pickups. The actual per household cost of disposing of the waste varies by household, but it is just a small part of the fee. Smaller containers are sometimes used to encourage less waste, but what we have found even by offering two sizes is that all too often the smaller cans just get overpacked eliminating any cost savings to program, contributing to litter, and resulting in return service calls since material, especially when overpacked, is more likely to jam in a smaller container. Please feel free to contact me with any additional questions. Thanks again!

That's disappointing. I'd encourage pricing that encourages desired outcomes. E.g. extra fee for over stuffing bin, fines for not properly composting, etc.

Received: Sunday, October 31, 2021 11:34 PM

Hi Marie,

I'm very confused about the proposed changes to hazardous waste collection. When we first moved here I saw that there was no charge for hazardous waste collection and I thought, "that makes sense because we want to make the barrier to disposing of hazardous waste as low as possible to make sure poisons aren't released into our community." I was quite surprised when I saw that there will now be a significant charge to these pickups. While I want to believe that people would want to do the right thing, I feel strongly that there will be a non-trivial number of people who, rather than pay the hazardous waste fee, will opt to dump their hazardous waste in the yard, in the garbage can, or even in the toilet where it will pollute our drinking water. While I'm not excited about all of the considerable rate increases, the hazardous waste fee is a public health issue, not just an annoyance. It will result in pollution of our lake and the land in our community. Please let me know if this email is insufficient to raise this issue and I need to also pursue another avenue.

thanks much,

Dwayne Achee

Thank you for the email. This is sufficient to raise the issue. I have received a few concerns about this and I am relaying the information to executive management. I appreciate that you took the time to write in.

Thank you. Personally I'd rather see us raise the solid waste collection fee by a nickel a month to make hazardous waste collection free again, if that's what it takes.

Dwayne

Received: Wednesday, November 3, 2021 11:02 PM

Hi this is Sheryl Lenzie, a resident and homeowner at [address omitted] in Folsom. Has the rate increase protest form been mailed yet to the residents? I don't think I received the mailing with the protest form. I see a link to it via the Prop 218 notification link on the City's website. Maybe I need to print it out. <https://www.folsom.ca.us/home/showpublisheddocument/8098/637708608280230000> Please advise.

Separate from the written protest form request, I would like to share a couple thoughts. Perhaps these thoughts have already been vetted during the rate study.

As far as the new charge for bulky waste pickup and hazardous waste pickup, I believe it will discourage folks from disposing of things properly. Likely we will see more bulky waste dumping along the streets and in open spaces, and hazardous waste going into the garbage. Rather than charging for these services every time, consider scaling back the number of times that the services are free. Perhaps the City should consider a once a year free bulky waste pickup and perhaps a couple times a year free for hazardous waste pickup. Additional pickups could have a charge.

Alternatively, maybe designate a place once every quarter for a couple of days where folks can bring their hazardous waste and smaller bulky items to a central place in Folsom for disposal. It is already getting harder to find places to dispose of household batteries, for example.

I really think charging for these two services (bulky waste and hazardous waste) will have negative consequences whereby the City will begin to see a rise in illegal dumping and improper hazardous waste disposal.

No need to respond to my suggestions, but I would like to know about the protest form.

Perhaps in the next couple of years there will be enough backlash because of the rate increase and required enforcement that the law creating these new mandates will be repealed.

Yes, the notice has already been sent to every household so you should have received it already. I've attached both the notice and a file with just the protest form for your convenience. Thank you also for the other comments and suggestions. We have definitely vetted different options through the rate study, but regardless of that I am relaying any concerns I receive to executive management and well as City Council.

Initial Email from Staff Prompted by Discussion at Community Meeting. Sent: Tuesday, November 9, 2021, 01:15:00 PM PST

Thank you again for attending the meeting last night and for your feedback. Below is a link to the City Council meeting for July 27, 2021 at which I presented the rate study. To view the presentation from the start scroll to item number 11 on the agenda and the link will take you to the start. If you would like to go right to the charts, they start at 1:45:19 on the video. Let me know if you have any questions.

https://folsom.granicus.com/MediaPlayer.php?view_id=8&clip_id=2259

Hello Marie

Thank you for sending this information and the pointer to the comparative data. A couple observations:

- Most of the cities are different in the 2 charts before and after the adjustment for collecting food waste. 2 cities (other than Folsom) Sacramento County and Roseville which are present in both charts have increases of about 21% and 16% respectively compared to 43% for Folsom. Why is the increase so much higher for Folsom?

The cities are different in the charts since we would have no way of knowing what the rates would have been if their programs were different in regard to food waste. With Sacramento County and Roseville, programs are being implemented at the same time as ours and rate adjustments were already proposed so we could see before and after.

Sacramento County's most recent proposal, in December of 2020, would have increased rates 57%, but only a portion of their proposal was approved by their Board of Supervisors. Their proposal also included subsequent increases through July of 2024 that were not approved. Since Sacramento County was not approved for rates to cover their cost of service, I anticipate they will need to do another rate adjustment in the near future.

For City of Roseville, they have a very different service model than Folsom due to their mixed waste facility. Roseville does not incur as much collection cost since each household has only one or two bins and recyclables and/or organics are sorted at a mixed waste processing facility. Roseville is currently piloting a three bin system similar to ours to improve the quality of the material they collect and have not made a final determination for their ongoing programs.

There are different factors in the operations and services of each city that impact its costs. These include the specific services provided as well as factors like proximity to facilities. We have to work with the costs specifically for the range of services Folsom provides. The proposed rates were projected to be the maximum necessary to cover these costs over the next five years. At any point within the five years, the City Council may determine that a scheduled increase or portion of it is not necessary and reduce it.

- Following the increase, Folsom costs are among the highest. Almost half the cities shown have a costs of about \$180/year (30%) less than Folsom. Folsom is in the highest cost quartile.

Let me know if my observations are incorrect. Otherwise what would it take for Folsom to compare more favorably with respect to the above i.e. more competitive/lower increase and actual cost following the adjustment?

Your observations are correct that the current proposal will put Folsom among the highest in the region. Since our rates are set at cost, lowering the rates would likely mean eliminating or reducing some of the programs that Folsom residents currently receive. For example, the household hazardous waste collection program provides an unusually high level of service, but is one of the more costly elements of our program. We continually work to find ways to reduce our costs while maintaining the high level of service. Comparing the rates is just one piece of the picture. Each jurisdiction provides varying programs and customer service levels. All of these factors should be considered when comparing the value of each program. In addition, the solid waste industry is changing rapidly as a result of SB 1383 and ongoing changes to recycling markets. The rates we are able to find for regional comparison now may look very different in the near future. Our proposal is proactively working to ensure we maintain financial stability through these changes.

Thank you for your attention to this information and asking these questions. I appreciate the feedback at the meeting and am working get more information out to clarify what the typical bill may look like come January 1st.

Hello Marie

Thank you for your prompt response and for making the time to discuss my concerns on the phone yesterday. I appreciate that you tried to understand my opinion on the matter of the rate increases for solid waste. To summarize my thoughts following our conversation;

- As observed at the start of this email thread, the proposed rate increases over the next five years, cumulatively ~61% i.e. an average of over 12%/year are unreasonably high. These exceed even what could be considered a higher than normal increase. For the 2 cities that could be compared, the increase for Folsom is over 20% higher.
- Based on the data in the meeting minutes, Folsom's rate will be in the highest cost quartile. Almost half the cities shown have costs which are about \$180/year less than Folsom (30% less)
- I completely understand the need for some increase in the rates over time and also realize there would be an additional increase to support the costs associated with SB1383. However, the projected increases far exceed this allowance. Consequently I think some actions are needed to contain the cost increases. If indeed these increases are a result of SB1383 requirements, it should be possible to get enough support from other cities in California to petition for a more reasonable requirement.

On a side note, part of my concern with this rate increase is due to other costs I've incurred in the recent past which are related to city utilities/maintenance. I live in Prairie Oaks. A few months ago the Prairie Oaks Ranch No. 2 assessment was approved which adds \$314 to my property tax bill for lighting and landscape, every year, over the previously existing \$214/year, nearly a 150% increase! (Last year we incurred expenses due the pin hole water leaks. I understand this should be considered one time.)

Many of us purchased homes in Folsom because in addition to all the wonderful aspects of this city, the costs aligned with our personal preferences related to improvements and amenities. Recently I completed paying the 20 year 1920 bond/Mello Roos assessment and began to enjoy some of the long term cost benefit of home ownership. However if these recent additional costs and increases go unchecked, I wonder about future cost adjustments; what is the maximum allowed increases, what is considered reasonable?

I appreciate the prompt response from City of Folsom Management and their willingness to listen to feedback. I'm hopeful that with a combination of further review of costs for Folsom solid waste and partnering with other cities who are in a similar position, we'll see some meaningful reductions in the costs being proposed.

Sincerely
Navin Monteiro

Received and Relayed to Staff by Mayor Kozlowski: Thursday, November 11, 2021 4:24 PM

Hello City Councilmembers,

I live in Rivage condominiums and I'm concerned about the addition of a 3rd bin in my garage. We have no other place to put our bins. I'd like to request that the city allow and provide smaller waste, recycling, and food waste bins for condominiums and similar housing that have no outside storage space. This requirement could push some owners to park their cars outside in what is limited parking space.

Rivage requires owners to park two cars in our garages, and that doesn't leave a lot of room for anything else.

Other than that, I'm ok with the proposed increase. It's something I think we need to do to help reduce climate warming.

Peggy Blair

Response from Mayor Kozlowski

Ms. Blair,

Thank you for writing to me. Your concern is one we have anticipated, but have not yet come up with any perfect solution. Although I have not consulted with our Public works department in several weeks about there refinement to our plans.

We do have smaller bins available, which is why I copied our Public works Director Mark Rackovan on this message. Perhaps you can send a snap shot of your cans so we can both see which you have currently, next time you have a free moment. If you have any other suggestions, we'd love to hear them.

Again thank you for your comments.

Received: Monday, November 15, 2021 2:04 PM

Hello, I'm Lori Gilbert, a Folsom resident, and please consider this message a comment on the "Proposed solid waste utility rate increases".

I am wondering if you are getting these notices from CalRecycle. Will the City be applying for this grant? When the City is awarded the moneys, how would they be used? Would it affect the rates to residential customers?

Please see the CalRecycle message below. Thank you for your time.

Sincerely,
Lori Gilbert

The draft SB 1383 Local Assistance Grant agenda item for public comment is now posted and will be presented at the Nov 16th CalRecycle public meeting.

Eligibility Criteria and Evaluation Process for SB 1383 Local Assistance Grant Program
(Greenhouse Gas Reduction Fund, Fiscal Year 2021?22)
Public Notice- <https://www2.calrecycle.ca.gov/PublicNotices/Details/4552>

Questions and comments may be sent to Grants@calrecycle.ca.gov by Friday, November 19, 2021.

Thank you for forwarding. Yes, we receive these and plan to apply. If funds are awarded, they would be used to offset SB 1383 activities that we are already required to do and planning on. Whether or not it would affect residential rates really depends on the amount received. If we only receive the base amount of \$20,000, it would have no direct impact on rates.

Hi Marie, thank you for your fast reply. I'm glad to know you are in the loop as it were. Those GGRF grants sometimes will be awarded in larger amounts for bigger projects if you show matching funding from other sources. Do you know if any other funds will be available to apply for? Just wondering.

Thank you and have a great day.
Lori

We will apply for the maximum that we can. We have a lot of eligible expenses, but so does everyone else right now. Hopefully we'll get well above the base amount.

Received from Vice Mayor Aquino on Behalf of Resident: Monday, November 22, 2021 2:20 PM

Hi Marie ~

I know details about organics recycling will be forthcoming but I got the following questions from a resident who lives in the Diamond Glen 55+ community. Thanks for any info you can provide.

Is there a minimum amount of organic waste a resident must generate before he/she is required to recycle or does the mandate apply to everyone in the city regardless of how much organic waste they produce?

The regulations do not allow for de minimis waivers for residents. Every household is required to participate. Below is the language for residential waivers that was included in the ordinance revision. In regard to the second one, there are no homes in Folsom I am aware of that could justify this. CalRecycle has expressed an expectation that if a jurisdiction were to use this type of waiver it would only be allowed temporarily.

1. *Reasonable Accommodation. The Director may waive a property owner's obligation to comply with the requirements of Section 8.32.191(B) if the property owner provides documentation, or the City has evidence from staff, or any medical professional, demonstrating that compliance with this Chapter would act as a barrier to fair housing opportunities or health-related reasons prevent individual(s) from complying.*
2. *Physical Space Waiver. The Director may waive the obligation to comply with the requirements of Section 8.32.191(B) if the property owner provides documentation, or the City has evidence from staff, licensed architect, or licensed engineer, demonstrating that the premises contain severe space constraints which prevent the placement of a recycling and/or organic container at the household.*

I believe residents who don't have a green can will have to get one, correct?

Yes

One green can is included in the solid waste fee, correct?

Yes

Received: Tuesday, November 30, 2021 12:08 PM

Hello,

I understand a few dollars increase given the constant inflation however what is proposed currently is a significant hike and should be reconsidered. We are constantly being hit with hikes in prices and bills which is making living in folsom beyond means.

Concerned folsom resident!

Thank you for the email. The current proposal would cover significant program changes that are required to comply with [California's Senate Bill 1383](#), which increases cost beyond regular inflation. Information about the rate study can be found at www.folsom.ca.us/utilityrates. If you would like to formally oppose the increase, a form and instructions can be found in the [Proposition 218 notice](#). Protests must be either delivered in person or mailed to the Folsom City Clerk's Office at 50 Natoma St, Folsom, CA 95630.

Received: Thursday, December 2, 2021 4:14 PM

My husband and I live in Natoma Station neighborhood of Folsom. We strongly urge the Council to pass the proposed solid waste utility rate increases.

this will fund really important improvements for our community and environment.

thank you,

Kristina Bas Hamilton

James Hamilton

Thank you for the email and supporting the new environmental programs in our community. I will make sure your support is relayed to the City Council.

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Folsom City Council Staff Report

MEETING DATE:	12/14/2021
AGENDA SECTION:	Public Hearing
SUBJECT:	City of Folsom Community Facilities District No. 23 (Folsom Ranch) Amended Improvement Area No. 3 and Improvement Area No. 7
FROM:	Finance Department

RECOMMENDATION / CITY COUNCIL ACTION

It is recommended that the City Council adopt the following resolutions and conduct the first reading of the ordinances:

- i. Resolution No. 10767 - A Resolution of the City Council of the City of Folsom Calling Special Mailed Ballot Election Related to Change Proceedings for Improvement Area No. 3 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch)
- ii. Resolution No. 10768 – A Resolution of Change of the City Council of the City of Folsom Relating to Improvement Area No. 3 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch)
- iii. Resolution No. 10769 - A Resolution of the City Council of the City of Folsom to Designate Improvement Area No. 7 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch) and to Levy Special Taxes therein
- iv. Resolution No. 10770 - A Resolution of the City Council of the City of Folsom Deeming it Necessary to Incur Bonded Indebtedness within Improvement Area No. 7 of City of Folsom Community Facilities District No. 23 (Folsom Ranch)
- v. Resolution No. 10771 - A Resolution of the City Council of the City of Folsom Calling Special Mailed Ballot Election in the City of Folsom Community Facilities District No. 23 (Folsom Ranch) Improvement Area No. 7

- vi. Resolution No. 10772 – A Resolution of the City Council of the City of Folsom Declaring Election Results in the City of Folsom Community Facilities District No. 23 (Folsom Ranch) Improvement Area No. 7
- vii. Ordinance No. 1321 – An Uncodified Ordinance Levying a Special Tax for the Fiscal Year 2021-22 and Following Fiscal Years Solely within and Relating to Improvement Area No. 3 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch) (Introduction and First Reading)
- viii. Ordinance No. 1322 – An Uncodified Ordinance Levying Special Taxes for the Fiscal Year 2021-22 and Following Fiscal Years Solely within and Relating to Improvement Area No. 7 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch) (Introduction and First Reading)

BACKGROUND / ISSUE

The Folsom Plan Area Specific Plan Public Facilities Financing Plan (“PFFP”), approved by the City Council on January 28, 2014, via Resolution 9298, is an \$877 million plan that describes the backbone infrastructure and facility requirements, presents a comprehensive financing strategy, and sets forth the estimated time horizon for the development of the Folsom Plan Area (“FPA”).

Landowners within the FPA previously requested to form the City of Folsom Community Facilities District No. 23 (Folsom Ranch) (“CFD No. 23”), including six separate Improvement Areas, designated as Improvement Area No. 1 through Improvement Area No. 6. The City Council previously approved the Resolution of Formation (Resolution No. 10435) on May 26, 2020 to form CFD No. 23, designate Improvement Area No. 3, authorize a special tax to finance the acquisition and construction of certain public facilities and certain public services, authorize the issuance of debt to finance the public facilities, and establish the appropriations limit and maximum bonded indebtedness for Improvement Area No. 3.

The landowners within Improvement Area No. 3 have requested to amend the boundaries of Improvement Area No. 3 to exclude property expected to be developed into traditional market rate single family residences, to amend the Rate and Method of Apportionment to adjust the maximum special tax rates based on the planned development of remaining property within Improvement Area No. 3, and amend the appropriations limit and maximum bonded indebtedness for Improvement Area No. 3. Further, the landowners have requested to designate a new Improvement Area No. 7 to include the property expected to be developed into traditional market rate single family residences that is being excluded from Improvement Area No. 3.

The proposed development plan for the amended Improvement Area No. 3 includes 919 active adult units zoned as single-family/single-family high density. The proposed development plan

for Improvement Area No. 7 includes 211 traditional market rate units all zoned as single-family/single-family high density.

On November 9, 2021 this City Council considered to amend the boundaries, amend the Rate and Method of Apportionment, and amend the appropriations limit and maximum bonded indebtedness within Improvement Area No. 3 by passage of Resolution No. 10747. On that same date, this City Council approved a proposed boundary map, designated Improvement Area No. 7, and authorized the City to levy special taxes within the Improvement Area No. 7 by passage of Resolution No. 10748 and this City Council declared the necessity for incurring bonded indebtedness in and for Improvement Area No. 7 by passage of Resolution No. 10749.

A Public Hearing is required as part of the amendment process for Improvement Area No. 3 and designation process for Improvement Area No. 7. Notice of the hearing was mailed to the landowners within Improvement Area No. 3 and Improvement Area No. 7 on November 30, 2021 and published in the Folsom Telegraph on December 2, 2021. A copy of the required CFD Public Hearing Report has been made available in the City Clerk's office since December 2, 2021 and is also included with this report as Attachment 9.

POLICY / RULE

Chapter 5 of the Folsom Plan Area Public Facilities Financing Plan authorizes the formation of CFDs to finance the construction, acquisition, and servicing of FPA backbone infrastructure and public facilities

Section 2.5.3 of the First Amended and Restated Tier 1 Development Agreement authorizes the formation of infrastructure CFDs

Resolution No. 9282 – A Resolution of the City Council of the City of Folsom Approving Goals and Policies for Community Facilities Districts

Mello-Roos Community Facilities Act of 1982

ANALYSIS

CFD No. 23 is structured as an extended-term CFD and will provide the necessary funding to help fund all or a portion of the project's share of PFFP backbone infrastructure and facilities, including related environmental mitigation obligations. The PFFP backbone infrastructure and facilities will be financed using both bond proceeds and PAYGO special tax revenues. The extended-term CFD structure is proposed to help to meet the challenge of high-cost infrastructure and facilities while also aligning the timing of future funding availability with the need for such funding.

The proposed amendment to Improvement Area No. 3 will exclude property expected to be developed into traditional market rate single family residences, leaving only property that is expected to be developed into active-adult single-family residences. Further, amendments to

the Rate and Method of Apportionment for Improvement Area No. 3 will adjust the maximum special tax rates based on the active-adult planned development within the amended Improvement Area No. 3. The special tax revenue generated from taxable parcels within the amended Improvement Area No. 3 will be comprised of a special tax to fund facilities and a special tax to fund services. The amended 2021/22 maximum facilities special tax rates and maximum services special tax rates, for each developed land use category, are provided in the table below:

Land Use Category	Residential Floor Area (square footage)	2021/22 Maximum Facilities Special Tax Rate	2021/22 Maximum Services Special Tax Rate	Per
Single-Family Detached Property - SF/SFHD Zoning	≥ 2,200	\$890	\$100	Unit
Single-Family Detached Property - SF/SFHD Zoning	2,000 – 2,199	790	100	Unit
Single-Family Detached Property - SF/SFHD Zoning	1,800 – 1,999	690	100	Unit
Single-Family Detached Property - SF/SFHD Zoning	≤ 1,799	590	100	Unit
Single-Family Detached Property - MLD Zoning	N/A	490	100	Unit
MMD Multi-Family Attached Property	N/A	30,000	500	Acre
MHD Multi-Family Attached Property	N/A	11,700	1,000	Acre
Non-Residential Property	N/A	11,700	1,000	Acre

The proposed Improvement Area No. 7 will include the property excluded from the amended Improvement Area No. 3 and is expected to be developed into traditional market rate single-family residences. The special tax revenue generated from taxable parcels within Improvement Area No. 7 will be comprised of a special tax to fund facilities and a special tax to fund services. The 2021/22 maximum facilities special tax rates and maximum services special tax rates, for each developed land use category, are provided in the table on the next page:

Land Use Category	Residential Floor Area (square footage)	2021/22 Maximum Facilities Special Tax Rate	2021/22 Maximum Services Special Tax Rate	Per
Zone 1: Single-Family Detached Property – SF/SFHD Zoning	≥ 2,900	\$2,450	\$177	Unit
Zone 1: Single-Family Detached Property – SF/SFHD Zoning	2,700 – 2,899	2,390	177	Unit
Zone 1: Single-Family Detached Property – SF/SFHD Zoning	≤ 2,699	2,350	177	Unit
Zone 2: Single-Family Detached Property – SF/SFHD Zoning	≥ 3,325	3,075	177	Unit
Zone 2: Single-Family Detached Property – SF/SFHD Zoning	3,000 – 3,324	2,950	177	Unit
Zone 2: Single-Family Detached Property – SF/SFHD Zoning	≤ 2,999	2,845	177	Unit
Single-Family Detached Property - MLD Zoning	N/A	2,350	177	Unit
MMD Multi-Family Attached Property	N/A	30,000	500	Acre
MHD Multi-Family Attached Property	N/A	11,700	1,000	Acre
Non-Residential Property	N/A	11,700	1,000	Acre

The facilities special tax can be levied and collected through Fiscal Year 2079/80 for each Improvement Area. Each fiscal year, commencing with 2022/23, the maximum facilities special tax rate will be increased by 2% annually. The services special tax can be levied and collected in perpetuity for each Improvement Area. Each fiscal year, commencing with 2022/23, the maximum services special tax rate will be increased by the June annualized percentage change of the Consumer Price Index for all Urban Consumers, for the San Francisco-Oakland-San Jose area, not to exceed 4%.

Approving the resolutions attached within CFD No. 23:

- Amends Improvement Area No. 3
- Designates Improvement Area No. 7
- Authorizes the levy of special taxes within Improvement Area No. 7
- Deems it necessary to incur bonded indebtedness within Improvement Area No. 7
- Calls for a special mailed ballot election within Improvement Area No. 3 and Improvement Area No. 7
- Declares the results of the special mailed ballot election within Improvement Area No. 3 and Improvement Area No. 7

Two ordinances are also being introduced to levy Special Taxes for Fiscal Year 2021/22 and following fiscal years for each respective Improvement Area. This is the first reading of each ordinance.

FINANCIAL IMPACT

There is no direct General Fund impact on the City of Folsom. The Improvement Area No. 3 amendment, designation of a new Improvement Area No. 7 and expenses are solely the responsibility of Improvement Area No. 3 and Improvement Area No. 7. The General Fund is not impacted by the Improvement Area No. 3 Amended Rate and Method of Apportionment and Improvement Area No. 7 Rate and Method of Apportionment.

ENVIRONMENTAL REVIEW

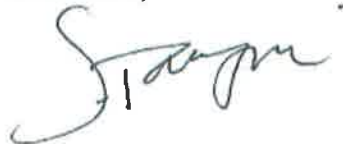
An Initial Study and Mitigated Negative Declaration prepared for the Folsom Plan Area Backbone Infrastructure Project were previously prepared for, and adopted by the City Council on February 24, 2015, in accordance with the requirements of the California Environmental Quality Act. Pursuant to CEQA Guidelines section 15378(c), the term “project” does not mean each separate governmental approval for an approved activity which may be subject to several discretionary approvals by governmental agencies. Additionally, the creation of government funding mechanisms which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment is not defined as a “project” under CEQA. CEQA Guidelines Section 15378(b)(4) and 15061(b)(3).

ATTACHMENTS

1. Resolution No. 10767 - A Resolution of the City Council of the City of Folsom Calling Special Mailed Ballot Election Related to Change Proceedings for Improvement Area No. 3 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch)
2. Resolution No. 10768 – A Resolution of Change of the City Council of the City of Folsom Relating to Improvement Area No. 3 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch)
3. Resolution No. 10769 - A Resolution of the City Council of the City of Folsom to Designate Improvement Area No. 7 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch) and to Levy Special Taxes therein
4. Resolution No. 10770 - A Resolution of the City Council of the City of Folsom Deeming it Necessary to Incur Bonded Indebtedness within Improvement Area No. 7 of City of Folsom Community Facilities District No. 23 (Folsom Ranch)
5. Resolution No. 10771 - A Resolution of the City Council of the City of Folsom Calling Special Mailed Ballot Election in the City of Folsom Community Facilities District No. 23 (Folsom Ranch) Improvement Area No. 7

6. Resolution No. 10772 – A Resolution of the City Council of the City of Folsom Declaring Election Results in the City of Folsom Community Facilities District No. 23 (Folsom Ranch) Improvement Area No. 7
7. Ordinance No. 1321 – An Uncodified Ordinance Levying a Special Tax for the Fiscal Year 2021-22 and Following Fiscal Years Solely within and Relating to Improvement Area No. 3 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch) (Introduction and First Reading)
8. Ordinance No. 1322 – An Uncodified Ordinance Levying Special Taxes for the Fiscal Year 2021-22 and Following Fiscal Years Solely within and Relating to Improvement Area No. 7 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch) (Introduction and First Reading)
9. City of Folsom Community Facilities District No. 23 (Folsom Ranch) Amended Improvement Area No. 3 and Improvement Area No. 7 Public Hearing Report

Submitted,



Stacey Tamagni
Finance Director

ATTACHMENT 1

RESOLUTION NO. 10767

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FOLSOM
CALLING A SPECIAL MAILED-BALLOT ELECTION RELATED TO
CHANGE PROCEEDINGS FOR IMPROVEMENT AREA NO. 3 WITHIN
CITY OF FOLSOM COMMUNITY FACILITIES DISTRICT NO. 23
(FOLSOM RANCH)**

WHEREAS, the City Council (the “City Council”) of the City of Folsom (the “City”) conducted proceedings under and pursuant to the terms and provisions of the Mello-Roos Community Facilities Act of 1982, as amended (being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California), and all laws amendatory thereof or supplemental thereto (the “Act”), among other things, (i) to form a community facilities district within the City of Folsom, designated and known as “City of Folsom Community Facilities District No. 23 (Folsom Ranch)” (the “Community Facilities District”), (ii) to designate Improvement Area No. 3 therein, (iii) to authorize a special tax (the “Special Tax”) to finance the acquisition and construction of certain public facilities (the “Facilities”) and certain public services (the “Services”), (iv) to authorize the issuance of debt to finance the Facilities, and (v) to establish the appropriations limit for Improvement Area No. 3 of the Community Facilities District, all as set forth in the City Council’s Resolution No. 10435 (the “Resolution of Formation”), adopted on May 26, 2020; and

WHEREAS, on November 9, 2021, the City Council adopted its Resolution No. 10747 (the “Resolution of Consideration”) in which it determined to consider (i) amending the boundaries of Improvement Area No. 3 of the Community Facilities District, (ii) amending the rate and method of apportionment for Improvement Area No. 3 (the “Rate and Method”) to adjust the maximum special tax rates based on the planned development within Improvement Area No. 3, and (iii) amending the appropriations limit and maximum bonded indebtedness for Improvement Area No. 3 (the “Proposed Amendments”); and

WHEREAS, the Resolution of Consideration set a public hearing to be held on December 14, 2021 (the “Public Hearing”).

WHEREAS, the Public Hearing has been held as scheduled and all persons interested were permitted to testify and to submit written protests to the Proposed Amendments; and

WHEREAS, the City Council determined that there was no majority protest under Section 53337 of the Government Code of the State of California, and thus the City Council is permitted to continue with these proceedings; and

WHEREAS, in order for the Proposed Amendments to be effective, they must be submitted to an election of the qualified electors of Improvement Area No. 3 of the Community Facilities District; and

WHEREAS, a Certificate Regarding Landowners (the “Certificate re: Landowners”) has been filed with the City Clerk (the “Clerk”) and submitted to the City Council, certifying that during the 90 days preceding the close of the Public Hearing on December 14, 2021, there were no persons

registered to vote within the territory of Improvement Area No. 3 of the Community Facilities District; and

WHEREAS, a Certificate of Clerk Regarding Receipt of Property Owner Waiver and Consent, has been submitted by the Clerk, stating that each landowner, or an authorized representative of each landowner, within Improvement Area No. 3 of the Community Facilities District the has filed with the Clerk a properly executed Waiver and Consent (as defined below) in substantially the form attached hereto as Exhibit B, and by this reference incorporated herein;

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

Section 1. The above recitals are true and correct, and the City Council so finds and determines.

Section 2. The City Council accepts the Certificate regarding Landowners filed in these proceedings and finds, in accordance therewith, that during the 90 days just past, there were no registered voters residing within the boundaries of Improvement Area No. 3 of the Community Facilities District. Accordingly, under Section 53326(b) of the Government Code of the State of California, the qualified electors of Improvement Area No. 3 of the Community Facilities District for the proposed special election shall be the owners of land within Improvement Area No. 3 of the Community Facilities District.

Section 3. The City Council further finds and determines that the owners of land within Improvement Area No. 3 of the Community Facilities District (the "Landowners") are the landowners set forth in the attachment to the Certificate regarding Landowners and that the attachment correctly sets forth the amount of property owned by each Landowner and the number of votes to which each Landowner is entitled pursuant to Section 53326(b), being the number of acres owned rounded up to the next whole acre.

Section 4. The City Council hereby approves the form of Waiver and Consent Shortening Time Periods and Waiving Various Requirements for Conducting a Mailed-Ballot Election (the "Waiver and Consent") by which the time limits and related requirements respecting preparation and distribution of election materials are waived, a form of which is attached hereto as Exhibit B. The City Council hereby finds that the rights, procedures, and time periods therein waived are solely for the protection of the qualified electors and may be waived by the qualified electors under Section 53326(a) and 53327(b) of the Act and under other provisions of law dealing with waiver generally, and that the Waiver and Consent constitutes a full and knowing waiver, by any qualified elector who has executed the form, of those rights, procedures and time periods.

Section 5. The City Council further finds and determines, based on a Certificate of Clerk regarding Receipt of Property Owner Waiver and Consent Forms provided this date by the Clerk that each Landowner, or an authorized representative of each Landowner, has filed with the Clerk a properly executed Waiver and Consent in substantially the form of Exhibit B hereto. The City Council therefore is establishing the procedures and time periods for this special mailed-ballot election without regard to statutory schedules.

Section 6. Pursuant to Sections 53338(a) and 53326 of the Government Code of the State of California, the City Council hereby calls an election, to be held and conducted upon adoption of this Resolution, and sets December 14, 2021, as the election date. Pursuant to Section 53326 of the Government Code, the election shall be conducted by mailed ballot; provided that personal service of the respective ballots to authorized representatives of each Landowner is permitted under the terms of the Waiver and Consent forms on file with the Clerk and shall therefore be permitted. The Clerk is directed to either mail or make personal service of the ballots, in the form of the attached Exhibit A, to each Landowner or, if one has been appointed pursuant to a Waiver and Consent, to the Landowner's authorized representative.

Section 7. The proposition to be submitted to the qualified electors of Improvement Area No. 3 of the Community Facilities District shall be as set forth in the form of special election ballot attached hereto as Exhibit A.

Section 8. The Clerk is hereby designated as the official to conduct the special mailed-ballot election pursuant to the Act and California Elections Code Sections 307 and 320 and the following provisions:

(a) The special election shall be held and conducted, and the votes canvassed and the returns made, and the results determined, as provided herein; and in all particulars not prescribed by this Resolution the special election shall be held and conducted and the votes received and canvassed in the manner provided by law for the holding of special elections consistent with the Act.

(b) All Landowners within Improvement Area No. 3 of the Community Facilities District as of the close of the Public Hearing shall be qualified to vote upon the proposition to be submitted at the special election.

(c) The special election shall be conducted as a mailed-ballot election, in accordance with the provisions of the Act and the prior proceedings of the City taken thereunder, and there shall be no polling places for the special election. All ballots shall be delivered or mailed by the Clerk to the Landowners, and all voted ballots are required to be received by the Clerk not later than 6:00 p.m. on the date of the election in order to be counted. However, if at any time the Clerk determines that all votes have been cast, the Clerk shall immediately declare the election closed.

(d) The Clerk shall commence the canvass of the returns of the special election, and report the returns to the City Council no later than the City Council meeting of December 14, 2021.

(e) The City Council may thereupon declare the results of the special election, and shall cause to be spread upon its minutes a statement of the results of the special election as ascertained by the canvass.

Section 9. This Resolution shall take effect from and after its date of adoption.

PASSED AND ADOPTED this 14th day of December, 2021, by the following roll-call vote:

AYES: Councilmember(s):

NOES: Councilmember(s):

ABSENT: Councilmember(s):

ABSTAIN: Councilmember(s):

Michael D. Kozlowski, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

EXHIBIT A

**CITY OF FOLSOM
COMMUNITY FACILITIES DISTRICT NO. 23
IMPROVEMENT AREA NO. 3
(FOLSOM RANCH)**

SPECIAL ELECTION BALLOT

(Mailed-Ballot Election)

This ballot is for the use of **[LANDOWNER]**, a landowner owning land within Improvement Area No. 3 of City of Folsom Community Facilities District No. 23 (Folsom Ranch).

According to the provisions of the Mello-Roos Community Facilities Act of 1982 and the resolutions of the City Council of the City of Folsom, the above-named landowner is entitled to cast votes on this ballot.

In order to be counted, this ballot must be certified below and be returned, either by mail or in person, before 6:00 p.m. on December 14, 2021, to:

Christa Freemantle, City Clerk
City of Folsom
50 Natoma Street
Folsom, CA 95630

Mailing by that date will not be sufficient. The ballot must be physically received by the City Clerk prior to the deadline in order to be counted.

AN "X" OR OTHER MARK WILL CAST ALL VOTES ASSIGNED TO THIS BALLOT, OR THE VOTER MAY WRITE NUMBERS IN THE SPACES PROVIDED.

BALLOT MEASURE

Shall the authority previously conferred upon the City Council (the "City Council") of the City of Folsom by and through its City of Folsom Community Facilities District No. 23 (Folsom Ranch) for Improvement Area No. 3 be changed in accordance with the City Council's Resolution of Consideration to (I) Amend the Boundaries of Improvement Area No. 3 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch); (II) Amend the Rate and Method of Apportionment for Improvement Area No. 3 Within the City of Folsom Community Facilities District No. 23 (Folsom Ranch), and (III) Amend the Appropriations Limit and the Maximum Bonded Indebtedness and Related Matters adopted on November 9, 2021?

Number of votes
YES

Number of votes
NO

Certification

The undersigned is or are the authorized representative(s) of the above-named landowner and is the person legally authorized and entitled to cast this ballot on behalf of the above-named landowner.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed as of December 14, 2021.

[LANDOWNER]

By: _____
Name: _____
Title: _____

EXHIBIT B

WAIVER AND CONSENT
SHORTENING TIME PERIODS AND WAIVING VARIOUS
REQUIREMENTS FOR PROCEEDINGS AND FOR
CONDUCTING SPECIAL MAILED-BALLOT ELECTION
CITY OF FOLSOM
COMMUNITY FACILITIES DISTRICT NO. 23
(FOLSOM RANCH)
IMPROVEMENT AREA NO. 3
(CHANGE PROCEEDINGS)

The undersigned [**LANDOWNER**], is the owner or authorized representative of the owner of Assessor's Parcel No(s). _____ within the above-captioned Improvement Area No. 3 (the "Improvement Area") of the City of Folsom Community Facilities District No. 23 (Folsom Ranch) (the "District").

The undersigned understands that a special mailed ballot landowner election will be held to determine whether the authority conferred upon the City Council by and through the District will be changed, all as set forth in Resolution No. 10747 adopted by the City Council of the City of Folsom on November 9, 2021 (the "Resolution of Consideration").

The undersigned is (or are) the person (or persons) legally entitled and authorized to cast the ballot for the above-referenced owner in the election to be conducted within the District for the Improvement Area.

The undersigned, on behalf of the above-referenced owner, hereby waives any and all minimum time periods and requirements pertaining to the conduct of the election pursuant to Government Code Section 53326(a).

The undersigned, on behalf of the above-referenced owner, hereby waives the preparation and distribution of an impartial analysis of the ballot measure, as well as arguments in favor and against, under the authority of Government Code Section 53327(b).

The undersigned, on behalf of the above-referenced owner, hereby waives the requirement to publish notice of the election under Government Code Section 53352.

The undersigned, on behalf of the above-referenced owner, hereby waives the requirements regarding the time to mail ballots to the qualified electors under Elections Code Section 4101, and agrees to accept either mailed service or personal service of the ballot.

The undersigned, on behalf of the above-referenced owner, hereby waives the requirements regarding identification envelopes for the return of mailed ballots contained in Government Code Section 53327.5.

The undersigned, on behalf of the above-referenced owner, hereby waives any right to notice and hearing and consents to authorized facilities, authorized services, expenses and rate and method

of apportionment of special tax as described in the related resolutions to be adopted by the City Council of the City of Folsom on December 14, 2021.

The undersigned, on behalf of the above-referenced owner, hereby waives any and all defects in notice or procedure in the time periods to record the boundary map, conduct of the election, whether known or unknown (other than the right to have ballots accurately counted), and states that the election is being expedited, pursuant to this waiver and consent, at the particular instance and request of the above-referenced owner.

The undersigned, on behalf of the above-referenced owner, hereby consents to the levy and collection of the special tax in accordance with the amended rate and method of apportionment approved by the City Council for the Improvement Area and hereby waives any and all rights to challenge the inclusion of the above referenced parcels in the Improvement Area and any other proceedings related thereto.

Further, the undersigned, on behalf of the above-referenced owner, hereby waives any entitlement to initiate or prosecute any form of legal proceedings, including judicial proceedings, to challenge any aspect of the proceedings for levy of the special tax and for issuance of bonded indebtedness in the District.

I declare, under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct and that this declaration is executed on _____, 2021.

[LANDOWNER]

By: _____

Name:

Title:

NOTE: If this form is signed by an authorized representative other than an officer of the property owner(s) of the parcel(s), or if the name of the signing party is different from the name of the property owner, please attach evidence of authorization to sign on behalf of the property owner(s) or evidence of name change.

ATTACHMENT 2

RESOLUTION NO. 10768

**A RESOLUTION OF CHANGE OF THE CITY COUNCIL OF THE CITY
OF FOLSOM RELATING TO IMPROVEMENT AREA NO. 3 WITHIN
THE CITY OF FOLSOM COMMUNITY FACILITIES DISTRICT NO. 23
(FOLSOM RANCH)**

WHEREAS, the City Council (the “City Council”) of the City of Folsom (the “City”) conducted proceedings under and pursuant to the terms and provisions of the Mello-Roos Community Facilities Act of 1982, as amended (being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California), and all laws amendatory thereof or supplemental thereto (the “Act”), among other things, (i) to form a community facilities district within the City of Folsom, designated and known as “City of Folsom Community Facilities District No. 23 (Folsom Ranch)” (the “Community Facilities District”), (ii) to designate Improvement Area No. 3 therein, (iii) to authorize a special tax (the “Special Tax”) to finance the acquisition and construction of certain public facilities (the “Facilities”) and certain public services (the “Services”), (iv) to authorize the issuance of debt to finance the Facilities, and (v) to establish the appropriations limit for Improvement Area No. 3 of the Community Facilities District, all as set forth in the City Council’s Resolution No. 10435 (the “Resolution of Formation”), adopted on May 26, 2020; and

WHEREAS, on November 9, 2021, the City Council adopted its Resolution No. 10747 (the “Resolution of Consideration”) in which it determined to consider (i) amending the boundaries of Improvement Area No. 3 of the Community Facilities District, (ii) amending the rate and method of apportionment for Improvement Area No. 3 (the “Rate and Method”) to adjust the maximum special tax rates based on the planned development within Improvement Area No. 3, and (iii) amending the appropriations limit and maximum bonded indebtedness for Improvement Area No. 3 (the “Proposed Amendments”); and

WHEREAS, in order for the Proposed Amendments to be effective, a two-thirds approving vote by the qualified electors within Improvement Area No. 3 within the Community Facilities District is required; and

WHEREAS, a special mailed-ballot election has been conducted within Improvement Area No. 3 within the Community Facilities District pursuant to Resolution No. 10767, adopted by the City Council on December 14, 2021, to which reference is made for further particulars; and

WHEREAS, a Certificate of the City Clerk (the “Clerk”) Regarding Election Results (the “Certificate of Election Results”) has been filed with the City Council; and

WHEREAS, the City Council has received, reviewed and hereby accepts the Certificate of Election Results;

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

Section 1. The above recitals are true and correct, and the City Council so finds and determines.

Section 2. The City Council hereby finds and determines and declares that the ballot measure submitted to the qualified electors of Improvement Area No. 3 within the Community Facilities District has been passed and approved by those qualified electors in accordance with Sections 53338 of the Government Code of the State of California.

Section 3. The City Council hereby finds and determines and declares that the authority conferred upon it by the Community Facilities District for Improvement Area No. 3 has been changed in accordance with the Proposed Amendments as set forth in the Resolution of Consideration.

Section 4. The City Council hereby authorizes and directs the Clerk to cause an Amended Notice of Special Tax Lien to be prepared and to be recorded with the County Recorder of the County of Sacramento (the "County Recorder") in accordance with the provisions of Section 3117.5 of the Streets and Highways Code of the State of California and Section 53338(c) of the Government Code of the State of California. The Amended Notice of Special Tax Lien shall include, as an attachment, Exhibit A to the Resolution of Consideration and be recorded in the County Recorder's office within fifteen days of the date of adoption of this Resolution.

Section 5. This Resolution shall take effect from and after its date of adoption.

PASSED AND ADOPTED this 14th day of December, 2021, by the following roll-call vote:

AYES: Councilmember(s):

NOES: Councilmember(s):

ABSENT: Councilmember(s):

ABSTAIN: Councilmember(s):

Michael D. Kozlowski, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

ATTACHMENT 3

RESOLUTION NO. 10769**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FOLSOM
TO DESIGNATE IMPROVEMENT AREA NO. 7 WITHIN THE CITY OF FOLSOM
COMMUNITY FACILITIES DISTRICT NO. 23 (FOLSOM RANCH) AND TO LEVY
SPECIAL TAXES THEREIN**

WHEREAS, the City has established the City of Folsom Community Facilities District No. 23 (Folsom Ranch) (the “Community Facilities District”) under the terms of the Mello-Roos Community Facilities Act of 1982, Chapter 2.5 of Division 2 of Title 5 of the California Government Code, commencing with Section 53311 (the “Act”) pursuant to the City Council’s Resolution No. 10435 (the “Resolution of Formation”), adopted on May 26, 2020; and

WHEREAS, pursuant to Section 53350 of the Act, six improvement areas have been designated within the Community Facilities District and it is proposed to designate a seventh improvement area therein (“Improvement Area No. 7”); and

WHEREAS, the boundaries of the portion of the Community Facilities District designated as Improvement Area No. 7, are described in a boundary map on file in the office of the City Clerk of the City of Folsom (the “City Clerk”); and

WHEREAS, for the preliminary scope of the project and financing contemplated by these proceedings, reference is made to Resolutions No. 10748 (the “Resolution of Intention”) and No. 10749 adopted by the City Council of the City (the “City Council”) on November 9, 2021; and

WHEREAS, on December 14, 2021, at the time and place scheduled for the public hearing concerning the designation of Improvement Area No. 7, said public hearing of protests was duly convened by the City Council, and the City Council duly heard all interested parties desiring to be heard; and

WHEREAS, the City Council determined that a majority protest under Section 53324 of the Government Code was not made at the public hearing and therefore the proposed designation of Improvement Area No. 7 and special tax to be levied within Improvement Area No. 7 have not been eliminated by majority protest pursuant to said Section 53324; and

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

Section 1. The City Council finds and determines that the foregoing recitals are true and correct.

Section 2. The boundaries of Improvement Area No. 7 are shown on the boundary map approved by the Resolution of Intention (the “Boundary Map”). A copy of the recorded Boundary Map is on file with the City Clerk and was recorded on November __, 2021, at Book __, Page __ in the Book of Maps of Assessment and Community Facilities Districts in the official real estate records of the County of Sacramento.

Section 3. Pursuant to Section 53350 of the Act, the City Council hereby designates the portion of the Community Facilities District described as Improvement Area No. 7 in the Boundary Map as an improvement area.

Section 4. The name of Improvement Area No. 7 designated within the Community Facilities District is “City of Folsom Community Facilities District No. 23 (Folsom Ranch) Improvement Area No. 7”.

Section 5. The types of public facilities (the “Facilities”) and services (the “Services”) proposed to be financed by the Community Facilities District, and to the financing of which Improvement Area No. 7 is proposed to contribute, are set forth on Exhibit A and Exhibit B attached to the Resolution of Formation and are incorporated by reference hereto. The City Council hereby finds and determines that these Facilities and Services are necessitated to meet increased demands placed upon the City by new development occurring or anticipated within Improvement Area No. 7.

Section 6. All of the Facilities to be financed will have an estimated useful life of at least five (5) years. They are public facilities that the City or another governmental entity is authorized by law to construct, own or operate or to which they may contribute revenue. The Facilities to be financed need not be physically located within the Community Facilities District.

Section 7. The types of incidental expenses and bond issuance costs proposed to be incurred are set forth on Exhibit C attached to the Resolution of Formation and are incorporated by reference hereto.

Section 8. Except where funds are otherwise available, special taxes sufficient to pay for all Facilities and Services will be annually levied within Improvement Area No. 7. Upon recordation of a notice of special tax lien pursuant to Section 3114.5 of the California Streets and Highways Code, a continuing lien to secure the related levy of the special tax shall attach to all nonexempt real property within the Community Facilities District, including Improvement Area No. 7, and the lien shall continue in force and effect until the special tax obligation (or any portion thereof) is paid or prepaid and permanently satisfied and the special tax lien is cancelled in accordance with law or until collection of the special tax by the City ceases. The rate and method of apportionment of the special tax to be levied in Improvement Area No. 7 is set forth in Exhibit A to the Resolution of Intention and incorporated by reference hereto. The special tax with respect to the Facilities on any parcel within Improvement Area No. 7 shall not be levied after the earlier of (i) Fiscal Year 2079-80 or (ii) the Fiscal Year occurring 50 years following (a) the Fiscal Year in which the first building permit was issued or (b) the first series of bonds or other debt issued for Improvement Area No. 7. The special tax with respect to the Services shall be levied perpetually until the collection of the special tax by the City ceases. In the case of any special tax to pay for the Facilities and to be levied against any parcel used for private residential purposes, under no circumstances will the special tax levied against any parcel be increased as a consequence of delinquency or default by the owner of any other parcel or parcels within Improvement Area No. 7 by more than 10 percent of the special tax for Facilities that would be levied in that Fiscal Year but for such delinquencies or defaults.

Section 9. Advances of funds or contributions of work in kind from any lawful source, specifically including owners of property within Improvement Area No. 7, may be reimbursed from bond proceeds or from special tax revenues or both to the extent of the lesser of the value or cost of the contribution, but any agreement to do so shall not constitute a debt or liability of the City.

To the extent the Facilities will not be constructed by the City, in the opinion of the City Council, the public interest will not be served by allowing the property owners in Improvement Area No. 7 to intervene in a public bidding process pursuant to Section 53329.5(a) of the Act.

Section 10. The City intends to reserve to itself the right and authority to allow bond tenders from any interested landowner within Improvement Area No. 7 to be accepted under Government Code sections 53344.1 and 53356.8 in full or partial payment of any installment of the special taxes or the interest or penalties thereon.

Section 11. The Office of Management and Budget, 50 Natoma Street, Folsom, California, (916) 355-7347, is designated as the office responsible for preparing annually a current roll of special tax levy obligations by assessor's parcel number, and for responding to inquiries regarding estimates of future special tax levies. The City Manager, the Finance Director and the Chief Financial Officer are each authorized, on behalf of the City, to negotiate and execute, from time to time, one or more contracts with private consultants to provide this service in lieu of the Office of Management and Budget, provided that the fees and charges for such private consultants will be provided for out of special tax revenues in Improvement Area No. 7.

Section 12. Any bonds issued in these proceedings shall be callable in accordance with the provisions of the Act and as more specifically to be set forth in any resolution providing for the form, execution and issuance of bonds.

Section 13. The special tax will be billed as a separate line item on the secured property tax bills, and will be subject to the same enforcement mechanism, and the same penalties and interest for late payment, as regular *ad valorem* property taxes. However, the City reserves the right, under Section 53340, to utilize any method of collecting each special tax which it shall, from time to time, determine to be in the best interests of the City, including, but not limited to, direct billing by the City to the property owners and supplemental billing, and when lawfully available, judicial foreclosure of the special tax lien.

Section 14. This City Council hereby establishes the annual appropriations limit for Improvement Area No. 7 at \$3,800,000 for the 2021-22 fiscal year.

Section 15. Based upon a certificate relative to voters heretofore filed with the City Clerk, the qualified electors for the election to be held in these proceedings shall be the landowners owning land within Improvement Area No. 7. The City Clerk or her designee will conduct the election by mailed ballot and hereby designates the City Clerk as the official to conduct the mailed-ballot election.

Section 16. This City Council now finds and determines that all proceedings up to and including the adoption of this resolution were and are valid and in conformity with the

requirements of the Act. This determination and finding is final and conclusive in accordance with Government Code Section 53325.1(b).

Section 17. This resolution shall take effect from and after its adoption.

PASSED AND ADOPTED this 14th day of December, 2021 by the following roll-call vote:

AYES: Councilmember(s):

NOES: Councilmember(s):

ABSENT: Councilmember(s):

ABSTAIN: Councilmember(s):

Michael D. Kozlowski, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

ATTACHMENT 4

RESOLUTION NO. 10770**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FOLSOM
DEEMING IT NECESSARY TO INCUR BONDED INDEBTEDNESS
WITHIN IMPROVEMENT AREA NO. 7 OF CITY OF FOLSOM
COMMUNITY FACILITIES DISTRICT NO. 23 (FOLSOM RANCH)**

WHEREAS, for the preliminary scope of the project and financing contemplated by these proceedings, reference is made to Resolutions No. 10748 (the “Resolution of Intention”) and No. 10749 adopted by the City Council of the City of Folsom (the “City Council”) on November 9, 2021; and

WHEREAS, on December 14, 2021, at the time and place scheduled for the public hearing concerning the designation of the proposed City of Folsom Community Facilities District No. 23 (Folsom Ranch) Improvement Area No. 7 (the “Improvement Area”) within City of Folsom Community Facilities District No. 23 (Folsom Ranch) (the “District”), said public hearing of protests was duly convened by the City Council, and the City Council duly heard all interested parties desiring to be heard; and

WHEREAS, at said hearing, the City Council determined that a majority protest under Section 53324 of the Government Code was not made at the hearing for the Improvement Area and therefore the designation of the Improvement Area and special tax to be levied within the Improvement Area has not been eliminated by majority protest pursuant to said Section 53324;

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

Section 1. The City Council finds and determines that the foregoing recitals are true and correct.

Section 2. The City Council now deems it necessary to incur the contemplated bonded indebtedness for the Improvement Area.

Section 3. The purpose for incurring the bonded indebtedness is to assist in the financing of the public facilities and services described in the Resolution to Designate Improvement Area No. 7 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch) and to Levy Special Taxes Therein adopted this date (the “Resolution of Designation”).

Section 4. All Taxable Property (as defined in the rate and method of apportionment of special tax attached as Exhibit A to the Resolution of Intention) within the boundaries of the Improvement Area shall be subject to a special tax to repay the bonded indebtedness for the Improvement Area.

Section 5. Subject to the requirements of the Resolution of Designation and this resolution, the amount of bonded indebtedness to be incurred, and the amount and timing of each issuance of bonds, shall be subject to the discretion of this City Council; provided that the maximum principal amount of bonded indebtedness to be paid for by the Improvement Area is \$14,250,000.

Section 6. The maximum term of any issue of bonds under this authority shall not extend beyond 40 years from their date of issue.

Section 7. The maximum rate of interest shall be determined by competitive sale or by negotiation at the time of bond sale, but in any case shall not exceed the legal rate as specified, from time to time, by Government Code Section 53531 or any similar controlling provision of law.

Section 8. It is the intention of this City Council that any bonds issued may be made callable on terms to be specified in any resolution or indenture providing for the form, execution and issuance of bonds, in accordance with the terms of the Mello-Roos Community Facilities Act of 1982 (the "Act").

Section 9. The question of the authorization to issue the bonds described herein and incur the bonded indebtedness to be paid for by the Improvement Area will be submitted to the voters of the Improvement Area at a special election in accordance with the Act and with the findings contained in the certificate regarding landowners heretofore filed in these proceedings.

Section 10. The City Clerk of the City of Folsom (the "City Clerk") is hereby designated as the official to conduct a special, mailed-ballot election related to the Improvement Area pursuant to Elections Code Sections 307 and 320.

Section 11. The special community facilities district election for the Improvement Area (which shall be consolidated with the special community facilities district election to levy a special tax within the Improvement Area) shall be conducted by mailed ballot. In order to be counted, ballots must be returned to, and be physically received by the City Clerk before 6:00 p.m. on December 14, 2021. If all authorized ballots are received prior to that time, the City Clerk shall be so notified and, pursuant to Government Code Section 53326(d), immediately close the election and declare the results.

Section 12. The ballot language shall be as follows:

Shall the City of Folsom Community Facilities District No. 23 (Folsom Ranch) (the "District") be authorized to incur indebtedness to be paid for by Improvement Area No. 7 (the "Improvement Area") in a maximum amount not to exceed \$14,250,000 and levy a special tax in the Improvement Area to finance public facilities and services by and through the District and shall the appropriations limit for the Improvement Area for fiscal year 2021-22 be established in the amount of \$3,800,000, all as specified in the City's "Resolution to Designate Improvement Area No. 7 Within the City of Folsom Community Facilities District No. 23 (Folsom Ranch) and to Levy Special Taxes Therein" and "Resolution Deeming it Necessary to Incur Bonded Indebtedness within Improvement Area No. 7 of City of Folsom Community Facilities District No. 23 (Folsom Ranch)" each adopted by the City Council of the City on December 14, 2021?

Section 13. This resolution shall take effect from and after its adoption.

PASSED AND ADOPTED this 14th day of December, 2021, by the following roll call vote:

AYES: Councilmember(s):

NOES: Councilmember(s):

ABSENT: Councilmember(s):

ABSTAIN: Councilmember(s):

Michael D. Kozlowski, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

ATTACHMENT 5

RESOLUTION NO. 10771

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FOLSOM
CALLING SPECIAL MAILED-BALLOT ELECTION IN THE CITY OF
FOLSOM COMMUNITY FACILITIES DISTRICT NO. 23
(FOLSOM RANCH) IMPROVEMENT AREA NO. 7**

WHEREAS, reference is made to the Resolution to Designate Improvement Area No. 7 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch) and to Levy Special Taxes Therein (the “Resolution of Designation”) and to the Resolution Deeming it Necessary to Incur Bonded Indebtedness within Improvement Area No. 7 of City of Folsom Community Facilities District No. 23 (Folsom Ranch) (the “Resolution of Necessity”), each adopted by the City Council of the City of Folsom (the “City Council”) on December 14, 2021; and

WHEREAS, the levy of a special tax within the City of Folsom Community Facilities District No. 23 (Folsom Ranch) Improvement Area No. 7 (the “Improvement Area”) proposed in the Resolution of Designation shall be submitted to the voters pursuant to Government Code Section 53326; and

WHEREAS, the authorization to issue bonded indebtedness proposed in the Resolution of Necessity shall be submitted to the voters pursuant to Government Code Section 53351; and

WHEREAS, the setting of the appropriations limit shall be submitted to the voters pursuant to Government Code Section 53325.7; and

WHEREAS, the three ballot questions just described shall be combined into a single ballot measure pursuant to Government Code Section 53353.5. The ballot language shall be as shown on the form of ballot attached hereto as Exhibit A, which form of ballot is hereby approved; and

WHEREAS, a certificate relative to voters and a certificate regarding landowners have been filed with the City Clerk of the City of Folsom (the “City Clerk”);

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL, as follows:

Section 1. The City Council finds and determines that the foregoing recitals are true and correct.

Section 2. This City Council hereby accepts the certificate relative to voters heretofore filed in these proceedings and finds, in accordance therewith, that there are no registered voters residing within the boundaries of the Improvement Area. Accordingly, under Government Code Section 53326(b) the qualified electors in this election shall be the landowners owning land within the Improvement Area.

Section 3. The City Council hereby accepts the certificate regarding landowners heretofore filed in these proceedings and further finds, in accordance therewith, that the landowners of record owning property within the Improvement Area are those set forth in the

attachment to the certificate regarding landowners and that the attachment correctly sets forth the number of acres owned by each landowner and the number of votes to which each is entitled.

Section 4. This City Council hereby approves the form of Waiver and Consent Shortening Time Periods and Waiving Various Requirements for Proceedings and for Conducting Special Mailed-Ballot Election in the City of Folsom Community Facilities District No. 23 (Folsom Ranch) Improvement Area No. 7, attached hereto as Exhibit B. The City Council finds that the rights, procedures and time periods therein waived are solely for the protection of the voters, may be waived under Government Code Section 53326(a) and Section 53327(b), and that the waiver constitutes a full and knowing waiver, by any voter who has executed the form, of those rights, procedures and time periods.

Section 5. The City Council accepts the Certificate of the City Clerk that 100% of the voters eligible to vote in this election have delivered to the City Clerk properly executed waivers in the form of Exhibit B.

Section 6. Accordingly, this City Council hereby calls the special election described herein and sets December 14, 2021 as the election day. Pursuant to Government Code Section 53326(d), the election shall be conducted by mailed ballot. By attesting this resolution below, the City Clerk indicates her concurrence to such date and to the waivers and consents described in Section 4 hereof.

Section 7. The City Clerk is directed to cause the ballots to be mailed or delivered, in the form of Exhibit A hereto, to the landowners shown on the attachment to the certificate regarding landowners. The City Clerk or her designee shall fill in the names of the landowners and the number of votes to be cast on each ballot, according to the certificate regarding landowners, before delivery or mailing.

Section 8. The City Clerk shall accept personal or mail delivery of the ballots at any time up to 6:00 p.m. on December 14, 2021, provided, that if all authorized ballots are received by the City Clerk prior to that time, the City Clerk shall, pursuant to Government Code Section 53326(d), immediately close the election and declare the results to the City Council.

Section 9. This resolution shall take effect from and after its adoption.

PASSED AND ADOPTED this 14th day of December, 2021 by the following roll-call vote:

AYES: Councilmember(s):

NOES: Councilmember(s):

ABSENT: Councilmember(s):

ABSTAIN: Councilmember(s):

Michael D. Kozlowski, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

EXHIBIT A

CITY OF FOLSOM
COMMUNITY FACILITIES DISTRICT NO. 23
(FOLSOM RANCH)
IMPROVEMENT AREA NO. 7

SPECIAL ELECTION BALLOT

(Mailed-Ballot Election)

This ballot is for the use of **[LANDOWNER]**, a landowner owning land within City of Folsom Community Facilities District No. 23 (Folsom Ranch) Improvement Area No. 7.

According to the provisions of the Mello-Roos Community Facilities Act of 1982 and the resolutions of the City Council of the City of Folsom, the above-named landowner is entitled to cast votes on this ballot.

In order to be counted, this ballot must be certified below and be returned, either by mail or in person, before 6:00 p.m. on December 14, 2021, to:

Christa Freemantle, City Clerk
City of Folsom
50 Natoma Street
Folsom, CA 95630

Mailing by that date will not be sufficient. The ballot must be physically received by the City Clerk prior to the deadline in order to be counted.

AN "X" OR OTHER MARK WILL CAST ALL VOTES ASSIGNED TO THIS BALLOT, OR THE VOTER MAY WRITE NUMBERS IN THE SPACES PROVIDED.

BALLOT MEASURE

Shall the City of Folsom Community Facilities District No. 23 (Folsom Ranch) (the "District") be authorized to incur indebtedness to be paid for by Improvement Area No. 7 (the "Improvement Area") in a maximum amount not to exceed \$14,250,000 and levy a special tax in the Improvement Area to finance public facilities and services by and through the District and shall the appropriations limit for the Improvement Area for fiscal year 2021-22 be established in the amount of \$3,800,000, all as specified in the City's "Resolution to Designate Improvement Area No. 7 Within the City of Folsom Community Facilities District No. 23 (Folsom Ranch) and to Levy Special Taxes Therein" and "Resolution Deeming it Necessary to Incur Bonded Indebtedness within Improvement Area No. 7 of City of Folsom Community Facilities District No. 23 (Folsom Ranch)" each adopted by the City Council of the City on December 14, 2021?

Number of votes
YES
Number of votes
NO

Certification

The undersigned is or are the authorized representative(s) of the above-named landowner and is the person legally authorized and entitled to cast this ballot on behalf of the above-named landowner.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed as of December 14, 2021.

[LANDOWNER]

By:

Name:

Title:

EXHIBIT B

FORM OF WAIVER AND CONSENT
SHORTENING TIME PERIODS AND WAIVING VARIOUS
REQUIREMENTS FOR PROCEEDINGS AND FOR
CONDUCTING SPECIAL MAILED-BALLOT ELECTION
CITY OF FOLSOM
COMMUNITY FACILITIES DISTRICT NO. 23
(FOLSOM RANCH)
IMPROVEMENT AREA NO. 7

The undersigned _____, is the owner or authorized representative of the owner of Assessor's Parcel No(s). _____ within the above-captioned Improvement Area No. 7 (the "Improvement Area") of the City of Folsom Community Facilities District No. 23 (Folsom Ranch) (the "District").

The undersigned is (or are) the person (or persons) legally entitled and authorized to cast the ballot for the above-referenced owner in the election to be conducted within the District for the Improvement Area.

The undersigned, on behalf of the above-referenced owner, hereby waives any and all minimum time periods and requirements pertaining to the conduct of the election pursuant to Government Code Section 53326(a).

The undersigned, on behalf of the above-referenced owner, hereby waives the preparation and distribution of an impartial analysis of the ballot measure, as well as arguments in favor and against, under the authority of Government Code Section 53327(b).

The undersigned, on behalf of the above-referenced owner, hereby waives the requirement to publish notice of the election under Government Code Section 53352.

The undersigned, on behalf of the above-referenced owner, hereby waives the requirements regarding the time to mail ballots to the qualified electors under Elections Code Section 4101, and agrees to accept either mailed service or personal service of the ballot.

The undersigned, on behalf of the above-referenced owner, hereby waives the requirements regarding identification envelopes for the return of mailed ballots contained in Government Code Section 53327.5.

The undersigned, on behalf of the above-referenced owner, hereby waives any right to notice and hearing and consents to authorized facilities, authorized services, expenses and rate and method of apportionment of special tax as described in the related resolutions to be adopted by the City Council of the City of Folsom on December 14, 2021.

The undersigned, on behalf of the above-referenced owner, hereby waives any and all defects in notice or procedure in the designation of the Improvement Area, time periods to record the boundary map, conduct of the election, whether known or unknown (other than the right to

have ballots accurately counted), and states that the election is being expedited, pursuant to this waiver and consent, at the particular instance and request of the above-referenced owner.

The undersigned, on behalf of the above-referenced owner, hereby consents to the levy and collection of the special tax in accordance with the rate and method of apportionment approved by the City Council for the Improvement Area and hereby waives any and all rights to challenge the inclusion of the above referenced parcels in the Improvement Area and any other proceedings related thereto.

Further, the undersigned, on behalf of the above-referenced owner, hereby waives any entitlement to initiate or prosecute any form of legal proceedings, including judicial proceedings, to challenge any aspect of the proceedings for levy of the special tax and for issuance of bonded indebtedness in the District.

I declare, under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct and that this declaration is executed on _____, 2021.

[LANDOWNER]

By:

Name:

Title:

NOTE: If this form is signed by an authorized representative other than an officer of the property owner(s) of the parcel(s), or if the name of the signing party is different from the name of the property owner, please attach evidence of authorization to sign on behalf of the property owner(s) or evidence of name change.

ATTACHMENT 6

RESOLUTION NO. 10772

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FOLSOM
DECLARING ELECTION RESULTS IN THE CITY OF FOLSOM
COMMUNITY FACILITIES DISTRICT NO. 23
(FOLSOM RANCH) IMPROVEMENT AREA NO. 7**

WHEREAS, reference is made to the Resolution Calling Special Mailed-Ballot Election in the City of Folsom Community Facilities District No. 23 (Folsom Ranch) Improvement Area No. 7 (the “Resolution Calling Election”) adopted by the City Council of the City of Folsom (the “City Council”) on December 14, 2021; and

WHEREAS, the City Council has received, reviewed and hereby accepts the Certificate of City Clerk Regarding Election Results related to the City of Folsom Community Facilities District No. 23 (Folsom Ranch) Improvement Area No. 7, dated December 14, 2021;

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

Section 1. The City Council finds and determines that the foregoing recitals are true and correct.

Section 2. The City Council hereby finds and declares that the ballot measure submitted to the qualified electors of the City of Folsom Community Facilities District No. 23 (Folsom Ranch) Improvement Area No. 7 pursuant to the Resolution Calling Election has been passed and approved by those qualified electors in accordance with California Government Code Sections 53328 and 53355.

Section 3. The City Council hereby authorizes and directs the City Clerk to record the notice of special tax lien related to such ballot measure in accordance with the provisions of California Government Code Section 53328.3 and California Streets and Highways Code Section 3114.5.

Section 4. This resolution shall take effect from and after its adoption.

PASSED AND ADOPTED this 14th day of December, 2021, by the following roll-call vote:

AYES: Councilmember(s):

NOES: Councilmember(s):

ABSENT: Councilmember(s):

ABSTAIN: Councilmember(s):

Michael D. Kozlowski, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

ATTACHMENT 7

ORDINANCE NO. 1321**AN UNCODIFIED ORDINANCE LEVYING A SPECIAL TAX FOR THE FISCAL YEAR 2021-2022 AND FOLLOWING FISCAL YEARS SOLELY WITHIN AND RELATING TO IMPROVEMENT AREA NO. 3 WITHIN THE CITY OF FOLSOM COMMUNITY FACILITIES DISTRICT NO. 23 (FOLSOM RANCH)**

The City Council of the City of Folsom, State of California ordains as follows:

SECTION 1 PURPOSE

The City Council of the City of Folsom hereby finds, determines and declares based on the record before it that:

1. The City is authorized to establish a community facilities district pursuant to the terms of the Mello-Roos Community Facilities Act of 1982, Chapter 2.5 of Division 2 of Title 5 of the California Government Code, commencing with Section 53311 (the “Act”); and

2. Pursuant to Section 53350 of the Act, the City is authorized to designate improvement areas within the community facilities district; and

3. Pursuant to Government Code section 53340 and Resolution No. 10435, adopted by the City Council (the “City Council”) of the City of Folsom (the “City”) on May 26, 2020 (the “Resolution of Formation”), the City Council formed its Community Facilities District No. 23 (Folsom Ranch) (the “Community Facilities District”) and a rate and method of apportionment of the special tax (as amended, the “Special Tax”) for Improvement Area No. 3 established therein was approved by an election of the qualified electors within the Community Facilities District on such date; and

4. Pursuant to Resolution No. 10747, adopted by the City Council on November 9, 2021 (the “Resolution of Consideration”) and Resolution No. [] adopted by the City Council on December 14, 2021 (the “Resolution of Change and, collectively with the Resolution of Formation and the Resolution of Consideration, the “Resolutions”), the City Council approved an Amended Rate and Method of Apportionment for City of Folsom Community Facilities District No. 23 (Folsom Ranch) Improvement Area No. 3 (the “Amended Rate and Method”), which changes were approved by an by an election of the qualified electors within the Community Facilities District on such date; and

5. The Resolutions proposed the establishment of an appropriations limit for the Improvement Area (each an “Appropriations Limit”); and

6. The City Council desires to levy and impose the Special Tax and to take other related actions.

SECTION 2**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FOLSOM RESOLVES:**

1. The recitals set forth in Section 1 are true and correct.
2. A special tax is hereby levied on all Taxable Property (as defined in the Amended Rate and Method) within Improvement Area No. 3 for the 2021-22 fiscal year and for all subsequent fiscal years in the amount of the maximum authorized tax, provided that this amount may be adjusted annually, subject to the maximum authorized special tax limit, by resolution of the City Council.
3. The Finance Director of the City of Folsom or designee thereof (the "CFD Administrator") is authorized and directed, to determine each year, without further action of the City Council, the Special Tax, to prepare the annual Special Tax roll in the amount of the Special Tax in accordance with the related exhibit and, without further action of the City Council, to provide all necessary and appropriate information to the Sacramento County Auditor-Controller's Office (the "County") in proper form, and in proper time, necessary to effect the correct and timely billing and collection of the Special Tax on the secured property tax roll of the County; provided, that as provided in the Resolutions and Section 53340 of the California Government Code, the City has reserved the right to utilize any method of collecting the Special Tax which it shall, from time to time, determine to be in the best interests of the City of Folsom (the "City"), including but not limited to, direct billing by the City to the property owners and supplemental billing.
4. The appropriate officers and agents of the City are authorized to make adjustments to the Special Tax roll prior to the final posting of the Special Tax to the County tax roll each fiscal year, as may be necessary to achieve a correct match of the Special Tax levy with the assessor's parcel numbers finally utilized by the County in sending out property tax bills.
5. The City agrees that, in the event the Special Tax for the Improvement Area is collected on the secured tax roll of the County, the County may deduct its reasonable and agreed charges for collecting the Special Tax from the amounts collected, prior to remitting the Special Tax collections to the City.
6. Taxpayers who have requested changes or corrections of the Special Tax pursuant to Section I of the Amended Rate and Method and who are not satisfied with the decision of the CFD Administrator (whether the CFD Administrator disagrees with the taxpayer or concludes that the City is not authorized to consider the change requested), may appeal to the City Council. The appeal must be in writing, fully explain the grounds of appeal and must be based solely on the correction of mistakes in the levy based upon the status of the property, and no other appeals will be allowed. The CFD Administrator shall schedule the appeal for consideration within a reasonable time at a City Council meeting.

SECTION 3 SEVERABILITY

If for any cause any portion of this ordinance is found to be invalid, or if the Special Tax is found inapplicable to any particular parcel by a court of competent jurisdiction, the balance of this ordinance, and the application of the Special Tax to the remaining parcels, shall not be affected.

SECTION 4 EFFECTIVE DATE; EFFECT ON ORDINANCE NO. 1305

This ordinance shall take effect and be in force as a tax measure thirty (30) days following its second reading and adoption at a meeting of the City Council; and before the expiration of twenty (20) days after its passage the same shall be published, with the names of the members voting for and against the same, at least once in a newspaper of general circulation published and circulated in the District.

Ordinance No. 1305 adopted by the City Council on June 9, 2020, shall be superseded, solely with respect to Improvement Area No. 3, to the extent it is inconsistent with this ordinance, upon the date that this ordinance takes effect, as described in the immediately preceding paragraph.

* * *

This ordinance was introduced and the title thereof read at the regular meeting of the City Council on December 14, 2021 and the second reading occurred at the regular meeting of the City Council on _____, 202_.

On a motion by _____, second by _____, the foregoing ordinance was passed and adopted by the City Council of the City of Folsom, State of California, this ___ day of _____, 202_ by the following vote, to wit:

AYES: Councilmember(s):

NOES: Councilmembers(s):

ABSENT: Councilmembers(s):

ABSTAIN: Councilmembers(s):

Michael D. Kozlowski, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

ATTACHMENT 8

ORDINANCE NO. 1322

**AN UNCODIFIED ORDINANCE LEVYING SPECIAL TAXES
FOR THE FISCAL YEAR 2021-22 AND FOLLOWING FISCAL YEARS
SOLELY WITHIN AND RELATING TO IMPROVEMENT AREA NO. 7 WITHIN
THE CITY OF FOLSOM
COMMUNITY FACILITIES DISTRICT NO. 23
(FOLSOM RANCH)**

The City Council of the City of Folsom hereby ordains as follows:

SECTION 1 PURPOSE

The City Council of the City of Folsom hereby finds, determines and declares based on the record before it that:

1. The City is authorized to establish a community facilities district pursuant to the terms of the Mello-Roos Community Facilities Act of 1982, Chapter 2.5 of Division 2 of Title 5 of the California Government Code, commencing with Section 53311 (the "Act"); and
2. Pursuant to Section 53350 of the Act, the City is authorized to designate improvement areas within the community facilities district; and
3. On December 14, 2021, the City Council adopted its Resolution No. ____ (the "Resolution of Designation") designating Improvement Area No. 7 (the "Improvement Area") within the City of Folsom Community Facilities District No. 23 (Folsom Ranch) (the "District") pursuant to the Act; and
4. In accordance with the Rate and Method of Apportionment for City of Folsom Community Facilities District No. 23 (Folsom Ranch) Improvement Area No. 7, the Resolution of Designation approved the annual levy, subject to voter approval, of a special tax in connection with the Improvement Area (the "Special Tax"); and
5. The Resolution of Designation proposed the establishment of an appropriations limit for the Improvement Area (the "Appropriations Limit"); and
6. On December 14, 2021, the City Clerk, as elections official, conducted an election of the landowners of the Improvement Area (the "Election"); and
7. On December 14, 2021, the City Council adopted its Resolution No. _____ certifying that, at the Election, the landowners of the Improvement Area approved the Special Tax and the Appropriations Limit relating to the Improvement Area; and
8. The City Council desires to levy and impose the Special Tax and to take other related actions.

SECTION 2**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FOLSOM RESOLVES:**

1. The recitals set forth in Section 1 are true and correct.
2. A special tax is hereby levied on all Taxable Property (as defined in the rate and method of apportionment of special tax for the Improvement Area) within Improvement Area No. 7 for the 2021-22 fiscal year and for all subsequent fiscal years in the amount of the maximum authorized tax, provided that this amount may be adjusted annually, subject to the maximum authorized special tax limit, by resolution of the City Council.
3. The Finance Director of the City of Folsom or designee thereof (the "CFD Administrator") is authorized and directed, to determine each year, without further action of the City Council, the Special Tax, to prepare the annual Special Tax roll in the amount of the Special Tax in accordance with the related exhibit and, without further action of the City Council, to provide all necessary and appropriate information to the Sacramento County Auditor-Controller's Office (the "County") in proper form, and in proper time, necessary to effect the correct and timely billing and collection of the Special Tax on the secured property tax roll of the County; provided, that as provided in the Resolution of Designation and Section 53340 of the California Government Code, the City has reserved the right to utilize any method of collecting the Special Tax which it shall, from time to time, determine to be in the best interests of the City of Folsom (the "City"), including but not limited to, direct billing by the City to the property owners and supplemental billing.
4. The appropriate officers and agents of the City are authorized to make adjustments to the Special Tax roll prior to the final posting of the Special Tax to the County tax roll each fiscal year, as may be necessary to achieve a correct match of the Special Tax levy with the assessor's parcel numbers finally utilized by the County in sending out property tax bills.
5. The City agrees that, in the event the Special Tax for the Improvement Area is collected on the secured tax roll of the County, the County may deduct its reasonable and agreed charges for collecting the Special Tax from the amounts collected, prior to remitting the Special Tax collections to the City.
6. Taxpayers who have requested changes or corrections of the Special Tax pursuant to Section I of the Rate and Method of Apportionment for the Improvement Area and who are not satisfied with the decision of the CFD Administrator (whether the CFD Administrator disagrees with the taxpayer or concludes that the City is not authorized to consider the change requested), may appeal to the City Council. The appeal must be in writing, fully explain the grounds of appeal and must be based solely on the correction of mistakes in the levy based upon the status of the property, and no other appeals will be allowed. The CFD Administrator shall schedule the appeal for consideration within a reasonable time at a City Council meeting.

SECTION 3 SEVERABILITY

If for any cause any portion of this ordinance is found to be invalid, or if the Special Tax is found inapplicable to any particular parcel by a court of competent jurisdiction, the balance of this ordinance, and the application of the Special Tax to the remaining parcels, shall not be affected.

SECTION 4 EFFECTIVE DATE

This ordinance shall take effect and be in force as a tax measure thirty (30) days following its second reading and adoption at a meeting of the City Council; and before the expiration of twenty (20) days after its passage the same shall be published, with the names of the members voting for and against the same, at least once in a newspaper of general circulation published and circulated in the District.

This ordinance was introduced and the title thereof read at the regular meeting of the City Council on December 14, 2021, and the second reading is to occur at the regular meeting of the City Council on _____, 202_.

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 __ day of _____, 202_ by the following roll-call vote:

AYES: Councilmember(s):

NOES: Councilmember(s):

ABSENT: Councilmember(s):

ABSTAIN: Councilmember(s):

Michael D. Kozlowski, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

ATTACHMENT 9

CITY OF FOLSOM

Report for:

**Community Facilities District No. 23
(Folsom Ranch) Amended Improvement
Area No. 3 and Improvement Area No. 7**

Public Hearing Report

December 2021

Prepared by NBS for and on behalf of the City of Folsom

Prepared by:



nbsgov.com

Corporate Headquarters
32605 Temecula Parkway, Suite 100
Temecula, CA 92592
Toll free: 800.676.7516

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INTRODUCTION

The City Council (the "City Council") of the City of Folsom (the "City") did, pursuant to the provisions of the Mello-Roos Community Facilities Act of 1982 (Sections 53311 and following, California Government Code; hereafter referred to as the "Act"), on November 9, 2021, adopt Resolution No. 10747 entitled the Resolution of Consideration of the City Council of the City of Folsom to (1) Amend the Boundaries of Improvement Area No. 3 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch); (2) Amend the Rate and Method of Apportionment for Improvement Area No. 3 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch), and (3) Amend the Appropriations Limit and Bonded Indebtedness for Improvement Area No. 3 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch) and Related Matters (the "Resolution of Consideration") and Resolution No. 10748 entitled the Resolution of the City Council of the City of Folsom Approving a Proposed Boundary Map and Designating Improvement Area No. 7 within the "City of Folsom Community Facilities District No. 23 (Folsom Ranch)" and to Levy Special Taxes therein (the "Resolution of Designation"). In the Resolution of Designation, the City Council directed the study and filing of a public hearing report (the "Report") required by Section 53321.5 of the Act. Section 53321.5 of the Act provides that the Report contain the following:

1. A brief description of the public facilities and services to be provided by the district; and
2. An estimate of the fair and reasonable cost of providing the public facilities and services, including the incidental expenses in connection therewith, any City administration costs, and all other related costs.

For particulars, reference is made to the Resolution of Consideration and Resolution of Designation, as previously adopted on November 9, 2021 by the City Council.

NOW, THEREFORE, the City Manager of the City, the appointed responsible officer directed to prepare the Report or cause the Report to be prepared pursuant to the provisions of the Act, does hereby submit this Report containing the following information:

- **DISTRICT INFORMATION.** Information related to the district, including background information, land use plans, and the proposed boundaries that include those properties and parcels on which special taxes may be levied to pay for the costs and expenses of the facilities and services.
- **DESCRIPTION OF FACILITIES AND SERVICES.** A description of the facilities and services that the City Council has determined to be eligible to be funded by the district.
- **COST ESTIMATE.** The cost estimate for the district facilities and services.
- **RATE AND METHOD OF APPORTIONMENT.** The Rate and Method of Apportionment of Special Tax approved by this City Council on November 9, 2021.

DISTRICT INFORMATION

Background

On January 28, 2014, the City Council approved the Folsom Plan Area Specific Plan Public Facilities Financing Plan (“PFFP”). The PFFP is an \$877 million plan that describes the backbone infrastructure and facility requirements, presents a comprehensive financing strategy, and sets forth the estimated time horizon for the development of the Folsom Plan Area. The backbone infrastructure improvements identified in the PFFP include roadways, on-site water, off-site potable water, recycled water, wastewater (sewer), storm drainage, and habitat mitigation for infrastructure. The public facilities identified in the PFFP include public schools, parks, transit services, housing trust, trails, fire facilities and equipment, police facilities and equipment, a municipal service center, corporation yard, solid waste, branch library, a community and aquatic center, other general capital facilities, and transportation.

Previously, the City Council established the City of Folsom Community Facilities District No. 23 (Folsom Ranch) (“District”), including six separate Improvement Areas, designated as Improvement Area No. 1 through Improvement Area No. 6 on May 26, 2020, via Resolution No. 10435. The District is located within the Folsom Plan Area, south of Highway 50. The Folsom Plan Area is located on approximately 3,500 acres and is bounded by Prairie City Road on the west, Highway 50 on the north, White Rock Road on the south, and the Sacramento County/El Dorado County boundary on the east. The Folsom Plan Area is a master-planned community and, through June 30, 2016, the City has received and approved several Specific Plan Amendments that have changed the entitlements to include approximately 11,300 residential units of various size and densities and approximately 2.8 million building square feet of non-residential land uses.

The District was formed to provide funding for all or a portion of each Improvement Area’s share of the backbone infrastructure, on-site and off-site costs, the estimated Specific Plan Infrastructure Fee Program obligation, and other internal site improvements necessary for development. The District will provide funding for authorized facilities through a combination of bonded indebtedness and pay as you go funding (“PAYGO”), both of which are secured by the levy of special taxes upon property within the boundaries of each Improvement Area of the District. In addition, a special tax will be levied upon District property to provide funding for development specific services that include open space, landscape corridors, street light maintenance, median, entries and entry monumentation maintenance, neighborhood park maintenance, community amenities, and storm water management.

Amended Improvement Area (“IA”) No. 3 and IA No. 7

The landowners within IA No. 3 have requested to amend the boundaries IA No. 3 to exclude property expected to be developed into traditional market rate single family residences, to amend the IA No. 3 Rate and Method of Apportionment and amend the appropriations limit and maximum bonded indebtedness for IA No. 3. Further, the landowners requested to designate a new IA No. 7 to include the property that is being excluded from IA No. 3.

The proposed amendment to IA No. 3 will exclude property expected to be developed into traditional market rate single family residences, leaving only property that is expected to be developed into active-adult single-family residences. Further, amendments to the Rate and Method of Apportionment for IA No.

3 will adjust the maximum special tax rates based on the active-adult planned development within the amended IA No. 3. The special tax revenue generated from taxable parcels within the amended IA No. 3 will be comprised of a special tax to fund facilities and a special tax to fund services.

The new IA No. 7 will include the property excluded from the amended IA No. 3 and is expected to be developed into traditional market rate single-family residences. The special tax revenue generated from taxable parcels within the new IA No. 7 will be comprised of a special tax to fund facilities and a special tax to fund services.

Improvement Area Description

The boundaries of the amended IA No. 3 boundary and new IA No. 7 boundary include the original boundaries of IA No. 3 and encompass all of the property designated below:

Amended IA No. 3:

072-0060-079-0000, 072-0060-101-0000, and Parcel 2B (portion of 072-099-0000 and 072-0060-103-0000 established via a lot line adjustment recorded with Sacramento County on November 24, 2021)

New IA No. 7:

Parcel 5B (portion of 072-099-0000 and 072-0060-103-0000 established via a lot line adjustment recorded with Sacramento County on November 24, 2021)

The current development plans for each Improvement Area are presented in the table below.

Proposed Development within the Improvement Areas

Development Plan	Planned Residential Units or Acres	
	Amended IA No. 3	New IA No. 7
Single-Family Detached Property-SF/SFHD Zoning ⁽¹⁾	751	211
Single-Family Detached Property-MLD Zoning ⁽¹⁾	168	0
MMD Multi-Family Attached Property ⁽²⁾	0.00	0.00
MHD Multi-Family Attached Property ⁽²⁾	0.00	0.00
Non-Residential Property ⁽²⁾	0.00	0.00

(1) Residential units.

(2) Acres.

Amended and New Boundaries

The boundaries of the amended IA No. 3 are identified on the boundary map recorded on November 24, 2021, in Book 135 at Page 40 of Maps of Assessment and Community Facilities Districts in the office of the County Recorder for the County of Sacramento. The boundaries of the new IA No. 7 are identified on the boundary map recorded on November 24, 2021, in Book 135 at Page 39 of Maps of Assessment and Community Facilities Districts in the office of the County Recorder for the County of Sacramento. The maps are on file with the City Clerk, to which reference is hereby made and a reduced copy of such maps are set forth in Appendix A of this Report.

DESCRIPTION OF FACILITIES AND SERVICES

A description of the facilities and services to be financed by the District, and included in the original District Public Hearing Report dated May 2020, is provided below.

Facilities

The facilities to be financed by the District include facilities designed to meet the needs of development within the District, whether such facilities are located within or outside the boundaries of the District, and include but are not limited to the following:

TRANSPORTATION IMPROVEMENTS

Eligible roadway improvements include, but are not limited to: acquisition of land and easements; roadway design; project management; bridge crossings and culverts; clearing, grubbing, and demolition; grading, soil import/export, paving (including slurry seal), and decorative/enhanced pavement concrete and/or pavers; joint trenches, underground utilities and undergrounding of existing utilities; dry utilities and appurtenances; curbs, gutters, sidewalks, bike trails (including onsite and off-site), enhanced fencing, and access ramps; street lights, signalization, and traffic signal control systems; bus turnouts; signs and striping; erosion control; median and parkway landscaping and irrigation; entry monumentation; bus shelters, Bus Rapid Transit improvements including transfer stations and regional public transit improvements; masonry walls; traffic control and agency fees; and other improvements related thereto. Eligible improvements for the roads listed herein also include any and all necessary underground potable and recycled water, sanitary sewer, and storm drainage system improvements.

Authorized facilities include the following transportation improvements:

- All public roadway improvements designed to meet the needs of development within the District, including internal subdivision streets and related underground utilities.

WATER SYSTEM IMPROVEMENTS

Authorized facilities include any and all water facilities designed to meet the needs of development of property within the District. These facilities include, but may not be limited to: water storage, treatment and distribution facilities including waterlines and appurtenances, gate valves, pressure reducing stations, flow meters, fire hydrants, and other improvements related thereto such as site clearing, grading and paving; curbs and gutters; booster pump stations and power; stand-by generators; site lighting, drainage, sanitary sewer, and water service; landscaping and irrigation; access gates, and fencing; and striping and signage.

RECYCLED WATER SYSTEM IMPROVEMENTS

Authorized facilities include any and all recycled water system facilities designed to meet the needs of development of property within the District. These facilities include, but may not be limited to: treatment and distribution facilities including pipelines and appurtenances, gate valves, flow meters, booster pump pressurization system, and other improvements related thereto - such as site clearing, grading and paving;

curbs and gutters; booster pump stations; stand-by generators; site lighting, drainage, sanitary sewer, and water service; landscaping and irrigation; access gates, and fencing; and striping and signage.

DRAINAGE SYSTEM IMPROVEMENTS

Authorized facilities include any and all drainage and storm drain improvements designed to meet the needs of development of property within the District. These facilities include, but may not be limited to: excavation and grading, pipelines and appurtenances, outfalls and water quality measures, detention/retention basins, drainage pretreatment facilities, drainage ways/channels, pump stations, landscaping and irrigation; access roads, gates, and fencing; and striping and signage and other improvements related thereto.

WASTEWATER SYSTEM IMPROVEMENTS

Authorized facilities include any and all wastewater facilities designed to meet the needs of development of property within the District. These facilities include, but may not be limited to, pipelines and all appurtenances thereto; manholes; tie-in to existing main lines; force mains; lift stations; upgrades to existing lift stations; odor-control facilities; and permitting related thereto; and related sewer system improvements.

PARK, PARKWAY AND OPEN SPACE IMPROVEMENTS

Authorized facilities include any and all improvements to parks, parkways and open space required for development of property within the District. These facilities include, but may not be limited to: grading, turf, shrubs and trees, landscaping irrigation, site lighting, drainage, sanitary sewer and water service, pedestrian and bicycle trails, protective fencing (including soundwalls), pedestrian/bicycle bridges, storm drain crossings, wetland mitigation, hawk mitigation for authorized facilities herein, access gates and fencing and related open space improvements. Authorized facilities include acquisition of any and all parkland as well as open space/bike trail/public access easements required for development of property within the District.

SPECIFIC PLAN INFRASTRUCTURE FEE (“SPIF”) INFRASTRUCTURE

Authorized facilities include any and all improvements that are included in the SPIF Program adopted by the City Council on September 8, 2015, including any future amendments thereto.

SPIF OBLIGATION

Subject to the provisions of the Act, authorized facilities include payment of the following SPIF obligations for all development that would be subject to SPIF obligations within the entire District:

- SPIF Infrastructure Fee (Including the SPIF Set-Aside Component)
- SPIF Public Facilities Land Equalization Fee Component
- SPIF Parkland Equalization Fee Component
- SPIF Administrative Fee.

OTHER INCIDENTAL EXPENSES AND BOND ISSUANCE COSTS

In addition to the above facilities, other incidental expenses as authorized by the Mello-Roos Community Facilities Act of 1982, including, but not limited to, the cost of planning and designing the facilities (including the cost of environmental evaluation, remediation and mitigation); engineering and surveying; construction staking; utility relocation and demolition costs incidental to the construction of the public facilities; costs of project/construction management; costs (including the costs of legal services) associated with the formation of the Mello-Roos CFD; issuance of bonds (if any); determination of the amount of taxes; collection of taxes; payment of taxes; costs of calculating and providing reimbursements from one-time special tax payments; or costs otherwise incurred in order to carry out the authorized purposes of the District; and any other expenses incidental to the formation and implementation of the District and to the construction, completion, inspection and acquisition of the authorized facilities.

Services

The authorized services to be funded from the levy and collection of annual special taxes include those set forth below in addition to the costs associated with collecting and administering the special taxes and annual administration of the District. The District will be eligible to fund all or a portion of the costs of reconstruction and/or rehabilitation, operation, maintenance, repair and replacement, and servicing of the following items not otherwise subject to funding from the City of Folsom Community Facilities District No. 18 (Folsom Plan Area – Area-Wide Improvements and Services):

- Open Space improvements, operations and management, monitoring, maintenance (including general maintenance, signage, City owned fence maintenance, trash and debris collection, and bike trails and their appurtenances [drainage culverts or pipes from adjacent subdivisions] within open space), creation and maintenance of fire breaks, Permits, Vandalism/Graffiti, Flood Conveyance (Vegetation/tree removals), Beaver dam removals, Outfall/drainage swale maintenance, Erosion control/bank stabilization, Native planting/replanting, Pre and post emergent, maintenance activities as required by a 404 permit and Operations and Management Plan-Conservation and Passive Recreation Open Space, dated June 9, 2017, and repair and replacement of facilities within open space areas in the Project Area.
- The maintenance of on-site landscape corridors and paseos designed to serve land uses within the District, including general maintenance, masonry walls, accent lighting, water and utility costs.
- The maintenance of streetlights, including any utility costs related thereto.
- The maintenance of medians, entries, and entry monumentation.
- Neighborhood park maintenance, and repair and replacement.
- Community amenities, such as a community clubhouse.
- Storm water management, water quality structural controls, including drainage swales constructed between storm drain facilities and receiving waters.
- Miscellaneous costs related to any of the items described above including planning, engineering, GIS, legal, and city and county administration costs.

- The levy of special taxes to accumulate sinking funds for anticipated future repairs or replacement costs of landscape corridors, irrigation facilities, medians, entries and entry monumentation, lighting, neighborhood parks, storm water management and other facilities maintained by the District as determined by the Administrator.

Annual maintenance functions and costs generally will include the installation, maintenance and servicing of ground cover, shrubs and trees, irrigation systems, street lighting, fencing, sound walls, sidewalks, monuments, enhanced open space maintenance including but not limited to maintaining the enhanced open space areas located adjacent to avoided or created habitat mitigation areas and other buffer areas between the enhanced open space and vertical development, bike trails, walkways, entry signage, street pavers, and labor, materials, supplies, utilities (including water and electricity) and equipment, as applicable, for property owned or maintained by the City. Annual maintenance costs include an allowance for long-term repair and replacement of improvements.

The District may fund any of the following related to the maintenance of the services described above: obtaining, repairing, reconstructing, furnishing, operating and maintaining equipment, apparatus or facilities related to providing the services and/or equipment, apparatus, facilities or fixtures in areas to be maintained, paying the salaries and benefits of the personnel necessary or convenient to provide the services, and other related expenses and the provision of reserves for repairs and replacements for the future provision of services. It is expected that the services will be provided by the City, either with its own employees or by contract with third parties, or any combination thereof. The District may also fund administrative fees of the City related to the District.

Incidental Expenses

It is anticipated that the following incidental expenses may be incurred for the District:

- Engineering services
- Special tax consultant services
- City review and administration
- Bond counsel services
- Bond counsel expenses
- Disclosure counsel services
- Disclosure counsel expenses
- Independent municipal advisor services and expenses
- Appraiser services
- Market absorption study and real estate economist services
- Initial bond transfer agent, fiscal agent, registrar and paying agent fees
- Rebate calculation service set up charge
- Bond printing

- Offering memorandum printing and mailing costs
- Publishing, mailing and posting of notices
- Underwriter's discount
- Bond reserve fund
- Capitalized interest
- Bond syndication costs
- Governmental notification and filing costs
- Credit enhancement costs
- Real estate acquisition costs
- Rating agency fees
- Charges and fees of City other than those waived

Certain annual costs may be included in each annual special tax levy. These include:

- Annual bond transfer agent, fiscal agent, registrar and paying agent fees
- Annual rebate calculation costs
- Special tax consultant costs and administrative expenses
- Other necessary consultant costs
- Costs of posting and collecting the special taxes
- Personnel and Administrative costs of the City
- Arbitrage rebate
- Continuing disclosure reporting and compliance

COST ESTIMATE

Estimated Cost of Public Facilities

The Improvement Areas are eligible to finance the authorized public facilities described in the Description of Facilities and Services section of this Report. The authorized public facilities and the estimated costs herein are subject to review and confirmation and the actual costs may differ from the estimated costs presented below.

Through the utilization of the extended-term CFD, and levying developed parcels at the annual maximum facilities special tax authorized, the facilities special tax for each Improvement Area is anticipated to provide a revenue stream that will fund a portion of the following facilities costs:

District Facilities Cost Estimate for the Improvement Areas

Description	Amended IA No. 3	New IA No. 7
SPIF Improvements	\$32,790,000	\$32,790,000
Non-SPIF Improvements	5,000,000	5,000,000
Subdivision Improvements	15,000,000	15,000,000
Total Facilities Cost Estimate:	\$52,790,000	\$52,790,000

As previously discussed, the Improvement Areas include an extended-term in order to provide the financing to fund the authorized public facilities and estimated SPIF obligation through bond issuance and the generation of PAYGO special tax revenue from the levy and collection of the facilities special tax within each Improvement Area. The primary pledge of facilities special tax revenues will be to service outstanding debt. Facilities special tax revenues in excess of the annual debt service and administrative expenses will be used on a PAYGO basis. The developers will retain 100 percent of the annual PAYGO revenues to fund authorized facilities for the first 20 years, beginning the fiscal year following the issuance of the first building permit or the issuance of the first series of bonds or other debt for the respective Improvement Area, whichever occurs first for each Improvement Area. Beginning the 21st year and thereafter, the City will be able to utilize 100 percent of the annual PAYGO revenues to fund or acquire eligible facilities.

Once all of the debt service has been satisfied for an Improvement Area, the City may, in its sole discretion, elect to do one or more of the following actions:

1. Continue to collect the maximum facilities special tax or an amount less than the maximum facilities special tax to fund authorized facilities with annual PAYGO revenues.
2. Discontinue the collection of the facilities special tax altogether.

As stated, there is no obligation on the part of the City Council to extend the facilities special tax if all of the debt service has been paid for an Improvement Area. The City Council may choose to extend the facilities special tax collection after all bond debt service has been retired and can choose for what purpose the extension would be, subject to those infrastructure and facilities improvements being authorized by the District. The discretion to continue or extend the facilities special tax is designed specifically not to be an automatic extension but rather an informed decision at the time based on the community needs and

requirements. However, any extension of the facilities special tax levy shall not exceed the final year to levy and collect the facilities special tax as set forth in the Improvement Area's Rate and Method of Apportionment. The facilities special tax for each Improvement Area shall be levied for a period no longer than the earlier of Fiscal Year 2079/80 or the fiscal year occurring 50 years following the issuance of the first building permit or the first series of bonds or other debt.

Estimated Cost of Public Services

The District's Improvement Areas are eligible to finance the authorized public services described in the Description of Facilities and Services section of this Report. The authorized public services and the estimated costs herein are subject to review and confirmation and the actual costs may differ from the estimated costs presented below.

District Services Cost Estimate for the Improvement Areas

Description	Amended IA No. 3	New IA No. 7
Landscaping	\$0	\$0
Sound Walls	5,600	2,900
Street Lights	0	13,900
Storm Drain	86,000	20,500
Total Services Cost Estimate:	\$91,600	\$37,300

Annual Appropriations Limit

The Fiscal Year 2021/22 annual appropriations limit for each Improvement Area is:

- Amended IA No. 3: \$4,700,000
- New IA No. 7: \$3,800,000

Maximum Bonded Indebtedness

The maximum authorized bonded indebtedness for each Improvement Area is:

- Amended IA No. 3: \$15,750,000
- New IA No. 7: \$14,250,000

Maximum Special Tax Rates

The determination and application of the maximum special tax rates for the Improvement Areas are more fully set forth in the Rate and Method of Apportionment for each Improvement Area, which are included under Appendices B and C of this Report. The Rate and Method of Apportionment for the amended IA No. 3 was included as part of the Resolution of Consideration and the Rate and Method of Apportionment for the new IA No. 7 was included as part of the Resolution of Designation, approved by the City Council on November 9, 2021, and established Fiscal Year 2021/22 maximum special tax rates. The Fiscal Year

2021/22 maximum special tax rates for each Improvement Area are presented in the tables on the following pages.

Annual Maximum Special Tax Escalation

On each July 1, commencing on July 1, 2022, the maximum facilities special tax shall be increased by 2% of the maximum facilities special tax in effect for the previous Fiscal Year.

On each July 1, commencing on July 1, 2022, the maximum services special tax shall be increased by the June annualized percentage change of the Consumer Price Index for all Urban Consumers, for the San Francisco-Oakland-San Jose area, not to exceed 4%. In the event that the percentage change is negative, the annualized percentage change shall be equal to zero.

**Amended Improvement Area No. 3
Maximum Special Tax Rates
Fiscal Year 2021/22**

Land Use Category	Residential Floor Area	Maximum Facilities Special Tax Rate	Maximum Services Special Tax Rate	Taxed Per
Developed Property:				
Single-Family Detached Property – SF/SFHD Zoning	≥ 2,200	\$890	\$100	Residential Unit
Single-Family Detached Property – SF/SFHD Zoning	2,000 – 2,199	790	100	Residential Unit
Single-Family Detached Property – SF/SFHD Zoning	1,800 – 1,999	690	100	Residential Unit
Single-Family Detached Property – SF/SFHD Zoning	≤ 1,799	590	100	Residential Unit
Single-Family Detached Property – MLD Zoning	Not Applicable	490	100	Residential Unit
MMD Multi-Family Attached Property	Not Applicable	30,000	500	Acre
MHD Multi-Family Attached Property	Not Applicable	11,700	1,000	Acre
Non-Residential Property	Not Applicable	11,700	1,000	Acre
Small Lot Final Map Property:				
Single-Family Detached Property – SF/SFHD Zoning	Not Applicable	\$590	\$100	Residential Lot
Single-Family Detached Property – MLD Zoning	Not Applicable	490	100	Residential Lot
Permit Ready Multi-Family/Non-Residential Property				
	Not Applicable	\$11,700	\$1,000	Acre
Large Lot Property				
	Not Applicable	\$18,000	\$1,000	Acre
Undeveloped Property				
	Not Applicable	\$18,000	\$1,000	Acre



**Improvement Area No. 7
Maximum Special Tax Rates
Fiscal Year 2021/22**

Land Use Category	Residential Floor Area	Maximum Facilities Special Tax Rate	Maximum Services Special Tax Rate	Taxed Per
Developed Property:				
Zone 1: Single-Family Detached Property – SF/SFHD Zoning	≥ 2,900	\$2,450	\$177	Residential Unit
Zone 1: Single-Family Detached Property – SF/SFHD Zoning	2,700 – 2,899	2,390	177	Residential Unit
Zone 1: Single-Family Detached Property – SF/SFHD Zoning	≤ 2,699	2,350	177	Residential Unit
Zone 2: Single-Family Detached Property – SF/SFHD Zoning	≥ 3,325	3,075	177	Residential Unit
Zone 2: Single-Family Detached Property – SF/SFHD Zoning	3,000 – 3,324	2,950	177	Residential Unit
Zone 2: Single-Family Detached Property – SF/SFHD Zoning	≤ 2,999	2,845	177	Residential Unit
Single-Family Detached Property – MLD Zoning	Not Applicable	2,350	177	Residential Unit
MMD Multi-Family Attached Property	Not Applicable	30,000	500	Acre
MHD Multi-Family Attached Property	Not Applicable	11,700	1,000	Acre
Non-Residential Property	Not Applicable	11,700	1,000	Acre
Small Lot Final Map Property:				
Zone 1: Single-Family Detached Property – SF/SFHD Zoning	Not Applicable	\$2,350	\$177	Residential Lot
Zone 2: Single-Family Detached Property – SF/SFHD Zoning	Not Applicable	2,845	177	Residential Lot
Single-Family Detached Property – MLD Zoning	Not Applicable	2,350	177	Residential Lot
Permit Ready Multi-Family/Non-Residential Property	Not Applicable	\$11,700	\$1,000	Acre
Large Lot Property	Not Applicable	\$18,000	\$1,000	Acre
Undeveloped Property	Not Applicable	\$18,000	\$1,000	Acre

RATE AND METHOD OF APPORTIONMENT

All of the property located within each Improvement Area, unless exempted by law or by the Rate and Method of Apportionment, shall be taxed for the purpose of providing the necessary facilities and services for the District. Pursuant to Section 53325.3 of the Act, the tax imposed "is a special tax and not a special assessment, and there is no requirement that the tax be apportioned on the basis of benefit to any property." The special tax "may be based on benefit received by parcels of real property, the cost of making facilities available to each parcel, or other reasonable basis as determined by the legislative body," although the special tax may not be apportioned on an ad valorem basis pursuant to Article XIII A of the California Constitution.

As shown in Appendix B and C, the Rate and Method of Apportionment for the Improvement Areas provide information sufficient to allow each property owner to estimate the maximum special tax that he or she will be required to pay.

Term of Facilities and Services Special Tax

The facilities special tax shall be levied commencing in Fiscal Year 2021/22 and shall be levied to the extent necessary to fully satisfy the annual facilities special tax requirement. The facilities special tax shall be levied for a period no longer than the earlier of Fiscal Year 2079/80 or the fiscal year occurring 50 years following the fiscal year in which the first building permit was issued or the first series of bonds or other debt was issued within the Improvement Area.

The services special tax shall be levied commencing in Fiscal Year 2021/22 and shall be levied in perpetuity, unless and until such time the City determines that revenues are no longer needed to pay the services special tax requirement.

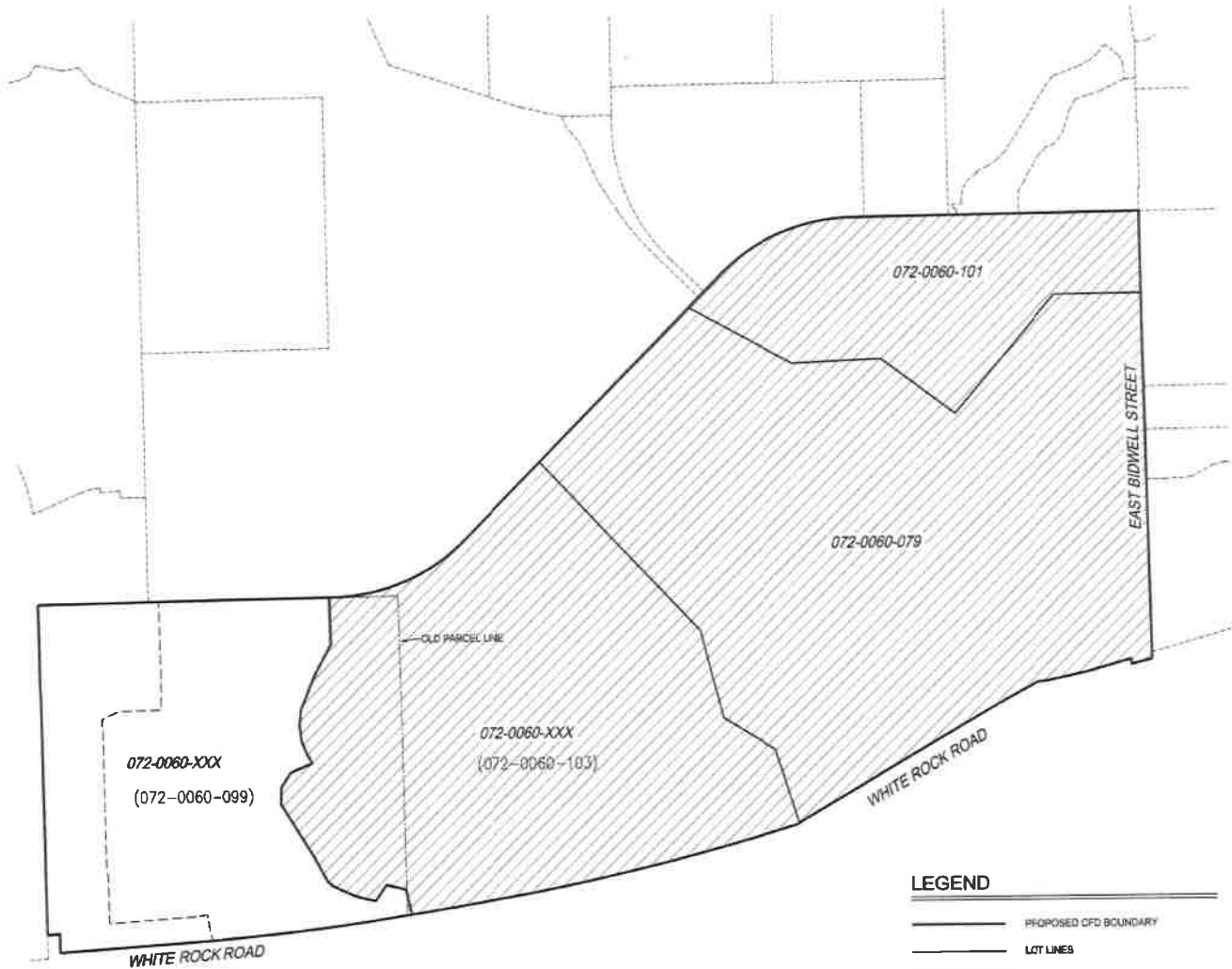
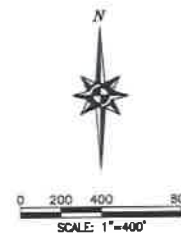
Manner of Collection

The annual special tax shall be collected in the same manner and at the same time as ordinary ad valorem property taxes; provided, however, that the City, may directly bill the special tax, and may collect special taxes at a different time or in a different manner as necessary to meet its financial obligations, and may covenant to foreclose and may actually foreclose on Assessor's Parcels of taxable property that are delinquent in the payment of special taxes.

APPENDIX A: BOUNDARY MAPS

The boundary maps for the amended IA No. 3 and the new IA No. 7 are shown on the following pages. The lines and dimensions of each lot or parcel within the Improvement Areas are those lines and dimensions shown on the maps of the County Assessor, at the time this Report was prepared, and are incorporated by reference herein and made part of this Report.

MAP OF AMENDED BOUNDARIES
OF IMPROVEMENT AREA NO. 3
OF CITY OF FOLSOM COMMUNITY FACILITIES
DISTRICT NO. 23 (FOLSOM RANCH)
CITY OF FOLSOM • COUNTY OF SACRAMENTO • STATE OF CALIFORNIA



FILED IN THE OFFICE OF THE CLERK OF THE CITY OF FOLSOM, THIS 10th DAY OF OCT. 2021

Christina Martinez
CITY CLERK
CITY OF FOLSOM
SACRAMENTO COUNTY, CALIFORNIA




I HEREBY STATE THAT THE WITHIN MAP SHOWING PROPOSED AMENDED BOUNDARIES OF THE CITY OF FOLSOM COMMUNITY FACILITIES DISTRICT NO. 23 (FOLSOM RANCH) IMPROVEMENT AREA NO. 3, CITY OF FOLSOM, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF FOLSOM AT A MEETING THEREOF, HELD ON THE 02nd DAY OF FEB. 2021, BY ITS RESOLUTION NO. 157347.

REFERENCE IS HEREBY MADE TO THAT CERTAIN MAP ENTITLED "MAP OF PROPOSED BOUNDARIES CITY OF FOLSOM COMMUNITY FACILITIES DISTRICT NO. 23 (FOLSOM RANCH), CITY OF FOLSOM, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA", FILED THE 20th DAY OF APRIL, 2020, IN BOOK 130 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE 27 IN THE OFFICE OF THE COUNTY RECORDER FOR THE COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, WHICH THIS MAP AFFECTS.

Christina Martinez
CITY CLERK
CITY OF FOLSOM
SACRAMENTO COUNTY, CALIFORNIA

FILED THIS 24th DAY OF November, 2021, AT THE HOUR OF 9:00 O'CLOCK A.M. IN BOOK 135 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE 10 IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SACRAMENTO, STATE OF CALIFORNIA. 202111240725

Donna Allred
COUNTY RECORDER
COUNTY OF SACRAMENTO, CALIFORNIA

- LEGEND**
-  PROPOSED CFD BOUNDARY
 -  LOT LINES
 -  IMPROVEMENT AREA NO. 3



MAP OF BOUNDARIES OF CITY OF FOLSOM
COMMUNITY FACILITIES DISTRICT NO. 23
(FOLSOM RANCH)
IMPROVEMENT AREA NO. 7
CITY OF FOLSOM • COUNTY OF SACRAMENTO • STATE OF CALIFORNIA

SHEET 1 OF 1



FILED IN THE OFFICE OF THE CLERK OF THE CITY OF FOLSOM, THIS 10th DAY OF Nov 2021.

Chauhan
CITY-CLERK
CITY OF FOLSOM
SACRAMENTO COUNTY, CALIFORNIA

I HEREBY STATE THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF THE CITY OF FOLSOM COMMUNITY FACILITIES DISTRICT NO. 23 (FOLSOM RANCH) IMPROVEMENT AREA NO. 7, CITY OF FOLSOM, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF FOLSOM AT A MEETING THEREOF, HELD ON THE 01st DAY OF Feb, 2021, BY ITS RESOLUTION NO. 10-248.

REFERENCE IS HEREBY MADE TO THAT CERTAIN MAP ENTITLED "MAP OF PROPOSED BOUNDARIES CITY OF FOLSOM COMMUNITY FACILITIES DISTRICT NO. 23 (FOLSOM RANCH), CITY OF FOLSOM, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA", FILED THE 20TH DAY OF APRIL, 2020, IN BOOK 130 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE 37 IN THE OFFICE OF THE COUNTY RECORDER FOR THE COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, WHICH THIS MAP AFFECTS.

Chauhan
CITY-CLERK
CITY OF FOLSOM
SACRAMENTO COUNTY, CALIFORNIA

FILED THIS 24th DAY OF November 2021, AT THE HOUR OF 9:00 O'CLOCK A.M. IN BOOK 130 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE 37 IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SACRAMENTO, STATE OF CALIFORNIA. 202111240772

Donna Alford
COUNTY RECORDER DONNA ALFORD
COUNTY OF SACRAMENTO, CALIFORNIA



LEGEND

-  PROPOSED CFD BOUNDARY
-  LOT LINES
-  IMPROVEMENT AREA NO. 7

MACKEY & SOMPS
ENGINEERS PLANNERS SURVEYORS
1321 Oakdale Ridge Drive, Suite 105, Folsom, CA 95630 (916) 775-1181 7904-TOLL

APPENDIX B: RATE AND METHOD OF APPORTIONMENT – AMENDED IA NO. 3

The following pages provide a copy of the Rate and Method of Apportionment for the amended IA No. 3.

Special Taxes to the Trustee; the costs of the Trustee (including its legal counsel) in the discharge of the duties required of it under the Indenture; the costs to the City, CFD No. 23 IA3, or any designee thereof of complying with arbitrage rebate requirements or responding to questions from the IRS or SEC pertaining to any Bonds or any audit of any Bonds by the SEC or IRS; the costs to the City, CFD No. 23 IA3, or any designee thereof of providing continuing disclosure regarding the Bonds pursuant to applicable state or federal securities law; the costs associated with preparing Facilities Special Tax disclosure statements and responding to public inquiries regarding the Facilities Special Taxes; the costs of the City, CFD No. 23 IA3, or any designee thereof related to any appeal of the levy or application of the Facilities Special Tax; the costs associated with the release of funds from an escrow account, if any; and the costs associated with computing and preparing the Effective Tax Rate Evaluation, including the Price Point Study. Facilities Administrative Expenses shall also include amounts estimated or advanced by the City or CFD No. 23 IA3 for any other administrative purposes, including, but not limited to, attorney's fees and other costs related to commencing and pursuing to completion any foreclosure of delinquent Facilities Special Taxes.

"Facilities Special Tax" means the annual Special Tax to be levied in each Fiscal Year on each Assessor's Parcel of Taxable Property to fund the Facilities Special Tax Requirement.

"Facilities Special Tax Escalation Factor" means two percent (2%) annually.

"Facilities Special Tax Requirement" means that amount of Special Tax revenue required in any Fiscal Year for CFD No. 23 IA3 to: (i) Pay Facilities Administrative Expenses in an amount designated by the City; (ii) pay annual debt service on all Outstanding Bonds due in the Bond Year beginning in such Fiscal Year; (iii) pay other periodic costs on Outstanding Bonds, including but not limited to, credit enhancement and rebate payments on Outstanding Bonds; (iv) pay any amounts required to establish or replenish any reserve funds for all Outstanding Bonds in accordance with the Indenture; (v) pay for reasonably anticipated delinquent Special Taxes based on the delinquency rate for Special Taxes levied in the previous Fiscal Year and known upcoming delinquencies; and (vi) pay for Pay As You Go Costs; less (vii) a credit for funds available to reduce the annual Facilities Special Tax levy as determined by the CFD No. 23 IA3 Administrator pursuant to the Indenture.

"Facilities Special Tax Term" means the earlier of Fiscal Year 2079-2080 or the Fiscal Year occurring 50 years following the Fiscal Year in which the first building permit was issued or the first series of Bonds was issued within CFD No. 23 IA3.

"Fiscal Year" means the period starting July 1 and ending on the following June 30.

"Indenture" means the indenture, fiscal agent agreement, trust agreement, resolution or other instrument pursuant to which Bonds are issued, as modified, amended and/or supplemented from time to time, and any instrument replacing or supplementing the same.

"Large Lot Property" means, for each Fiscal Year, all Taxable Property for which a Large Lot Map was recorded prior to June 30 of the previous Fiscal Year, excluding any portion(s) thereof classified as Developed Property, Small Lot Final Map Property, or Permit Ready Multi-Family/Non-Residential Property. Large Lot Property also means, for each Fiscal Year, all Taxable Property classified as Small Lot Final Map Remainder Property as of June 30 of the previous Fiscal Year.

**AMENDED RATE AND METHOD OF APPORTIONMENT FOR
CITY OF FOLSOM
COMMUNITY FACILITIES DISTRICT NO. 23
(FOLSOM RANCH)
Improvement Area No. 3**

A Special Tax, as hereinafter defined, shall be levied on each Assessor's Parcel of Taxable Property within the City of Folsom Community Facilities District No. 23 (Folsom Ranch) Improvement Area No. 3 (CFD No. 23 IA3) and collected each Fiscal Year in an amount determined by the CFD No. 23 IA3 Administrator through the application of the Amended Rate and Method of Apportionment as described below. All of the real property within CFD No. 23 IA3, unless exempted by law or by the provisions hereof, shall be taxed for the purposes, to the extent and in the manner herein provided.

A. GENERAL DEFINITIONS

The terms hereinafter set forth have the following meaning:

"Acre or Acreage" means the land area of an Assessor's Parcel as shown on County records, such as an Assessor's Parcel Map and secured roll data, or if the land area is not shown on an Assessor's Parcel Map, the land area shown on the applicable Large Lot Map, Small Lot Final Subdivision Map, condominium plan, record of survey, or other recorded document creating or describing the parcel. If the preceding maps for a land area are not available, the Acreage of such land area may be determined utilizing available spatial data and GIS. The square footage of an Assessor's Parcel is equal to the Acreage of such parcel multiplied by 43,560.

"Act" means the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, Division 2 of Title 5 of the Government Code of the State of California.

"Assessor's Parcel" or "Parcel" means a lot or parcel shown in an Assessor's Parcel Map with an assigned Assessor's Parcel number.

"Assessor's Parcel Map" means an official map of the County Assessor of the County designating lots or parcels by an Assessor's Parcel number.

"Authorized Services" means the landscape corridor, enhanced open space and street light maintenance, services, and expenses authorized to be financed by CFD No. 23 IA3.

"Bond Year" means a one year period beginning on September 2nd in each year and ending on September 1st in the following year, unless defined differently in the applicable Indenture.

"Bonds" means any bonds or other debt (as defined in the Act), whether in one or more series, issued by CFD No. 23 IA3 under the Act.

"CFD No. 23 IA3" means City of Folsom Community Facilities District No. 23 (Folsom Ranch) Improvement Area No. 3.

“CFD No. 23 IA3 Administrator” means the City’s Finance Director, or designee thereof, responsible for determining the Facilities Special Tax Requirement, Services Special Tax Requirement and providing for the levy and collection of the Special Taxes.

“CFD No. 23 IA3 Amended Boundaries” means the amended boundaries for CFD No. 23 IA3 as set forth in Attachment E.

“City” means the City of Folsom.

“City Council” means the City Council of the City, acting as the legislative body of CFD No. 23 IA3.

“County” means the County of Sacramento.

“Developed Property” means, for each Fiscal Year, all Taxable Property for which a building permit for new construction was issued prior to June 30 of the previous Fiscal Year.

“Effective Tax Rate Evaluation” means an evaluation of the Total Effective Tax Rate of Residential Property at the time of such evaluation. The Effective Tax Rate Evaluation will be based upon a prepared Price Point Study to determine the Total Effective Tax Rate for Residential Property, based upon the calculated Total Estimated Tax Burden.

“Effective Tax Rate Evaluation Maximum Facilities Special Tax” means the total maximum annual Facilities Special Tax, as determined during the Effective Tax Rate Evaluation, in accordance with the provisions of Section C.2, which may be levied in any Fiscal Year on any Assessor’s Parcel of Taxable Property.

“Effective Tax Rate Evaluation Maximum Facilities Special Tax Rate” means the maximum annual Facilities Special Tax rate for each land use category of Taxable Property that will be set forth in Attachment C, following the Effective Tax Rate Evaluation, which may be levied in any Fiscal Year on any Assessor’s Parcel of Taxable Property.

“Effective Tax Rate Evaluation Minimum Facilities Revenue” means, following the Effective Tax Rate Evaluation, the total minimum amount of CFD No. 23 IA3 Effective Tax Rate Evaluation Maximum Facilities Special Tax, as adjusted annually by the Facilities Special Tax Escalation Factor after the Fiscal Year in which the Effective Tax Rate Evaluation occurs, less any Effective Tax Rate Evaluation Maximum Facilities Special Tax amounts prepaid and permanently satisfied pursuant to Section K. The Effective Tax Rate Evaluation Minimum Facilities Revenue, based on Planned Development, is set forth in Attachment D of this Amended Rate and Method of Apportionment.

“Exempt Property” means all Assessors’ Parcels that are exempt from the Special Tax pursuant to Section F. Assessor’s Parcels exempt from the Special Tax pursuant to Section 53340 of the Act shall also be designated as Exempt Property.

“Facilities Administrative Expenses” means the actual or reasonably estimated costs directly related to the administration of the Facilities Special Tax including, but not limited to, the following: the costs of computing the Facilities Special Tax and preparing the annual Facilities Special Tax collection schedules (whether by the City or designee thereof or both); the costs of collecting the Facilities Special Taxes (whether by the County, the City, or otherwise); the costs of remitting the Facilities

“Large Lot Map” means a recorded subdivision map creating larger parcels by land use. The Large Lot Map does not create individual lots for which building permits may be issued for single-family Residential Units.

“Maximum Facilities Special Tax” means the total maximum annual Facilities Special Tax, determined in accordance with the provisions of Section C, which may be levied in any Fiscal Year on any Assessor’s Parcel of Taxable Property.

“Maximum Facilities Special Tax Rate” means the maximum annual Facilities Special Tax rate for each land use category of Taxable Property, as shown in Attachment A, which may be levied in any Fiscal Year on any Assessor’s Parcel of Taxable Property.

“Maximum Services Special Tax” means the total maximum annual Services Special Tax, determined in accordance with the provisions of Section D, which may be levied in any Fiscal Year on any Assessor’s Parcel of Taxable Property.

“Maximum Services Special Tax Rate” means the maximum annual Services Special Tax rate for each land use category of Taxable Property, as shown in Attachment A, which may be levied in any Fiscal Year on any Assessor’s Parcel of Taxable Property.

“Maximum Special Tax” means the total annual Maximum Facilities Special Tax (or Effective Tax Rate Evaluation Maximum Facilities Special Tax) and Maximum Services Special Tax, determined in accordance with the provisions of Section C and Section D, which may be levied in any Fiscal Year on any Assessor’s Parcel of Taxable Property.

“Maximum Total Effective Tax Rate” means 1.80%, unless the City determines, in its sole discretion, that a higher Maximum Total Effective Tax Rate is appropriate.

“Minimum Facilities Revenue” means the minimum amount of total CFD No. 23 IA3 Maximum Facilities Special Tax, as adjusted annually by the Facilities Special Tax Escalation Factor, less any Maximum Facilities Special Tax amounts prepaid and permanently satisfied pursuant to Section K. The Minimum Facilities Revenue, based on Planned Development, is set forth in Attachment B of this Amended Rate and Method of Apportionment.

“MHD Multi-Family Attached Property” means all Assessor’s Parcels for which a building permit could be issued for purposes of constructing one or more attached Residential Units per Assessor’s Parcel with a permitted density range of greater than 20 Residential Units per Acre and more fully described in the Folsom Plan Area Specific Plan adopted on June 28, 2011 and as amended by the City Council. MHD Multi-Family Attached Property shall also include an Assessor’s Parcel or that portion of an Assessor’s Parcel designated as a Mixed Use Residential Parcel.

“Mixed Use Residential Parcel” means a mixed use Assessor’s Parcel that is designated for residential land use. If the mixed use Assessor’s Parcel contains a combination of residential land use and non-residential land use, only that portion of an Assessor’s Parcel designated for residential land use shall be classified as a Mixed Use Residential Parcel and the remaining non-residential land use of the Assessor’s Parcel shall be classified as Non-Residential Property.

“MMD Multi-Family Attached Property” means all Assessor’s Parcels for which a building permit could be issued for purposes of constructing one or more attached Residential Units per Assessor’s Parcel with a permitted density range of 12-20 Residential Units per Acre and more fully described in the Folsom Plan Area Specific Plan adopted on June 28, 2011 and as amended by the City Council.

“Non-Residential Property” means, for each Fiscal Year, all Taxable Property for which a building permit could be issued for purposes of constructing non-residential buildings.

“Open Space Property” means property within the CFD No. 23 IA3 Amended Boundaries which (a) has been designated with specific boundaries and acreage on a Small Lot Final Subdivision Map as open space, or (b) is classified by the City zoning code or County Assessor as open space, or (c) has been irrevocably offered for dedication as open space to the federal government, the State of California, the County, the City, any other public agency, a private, non-profit organization, or (d) is encumbered by an easement or other restriction required by the City limiting the use of such property to open space.

“Outstanding Bonds” means all Bonds, which remain outstanding as defined in the Indenture pursuant to which such Bonds were issued.

“Pay as You Go Costs” means that portion of the Facilities Special Tax Requirement attributable to the direct payment for the acquisition and/or construction of public improvements, which are authorized to be financed by CFD No. 23 IA3.

“Permit Ready Multi-Family/Non-Residential Property” means an Assessor’s Parcel of Taxable Property zoned for multi-family or non-residential land use for which all discretionary entitlements have been obtained, including without limitation, development plan review and improvement plan approval, such that building permits may be issued without further approvals for the construction of multi-family Residential Units or non-residential buildings within such Assessor’s Parcel. The City shall have sole discretion, based upon available development information, in classifying an Assessor’s Parcel as Permit Ready Multi-Family/Non-Residential Property.

“Planned Development” means the planned number of Residential Units, MHD Multi-Family Attached Property Acreage, MMD Multi-Family Attached Property Acreage, and Non-Residential Property Acreage planned within CFD No. 23 IA3, set forth in Attachment B or, following the Effective Tax Rate Evaluation, Attachment D of this Amended Rate and Method of Apportionment, as amended by the future recordation of all Large Lot Maps and Small Lot Final Subdivision Maps within CFD No. 23 IA3.

“Price Point Study” means an analysis, prepared by an independent firm, to verify the estimated average sales price within each land use category of Residential Property given the project location and current market conditions.

“Property Owner Association Property” means any property within the CFD No. 23 IA3 Amended Boundaries, which is (a) owned by a property owner association or (b) designated with specific boundaries and Acreage on a Small Lot Final Subdivision Map as property owner association property. As used in this definition, a property owner association includes any master or sub-association.

“Proportionately” means for Taxable Property that the ratio of the Facilities Special Tax levy to the Maximum Facilities Special Tax (or Effective Tax Rate Evaluation Maximum Facilities Special Tax) and the Services Special Tax levy to the Maximum Services Special Tax is equal for all Assessors’ Parcels within each classification (Developed Property, Single Family Final Map Property, Permit Ready Multi-Family/Non-Residential Property, Large Lot Property, etc.) within CFD No. 23 IA3.

“Public Property” means any property within the CFD No. 23 IA3 Amended Boundaries, which (a) is owned by a public agency, (b) has been irrevocably offered for dedication to a public agency, or (c) is designated with specific boundaries and Acreage on a Small Lot Final Subdivision Map as property, which will be owned by a public agency. For purposes of this definition, a public agency includes the federal government, the State of California, the County, the City, or any other public agency.

“Residential Floor Area” means all of the square footage of living area within the perimeter of a residential structure, not including any carport, walkway, garage, overhang, patio, enclosed patio, or similar area. The determination of Residential Floor Area shall be made by the CFD No. 23 IA3 Administrator by reference to appropriate records kept by the City’s building department. Residential Floor Area for a residential structure will be based on the building permit(s) issued for such structure prior to it being classified as Developed Property, and shall not change as a result of additions or modifications made to such structure after such classification as Developed Property.

“Residential Lot” means an individual lot of land for which a building permit could be issued to construct a Residential Unit.

“Residential Property” means, for each Fiscal Year, all Taxable Property for which a building permit could be issued for purposes of constructing Residential Units, including Single-Family Detached Property – SF/SFHD Zoning, Single-Family Detached Property – MLD Zoning, MHD Multi-Family Attached Property, and MMD Multi-Family Attached Property.

“Residential Unit” means a residential dwelling unit, not including guest quarters or “granny flats” as allowed by the City zoning code.

“Services Administrative Expenses” means the actual or reasonably estimated costs directly related to the administration of the Services Special Tax including, but not limited to, the following: the costs of computing the Services Special Taxes and preparing the annual Services Special Tax collection schedules (whether by the City or designee thereof or both); the costs of collecting the Services Special Taxes (whether by the County, the City, or otherwise); the costs associated with preparing Special Tax disclosure statements and responding to public inquiries regarding the Services Special Tax; and the costs of the City, CFD No. 23 IA3, or any designee thereof related to any appeal of the levy or application of the Services Special Tax. Services Administrative Expenses shall also include amounts estimated or advanced by the City or CFD No. 23 IA3 for any other administrative purposes related to the Services Special Tax.

“Services Special Tax” means the annual Special Tax to be levied in each Fiscal Year on each Assessor’s Parcel of Taxable Property to fund the Services Special Tax Requirement.

“Services Special Tax Escalation Factor” means the June annualized percentage change of the Consumer Price Index for all Urban Consumers, for the San Francisco-Oakland-San Jose area, not to

exceed four percent (4%). In the event that the percentage change is negative, the Services Special Tax Escalation Factor shall be equal to zero.

“Services Special Tax Requirement” means the amount of Services Special Tax revenue required in any Fiscal Year for CFD No. 23 IA3 to: (i) Pay Services Administrative Expenses in an amount designated by the City; (ii) pay Authorized Services expenses; (iii) pay any amounts required to establish or replenish any repair and contingency funds, capital improvement funds, or reserve funds related to the Authorized Services expenses; (iv) cover any shortfalls that exist if, in any Fiscal Year, the levy of the Facilities Special Tax on each Assessor’s Parcel of Taxable Property is insufficient to pay the Facilities Special Tax Requirement in that Fiscal Year. Facilities Special Tax Requirement shortfalls shall not include Pay As You Go Costs, and (v) pay for reasonably anticipated delinquent Services Special Taxes based on the delinquency rate for Services Special Taxes levied in the previous Fiscal Year; less (vi) a credit for funds available to reduce the annual Services Special Tax levy as determined by the CFD No. 23 IA3 Administrator.

“Single-Family Detached Property – MLD Zoning” means, for each Fiscal Year, all Taxable Property for which a building permit could be issued for purposes of constructing one or more detached or attached Residential Units with a permitted density range of 7-12 Residential Units per Acre and more fully described in the Folsom Plan Area Specific Plan adopted on June 28, 2011 and as amended by the City Council.

“Single-Family Detached Property – SF/SFHD Zoning” means, for each Fiscal Year, all Taxable Property for which a building permit could be issued for purposes of constructing one or more Residential Units. Single-Family Detached Property – SF/SFHD Zoning shall consist of either single-family property with a permitted density range of 1-4 Residential Units per Acre or single-family high density property with a permitted density range of 4-7 Residential Units per Acre, which is more fully described in the Folsom Plan Area Specific Plan adopted on June 28, 2011 and as amended by the City Council.

“Special Tax” means the annual Facilities Special Tax and Services Special Tax to be levied in each Fiscal Year on each Assessor’s Parcel of Taxable Property to fund the Facilities Special Tax Requirement and the Services Special Tax Requirement.

“Small Lot Final Map Property” means, for each Fiscal Year, all Taxable Property for which a Small Lot Final Subdivision Map was recorded prior to June 30 of the previous Fiscal Year.

“Small Lot Final Map Remainder Property” means an Assessor’s Parcel that is created from the subdivision of Large Lot Property by the recordation of a Small Lot Final Subdivision Map that has not yet been mapped for final development approval. Small Lot Final Map Remainder Property is that portion of property for which the Small Lot Final Subdivision Map definition does not apply (i.e., does not contain individual lots for which building permits may be issued for Residential Units without further subdivision of such property). Each Fiscal Year, all Taxable Property classified as Small Lot Final Map Remainder Property, as of June 30 of the previous Fiscal Year, will be considered Large Lot Property.

“Small Lot Final Subdivision Map” means a subdivision of property created by recordation of a final subdivision map, parcel map or lot line adjustment, approved by the City pursuant to the Subdivision Map Act (California Government Code Section 66410 et seq.) or recordation of a condominium plan

pursuant to California Civil Code 1352, that creates individual lots for which building permits may be issued for Residential Units without further subdivision of such property.

“State” means the State of California.

“Taxable Property” means all of the Assessor’s Parcels within the CFD No. 23 IA3 Amended Boundaries that are not exempt from the CFD No. 23 IA3 Special Tax pursuant to law or Section F below.

“Total Effective Tax Rate” means the percentage of the Total Estimated Tax Burden as compared to the estimated average sales price identified in the Price Point Study for each land use category of Residential Property.

“Total Estimated Tax Burden” means the total amount of overlapping property taxes anticipated to be levied upon a Residential Unit, based upon the estimated average sales price identified in the Price Point Study and existing property tax rates for the current Fiscal Year. Existing property tax rates shall reflect the actual property tax rates levied upon Taxable Property in the Fiscal Year that the Effective Tax Rate Evaluation is completed.

“Trustee” means the entity appointed pursuant to an Indenture to act as the trustee, fiscal agent, or paying agent or a combination thereof.

“Undeveloped Property” means, for each Fiscal Year, all Taxable Property not classified as Developed Property, Small Lot Final Map Property, Permit Ready Multi-Family/Non-Residential Property, or Large Lot Property.

B. ASSIGNMENT TO LAND USE CATEGORIES

Each Fiscal Year, using City and County records, City zoning information, and land use development plans, all Assessor’s Parcels within the CFD No. 23 IA3 Amended Boundaries shall be designated as either Taxable Property or Tax-Exempt Property.

All Taxable Property shall be further classified as Developed Property, Small Lot Final Map Property, Permit Ready Multi-Family/Non-Residential Property, Large Lot Property, or Undeveloped Property and shall be subject to the levy of the annual Special Tax determined pursuant to Sections C and D below.

C. FACILITIES SPECIAL TAX

A Maximum Facilities Special Tax shall be assigned to all Taxable Property within CFD No. 23 IA3 according to the Maximum Facilities Special Tax Rates set forth in Attachment A of this Amended Rate and Method of Apportionment.

Once assigned, the sum of the total Maximum Facilities Special Tax shall be equal to or greater than the Minimum Facilities Revenue, unless adjusted by an Effective Tax Rate Evaluation as described

below. The Minimum Facilities Revenue for Fiscal Year 2021-2022 is set forth in Attachment B of this Amended Rate and Method of Apportionment.

On each July 1, commencing on July 1, 2022, the Maximum Facilities Special Tax Rates and Minimum Facilities Revenue shall be increased by the Facilities Special Tax Escalation Factor of the Maximum Facilities Special Tax Rates and Minimum Facilities Revenue in effect for the previous Fiscal Year.

C.1. Future Assessor's Parcel Changes – Prior to an Effective Tax Rate Evaluation

The Maximum Facilities Special Tax shall be assigned to all future Assessor's Parcel(s) created from a subdivision, lot line adjustment, or merger of one or more Assessor's Parcels so that the revised sum of the total Maximum Facilities Special Tax revenue is not less than the Minimum Facilities Revenue set forth in Attachment B of this Amended Rate and Method of Apportionment.

Undeveloped Property Subdividing into Large Lot Property

When Undeveloped Property subdivides into Large Lot Property, the Maximum Facilities Special Tax shall be calculated for all Taxable Property as if all of the Taxable Property was classified as Developed Property. The expected Developed Property Maximum Facilities Special Tax for any Large Lot Property and any remaining Undeveloped Property shall be based upon the Planned Development for the Large Lot Property and remaining Undeveloped Property.

If the sum of the total expected Developed Property Maximum Facilities Special Tax generated by all of the Taxable Property is greater than or equal to the Minimum Facilities Revenue, there will be no further adjustments to the Developed Property, Small Lot Final Map Property and Permit Ready Multi-Family/Non-Residential Property Maximum Facilities Special Tax Rates for the Large Lot Property created from the Undeveloped Property subdivision.

If the sum of the total expected Developed Property Maximum Facilities Special Tax is less than the Minimum Facilities Revenue, the Developed Property, Small Lot Final Map Property and Permit Ready Multi-Family/Non-Residential Property Maximum Facilities Special Tax Rates shall be Proportionately increased, on the Large Lot Property created from the Undeveloped Property subdivision, until the sum of the total expected Developed Property Maximum Facilities Special Tax is equal to the Minimum Facilities Revenue. Further, if the sum of the total current Maximum Facilities Special Tax is less than the Minimum Facilities Revenue, the Maximum Facilities Special Tax Rates for the Large Lot Property and any remaining Undeveloped Property created from the Undeveloped Property subdivision shall be Proportionately increased until the sum of the total current Maximum Facilities Special Tax is equal to the Minimum Facilities Revenue. Attachment B of this Amended Rate and Method of Apportionment shall be updated to reflect any increases to the Maximum Facilities Special Tax Rates from the Undeveloped Property subdivision. The Developed Property, Small Lot Final Map Property and Permit Ready Multi-Family/Non-Residential Property Maximum Facilities Special Tax Rates shall not be adjusted for any Taxable Property already classified as Developed Property, Small Lot Final Map Property or Permit Ready Multi-Family/Non-Residential Property.

Large Lot Property Subdividing into Small Lot Final Map Property and Permit Ready Multi-Family/Non-Residential Property

When Large Lot Property subdivides into Small Lot Final Map Property or Permit Ready Multi-Family/Non-Residential Property, the Maximum Facilities Special Tax shall be calculated for all

Taxable Property as if all of the Taxable Property was classified as Developed Property. If the Large Lot Property subdivision also creates Small Lot Final Map Remainder Property, the expected Developed Property Maximum Facilities Special Tax for the Small Lot Final Map Remainder Property shall be based upon the Planned Development for the Small Lot Final Map Remainder Property. The expected Developed Property Maximum Facilities Special Tax for any remaining Large Lot Property and Undeveloped Property shall be based upon the Planned Development of the Large Lot Property and the Undeveloped Property.

If the sum of the total expected Developed Property Maximum Facilities Special Tax is greater than or equal to the Minimum Facilities Revenue, there will be no further adjustments to the Developed Property, Small Lot Final Map Property and Permit Ready Multi-Family/Non-Residential Property Maximum Facilities Special Tax Rates for the Small Lot Final Map Property, Small Lot Final Map Remainder Property and Permit Ready Multi-Family/Non-Residential Property created from the Large Lot Property subdivision.

If the sum of the total expected Developed Property Maximum Facilities Special Tax is less than the Minimum Facilities Revenue, and such difference is not eliminated by the full or partial prepayment of the Effective Tax Rate Evaluation Maximum Facilities Special Tax pursuant to Section K, the Developed Property, Small Lot Final Map Property and Permit Ready Multi-Family/Non-Residential Property Maximum Facilities Special Tax Rates shall be Proportionately increased, on the Small Lot Final Map Property, Small Lot Final Map Remainder Property and Permit Ready Multi-Family/Non-Residential Property created from the Large Lot Property subdivision, until the sum of the total expected Developed Property Maximum Facilities Special Tax is equal to the Minimum Facilities Revenue. Attachment B of this Amended Rate and Method of Apportionment shall be updated to reflect any increases to the Maximum Facilities Special Tax Rates from the Large Lot Property subdivision. The Developed Property, Small Lot Final Map Property and Permit Ready Multi-Family/Non-Residential Property Maximum Facilities Special Tax Rates shall not be adjusted for any Taxable Property already classified as Developed Property, Small Lot Final Map Property or Permit Ready Multi-Family/Non-Residential Property created prior to the Large Lot Property subdivision.

C.2. Effective Tax Rate Evaluation

Prior to the issuance of the first building permit or the first series of Bonds within CFD No. 23 IA3, whichever comes earlier, an Effective Tax Rate Evaluation will be completed. Following the Effective Tax Rate Evaluation, Attachment C of this Amended Rate and Method of Apportionment will be updated to reflect the Effective Tax Rate Evaluation Maximum Facilities Special Tax Rate for all Taxable Property in CFD No. 23 IA3.

Effective Tax Rate Evaluation Maximum Facilities Special Tax Rates

As part of the Effective Tax Rate Evaluation, a Price Point Study will be prepared and estimated average sales prices will be established for each Residential Property land use category. Using the estimated average sales price information determined in the Price Point Study, the Total Estimated Tax Burden and Total Effective Tax Rate will be calculated, using the Developed Property Maximum Facilities Special Tax Rates set forth in Attachment A, for each Residential Property land use category. If the calculated Total Effective Tax Rate is less than or equal to the Total Maximum Effective Tax Rate for a Residential Property land use category, the Maximum Facilities Special Tax Rate shall not be adjusted and will be assigned using the Developed Property Maximum Facilities Special Tax Rates set forth in Attachment A. Attachment C of this Amended

Rate and Method of Apportionment will be updated to set forth the Developed Property Effective Tax Rate Evaluation Maximum Facilities Special Tax Rate for each Residential Property land use category.

If the Total Effective Tax Rate for any Residential Property land use category exceeds the Total Maximum Effective Tax Rate, the Developed Property Maximum Facilities Special Tax Rate set forth in Attachment A shall be reduced until the Total Effective Tax Rate is less than or equal to the Total Maximum Effective Tax Rate for that Residential Property land use category. Attachment C of this Amended Rate and Method of Apportionment will be updated to set forth the Developed Property Effective Tax Rate Evaluation Maximum Facilities Special Tax Rate for each Residential Property land use category.

Effective Tax Rate Evaluation Minimum Facilities Revenue

As a result of the Effective Tax Rate Evaluation, if the calculated Total Effective Tax Rate is less than or equal to the Total Maximum Effective Tax Rate for a Residential Property land use category used in the Minimum Facilities Revenue calculation, the Developed Property Maximum Facilities Special Tax Rate for the applicable Residential Property land use category shall not be adjusted and the Effective Tax Rate Evaluation Developed Property Maximum Facilities Special Tax Rate will be assigned using the Developed Property Maximum Facilities Special Tax Rates set forth in Attachment B. Attachment D of this Amended Rate and Method of Apportionment will be updated to set forth the Developed Property Effective Tax Rate Evaluation Maximum Facilities Special Tax Rate for each Residential Property land use category and the Effective Tax Rate Evaluation Minimum Facilities Revenue.

If the calculated Total Effective Tax Rate exceeds the Total Maximum Effective Tax Rate for a Residential Property land use category used in the Minimum Facilities Revenue calculation, the Effective Tax Rate Evaluation Developed Property Maximum Facilities Special Tax Rate will be assigned using the Developed Property Effective Tax Rate Evaluation Maximum Facilities Special Tax Rates set forth in Attachment C. Attachment D of this Amended Rate and Method of Apportionment will be updated to set forth the Developed Property Effective Tax Rate Evaluation Maximum Facilities Special Tax Rate for each Residential Property land use category and the Effective Tax Rate Evaluation Minimum Facilities Revenue.

C.3. Future Assessor's Parcel Changes – After an Effective Tax Rate Evaluation

The Effective Tax Rate Evaluation Maximum Facilities Special Tax shall be assigned to all future Assessor's Parcel(s) created from a subdivision, lot line adjustment, or merger of one or more Assessor's Parcels so that the revised sum of the total Effective Tax Rate Evaluation Maximum Facilities Special Tax revenue is not less than the total Effective Tax Rate Evaluation Minimum Facilities Revenue set forth in Attachment D of this Amended Rate and Method of Apportionment.

Undeveloped Property Subdividing into Large Lot Property

When Undeveloped Property subdivides into Large Lot Property, the Effective Tax Rate Evaluation Maximum Facilities Special Tax shall be calculated for all Taxable Property as if all of the Taxable Property was classified as Developed Property. The expected Developed Property Effective Tax Rate Evaluation Maximum Facilities Special Tax for any Large Lot Property and any remaining Undeveloped Property shall be based upon the Planned Development for the Large Lot Property and remaining Undeveloped Property.

If the sum of the total expected Developed Property Effective Tax Rate Evaluation Maximum Facilities Special Tax generated by all of the Taxable Property is greater than or equal to the Effective Tax Rate Evaluation Minimum Facilities Revenue, there will be no further adjustments to the Developed Property, Small Lot Final Map Property and Permit Ready Multi-Family/Non-Residential Property Effective Tax Rate Evaluation Maximum Facilities Special Tax Rates for the Large Lot Property created from the Undeveloped Property subdivision.

If the sum of the total expected Developed Property Effective Tax Rate Evaluation Maximum Facilities Special Tax is less than the Effective Tax Rate Evaluation Minimum Facilities Revenue, the Developed Property, Small Lot Final Map Property and Permit Ready Multi-Family/Non-Residential Property Effective Tax Rate Evaluation Maximum Facilities Special Tax Rates shall be Proportionately increased, on the Large Lot Property created from the Undeveloped Property subdivision, until the sum of the total expected Developed Property Effective Tax Rate Evaluation Maximum Facilities Special Tax is equal to the Effective Tax Rate Evaluation Minimum Facilities Revenue. Further, if the sum of the total current Effective Tax Rate Evaluation Maximum Facilities Special Tax is less than the Effective Tax Rate Evaluation Minimum Facilities Revenue, the Effective Tax Rate Evaluation Maximum Facilities Special Tax Rates for the Large Lot Property and any remaining Undeveloped Property created from the Undeveloped Property subdivision shall be Proportionately increased until the sum of the total current Effective Tax Rate Evaluation Maximum Facilities Special Tax is equal to the Effective Tax Rate Evaluation Minimum Facilities Revenue. Attachment D of this Amended Rate and Method of Apportionment shall be updated to reflect any increases to the Effective Tax Rate Evaluation Maximum Facilities Special Tax Rates from the Undeveloped Property subdivision. The Developed Property, Small Lot Final Map Property and Permit Ready Multi-Family/Non-Residential Property Effective Tax Rate Evaluation Maximum Facilities Special Tax Rates shall not be adjusted for any Taxable Property already classified as Developed Property, Small Lot Final Map Property or Permit Ready Multi-Family/Non-Residential Property.

Large Lot Property Subdividing into Small Lot Final Map Property and Permit Ready Multi-Family/Non-Residential Property

When Large Lot Property subdivides into Small Lot Final Map Property or Permit Ready Multi-Family/Non-Residential Property, the Effective Tax Rate Evaluation Maximum Facilities Special Tax shall be calculated for all Taxable Property as if all of the Taxable Property was classified as Developed Property. If the Large Lot Property subdivision also creates Small Lot Final Map Remainder Property, the expected Developed Property Effective Tax Rate Evaluation Maximum Facilities Special Tax for the Small Lot Final Map Remainder Property shall be based upon the Planned Development for the Small Lot Final Map Remainder Property. The expected Developed Property Effective Tax Rate Evaluation Maximum Facilities Special Tax for any remaining Large Lot Property and Undeveloped Property shall be based upon the Planned Development of the Large Lot Property and the Undeveloped Property.

If the sum of the total expected Developed Property Effective Tax Rate Evaluation Maximum Facilities Special Tax is greater than or equal to the Effective Tax Rate Evaluation Minimum Facilities Revenue, there will be no further adjustments to the Developed Property, Small Lot Final Map Property and Permit Ready Multi-Family/Non-Residential Property Effective Tax Rate Evaluation Maximum Facilities Special Tax Rates for the Small Lot Final Map Property, Small Lot

Final Map Remainder Property and Permit Ready Multi-Family/Non-Residential Property created from the Large Lot Property subdivision.

If the sum of the total expected Developed Property Effective Tax Rate Evaluation Maximum Facilities Special Tax is less than the Effective Tax Rate Evaluation Minimum Facilities Revenue, and such difference is not eliminated by the full or partial prepayment of the Effective Tax Rate Evaluation Maximum Facilities Special Tax pursuant to Section K, the Developed Property, Small Lot Final Map Property and Permit Ready Multi-Family/Non-Residential Property Effective Tax Rate Evaluation Maximum Facilities Special Tax Rates shall be Proportionately increased, on the Small Lot Final Map Property, Small Lot Final Map Remainder Property and Permit Ready Multi-Family/Non-Residential Property created from the Large Lot Property subdivision, until the sum of the total expected Developed Property Effective Tax Rate Evaluation Maximum Facilities Special Tax is equal to the Effective Tax Rate Evaluation Minimum Facilities Revenue. Attachment D of this Amended Rate and Method of Apportionment shall be updated to reflect any increases to the Effective Tax Rate Evaluation Maximum Facilities Special Tax Rates from the Large Lot Property subdivision. The Developed Property, Small Lot Final Map Property and Permit Ready Multi-Family/Non-Residential Property Effective Tax Rate Evaluation Maximum Facilities Special Tax Rates shall not be adjusted for any Taxable Property already classified as Developed Property, Small Lot Final Map Property or Permit Ready Multi-Family/Non-Residential Property created prior to the Large Lot Property subdivision.

C.4. Method of Apportionment of Facilities Special Tax

Using the definitions and procedures described herein, the CFD No. 23 IA3 Administrator shall determine the Facilities Special Tax Requirement and levy the Facilities Special Tax until the amount of Facilities Special Taxes equals the Facilities Special Tax Requirement. The Facilities Special Tax shall be levied each Fiscal Year as follows:

Prior to an Effective Tax Rate Evaluation

First: The Facilities Special Tax shall be levied Proportionately on all Developed Property at a rate up to 100% of the Maximum Facilities Special Tax in order to satisfy the Facilities Special Tax Requirement.

Second: If additional monies are needed to satisfy the Facilities Special Tax Requirement after the first step has been completed, the Facilities Special Tax shall be levied Proportionately on all Small Lot Final Map Property at a rate up to 100% of the Maximum Facilities Special Tax. The Facilities Special Tax shall be levied on Small Lot Final Map Property for the entire portion of the Facilities Special Tax Requirement, excluding only Pay As You Go Costs.

Third: If additional monies are needed to satisfy the Facilities Special Tax Requirement after the first two steps have been completed, the Facilities Special Tax shall be levied Proportionately on all Permit Ready Multi-Family/Non-Residential Property at a rate up to 100% of the Maximum Facilities Special Tax. The Facilities Special Tax shall be levied on Permit Ready Multi-Family/Non-Residential Property for the entire portion of the Facilities Special Tax Requirement, excluding only Pay As You Go Costs.

Fourth: If additional monies are needed to satisfy the Facilities Special Tax Requirement after the first three steps have been completed, the Facilities Special Tax shall be levied Proportionately on all Large Lot Property at a rate up to 100% of the Maximum Facilities Special

Tax. The Facilities Special Tax shall be levied on Large Lot Property for the entire portion of the Facilities Special Tax Requirement, excluding only Pay As You Go Costs.

Fifth: If additional monies are needed to satisfy the Facilities Special Tax Requirement after the first four steps have been completed, the Facilities Special Tax shall be levied Proportionately on all Undeveloped Property at a rate up to 100% of the Maximum Facilities Special Tax. The Facilities Special Tax shall be levied on Undeveloped Property for the entire portion of the Facilities Special Tax Requirement, excluding only Pay As You Go Costs.

After an Effective Tax Rate Evaluation

First: The Facilities Special Tax shall be levied Proportionately on all Developed Property at a rate up to 100% of the Effective Tax Rate Evaluation Maximum Facilities Special Tax in order to satisfy the Facilities Special Tax Requirement.

Second: If additional monies are needed to satisfy the Facilities Special Tax Requirement after the first step has been completed, the Facilities Special Tax shall be levied Proportionately on all Small Lot Final Map Property at a rate up to 100% of the Effective Tax Rate Evaluation Maximum Facilities Special Tax. The Facilities Special Tax shall be levied on Small Lot Final Map Property for the entire portion of the Facilities Special Tax Requirement, excluding only Pay As You Go Costs.

Third: If additional monies are needed to satisfy the Facilities Special Tax Requirement after the first two steps have been completed, the Facilities Special Tax shall be levied Proportionately on all Permit Ready Multi-Family/Non-Residential Property at a rate up to 100% of the Effective Tax Rate Evaluation Maximum Facilities Special Tax. The Facilities Special Tax shall be levied on Permit Ready Multi-Family/Non-Residential Property for the entire portion of the Facilities Special Tax Requirement, excluding only Pay As You Go Costs.

Fourth: If additional monies are needed to satisfy the Facilities Special Tax Requirement after the first three steps have been completed, the Facilities Special Tax shall be levied Proportionately on all Large Lot Property at a rate up to 100% of the Effective Tax Rate Evaluation Maximum Facilities Special Tax. The Facilities Special Tax shall be levied on Large Lot Property for the entire portion of the Facilities Special Tax Requirement, excluding only Pay As You Go Costs.

Fifth: If additional monies are needed to satisfy the Facilities Special Tax Requirement after the first four steps have been completed, the Facilities Special Tax shall be levied Proportionately on all Undeveloped Property at a rate up to 100% of the Effective Tax Rate Evaluation Maximum Facilities Special Tax. The Facilities Special Tax shall be levied on Undeveloped Property for the entire portion of the Facilities Special Tax Requirement, excluding only Pay As You Go Costs.

D. SERVICES SPECIAL TAX

A Services Special Tax shall be assigned to all Taxable Property within CFD No. 23 IA3 according to the Maximum Services Special Tax Rates set forth in Attachment A of this Amended Rate and Method of Apportionment.

D.1. Increase in the Maximum Services Special Tax

On each July 1, commencing on July 1, 2022, the Maximum Services Special Tax Rates shall be increased by the Services Special Tax Escalation Factor of the Maximum Services Special Tax Rates in effect for the previous Fiscal Year.

D.2. Method of Apportionment of Services Special Tax

If, in any Fiscal Year, the Facilities Special Tax is levied against each Assessor's Parcel of Taxable Property within CFD No. 23 IA3 and the Facilities Special Tax revenues generated are insufficient to pay the Facilities Special Tax Requirement such shortfall shall be deemed a component of the Services Special Tax Requirement in that Fiscal Year, and proceeds from the levy of the Services Special Tax shall first be applied to mitigate the shortfall in the Facilities Special Tax Requirement before being used to pay for Authorized Services. The Services Special Tax revenue shall not be applied to any Facilities Special Tax Requirement shortfalls attributable to Pay As You Go Costs authorized to be financed by CFD No. 23 IA3.

Using the definitions and procedures described herein, the CFD No. 23 IA3 Administrator shall determine the Services Special Tax Requirement and levy the Services Special Tax until the amount of Services Special Tax equals the Services Special Tax Requirement. The Services Special Tax shall be levied each Fiscal Year as follows:

First: The Services Special Tax shall be levied Proportionately on all Developed Property at a rate up to 100% of the Maximum Services Special Tax in order to satisfy the Services Special Tax Requirement.

Second: If additional monies are needed to satisfy the Services Special Tax Requirement after the first step has been completed, the Services Special Tax shall be levied Proportionately on all Small Lot Final Map Property at a rate up to 100% of the Maximum Services Special Tax in order to satisfy the Services Special Tax Requirement.

Third: If additional monies are needed to satisfy the Services Special Tax Requirement after the first two steps have been completed, the Services Special Tax shall be levied Proportionately on all Permit Ready Multi-Family/Non-Residential Property at a rate up to 100% of the Maximum Services Special Tax in order to satisfy the Services Special Tax Requirement.

Fourth: If additional monies are needed to satisfy the Services Special Tax Requirement after the three steps have been completed, the Services Special Tax shall be levied Proportionately on all Large Lot Property at a rate up to 100% of the Maximum Services Special Tax in order to satisfy the Services Special Tax Requirement.

E. DELINQUENCIES

Notwithstanding the above, under no circumstances will the CFD No. 23 IA3 Facilities Special Tax levied against any Assessor's Parcel of Developed Property classified as Residential Property, in any Fiscal Year, be increased as a consequence of the delinquency or default in the payment of the CFD No. 23 IA3 Facilities Special Taxes by the owner or owners of any other Taxable Property by more than ten percent (10%) above the amount that would have been levied against such Assessor's Parcel in such Fiscal Year had there been no delinquencies or defaults.

F. EXEMPTIONS

- F.1.** The CFD No. 23 IA3 Administrator shall classify the following as Exempt Property: Public Property, Property Owner Association Property, Open Space Property, Assessor's Parcels exempt from the Special Tax pursuant to Section 53340 of the Act, and Assessor's Parcels with public or utility easements making impractical their utilization for any use other than the purposes set forth in the easement.
- F.2.** The Maximum Facilities Special Tax obligation or, if applicable, the Effective Tax Rate Evaluation Maximum Facilities Special Tax obligation for Taxable Property which will be transferred or dedicated to a public agency and will be classified as Public Property shall be prepaid in full by the seller, pursuant to Section K, prior to the transfer/dedication of such Taxable Property. Until the Maximum Facilities Special Tax obligation or, if applicable, the Effective Tax Rate Evaluation Maximum Facilities Special Tax obligation for any such Taxable Property is prepaid, the Taxable Property shall continue to be subject to the levy of the Facilities Special Tax. An exception to this may be made if an Assessor's Parcel of Public Property, such as a school site, is relocated to an Assessor's Parcel of Taxable Property, in which case the Assessor's Parcel of previously Public Property becomes Taxable Property and the Assessor's Parcel of previously Taxable Property becomes Public Property. This trading of an Assessor's Parcel from Taxable Property to Public Property will be permitted to the extent there is no loss in Maximum Facilities Special Tax revenue or, if applicable, Effective Tax Rate Evaluation Maximum Facilities Special Tax revenue, and the transfer is agreed to by the owners of all Assessor's Parcels involved in the transfer and the City Council.
- F.3.** If the use of an Assessor's Parcel changes so that such Assessor's Parcel is no longer eligible to be classified as one of the uses set forth in Section F.1 above that would make such Assessor's Parcel eligible to continue to be classified as Exempt Property, such Assessor's Parcel shall cease to be classified as Exempt Property and shall be deemed to be Taxable Property and subject to the Special Tax.

G. TRANSFERS

Prior to the issuance of the first series of Bonds within CFD No. 23 IA3, the City may permit the transfer of Maximum Facilities Special Tax or Effective Tax Rate Evaluation Maximum Facilities Special Tax from one Assessor's Parcel to another Assessor's Parcel. Before recordation of a Small Lot Final Subdivision Map, if a subdivision map is required, the City may permit a transfer if the number of planned Residential Units, Multi-Family Attached Property Acreage, or Non-Residential Property Acreage is transferred from one Assessor's Parcel(s) to another Assessor's Parcel(s) in any portion of Large Lot Property. The City may, in its sole discretion, allow for a transfer of the Maximum Facilities Special Tax or Effective Tax Rate Evaluation Maximum Facilities Special Tax from one Assessor's Parcel to another Assessor's Parcel provided such a transfer shall be allowed only if (1) all adjustments are agreed to in writing by the affected property owners and the City's Finance Director, and (2) there is no reduction in the sum of the total Maximum Facilities Special Tax or sum of the total Effective Tax Rate Evaluation Maximum Facilities Special Tax as a result of the transfer. Should a transfer result in an amendment to Attachment B or, following an Effective Tax Rate Evaluation, Attachment D of this Amended Rate and Method of Apportionment, the requesting property owner shall bear the costs to affect the transfer in the CFD No. 23 IA3 records and prepare the required amendments to Attachment B or,

following an Effective Tax Rate Evaluation, Attachment D of this Amended Rate and Method of Apportionment.

H. INTERPRETATIONS

The City reserves the right to make minor administrative and technical changes to this document that do not materially affect the Amended Rate and Method of Apportionment of Special Tax. In addition, the interpretation and application of any section of this document shall be at the City's discretion. Interpretations may be made by the City by ordinance or resolution for purposes of clarifying any vagueness or ambiguity in this Amended Rate and Method of Apportionment of Special Tax.

I. REVIEW/APPEALS

The CFD No. 23 IA3 Administrator may establish such procedures, as it deems necessary to undertake the review of any such appeal. The CFD No. 23 IA3 Administrator shall interpret this Amended Rate and Method of Apportionment of Special Tax and make determinations relative to the annual administration of the Special Tax and any property owner appeals, as herein specified.

Any property owner may file a written appeal of the Special Tax with the CFD No. 23 IA3 Administrator claiming that the amount or application of the Special Tax is not correct. The appeal must be filed not later than one calendar year after having paid the Special Taxes that are disputed, and the appellant must be current in all payments of Special Taxes. In addition, during the term of the appeal process, all Special Taxes levied must be paid on or before the payment date established when the levy was made. The appeal must specify the reasons why the appellant claims the Special Taxes are in error. The CFD No. 23 IA3 Administrator shall review the appeal, meet with the appellant if the CFD No. 23 IA3 Administrator deems necessary, and advise the appellant of its determination.

If the property owner disagrees with the CFD No. 23 IA3 Administrator's decision relative to the appeal, the owner may file a written notice with the City Manager appealing the amount of the Special Tax levied on such Assessor's Parcel. If following such consultation and action, if any, by the City Manager, the property owner believes such error still exists, such person may file a written notice with the City Council appealing the amount of the Special Tax levied on such Assessor's Parcel. The decision of the City shall be final and binding to all persons. If the decision of the CFD No. 23 IA3 Administrator or subsequent decision by the City Manager or City Council requires the Special Taxes to be modified or changed in favor of the property owner, no cash refund shall be made for prior years' Special Taxes, but an adjustment shall be made to credit future Special Taxes. This procedure shall be exclusive and its exhaustion by any property owner shall be a condition precedent to filing any legal action by such owner.

J. MANNER OF COLLECTION

The annual Special Tax shall be collected in the same manner and at the same time as ordinary ad valorem property taxes; provided, however, that CFD No. 23 IA3, may, at the sole discretion of the City, directly bill the Special Tax, may collect Special Taxes at a different time or in a different manner as necessary to meet its financial obligations, and may covenant to foreclose and may actually

foreclose on Assessor's Parcels of Taxable Property that are delinquent in the payment of Special Taxes.

K. PREPAYMENT OF FACILITIES SPECIAL TAX

The Facilities Special Tax obligation of an Assessor's Parcel of Taxable Property may be prepaid and permanently satisfied as described herein; provided that there are no delinquent Special Taxes with respect to such Assessor's Parcel at the time of prepayment. An owner of an Assessor's Parcel intending to prepay the Facilities Special Tax obligation shall provide the CFD No. 23 IA3 Administrator with written notice of intent to prepay. Within 30 days of receipt of such written notice, the CFD No. 23 IA3 Administrator shall notify such owner of the prepayment amount of such Assessor's Parcel. Prepayment must be made not less than 60 days prior to the next occurring date that notice of redemption of Bonds, whichever date is earlier, from the proceeds of such prepayment may be given to the Trustee pursuant to the Indenture. The CFD No. 23 IA3 Administrator may charge a fee for providing this service.

K.1. Prepayment in Full

As of the proposed date of prepayment, the Prepayment Amount shall be calculated as follows:

Step 1: Determine the current Fiscal Year Maximum Facilities Special Tax for the Assessor's Parcel based on the assignment of the Maximum Facilities Special Tax described in Section C. If an Effective Tax Rate Evaluation has occurred, determine the current Fiscal Year Effective Tax Rate Evaluation Maximum Facilities Special Tax for the Assessor's Parcel based on the assignment of the Effective Tax Rate Evaluation Maximum Facilities Special Tax described in Section C. If the Assessor's Parcel is not already classified as Developed Property, the Maximum Facilities Special Tax (or Effective Tax Rate Evaluation Maximum Facilities Special Tax) shall be assigned as though the Assessor's Parcel was already designated as Developed Property.

Step 2: Calculate the annual revenue produced, by annually applying the Facilities Special Tax Escalation Factor, from the Maximum Facilities Special Tax (or Effective Tax Rate Evaluation Maximum Facilities Special Tax) from the date of prepayment through the Facilities Special Tax Term, except that this final date may be amended by the City no later than the time of the calculation of the prepayment. If the final date used in the prepayment calculation is amended by the City, this amended final date shall apply to any and all prepayment calculations from that point forward.

Step 3: Calculate the present value of the Assessor's Parcel's annual Maximum Facilities Special Tax (or Effective Tax Rate Evaluation Maximum Facilities Special Tax) revenue stream determined in Step 2. The present value shall be calculated using a discount rate that earns a rate of interest that, when the prepayment is invested in City permitted and available investments, would produce annual revenues equal to the amounts calculated in Step 2.

If there are Outstanding Bonds at the time of the Prepayment Amount calculation, the Prepayment Amount shall be first allocated to the Redemption Amount. If the Prepayment Amount is insufficient to fund the Redemption Amount, then the Prepayment Amount shall be increased to equal the Redemption Amount.

The Redemption Amount is calculated as follows:

Step 1: Divide the Maximum Facilities Special Tax (or Effective Tax Rate Evaluation Maximum Facilities Special Tax) computed pursuant to Step 1 of Section K.1 by the total Maximum Facilities Special Taxes (or total Effective Tax Rate Evaluation Maximum Facilities Special Taxes) for the entire CFD No. 23 IA3, based on the Maximum Facilities Special Taxes (or Effective Tax Rate Evaluation Maximum Facilities Special Taxes) that could be charged in the current Fiscal Year if all Taxable Property were designated as Developed Property, excluding any Assessor's Parcels which have prepaid the Maximum Facilities Special Tax (or Effective Tax Rate Evaluation Maximum Facilities Special Tax) obligation (the "Prepayment Quotient").

Step 2: Multiply the Prepayment Quotient by the Outstanding Bonds to compute the amount of Outstanding Bonds to be redeemed (the "Bond Redemption Amount").

Step 3: Multiply the Bond Redemption Amount by the applicable redemption premium, if any, on the Outstanding Bonds to be redeemed.

Step 4: Compute the amount needed to pay interest on the Bond Redemption Amount from the first Bond interest payment date following the current Fiscal Year until the earliest redemption date for the Outstanding Bonds.

Step 5: Determine that portion of Facilities Special Taxes levied on the Assessor's Parcel in the current Fiscal Year to satisfy the Facilities Special Tax Requirement, which have not yet been paid.

Step 6: A reserve fund credit shall equal the lesser of: (a) the expected reduction in the reserve requirement (as defined in the Indenture for the Bonds), if any, associated with the redemption of Outstanding Bonds as a result of the prepayment, or (b) the amount derived by subtracting the new reserve requirement (as defined in the Indenture for the Bonds) in effect after the redemption of Outstanding Bonds as a result of the prepayment from the balance in the reserve fund on the prepayment date, but in no event shall such amount be less than zero. Such reserve fund credit will not decrease the balance in the reserve fund below the new reserve requirement.

Step 7: If any capitalized interest for the Outstanding Bonds will not have been expended at the time of the first interest and/or principal payment following the current Fiscal Year, a capitalized interest credit shall be calculated by multiplying the quotient computed pursuant to Step 1 by the expected balance in the capitalized interest fund after such first interest payment.

Step 8: The redemption amount is equal to the sum of the amounts computed pursuant to Steps 2, 3, 4, and 5, less the amount computed pursuant to Steps 6 and 7 (the "Redemption Amount").

If the Prepayment Amount exceeds the Redemption Amount, then any remaining Prepayment Amount, after allocating the Redemption Amount, shall be designated as Pay as You Go Costs.

The Prepayment Amount shall include any fees or expenses, including the costs of computation of the prepayment, the costs to invest the prepayment proceeds, the cost of redeeming Bonds, and the costs of recording any notices to evidence the prepayment and the redemption (the "Administrative Fees and Expenses").

In addition, the City has the authority to adjust the Prepayment Amount calculated above if a portion or all of the current property tax bill and the portion attributable to the payment of the Facilities Special Tax has not been used to make an interest and/or principal payment on the Bonds.

Notwithstanding the foregoing, no Facilities Special Tax prepayment shall be allowed unless the amount of Maximum Facilities Special Taxes (or Effective Tax Rate Evaluation Maximum Facilities Special Taxes), net of any priority administration, if any as defined in the Bond documents, that may be levied on Taxable Property, in each Fiscal Year, both prior to and after the proposed prepayment, is at least 1.1 times the annual debt service on all Outstanding Bonds to be paid from the Maximum Facilities Special Taxes (or Effective Tax Rate Evaluation Maximum Facilities Special Taxes) in each Fiscal Year.

K.2. Prepayment in Part

The Facilities Special Tax obligation may be partially prepaid in any percentage of the full Prepayment Amount. The amount of the partial prepayment shall be calculated as in the above Section K.1; except that a partial prepayment shall be calculated according to the following formula:

$$PP = ((PE - A) \times F) + A$$

These terms have the following meaning:

PP = the Partial Prepayment Amount

PE = the Prepayment Amount calculated according to Section K.1 above

A = the Administrative Fees and Expenses calculated according to Section K.1 above

F = the percent by which the owner of the Assessor's Parcel(s) is partially prepaying the Facilities Special Tax obligation.

The owner of an Assessor's Parcel who desires to partially prepay the Facilities Special Tax obligation shall notify the CFD No. 23 IA3 Administrator of (i) such owner's intent to partially prepay the Facilities Special Tax obligation, (ii) the amount of partial prepayment expressed in increments equal to percentage of the full Prepayment Amount, and (iii) the company or agency that will be acting as the escrow agent, if applicable. Partial prepayment must be made not less than 60 days prior to the next occurring date that notice of redemption of Bonds, whichever date is earlier, from the proceeds of such prepayment may be given to the Trustee pursuant to the Indenture. The CFD No. 23 IA3 Administrator may charge a fee for providing this service.

With respect to any Assessor's Parcel that is partially prepaid, the CFD No. 23 IA3 Administrator shall indicate in the records of CFD No. 23 IA3 that there has been a partial prepayment of the Facilities Special Tax obligation and that a portion of the Facilities Special Tax obligation equal to the outstanding percentage $(1.00 - F)$ of the remaining Facilities Special Tax obligation shall continue to be authorized to be levied on such Assessor's Parcel pursuant to Section C.

Notwithstanding the foregoing, no partial prepayment shall be allowed unless the amount of Maximum Facilities Special Taxes (or Effective Tax Rate Evaluation Maximum Facilities Special Taxes), net of any priority administration, if any as defined in the Bond documents, that may be levied on Taxable Property, in each Fiscal Year, both prior to and after the proposed partial prepayment, is at least 1.1 times the annual debt service on all Outstanding Bonds to be paid from the Maximum Facilities Special Taxes (or Effective Tax Rate Evaluation Maximum Facilities Special Taxes) in each Fiscal Year.

L. TERM OF SPECIAL TAX

The Maximum Facilities Special Tax and Effective Tax Rate Evaluation Maximum Facilities Special Tax shall be levied commencing in Fiscal Year 2021-2022 to the extent necessary to fully satisfy the Facilities Special Tax Requirement and shall be levied for the Facilities Special Tax Term.

The Maximum Services Special Tax shall be levied commencing in Fiscal Year 2021-2022 and shall be levied in perpetuity, unless and until such time the City determines that revenues are no longer needed to pay the Services Special Tax Requirement.

**City of Folsom
Community Facilities District No. 23 (Folsom Ranch)
Improvement Area No. 3
Maximum Special Tax Rates
(Fiscal Year 2021-2022)**

Land Use Category	Residential Floor Area	2021-2022 Maximum Facilities Special Tax Rate⁽¹⁾	2021-2022 Maximum Services Special Tax Rate⁽²⁾	Taxed Per
Developed Property:				
Single-Family Detached Property – SF/SFHD Zoning	≥ 2,200	\$890	\$100	Residential Unit
Single-Family Detached Property – SF/SFHD Zoning	2,000 – 2,199	790	100	Residential Unit
Single-Family Detached Property – SF/SFHD Zoning	1,800 – 1,999	690	100	Residential Unit
Single-Family Detached Property – SF/SFHD Zoning	≤ 1,799	590	100	Residential Unit
Single-Family Detached Property – MLD Zoning	Not Applicable	490	100	Residential Unit
MMD Multi-Family Attached Property	Not Applicable	30,000	500	Acre
MHD Multi-Family Attached Property	Not Applicable	11,700	1,000	Acre
Non-Residential Property	Not Applicable	11,700	1,000	Acre
Small Lot Final Map Property:				
Single-Family Detached Property – SF/SFHD Zoning	Not Applicable	\$590	\$100	Residential Lot
Single-Family Detached Property – MLD Zoning	Not Applicable	490	100	Residential Lot

**City of Folsom
 Community Facilities District No. 23 (Folsom Ranch)
 Improvement Area No. 3
 Maximum Special Tax Rates
 (Fiscal Year 2021-2022)**

Land Use Category	Residential Floor Area	2021-2022 Maximum Facilities Special Tax Rate⁽¹⁾	2021-2022 Maximum Services Special Tax Rate⁽²⁾	Taxed Per
Permit Ready Multi-Family/Non-Residential Property	Not Applicable	\$11,700	\$1,000	Acre
Large Lot Property	Not Applicable	\$18,000	\$1,000	Acre
Undeveloped Property	Not Applicable	\$18,000	\$1,000	Acre

- (1) On each July 1, commencing on July 1, 2022, the Maximum Facilities Special Tax Rates shall be increased by the Facilities Special Tax Escalation Factor of the Maximum Facilities Special Tax Rates in effect for the previous Fiscal Year.
- (2) On each July 1, commencing on July 1, 2022, the Maximum Services Special Tax Rates shall be increased by an amount equal to the Services Special Tax Escalation Factor of the Maximum Services Special Tax Rates in effect for the previous Fiscal Year.

ATTACHMENT B
City of Folsom
Community Facilities District No. 23 (Folsom Ranch)
Improvement Area No. 3
Minimum Facilities Revenue
(Fiscal Year 2021-2022)

Land Use Category	Planned Number of Residential Units / Acres	2021-2022 Developed Property Maximum Facilities Special Tax Rate⁽¹⁾⁽²⁾	2021-2022 Minimum Facilities Revenue ⁽¹⁾⁽³⁾
Developed Property:			
Single-Family Detached Property – SF/SFHD Zoning ⁽⁴⁾	751	\$590	\$443,090
Single-Family Detached Property – MLD Zoning	168	490	82,320
MMD Multi-Family Attached Property	0.0	30,000	0
MHD Multi-Family Attached Property	0.0	11,700	0
Non-Residential Property	0.0	11,700	0
Total Minimum Facilities Revenue			\$525,410

- (1) On each July 1, commencing on July 1, 2022, the Developed Property Maximum Facilities Special Tax Rates and Minimum Facilities Revenue shall be increased by the Facilities Special Tax Escalation Factor of the Developed Property Maximum Facilities Special Tax Rates and Minimum Facilities Revenue in effect for the previous Fiscal Year.
- (2) As a result of future Assessor’s Parcel changes, described in Section C.1, the assigned Maximum Facilities Special Tax Rates for Developed Property may exceed the Developed Property Maximum Facilities Special Tax Rates set forth in this table.
- (3) The total Minimum Facilities Revenue may be decreased as result of all or a portion of Maximum Facilities Special Tax obligations being prepaid and permanently satisfied pursuant to Section K.
- (4) Based upon the Developed Property Maximum Facilities Special Tax Rate for Single-Family Detached Property – SF/SFHD Zoning with Residential Floor Area of less than 1,799 square feet.

ATTACHMENT C
City of Folsom
Community Facilities District No. 23 (Folsom Ranch)
Improvement Area No. 3
Effective Tax Rate Evaluation Maximum Facilities Special Tax Rates
(Fiscal Year 2021-2022)

Land Use Category	Residential Floor Area	2021-2022 Effective Tax Rate Evaluation Maximum Facilities Special Tax Rate⁽¹⁾⁽²⁾	Taxed Per
Developed Property:			
Single-Family Detached Property – SF/SFHD Zoning	≥ 2,200	\$890	Residential Unit
Single-Family Detached Property – SF/SFHD Zoning	2,000 – 2,199	790	Residential Unit
Single-Family Detached Property – SF/SFHD Zoning	1,800 – 1,999	690	Residential Unit
Single-Family Detached Property – SF/SFHD Zoning	≤ 1,799	590	Residential Unit
Single-Family Detached Property – MLD Zoning	Not Applicable	490	Residential Unit
MMD Multi-Family Attached Property	Not Applicable	30,000	Acre
MHD Multi-Family Attached Property	Not Applicable	11,700	Acre
Non-Residential Property	Not Applicable	11,700	Acre
Small Lot Final Map Property:			
Single-Family Detached Property – SF/SFHD Zoning	Not Applicable	\$590	Residential Lot
Single-Family Detached Property – MLD Zoning	Not Applicable	490	Residential Lot

ATTACHMENT C
City of Folsom
Community Facilities District No. 23 (Folsom Ranch)
Improvement Area No. 3
Effective Tax Rate Evaluation Maximum Facilities Special Tax Rates
(Fiscal Year 2021-2022)

Land Use Category	Residential Floor Area	2021-2022 Effective Tax Rate Evaluation Maximum Facilities Special Tax Rate⁽¹⁾⁽²⁾	Taxed Per
Permit Ready Multi-Family/Non-Residential Property	Not Applicable	\$11,700	Acre
Large Lot Property	Not Applicable	\$18,000	Acre
Undeveloped Property	Not Applicable	\$18,000	Acre

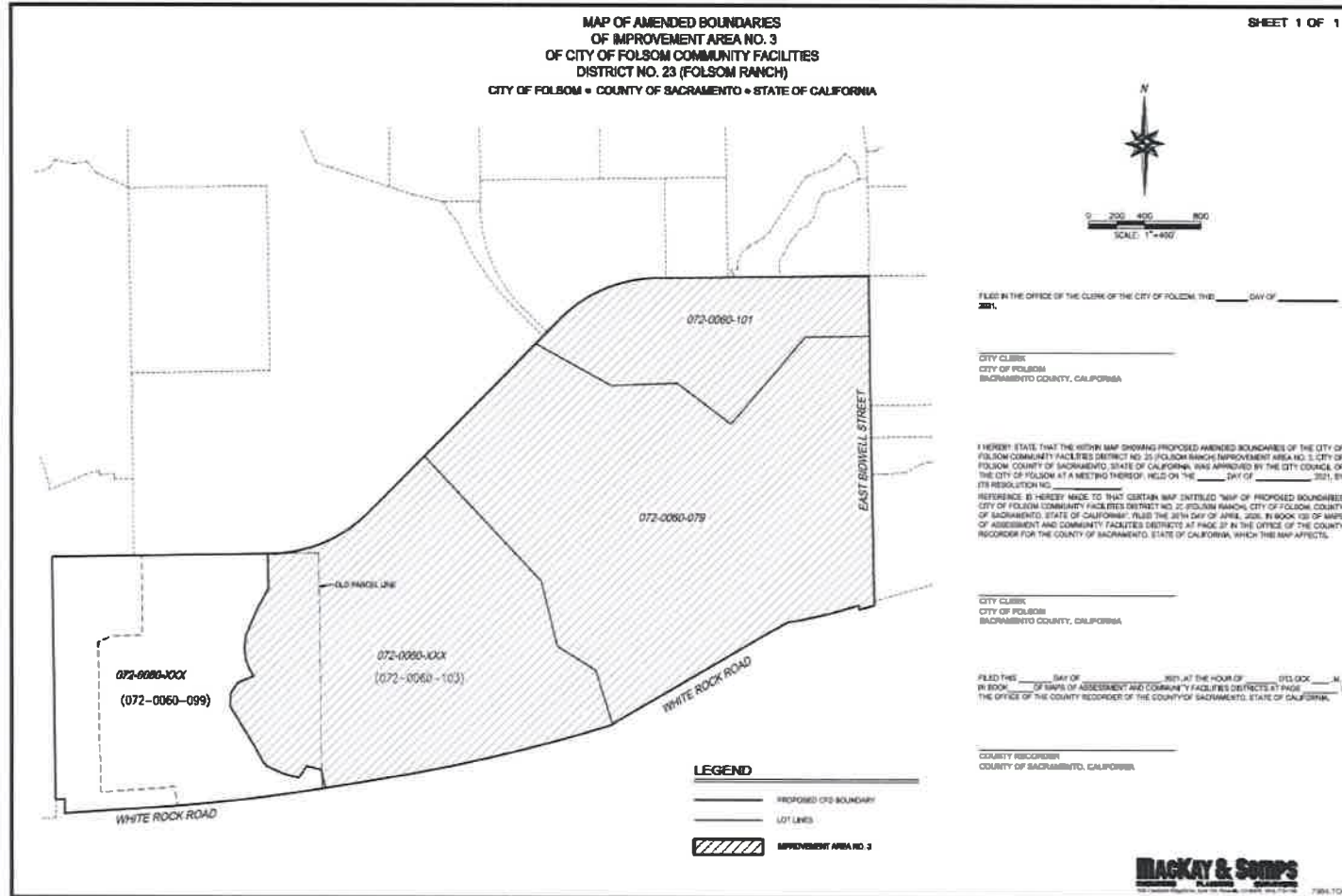
- (1) Effective Tax Rate Evaluation Maximum Facilities Special Tax Rates will be inserted following the Effective Tax Rate Evaluation.
- (2) On each July 1, commencing in the Fiscal Year after the Effective Tax Rate Evaluation occurs, the Effective Tax Rate Evaluation Maximum Facilities Special Tax Rates shall be increased by the Facilities Special Tax Escalation Factor of the Effective Tax Rate Evaluation Maximum Facilities Special Tax Rates in effect for the previous Fiscal Year.

ATTACHMENT D
City of Folsom
Community Facilities District No. 23 (Folsom Ranch)
Improvement Area No. 3
Effective Tax Rate Evaluation Minimum Facilities Revenue
(Fiscal Year 2021-2022)

Land Use Category	Planned Number of Residential Units / Acres⁽¹⁾	2021-2022 Developed Property Effective Tax Rate Evaluation Maximum Facilities Special Tax Rate⁽¹⁾⁽²⁾⁽³⁾	2021-2022 Effective Tax Rate Evaluation Minimum Facilities Revenue⁽¹⁾⁽²⁾⁽⁴⁾
Developed Property:			
Single-Family Detached Property – SF/SFHD Zoning ⁽⁵⁾	751	\$590	\$443,090
Single-Family Detached Property – MLD Zoning	168	490	82,320
MMD Multi-Family Attached Property	0.0	30,000	0
MHD Multi-Family Attached Property	0.0	11,700	0
Non-Residential Property	0.0	11,700	0
Total Effective Tax Rate Evaluation Minimum Facilities Revenue			\$525,410

- (1) Planned Number of Residential Units/Acres, Developed Property Effective Tax Rate Evaluation Maximum Facilities Special Tax Rate and Effective Tax Rate Evaluation Minimum Facilities Revenue to be inserted following the Effective Tax Rate Evaluation.
- (2) On each July 1, commencing in the Fiscal Year after the Effective Tax Rate Evaluation occurs, the Developed Property Effective Tax Rate Evaluation Maximum Facilities Special Tax Rates and Effective Tax Rate Evaluation Minimum Facilities Revenue shall be increased by the Facilities Special Tax Escalation Factor of the Developed Property Effective Tax Rate Evaluation Maximum Facilities Special Tax Rates and Effective Tax Rate Evaluation Minimum Facilities Revenue in effect for the previous Fiscal Year.
- (3) As a result of future Assessor’s Parcel changes, described in Section C.3, the assigned Developed Property Effective Tax Rate Evaluation Maximum Facilities Special Tax Rates may exceed the Developed Property Effective Tax Rate Evaluation Maximum Facilities Special Tax Rates set forth in this table.
- (4) The total Effective Tax Rate Evaluation Minimum Facilities Revenue may be decreased as result of all or a portion of Effective Tax Rate Evaluation Maximum Facilities Special Tax obligations being prepaid and permanently satisfied pursuant to Section K.
- (5) Based upon the Developed Property Effective Tax Rate Evaluation Maximum Facilities Special Tax Rate for Single-Family Detached Property – SF/SFHD Zoning with Residential Floor Area of less than 1,799 square feet.

ATTACHMENT E
City of Folsom
Community Facilities District No. 23 (Folsom Ranch)
Improvement Area No. 3
Amended Boundaries



APPENDIX C: RATE AND METHOD OF APPORTIONMENT – IA NO. 7

The following pages provide a copy of the Rate and Method of Apportionment for the new IA No. 7.

**RATE AND METHOD OF APPORTIONMENT FOR
CITY OF FOLSOM
COMMUNITY FACILITIES DISTRICT NO. 23
(FOLSOM RANCH)
Improvement Area No. 7**

A Special Tax, as hereinafter defined, shall be levied on each Assessor's Parcel of Taxable Property within the City of Folsom Community Facilities District No. 23 (Folsom Ranch) Improvement Area No. 7 (CFD No. 23 IA7) and collected each Fiscal Year in an amount determined by the CFD No. 23 IA7 Administrator through the application of the Rate and Method of Apportionment as described below. All of the real property within CFD No. 23 IA7, unless exempted by law or by the provisions hereof, shall be taxed for the purposes, to the extent and in the manner herein provided.

A. GENERAL DEFINITIONS

The terms hereinafter set forth have the following meaning:

“Acre or Acreage” means the land area of an Assessor’s Parcel as shown on County records, such as an Assessor’s Parcel Map and secured roll data, or if the land area is not shown on an Assessor’s Parcel Map, the land area shown on the applicable Large Lot Map, Small Lot Final Subdivision Map, condominium plan, record of survey, or other recorded document creating or describing the parcel. If the preceding maps for a land area are not available, the Acreage of such land area may be determined utilizing available spatial data and GIS. The square footage of an Assessor’s Parcel is equal to the Acreage of such parcel multiplied by 43,560.

“Act” means the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, Division 2 of Title 5 of the Government Code of the State of California.

“Assessor’s Parcel” or “Parcel” means a lot or parcel shown in an Assessor’s Parcel Map with an assigned Assessor’s Parcel number.

“Assessor’s Parcel Map” means an official map of the County Assessor of the County designating lots or parcels by an Assessor’s Parcel number.

“Authorized Services” means the landscape corridor, enhanced open space and street light maintenance, services, and expenses authorized to be financed by CFD No. 23 IA7.

“Bond Year” means a one year period beginning on September 2nd in each year and ending on September 1st in the following year, unless defined differently in the applicable Indenture.

“Bonds” means any bonds or other debt (as defined in the Act), whether in one or more series, issued by CFD No. 23 IA7 under the Act.

“CFD No. 23 IA7” means City of Folsom Community Facilities District No. 23 (Folsom Ranch) Improvement Area No. 7.

“CFD No. 23 IA7 Administrator” means the City’s Finance Director, or designee thereof, responsible for determining the Facilities Special Tax Requirement, Services Special Tax Requirement and providing for the levy and collection of the Special Taxes.

“CFD No. 23 IA7” means City of Folsom Community Facilities District No. 23 (Folsom Ranch) Improvement Area No. 7.

“CFD No. 23 IA7 Boundaries” means the boundaries for CFD No. 23 IA7, including the area designated as Zone 1 and Zone 2, as set forth in Attachment E.

“City” means the City of Folsom.

“City Council” means the City Council of the City, acting as the legislative body of CFD No. 23 IA7.

“County” means the County of Sacramento.

“Developed Property” means, for each Fiscal Year, all Taxable Property for which a building permit for new construction was issued prior to June 30 of the previous Fiscal Year.

“Effective Tax Rate Evaluation” means an evaluation of the Total Effective Tax Rate of Residential Property at the time of such evaluation. The Effective Tax Rate Evaluation will be based upon a prepared Price Point Study to determine the Total Effective Tax Rate for Residential Property, based upon the calculated Total Estimated Tax Burden.

“Effective Tax Rate Evaluation Maximum Facilities Special Tax” means the total maximum annual Facilities Special Tax, as determined during the Effective Tax Rate Evaluation, in accordance with the provisions of Section C.2, which may be levied in any Fiscal Year on any Assessor’s Parcel of Taxable Property.

“Effective Tax Rate Evaluation Maximum Facilities Special Tax Rate” means the maximum annual Facilities Special Tax rate for each land use category of Taxable Property that will be set forth in Attachment C, following the Effective Tax Rate Evaluation, which may be levied in any Fiscal Year on any Assessor’s Parcel of Taxable Property.

“Effective Tax Rate Evaluation Minimum Facilities Revenue” means, following the Effective Tax Rate Evaluation, the total minimum amount of CFD No. 23 IA7 Effective Tax Rate Evaluation Maximum Facilities Special Tax, as adjusted annually by the Facilities Special Tax Escalation Factor after the Fiscal Year in which the Effective Tax Rate Evaluation occurs, less any Effective Tax Rate Evaluation Maximum Facilities Special Tax amounts prepaid and permanently satisfied pursuant to Section K. The Effective Tax Rate Evaluation Minimum Facilities Revenue, based on Planned Development, is set forth in Attachment D of this Rate and Method of Apportionment.

“Exempt Property” means all Assessors’ Parcels that are exempt from the Special Tax pursuant to Section F. Assessor’s Parcels exempt from the Special Tax pursuant to Section 53340 of the Act shall also be designated as Exempt Property.

“Facilities Administrative Expenses” means the actual or reasonably estimated costs directly related to the administration of the Facilities Special Tax including, but not limited to, the following: the costs

of computing the Facilities Special Tax and preparing the annual Facilities Special Tax collection schedules (whether by the City or designee thereof or both); the costs of collecting the Facilities Special Taxes (whether by the County, the City, or otherwise); the costs of remitting the Facilities Special Taxes to the Trustee; the costs of the Trustee (including its legal counsel) in the discharge of the duties required of it under the Indenture; the costs to the City, CFD No. 23 IA7, or any designee thereof of complying with arbitrage rebate requirements or responding to questions from the IRS or SEC pertaining to any Bonds or any audit of any Bonds by the SEC or IRS; the costs to the City, CFD No. 23 IA7, or any designee thereof of providing continuing disclosure regarding the Bonds pursuant to applicable state or federal securities law; the costs associated with preparing Facilities Special Tax disclosure statements and responding to public inquiries regarding the Facilities Special Taxes; the costs of the City, CFD No. 23 IA7, or any designee thereof related to any appeal of the levy or application of the Facilities Special Tax; the costs associated with the release of funds from an escrow account, if any; and the costs associated with computing and preparing the Effective Tax Rate Evaluation, including the Price Point Study. Facilities Administrative Expenses shall also include amounts estimated or advanced by the City or CFD No. 23 IA7 for any other administrative purposes, including, but not limited to, attorney's fees and other costs related to commencing and pursuing to completion any foreclosure of delinquent Facilities Special Taxes.

"Facilities Special Tax" means the annual Special Tax to be levied in each Fiscal Year on each Assessor's Parcel of Taxable Property to fund the Facilities Special Tax Requirement.

"Facilities Special Tax Escalation Factor" means two percent (2%) annually.

"Facilities Special Tax Requirement" means that amount of Special Tax revenue required in any Fiscal Year for CFD No. 23 IA7 to: (i) Pay Facilities Administrative Expenses in an amount designated by the City; (ii) pay annual debt service on all Outstanding Bonds due in the Bond Year beginning in such Fiscal Year; (iii) pay other periodic costs on Outstanding Bonds, including but not limited to, credit enhancement and rebate payments on Outstanding Bonds; (iv) pay any amounts required to establish or replenish any reserve funds for all Outstanding Bonds in accordance with the Indenture; (v) pay for reasonably anticipated delinquent Special Taxes based on the delinquency rate for Special Taxes levied in the previous Fiscal Year and known upcoming delinquencies; and (vi) pay for Pay As You Go Costs; less (vii) a credit for funds available to reduce the annual Facilities Special Tax levy as determined by the CFD No. 23 IA7 Administrator pursuant to the Indenture.

"Facilities Special Tax Term" means the earlier of Fiscal Year 2079-2080 or the Fiscal Year occurring 50 years following the Fiscal Year in which the first building permit was issued or the first series of Bonds was issued within CFD No. 23 IA7.

"Fiscal Year" means the period starting July 1 and ending on the following June 30.

"Indenture" means the indenture, fiscal agent agreement, trust agreement, resolution or other instrument pursuant to which Bonds are issued, as modified, amended and/or supplemented from time to time, and any instrument replacing or supplementing the same.

"Large Lot Property" means, for each Fiscal Year, all Taxable Property for which a Large Lot Map was recorded prior to June 30 of the previous Fiscal Year, excluding any portion(s) thereof classified as Developed Property, Small Lot Final Map Property, or Permit Ready Multi-Family/Non-Residential

Property. Large Lot Property also means, for each Fiscal Year, all Taxable Property classified as Small Lot Final Map Remainder Property as of June 30 of the previous Fiscal Year.

“Large Lot Map” means a recorded subdivision map creating larger parcels by land use. The Large Lot Map does not create individual lots for which building permits may be issued for single-family Residential Units.

“Maximum Facilities Special Tax” means the total maximum annual Facilities Special Tax, determined in accordance with the provisions of Section C, which may be levied in any Fiscal Year on any Assessor’s Parcel of Taxable Property.

“Maximum Facilities Special Tax Rate” means the maximum annual Facilities Special Tax rate for each land use category of Taxable Property, as shown in Attachment A, which may be levied in any Fiscal Year on any Assessor’s Parcel of Taxable Property.

“Maximum Services Special Tax” means the total maximum annual Services Special Tax, determined in accordance with the provisions of Section D, which may be levied in any Fiscal Year on any Assessor’s Parcel of Taxable Property.

“Maximum Services Special Tax Rate” means the maximum annual Services Special Tax rate for each land use category of Taxable Property, as shown in Attachment A, which may be levied in any Fiscal Year on any Assessor’s Parcel of Taxable Property.

“Maximum Special Tax” means the total annual Maximum Facilities Special Tax (or Effective Tax Rate Evaluation Maximum Facilities Special Tax) and Maximum Services Special Tax, determined in accordance with the provisions of Section C and Section D, which may be levied in any Fiscal Year on any Assessor’s Parcel of Taxable Property.

“Maximum Total Effective Tax Rate” means 1.80%, unless the City determines, in its sole discretion, that a higher Maximum Total Effective Tax Rate is appropriate.

“Minimum Facilities Revenue” means the minimum amount of total CFD No. 23 IA7 Maximum Facilities Special Tax, as adjusted annually by the Facilities Special Tax Escalation Factor, less any Maximum Facilities Special Tax amounts prepaid and permanently satisfied pursuant to Section K. The Minimum Facilities Revenue, based on Planned Development, is set forth in Attachment B of this Rate and Method of Apportionment.

“MHD Multi-Family Attached Property” means all Assessor’s Parcels for which a building permit could be issued for purposes of constructing one or more attached Residential Units per Assessor’s Parcel with a permitted density range of greater than 20 Residential Units per Acre and more fully described in the Folsom Plan Area Specific Plan adopted on June 28, 2011 and as amended by the City Council. MHD Multi-Family Attached Property shall also include an Assessor’s Parcel or that portion of an Assessor’s Parcel designated as a Mixed Use Residential Parcel.

“Mixed Use Residential Parcel” means a mixed use Assessor’s Parcel that is designated for residential land use. If the mixed use Assessor’s Parcel contains a combination of residential land use and non-residential land use, only that portion of an Assessor’s Parcel designated for residential land use shall

be classified as a Mixed Use Residential Parcel and the remaining non-residential land use of the Assessor's Parcel shall be classified as Non-Residential Property.

"MMD Multi-Family Attached Property" means all Assessor's Parcels for which a building permit could be issued for purposes of constructing one or more attached Residential Units per Assessor's Parcel with a permitted density range of 12-20 Residential Units per Acre and more fully described in the Folsom Plan Area Specific Plan adopted on June 28, 2011 and as amended by the City Council.

"Non-Residential Property" means, for each Fiscal Year, all Taxable Property for which a building permit could be issued for purposes of constructing non-residential buildings.

"Open Space Property" means property within the CFD No. 23 IA7 Boundaries, which (a) has been designated with specific boundaries and acreage on a Small Lot Final Subdivision Map as open space, or (b) is classified by the City zoning code or County Assessor as open space, or (c) has been irrevocably offered for dedication as open space to the federal government, the State of California, the County, the City, any other public agency, a private, non-profit organization, or (d) is encumbered by an easement or other restriction required by the City limiting the use of such property to open space.

"Outstanding Bonds" means all Bonds, which remain outstanding as defined in the Indenture pursuant to which such Bonds were issued.

"Pay as You Go Costs" means that portion of the Facilities Special Tax Requirement attributable to the direct payment for the acquisition and/or construction of public improvements, which are authorized to be financed by CFD No. 23 IA7.

"Permit Ready Multi-Family/Non-Residential Property" means an Assessor's Parcel of Taxable Property zoned for multi-family or non-residential land use for which all discretionary entitlements have been obtained, including without limitation, development plan review and improvement plan approval, such that building permits may be issued without further approvals for the construction of multi-family Residential Units or non-residential buildings within such Assessor's Parcel. The City shall have sole discretion, based upon available development information, in classifying an Assessor's Parcel as Permit Ready Multi-Family/Non-Residential Property.

"Planned Development" means the planned number of Residential Units, MHD Multi-Family Attached Property Acreage, MMD Multi-Family Attached Property Acreage, and Non-Residential Property Acreage planned within CFD No. 23 IA7, set forth in Attachment B or, following the Effective Tax Rate Evaluation, Attachment D of this Rate and Method of Apportionment, as amended by the future recordation of all Large Lot Maps and Small Lot Final Subdivision Maps within CFD No. 23 IA7.

"Price Point Study" means an analysis, prepared by an independent firm, to verify the estimated average sales price within each land use category of Residential Property given the project location and current market conditions.

"Property Owner Association Property" means any property within the CFD No. 23 IA7 Boundaries, which is (a) owned by a property owner association or (b) designated with specific boundaries and Acreage on a Small Lot Final Subdivision Map as property owner association property. As used in this definition, a property owner association includes any master or sub-association.

“Proportionately” means for Taxable Property that the ratio of the Facilities Special Tax levy to the Maximum Facilities Special Tax (or Effective Tax Rate Evaluation Maximum Facilities Special Tax) and the Services Special Tax levy to the Maximum Services Special Tax is equal for all Assessors’ Parcels within each classification (Developed Property, Single Family Final Map Property, Permit Ready Multi-Family/Non-Residential Property, Large Lot Property, etc.) within CFD No. 23 IA7.

“Public Property” means any property within the CFD No. 23 IA7 Boundaries, which (a) is owned by a public agency, (b) has been irrevocably offered for dedication to a public agency, or (c) is designated with specific boundaries and Acreage on a Small Lot Final Subdivision Map as property, which will be owned by a public agency. For purposes of this definition, a public agency includes the federal government, the State of California, the County, the City, or any other public agency.

“Residential Floor Area” means all of the square footage of living area within the perimeter of a residential structure, not including any carport, walkway, garage, overhang, patio, enclosed patio, or similar area. The determination of Residential Floor Area shall be made by the CFD No. 23 IA7 Administrator by reference to appropriate records kept by the City’s building department. Residential Floor Area for a residential structure will be based on the building permit(s) issued for such structure prior to it being classified as Developed Property, and shall not change as a result of additions or modifications made to such structure after such classification as Developed Property.

“Residential Lot” means an individual lot of land for which a building permit could be issued to construct a Residential Unit.

“Residential Property” means, for each Fiscal Year, all Taxable Property for which a building permit could be issued for purposes of constructing Residential Units, including Single-Family Detached Property – SF/SFHD Zoning, Single-Family Detached Property – MLD Zoning, MHD Multi-Family Attached Property, and MMD Multi-Family Attached Property.

“Residential Unit” means a residential dwelling unit, not including guest quarters or “granny flats” as allowed by the City zoning code.

“Services Administrative Expenses” means the actual or reasonably estimated costs directly related to the administration of the Services Special Tax including, but not limited to, the following: the costs of computing the Services Special Taxes and preparing the annual Services Special Tax collection schedules (whether by the City or designee thereof or both); the costs of collecting the Services Special Taxes (whether by the County, the City, or otherwise); the costs associated with preparing Special Tax disclosure statements and responding to public inquiries regarding the Services Special Tax; and the costs of the City, CFD No. 23 IA7, or any designee thereof related to any appeal of the levy or application of the Services Special Tax. Services Administrative Expenses shall also include amounts estimated or advanced by the City or CFD No. 23 IA7 for any other administrative purposes related to the Services Special Tax.

“Services Special Tax” means the annual Special Tax to be levied in each Fiscal Year on each Assessor’s Parcel of Taxable Property to fund the Services Special Tax Requirement.

“Services Special Tax Escalation Factor” means the June annualized percentage change of the Consumer Price Index for all Urban Consumers, for the San Francisco-Oakland-San Jose area, not to

exceed four percent (4%). In the event that the percentage change is negative, the Services Special Tax Escalation Factor shall be equal to zero.

“Services Special Tax Requirement” means the amount of Services Special Tax revenue required in any Fiscal Year for CFD No. 23 IA7 to: (i) Pay Services Administrative Expenses in an amount designated by the City; (ii) pay Authorized Services expenses; (iii) pay any amounts required to establish or replenish any repair and contingency funds, capital improvement funds, or reserve funds related to the Authorized Services expenses; (iv) cover any shortfalls that exist if, in any Fiscal Year, the levy of the Facilities Special Tax on each Assessor’s Parcel of Taxable Property is insufficient to pay the Facilities Special Tax Requirement in that Fiscal Year. Facilities Special Tax Requirement shortfalls shall not include Pay As You Go Costs, and (v) pay for reasonably anticipated delinquent Services Special Taxes based on the delinquency rate for Services Special Taxes levied in the previous Fiscal Year; less (vi) a credit for funds available to reduce the annual Services Special Tax levy as determined by the CFD No. 23 IA7 Administrator.

“Single-Family Detached Property – MLD Zoning” means, for each Fiscal Year, all Taxable Property for which a building permit could be issued for purposes of constructing one or more detached or attached Residential Units with a permitted density range of 7-12 Residential Units per Acre and more fully described in the Folsom Plan Area Specific Plan adopted on June 28, 2011 and as amended by the City Council.

“Single-Family Detached Property – SF/SFHD Zoning” means, for each Fiscal Year, all Taxable Property for which a building permit could be issued for purposes of constructing one or more Residential Units. Single-Family Detached Property – SF/SFHD Zoning shall consist of either single-family property with a permitted density range of 1-4 Residential Units per Acre or single-family high density property with a permitted density range of 4-7 Residential Units per Acre, which is more fully described in the Folsom Plan Area Specific Plan adopted on June 28, 2011 and as amended by the City Council.

“Special Tax” means the annual Facilities Special Tax and Services Special Tax to be levied in each Fiscal Year on each Assessor’s Parcel of Taxable Property to fund the Facilities Special Tax Requirement and the Services Special Tax Requirement.

“Small Lot Final Map Property” means, for each Fiscal Year, all Taxable Property for which a Small Lot Final Subdivision Map was recorded prior to June 30 of the previous Fiscal Year.

“Small Lot Final Map Remainder Property” means an Assessor’s Parcel that is created from the subdivision of Large Lot Property by the recordation of a Small Lot Final Subdivision Map that has not yet been mapped for final development approval. Small Lot Final Map Remainder Property is that portion of property for which the Small Lot Final Subdivision Map definition does not apply (i.e., does not contain individual lots for which building permits may be issued for Residential Units without further subdivision of such property). Each Fiscal Year, all Taxable Property classified as Small Lot Final Map Remainder Property, as of June 30 of the previous Fiscal Year, will be considered Large Lot Property.

“Small Lot Final Subdivision Map” means a subdivision of property created by recordation of a final subdivision map, parcel map or lot line adjustment, approved by the City pursuant to the Subdivision Map Act (California Government Code Section 66410 et seq.) or recordation of a condominium plan

pursuant to California Civil Code 1352, that creates individual lots for which building permits may be issued for Residential Units without further subdivision of such property.

“State” means the State of California.

“Taxable Property” means all of the Assessor’s Parcels within the CFD No. 23 IA7 Boundaries that are not exempt from the CFD No. 23 IA7 Special Tax pursuant to law or Section F below.

“Total Effective Tax Rate” means the percentage of the Total Estimated Tax Burden as compared to the estimated average sales price identified in the Price Point Study for each land use category of Residential Property.

“Total Estimated Tax Burden” means the total amount of overlapping property taxes anticipated to be levied upon a Residential Unit, based upon the estimated average sales price identified in the Price Point Study and existing property tax rates for the current Fiscal Year. Existing property tax rates shall reflect the actual property tax rates levied upon Taxable Property in the Fiscal Year that the Effective Tax Rate Evaluation is completed.

“Trustee” means the entity appointed pursuant to an Indenture to act as the trustee, fiscal agent, or paying agent or a combination thereof.

“Undeveloped Property” means, for each Fiscal Year, all Taxable Property not classified as Developed Property, Small Lot Final Map Property, Permit Ready Multi-Family/Non-Residential Property, or Large Lot Property.

“Zone 1” means that area within the CFD No. 23 IA7 Boundaries as set forth in Attachment E.

“Zone 2” means that area within the CFD No. 23 IA7 Boundaries as set forth in Attachment E.

B. ASSIGNMENT TO LAND USE CATEGORIES

Each Fiscal Year, using City and County records, City zoning information, and land use development plans, all Assessor’s Parcels within the CFD No. 23 IA7 Boundaries shall be designated as either Taxable Property or Tax-Exempt Property.

All Taxable Property shall be further classified as Developed Property, Small Lot Final Map Property, Permit Ready Multi-Family/Non-Residential Property, Large Lot Property, or Undeveloped Property and shall be subject to the levy of the annual Special Tax determined pursuant to Sections C and D below.

C. FACILITIES SPECIAL TAX

A Maximum Facilities Special Tax shall be assigned to all Taxable Property within CFD No. 23 IA7 according to the Maximum Facilities Special Tax Rates set forth in Attachment A of this Rate and Method of Apportionment.

Once assigned, the sum of the total Maximum Facilities Special Tax shall be equal to or greater than the Minimum Facilities Revenue, unless adjusted by an Effective Tax Rate Evaluation as described below. The Minimum Facilities Revenue for Fiscal Year 2021-2022 is set forth in Attachment B of this Rate and Method of Apportionment.

On each July 1, commencing on July 1, 2022, the Maximum Facilities Special Tax Rates and Minimum Facilities Revenue shall be increased by the Facilities Special Tax Escalation Factor of the Maximum Facilities Special Tax Rates and Minimum Facilities Revenue in effect for the previous Fiscal Year.

C.1. Future Assessor's Parcel Changes – Prior to an Effective Tax Rate Evaluation

The Maximum Facilities Special Tax shall be assigned to all future Assessor's Parcel(s) created from a subdivision, lot line adjustment, or merger of one or more Assessor's Parcels so that the revised sum of the total Maximum Facilities Special Tax revenue is not less than the Minimum Facilities Revenue set forth in Attachment B of this Rate and Method of Apportionment.

Undeveloped Property Subdividing into Large Lot Property

When Undeveloped Property subdivides into Large Lot Property, the Maximum Facilities Special Tax shall be calculated for all Taxable Property as if all of the Taxable Property was classified as Developed Property. The expected Developed Property Maximum Facilities Special Tax for any Large Lot Property and any remaining Undeveloped Property shall be based upon the Planned Development for the Large Lot Property and remaining Undeveloped Property.

If the sum of the total expected Developed Property Maximum Facilities Special Tax generated by all of the Taxable Property is greater than or equal to the Minimum Facilities Revenue, there will be no further adjustments to the Developed Property, Small Lot Final Map Property and Permit Ready Multi-Family/Non-Residential Property Maximum Facilities Special Tax Rates for the Large Lot Property created from the Undeveloped Property subdivision.

If the sum of the total expected Developed Property Maximum Facilities Special Tax is less than the Minimum Facilities Revenue, the Developed Property, Small Lot Final Map Property and Permit Ready Multi-Family/Non-Residential Property Maximum Facilities Special Tax Rates shall be Proportionately increased, on the Large Lot Property created from the Undeveloped Property subdivision, until the sum of the total expected Developed Property Maximum Facilities Special Tax is equal to the Minimum Facilities Revenue. Further, if the sum of the total current Maximum Facilities Special Tax is less than the Minimum Facilities Revenue, the Maximum Facilities Special Tax Rates for the Large Lot Property and any remaining Undeveloped Property created from the Undeveloped Property subdivision shall be Proportionately increased until the sum of the total current Maximum Facilities Special Tax is equal to the Minimum Facilities Revenue. Attachment B of this Rate and Method of Apportionment shall be updated to reflect any increases to the Maximum Facilities Special Tax Rates from the Undeveloped Property subdivision. The Developed Property, Small Lot Final Map Property and Permit Ready Multi-Family/Non-Residential Property Maximum Facilities Special Tax Rates shall not be adjusted for any Taxable Property already classified as Developed Property, Small Lot Final Map Property or Permit Ready Multi-Family/Non-Residential Property.

Large Lot Property Subdividing into Small Lot Final Map Property and Permit Ready Multi-Family/Non-Residential Property

When Large Lot Property subdivides into Small Lot Final Map Property or Permit Ready Multi-Family/Non-Residential Property, the Maximum Facilities Special Tax shall be calculated for all Taxable Property as if all of the Taxable Property was classified as Developed Property. If the Large Lot Property subdivision also creates Small Lot Final Map Remainder Property, the expected Developed Property Maximum Facilities Special Tax for the Small Lot Final Map Remainder Property shall be based upon the Planned Development for the Small Lot Final Map Remainder Property. The expected Developed Property Maximum Facilities Special Tax for any remaining Large Lot Property and Undeveloped Property shall be based upon the Planned Development of the Large Lot Property and the Undeveloped Property.

If the sum of the total expected Developed Property Maximum Facilities Special Tax is greater than or equal to the Minimum Facilities Revenue, there will be no further adjustments to the Developed Property, Small Lot Final Map Property and Permit Ready Multi-Family/Non-Residential Property Maximum Facilities Special Tax Rates for the Small Lot Final Map Property, Small Lot Final Map Remainder Property and Permit Ready Multi-Family/Non-Residential Property created from the Large Lot Property subdivision.

If the sum of the total expected Developed Property Maximum Facilities Special Tax is less than the Minimum Facilities Revenue, and such difference is not eliminated by the full or partial prepayment of the Effective Tax Rate Evaluation Maximum Facilities Special Tax pursuant to Section K, the Developed Property, Small Lot Final Map Property and Permit Ready Multi-Family/Non-Residential Property Maximum Facilities Special Tax Rates shall be Proportionately increased, on the Small Lot Final Map Property, Small Lot Final Map Remainder Property and Permit Ready Multi-Family/Non-Residential Property created from the Large Lot Property subdivision, until the sum of the total expected Developed Property Maximum Facilities Special Tax is equal to the Minimum Facilities Revenue. Attachment B of this Rate and Method of Apportionment shall be updated to reflect any increases to the Maximum Facilities Special Tax Rates from the Large Lot Property subdivision. The Developed Property, Small Lot Final Map Property and Permit Ready Multi-Family/Non-Residential Property Maximum Facilities Special Tax Rates shall not be adjusted for any Taxable Property already classified as Developed Property, Small Lot Final Map Property or Permit Ready Multi-Family/Non-Residential Property created prior to the Large Lot Property subdivision.

C.2. Effective Tax Rate Evaluation

Prior to the issuance of the first building permit or the first series of Bonds within CFD No. 23 IA7, whichever comes earlier, an Effective Tax Rate Evaluation will be completed. Following the Effective Tax Rate Evaluation, Attachment C of this Rate and Method of Apportionment will be updated to reflect the Effective Tax Rate Evaluation Maximum Facilities Special Tax Rate for all Taxable Property in CFD No. 23 IA7.

Effective Tax Rate Evaluation Maximum Facilities Special Tax Rates

As part of the Effective Tax Rate Evaluation, a Price Point Study will be prepared and estimated average sales prices will be established for each Residential Property land use category. Using the estimated average sales price information determined in the Price Point Study, the Total Estimated Tax Burden and Total Effective Tax Rate will be calculated, using the Developed Property Maximum Facilities Special Tax Rates set forth in Attachment A, for each Residential

Property land use category. If the calculated Total Effective Tax Rate is less than or equal to the Total Maximum Effective Tax Rate for a Residential Property land use category, the Maximum Facilities Special Tax Rate shall not be adjusted and will be assigned using the Developed Property Maximum Facilities Special Tax Rates set forth in Attachment A. Attachment C of this Rate and Method of Apportionment will be updated to set forth the Developed Property Effective Tax Rate Evaluation Maximum Facilities Special Tax Rate for each Residential Property land use category.

If the Total Effective Tax Rate for any Residential Property land use category exceeds the Total Maximum Effective Tax Rate, the Developed Property Maximum Facilities Special Tax Rate set forth in Attachment A shall be reduced until the Total Effective Tax Rate is less than or equal to the Total Maximum Effective Tax Rate for that Residential Property land use category. Attachment C of this Rate and Method of Apportionment will be updated to set forth the Developed Property Effective Tax Rate Evaluation Maximum Facilities Special Tax Rate for each Residential Property land use category.

Effective Tax Rate Evaluation Minimum Facilities Revenue

As a result of the Effective Tax Rate Evaluation, if the calculated Total Effective Tax Rate is less than or equal to the Total Maximum Effective Tax Rate for a Residential Property land use category used in the Minimum Facilities Revenue calculation, the Developed Property Maximum Facilities Special Tax Rate for the applicable Residential Property land use category shall not be adjusted and the Effective Tax Rate Evaluation Developed Property Maximum Facilities Special Tax Rate will be assigned using the Developed Property Maximum Facilities Special Tax Rates set forth in Attachment B. Attachment D of this Rate and Method of Apportionment will be updated to set forth the Developed Property Effective Tax Rate Evaluation Maximum Facilities Special Tax Rate for each Residential Property land use category and the Effective Tax Rate Evaluation Minimum Facilities Revenue.

If the calculated Total Effective Tax Rate exceeds the Total Maximum Effective Tax Rate for a Residential Property land use category used in the Minimum Facilities Revenue calculation, the Effective Tax Rate Evaluation Developed Property Maximum Facilities Special Tax Rate will be assigned using the Developed Property Effective Tax Rate Evaluation Maximum Facilities Special Tax Rates set forth in Attachment C. Attachment D of this Rate and Method of Apportionment will be updated to set forth the Developed Property Effective Tax Rate Evaluation Maximum Facilities Special Tax Rate for each Residential Property land use category and the Effective Tax Rate Evaluation Minimum Facilities Revenue.

C.3. Future Assessor's Parcel Changes – After an Effective Tax Rate Evaluation

The Effective Tax Rate Evaluation Maximum Facilities Special Tax shall be assigned to all future Assessor's Parcel(s) created from a subdivision, lot line adjustment, or merger of one or more Assessor's Parcels so that the revised sum of the total Effective Tax Rate Evaluation Maximum Facilities Special Tax revenue is not less than the total Effective Tax Rate Evaluation Minimum Facilities Revenue set forth in Attachment D of this Rate and Method of Apportionment.

Undeveloped Property Subdividing into Large Lot Property

When Undeveloped Property subdivides into Large Lot Property, the Effective Tax Rate Evaluation Maximum Facilities Special Tax shall be calculated for all Taxable Property as if all of the Taxable Property was classified as Developed Property. The expected Developed Property Effective Tax Rate Evaluation Maximum Facilities Special Tax for any Large Lot Property and any

remaining Undeveloped Property shall be based upon the Planned Development for the Large Lot Property and remaining Undeveloped Property.

If the sum of the total expected Developed Property Effective Tax Rate Evaluation Maximum Facilities Special Tax generated by all of the Taxable Property is greater than or equal to the Effective Tax Rate Evaluation Minimum Facilities Revenue, there will be no further adjustments to the Developed Property, Small Lot Final Map Property and Permit Ready Multi-Family/Non-Residential Property Effective Tax Rate Evaluation Maximum Facilities Special Tax Rates for the Large Lot Property created from the Undeveloped Property subdivision.

If the sum of the total expected Developed Property Effective Tax Rate Evaluation Maximum Facilities Special Tax is less than the Effective Tax Rate Evaluation Minimum Facilities Revenue, the Developed Property, Small Lot Final Map Property and Permit Ready Multi-Family/Non-Residential Property Effective Tax Rate Evaluation Maximum Facilities Special Tax Rates shall be Proportionately increased, on the Large Lot Property created from the Undeveloped Property subdivision, until the sum of the total expected Developed Property Effective Tax Rate Evaluation Maximum Facilities Special Tax is equal to the Effective Tax Rate Evaluation Minimum Facilities Revenue. Further, if the sum of the total current Effective Tax Rate Evaluation Maximum Facilities Special Tax is less than the Effective Tax Rate Evaluation Minimum Facilities Revenue, the Effective Tax Rate Evaluation Maximum Facilities Special Tax Rates for the Large Lot Property and any remaining Undeveloped Property created from the Undeveloped Property subdivision shall be Proportionately increased until the sum of the total current Effective Tax Rate Evaluation Maximum Facilities Special Tax is equal to the Effective Tax Rate Evaluation Minimum Facilities Revenue. Attachment D of this Rate and Method of Apportionment shall be updated to reflect any increases to the Effective Tax Rate Evaluation Maximum Facilities Special Tax Rates from the Undeveloped Property subdivision. The Developed Property, Small Lot Final Map Property and Permit Ready Multi-Family/Non-Residential Property Effective Tax Rate Evaluation Maximum Facilities Special Tax Rates shall not be adjusted for any Taxable Property already classified as Developed Property, Small Lot Final Map Property or Permit Ready Multi-Family/Non-Residential Property.

Large Lot Property Subdividing into Small Lot Final Map Property and Permit Ready Multi-Family/Non-Residential Property

When Large Lot Property subdivides into Small Lot Final Map Property or Permit Ready Multi-Family/Non-Residential Property, the Effective Tax Rate Evaluation Maximum Facilities Special Tax shall be calculated for all Taxable Property as if all of the Taxable Property was classified as Developed Property. If the Large Lot Property subdivision also creates Small Lot Final Map Remainder Property, the expected Developed Property Effective Tax Rate Evaluation Maximum Facilities Special Tax for the Small Lot Final Map Remainder Property shall be based upon the Planned Development for the Small Lot Final Map Remainder Property. The expected Developed Property Effective Tax Rate Evaluation Maximum Facilities Special Tax for any remaining Large Lot Property and Undeveloped Property shall be based upon the Planned Development of the Large Lot Property and the Undeveloped Property.

If the sum of the total expected Developed Property Effective Tax Rate Evaluation Maximum Facilities Special Tax is greater than or equal to the Effective Tax Rate Evaluation Minimum Facilities Revenue, there will be no further adjustments to the Developed Property, Small Lot Final Map Property and Permit Ready Multi-Family/Non-Residential Property Effective Tax Rate

Evaluation Maximum Facilities Special Tax Rates for the Small Lot Final Map Property, Small Lot Final Map Remainder Property and Permit Ready Multi-Family/Non-Residential Property created from the Large Lot Property subdivision.

If the sum of the total expected Developed Property Effective Tax Rate Evaluation Maximum Facilities Special Tax is less than the Effective Tax Rate Evaluation Minimum Facilities Revenue, and such difference is not eliminated by the full or partial prepayment of the Effective Tax Rate Evaluation Maximum Facilities Special Tax pursuant to Section K, the Developed Property, Small Lot Final Map Property and Permit Ready Multi-Family/Non-Residential Property Effective Tax Rate Evaluation Maximum Facilities Special Tax Rates shall be Proportionately increased, on the Small Lot Final Map Property, Small Lot Final Map Remainder Property and Permit Ready Multi-Family/Non-Residential Property created from the Large Lot Property subdivision, until the sum of the total expected Developed Property Effective Tax Rate Evaluation Maximum Facilities Special Tax is equal to the Effective Tax Rate Evaluation Minimum Facilities Revenue. Attachment D of this Rate and Method of Apportionment shall be updated to reflect any increases to the Effective Tax Rate Evaluation Maximum Facilities Special Tax Rates from the Large Lot Property subdivision. The Developed Property, Small Lot Final Map Property and Permit Ready Multi-Family/Non-Residential Property Effective Tax Rate Evaluation Maximum Facilities Special Tax Rates shall not be adjusted for any Taxable Property already classified as Developed Property, Small Lot Final Map Property or Permit Ready Multi-Family/Non-Residential Property created prior to the Large Lot Property subdivision.

C.4. Method of Apportionment of Facilities Special Tax

Using the definitions and procedures described herein, the CFD No. 23 IA7 Administrator shall determine the Facilities Special Tax Requirement and levy the Facilities Special Tax until the amount of Facilities Special Taxes equals the Facilities Special Tax Requirement. The Facilities Special Tax shall be levied each Fiscal Year as follows:

Prior to an Effective Tax Rate Evaluation

First: The Facilities Special Tax shall be levied Proportionately on all Developed Property at a rate up to 100% of the Maximum Facilities Special Tax in order to satisfy the Facilities Special Tax Requirement.

Second: If additional monies are needed to satisfy the Facilities Special Tax Requirement after the first step has been completed, the Facilities Special Tax shall be levied Proportionately on all Small Lot Final Map Property at a rate up to 100% of the Maximum Facilities Special Tax. The Facilities Special Tax shall be levied on Small Lot Final Map Property for the entire portion of the Facilities Special Tax Requirement, excluding only Pay As You Go Costs.

Third: If additional monies are needed to satisfy the Facilities Special Tax Requirement after the first two steps have been completed, the Facilities Special Tax shall be levied Proportionately on all Permit Ready Multi-Family/Non-Residential Property at a rate up to 100% of the Maximum Facilities Special Tax. The Facilities Special Tax shall be levied on Permit Ready Multi-Family/Non-Residential Property for the entire portion of the Facilities Special Tax Requirement, excluding only Pay As You Go Costs.

Fourth: If additional monies are needed to satisfy the Facilities Special Tax Requirement after the first three steps have been completed, the Facilities Special Tax shall be levied

Proportionately on all Large Lot Property at a rate up to 100% of the Maximum Facilities Special Tax. The Facilities Special Tax shall be levied on Large Lot Property for the entire portion of the Facilities Special Tax Requirement, excluding only Pay As You Go Costs.

Fifth: If additional monies are needed to satisfy the Facilities Special Tax Requirement after the first four steps have been completed, the Facilities Special Tax shall be levied Proportionately on all Undeveloped Property at a rate up to 100% of the Maximum Facilities Special Tax. The Facilities Special Tax shall be levied on Undeveloped Property for the entire portion of the Facilities Special Tax Requirement, excluding only Pay As You Go Costs.

After an Effective Tax Rate Evaluation

First: The Facilities Special Tax shall be levied Proportionately on all Developed Property at a rate up to 100% of the Effective Tax Rate Evaluation Maximum Facilities Special Tax in order to satisfy the Facilities Special Tax Requirement.

Second: If additional monies are needed to satisfy the Facilities Special Tax Requirement after the first step has been completed, the Facilities Special Tax shall be levied Proportionately on all Small Lot Final Map Property at a rate up to 100% of the Effective Tax Rate Evaluation Maximum Facilities Special Tax. The Facilities Special Tax shall be levied on Small Lot Final Map Property for the entire portion of the Facilities Special Tax Requirement, excluding only Pay As You Go Costs.

Third: If additional monies are needed to satisfy the Facilities Special Tax Requirement after the first two steps have been completed, the Facilities Special Tax shall be levied Proportionately on all Permit Ready Multi-Family/Non-Residential Property at a rate up to 100% of the Effective Tax Rate Evaluation Maximum Facilities Special Tax. The Facilities Special Tax shall be levied on Permit Ready Multi-Family/Non-Residential Property for the entire portion of the Facilities Special Tax Requirement, excluding only Pay As You Go Costs.

Fourth: If additional monies are needed to satisfy the Facilities Special Tax Requirement after the first three steps have been completed, the Facilities Special Tax shall be levied Proportionately on all Large Lot Property at a rate up to 100% of the Effective Tax Rate Evaluation Maximum Facilities Special Tax. The Facilities Special Tax shall be levied on Large Lot Property for the entire portion of the Facilities Special Tax Requirement, excluding only Pay As You Go Costs.

Fifth: If additional monies are needed to satisfy the Facilities Special Tax Requirement after the first four steps have been completed, the Facilities Special Tax shall be levied Proportionately on all Undeveloped Property at a rate up to 100% of the Effective Tax Rate Evaluation Maximum Facilities Special Tax. The Facilities Special Tax shall be levied on Undeveloped Property for the entire portion of the Facilities Special Tax Requirement, excluding only Pay As You Go Costs.

D. SERVICES SPECIAL TAX

A Services Special Tax shall be assigned to all Taxable Property within CFD No. 23 IA7 according to the Maximum Services Special Tax Rates set forth in Attachment A of this Rate and Method of Apportionment.

D.1. Increase in the Maximum Services Special Tax

On each July 1, commencing on July 1, 2022, the Maximum Services Special Tax Rates shall be increased by the Services Special Tax Escalation Factor of the Maximum Services Special Tax Rates in effect for the previous Fiscal Year.

D.2. Method of Apportionment of Services Special Tax

If, in any Fiscal Year, the Facilities Special Tax is levied against each Assessor's Parcel of Taxable Property within CFD No. 23 IA7 and the Facilities Special Tax revenues generated are insufficient to pay the Facilities Special Tax Requirement such shortfall shall be deemed a component of the Services Special Tax Requirement in that Fiscal Year, and proceeds from the levy of the Services Special Tax shall first be applied to mitigate the shortfall in the Facilities Special Tax Requirement before being used to pay for Authorized Services. The Services Special Tax revenue shall not be applied to any Facilities Special Tax Requirement shortfalls attributable to Pay As You Go Costs authorized to be financed by CFD No. 23 IA7.

Using the definitions and procedures described herein, the CFD No. 23 IA7 Administrator shall determine the Services Special Tax Requirement and levy the Services Special Tax until the amount of Services Special Tax equals the Services Special Tax Requirement. The Services Special Tax shall be levied each Fiscal Year as follows:

First: The Services Special Tax shall be levied Proportionately on all Developed Property at a rate up to 100% of the Maximum Services Special Tax in order to satisfy the Services Special Tax Requirement.

Second: If additional monies are needed to satisfy the Services Special Tax Requirement after the first step has been completed, the Services Special Tax shall be levied Proportionately on all Small Lot Final Map Property at a rate up to 100% of the Maximum Services Special Tax in order to satisfy the Services Special Tax Requirement.

Third: If additional monies are needed to satisfy the Services Special Tax Requirement after the first two steps have been completed, the Services Special Tax shall be levied Proportionately on all Permit Ready Multi-Family/Non-Residential Property at a rate up to 100% of the Maximum Services Special Tax in order to satisfy the Services Special Tax Requirement.

Fourth: If additional monies are needed to satisfy the Services Special Tax Requirement after the three steps have been completed, the Services Special Tax shall be levied Proportionately on all Large Lot Property at a rate up to 100% of the Maximum Services Special Tax in order to satisfy the Services Special Tax Requirement.

E. DELINQUENCIES

Notwithstanding the above, under no circumstances will the CFD No. 23 IA7 Facilities Special Tax levied against any Assessor's Parcel of Developed Property classified as Residential Property, in any Fiscal Year, be increased as a consequence of the delinquency or default in the payment of the CFD No. 23 IA7 Facilities Special Taxes by the owner or owners of any other Taxable Property by more than

ten percent (10%) above the amount that would have been levied against such Assessor's Parcel in such Fiscal Year had there been no delinquencies or defaults.

F. EXEMPTIONS

- F.1.** The CFD No. 23 IA7 Administrator shall classify the following as Exempt Property: Public Property, Property Owner Association Property, Open Space Property, Assessor's Parcels exempt from the Special Tax pursuant to Section 53340 of the Act, and Assessor's Parcels with public or utility easements making impractical their utilization for any use other than the purposes set forth in the easement.
- F.2.** The Maximum Facilities Special Tax obligation or, if applicable, the Effective Tax Rate Evaluation Maximum Facilities Special Tax obligation for Taxable Property which will be transferred or dedicated to a public agency and will be classified as Public Property shall be prepaid in full by the seller, pursuant to Section K, prior to the transfer/dedication of such Taxable Property. Until the Maximum Facilities Special Tax obligation or, if applicable, the Effective Tax Rate Evaluation Maximum Facilities Special Tax obligation for any such Taxable Property is prepaid, the Taxable Property shall continue to be subject to the levy of the Facilities Special Tax. An exception to this may be made if an Assessor's Parcel of Public Property, such as a school site, is relocated to an Assessor's Parcel of Taxable Property, in which case the Assessor's Parcel of previously Public Property becomes Taxable Property and the Assessor's Parcel of previously Taxable Property becomes Public Property. This trading of an Assessor's Parcel from Taxable Property to Public Property will be permitted to the extent there is no loss in Maximum Facilities Special Tax revenue or, if applicable, Effective Tax Rate Evaluation Maximum Facilities Special Tax revenue, and the transfer is agreed to by the owners of all Assessor's Parcels involved in the transfer and the City Council.
- F.3.** If the use of an Assessor's Parcel changes so that such Assessor's Parcel is no longer eligible to be classified as one of the uses set forth in Section F.1 above that would make such Assessor's Parcel eligible to continue to be classified as Exempt Property, such Assessor's Parcel shall cease to be classified as Exempt Property and shall be deemed to be Taxable Property and subject to the Special Tax.

G. TRANSFERS

Prior to the issuance of the first series of Bonds within CFD No. 23 IA7, the City may permit the transfer of Maximum Facilities Special Tax or Effective Tax Rate Evaluation Maximum Facilities Special Tax from one Assessor's Parcel to another Assessor's Parcel. Before recordation of a Small Lot Final Subdivision Map, if a subdivision map is required, the City may permit a transfer if the number of planned Residential Units, Multi-Family Attached Property Acreage, or Non-Residential Property Acreage is transferred from one Assessor's Parcel(s) to another Assessor's Parcel(s) in any portion of Large Lot Property. The City may, in its sole discretion, allow for a transfer of the Maximum Facilities Special Tax or Effective Tax Rate Evaluation Maximum Facilities Special Tax from one Assessor's Parcel to another Assessor's Parcel provided such a transfer shall be allowed only if (1) all adjustments are agreed to in writing by the affected property owners and the City's Finance Director, and (2) there is no reduction in the sum of the total Maximum Facilities Special Tax or sum of the total Effective Tax Rate Evaluation

Maximum Facilities Special Tax as a result of the transfer. Should a transfer result in an amendment to Attachment B or, following an Effective Tax Rate Evaluation, Attachment D of this Rate and Method of Apportionment, the requesting property owner shall bear the costs to affect the transfer in the CFD No. 23 IA7 records and prepare the required amendments to Attachment B or, following an Effective Tax Rate Evaluation, Attachment D of this Rate and Method of Apportionment.

H. INTERPRETATIONS

The City reserves the right to make minor administrative and technical changes to this document that do not materially affect the Rate and Method of Apportionment of Special Tax. In addition, the interpretation and application of any section of this document shall be at the City's discretion. Interpretations may be made by the City by ordinance or resolution for purposes of clarifying any vagueness or ambiguity in this Rate and Method of Apportionment of Special Tax.

I. REVIEW/APPEALS

The CFD No. 23 IA7 Administrator may establish such procedures, as it deems necessary to undertake the review of any such appeal. The CFD No. 23 IA7 Administrator shall interpret this Rate and Method of Apportionment of Special Tax and make determinations relative to the annual administration of the Special Tax and any property owner appeals, as herein specified.

Any property owner may file a written appeal of the Special Tax with the CFD No. 23 IA7 Administrator claiming that the amount or application of the Special Tax is not correct. The appeal must be filed not later than one calendar year after having paid the Special Taxes that are disputed, and the appellant must be current in all payments of Special Taxes. In addition, during the term of the appeal process, all Special Taxes levied must be paid on or before the payment date established when the levy was made. The appeal must specify the reasons why the appellant claims the Special Taxes are in error. The CFD No. 23 IA7 Administrator shall review the appeal, meet with the appellant if the CFD No. 23 IA7 Administrator deems necessary, and advise the appellant of its determination.

If the property owner disagrees with the CFD No. 23 IA7 Administrator's decision relative to the appeal, the owner may file a written notice with the City Manager appealing the amount of the Special Tax levied on such Assessor's Parcel. If following such consultation and action, if any, by the City Manager, the property owner believes such error still exists, such person may file a written notice with the City Council appealing the amount of the Special Tax levied on such Assessor's Parcel. The decision of the City shall be final and binding to all persons. If the decision of the CFD No. 23 IA7 Administrator or subsequent decision by the City Manager or City Council requires the Special Taxes to be modified or changed in favor of the property owner, no cash refund shall be made for prior years' Special Taxes, but an adjustment shall be made to credit future Special Taxes. This procedure shall be exclusive and its exhaustion by any property owner shall be a condition precedent to filing any legal action by such owner.

J. MANNER OF COLLECTION

The annual Special Tax shall be collected in the same manner and at the same time as ordinary ad valorem property taxes; provided, however, that CFD No. 23 IA7, may, at the sole discretion of the

City, directly bill the Special Tax, may collect Special Taxes at a different time or in a different manner as necessary to meet its financial obligations, and may covenant to foreclose and may actually foreclose on Assessor's Parcels of Taxable Property that are delinquent in the payment of Special Taxes.

K. PREPAYMENT OF FACILITIES SPECIAL TAX

The Facilities Special Tax obligation of an Assessor's Parcel of Taxable Property may be prepaid and permanently satisfied as described herein; provided that there are no delinquent Special Taxes with respect to such Assessor's Parcel at the time of prepayment. An owner of an Assessor's Parcel intending to prepay the Facilities Special Tax obligation shall provide the CFD No. 23 IA7 Administrator with written notice of intent to prepay. Within 30 days of receipt of such written notice, the CFD No. 23 IA7 Administrator shall notify such owner of the prepayment amount of such Assessor's Parcel. Prepayment must be made not less than 60 days prior to the next occurring date that notice of redemption of Bonds, whichever date is earlier, from the proceeds of such prepayment may be given to the Trustee pursuant to the Indenture. The CFD No. 23 IA7 Administrator may charge a fee for providing this service.

K.1. Prepayment in Full

As of the proposed date of prepayment, the Prepayment Amount shall be calculated as follows:

Step 1: Determine the current Fiscal Year Maximum Facilities Special Tax for the Assessor's Parcel based on the assignment of the Maximum Facilities Special Tax described in Section C. If an Effective Tax Rate Evaluation has occurred, determine the current Fiscal Year Effective Tax Rate Evaluation Maximum Facilities Special Tax for the Assessor's Parcel based on the assignment of the Effective Tax Rate Evaluation Maximum Facilities Special Tax described in Section C. If the Assessor's Parcel is not already classified as Developed Property, the Maximum Facilities Special Tax (or Effective Tax Rate Evaluation Maximum Facilities Special Tax) shall be assigned as though the Assessor's Parcel was already designated as Developed Property.

Step 2: Calculate the annual revenue produced, by annually applying the Facilities Special Tax Escalation Factor, from the Maximum Facilities Special Tax (or Effective Tax Rate Evaluation Maximum Facilities Special Tax) from the date of prepayment through the Facilities Special Tax Term, except that this final date may be amended by the City no later than the time of the calculation of the prepayment. If the final date used in the prepayment calculation is amended by the City, this amended final date shall apply to any and all prepayment calculations from that point forward.

Step 3: Calculate the present value of the Assessor's Parcel's annual Maximum Facilities Special Tax (or Effective Tax Rate Evaluation Maximum Facilities Special Tax) revenue stream determined in Step 2. The present value shall be calculated using a discount rate that earns a rate of interest that, when the prepayment is invested in City permitted and available investments, would produce annual revenues equal to the amounts calculated in Step 2.

If there are Outstanding Bonds at the time of the Prepayment Amount calculation, the Prepayment Amount shall be first allocated to the Redemption Amount. If the Prepayment

Amount is insufficient to fund the Redemption Amount, then the Prepayment Amount shall be increased to equal the Redemption Amount.

The Redemption Amount is calculated as follows:

Step 1: Divide the Maximum Facilities Special Tax (or Effective Tax Rate Evaluation Maximum Facilities Special Tax) computed pursuant to Step 1 of Section K.1 by the total Maximum Facilities Special Taxes (or total Effective Tax Rate Evaluation Maximum Facilities Special Taxes) for the entire CFD No. 23 IA7, based on the Maximum Facilities Special Taxes (or Effective Tax Rate Evaluation Maximum Facilities Special Taxes) that could be charged in the current Fiscal Year if all Taxable Property were designated as Developed Property, excluding any Assessor's Parcels which have prepaid the Maximum Facilities Special Tax (or Effective Tax Rate Evaluation Maximum Facilities Special Tax) obligation (the "Prepayment Quotient").

Step 2: Multiply the Prepayment Quotient by the Outstanding Bonds to compute the amount of Outstanding Bonds to be redeemed (the "Bond Redemption Amount").

Step 3: Multiply the Bond Redemption Amount by the applicable redemption premium, if any, on the Outstanding Bonds to be redeemed.

Step 4: Compute the amount needed to pay interest on the Bond Redemption Amount from the first Bond interest payment date following the current Fiscal Year until the earliest redemption date for the Outstanding Bonds.

Step 5: Determine that portion of Facilities Special Taxes levied on the Assessor's Parcel in the current Fiscal Year to satisfy the Facilities Special Tax Requirement, which have not yet been paid.

Step 6: A reserve fund credit shall equal the lesser of: (a) the expected reduction in the reserve requirement (as defined in the Indenture for the Bonds), if any, associated with the redemption of Outstanding Bonds as a result of the prepayment, or (b) the amount derived by subtracting the new reserve requirement (as defined in the Indenture for the Bonds) in effect after the redemption of Outstanding Bonds as a result of the prepayment from the balance in the reserve fund on the prepayment date, but in no event shall such amount be less than zero. Such reserve fund credit will not decrease the balance in the reserve fund below the new reserve requirement.

Step 7: If any capitalized interest for the Outstanding Bonds will not have been expended at the time of the first interest and/or principal payment following the current Fiscal Year, a capitalized interest credit shall be calculated by multiplying the quotient computed pursuant to Step 1 by the expected balance in the capitalized interest fund after such first interest payment.

Step 8: The redemption amount is equal to the sum of the amounts computed pursuant to Steps 2, 3, 4, and 5, less the amount computed pursuant to Steps 6 and 7 (the "Redemption Amount").

If the Prepayment Amount exceeds the Redemption Amount, then any remaining Prepayment Amount, after allocating the Redemption Amount, shall be designated as Pay as You Go Costs.

The Prepayment Amount shall include any fees or expenses, including the costs of computation of the prepayment, the costs to invest the prepayment proceeds, the cost of redeeming Bonds, and the costs of recording any notices to evidence the prepayment and the redemption (the "Administrative Fees and Expenses").

In addition, the City has the authority to adjust the Prepayment Amount calculated above if a portion or all of the current property tax bill and the portion attributable to the payment of the Facilities Special Tax has not been used to make an interest and/or principal payment on the Bonds.

Notwithstanding the foregoing, no Facilities Special Tax prepayment shall be allowed unless the amount of Maximum Facilities Special Taxes (or Effective Tax Rate Evaluation Maximum Facilities Special Taxes), net of any priority administration, if any as defined in the Bond documents, that may be levied on Taxable Property, in each Fiscal Year, both prior to and after the proposed prepayment, is at least 1.1 times the annual debt service on all Outstanding Bonds to be paid from the Maximum Facilities Special Taxes (or Effective Tax Rate Evaluation Maximum Facilities Special Taxes) in each Fiscal Year.

K.2. Prepayment in Part

The Facilities Special Tax obligation may be partially prepaid in any percentage of the full Prepayment Amount. The amount of the partial prepayment shall be calculated as in the above Section K.1; except that a partial prepayment shall be calculated according to the following formula:

$$PP = ((PE - A) \times F) + A$$

These terms have the following meaning:

PP = the Partial Prepayment Amount

PE = the Prepayment Amount calculated according to Section K.1 above

A = the Administrative Fees and Expenses calculated according to Section K.1 above

F = the percent by which the owner of the Assessor's Parcel(s) is partially prepaying the Facilities Special Tax obligation.

The owner of an Assessor's Parcel who desires to partially prepay the Facilities Special Tax obligation shall notify the CFD No. 23 IA7 Administrator of (i) such owner's intent to partially prepay the Facilities Special Tax obligation, (ii) the amount of partial prepayment expressed in increments equal to percentage of the full Prepayment Amount, and (iii) the company or agency that will be acting as the escrow agent, if applicable. Partial prepayment must be made not less than 60 days prior to the next occurring date that notice of redemption of Bonds, whichever date is earlier, from the proceeds of such prepayment may be given to the Trustee pursuant to the Indenture. The CFD No. 23 IA7 Administrator may charge a fee for providing this service.

With respect to any Assessor's Parcel that is partially prepaid, the CFD No. 23 IA7 Administrator shall indicate in the records of CFD No. 23 IA7 that there has been a partial prepayment of the

Facilities Special Tax obligation and that a portion of the Facilities Special Tax obligation equal to the outstanding percentage (1.00 – F) of the remaining Facilities Special Tax obligation shall continue to be authorized to be levied on such Assessor's Parcel pursuant to Section C.

Notwithstanding the foregoing, no partial prepayment shall be allowed unless the amount of Maximum Facilities Special Taxes (or Effective Tax Rate Evaluation Maximum Facilities Special Taxes), net of any priority administration, if any as defined in the Bond documents, that may be levied on Taxable Property, in each Fiscal Year, both prior to and after the proposed partial prepayment, is at least 1.1 times the annual debt service on all Outstanding Bonds to be paid from the Maximum Facilities Special Taxes (or Effective Tax Rate Evaluation Maximum Facilities Special Taxes) in each Fiscal Year.

L. TERM OF SPECIAL TAX

The Maximum Facilities Special Tax and Effective Tax Rate Evaluation Maximum Facilities Special Tax shall be levied commencing in Fiscal Year 2021-2022 to the extent necessary to fully satisfy the Facilities Special Tax Requirement and shall be levied for the Facilities Special Tax Term.

The Maximum Services Special Tax shall be levied commencing in Fiscal Year 2021-2022 and shall be levied in perpetuity, unless and until such time the City determines that revenues are no longer needed to pay the Services Special Tax Requirement.

ATTACHMENT A
City of Folsom
Community Facilities District No. 23 (Folsom Ranch)
Improvement Area No. 7
Maximum Special Tax Rates
(Fiscal Year 2021-2022)

Land Use Category	Residential Floor Area	2021-2022 Maximum Facilities Special Tax Rate ⁽¹⁾	2021-2022 Maximum Services Special Tax Rate ⁽²⁾	Taxed Per
Developed Property:				
Zone 1: Single-Family Detached Property – SF/SFHD Zoning	≥ 2,900	\$2,450	\$177	Residential Unit
Zone 1: Single-Family Detached Property – SF/SFHD Zoning	2,700 – 2,899	2,390	177	Residential Unit
Zone 1: Single-Family Detached Property – SF/SFHD Zoning	≤ 2,699	2,350	177	Residential Unit
Zone 2: Single-Family Detached Property – SF/SFHD Zoning	≥ 3,325	3,075	177	Residential Unit
Zone 2: Single-Family Detached Property – SF/SFHD Zoning	3,000 – 3,324	2,950	177	Residential Unit
Zone 2: Single-Family Detached Property – SF/SFHD Zoning	≤ 2,999	2,845	177	Residential Unit
Single-Family Detached Property – MLD Zoning	Not Applicable	2,350	177	Residential Unit
MMD Multi-Family Attached Property	Not Applicable	30,000	500	Acre
MHD Multi-Family Attached Property	Not Applicable	11,700	1,000	Acre
Non-Residential Property	Not Applicable	11,700	1,000	Acre
Small Lot Final Map Property:				
Zone 1: Single-Family Detached Property – SF/SFHD Zoning	Not Applicable	\$2,350	\$177	Residential Lot
Zone 2: Single-Family Detached Property – SF/SFHD Zoning	Not Applicable	2,845	177	Residential Lot
Single-Family Detached Property – MLD Zoning	Not Applicable	2,350	177	Residential Lot

ATTACHMENT A
City of Folsom
Community Facilities District No. 23 (Folsom Ranch)
Improvement Area No. 7
Maximum Special Tax Rates
(Fiscal Year 2021-2022)

Land Use Category	Residential Floor Area	2021-2022 Maximum Facilities Special Tax Rate⁽¹⁾	2021-2022 Maximum Services Special Tax Rate⁽²⁾	Taxed Per
Permit Ready Multi-Family/Non-Residential Property	Not Applicable	\$11,700	\$1,000	Acre
Large Lot Property	Not Applicable	\$18,000	\$1,000	Acre
Undeveloped Property	Not Applicable	\$18,000	\$1,000	Acre

- (1) On each July 1, commencing on July 1, 2022, the Maximum Facilities Special Tax Rates shall be increased by the Facilities Special Tax Escalation Factor of the Maximum Facilities Special Tax Rates in effect for the previous Fiscal Year.
- (2) On each July 1, commencing on July 1, 2022, the Maximum Services Special Tax Rates shall be increased by an amount equal to the Services Special Tax Escalation Factor of the Maximum Services Special Tax Rates in effect for the previous Fiscal Year.

ATTACHMENT B
City of Folsom
Community Facilities District No. 23 (Folsom Ranch)
Improvement Area No. 7
Minimum Facilities Revenue
(Fiscal Year 2021-2022)

Land Use Category	Planned Number of Residential Units / Acres	2021-2022 Developed Property Maximum Facilities Special Tax Rate⁽¹⁾⁽²⁾	2021-2022 Minimum Facilities Revenue⁽¹⁾⁽³⁾
Developed Property:			
Zone 1: Single-Family Detached Property – SF/SFHD Zoning ⁽⁴⁾	101	\$2,350	\$237,350
Zone 2: Single-Family Detached Property – SF/SFHD Zoning ⁽⁴⁾	110	2,845	312,950
Single-Family Detached Property – MLD Zoning	0	2,350	0
MMD Multi-Family Attached Property	0.0	30,000	0
MHD Multi-Family Attached Property	0.0	11,700	0
Non-Residential Property	0.0	11,700	0
Total Minimum Facilities Revenue			\$550,300

- (1) On each July 1, commencing on July 1, 2022, the Developed Property Maximum Facilities Special Tax Rates and Minimum Facilities Revenue shall be increased by the Facilities Special Tax Escalation Factor of the Developed Property Maximum Facilities Special Tax Rates and Minimum Facilities Revenue in effect for the previous Fiscal Year.
- (2) As a result of future Assessor’s Parcel changes, described in Section C.1, the assigned Maximum Facilities Special Tax Rates for Developed Property may exceed the Developed Property Maximum Facilities Special Tax Rates set forth in this table.
- (3) The total Minimum Facilities Revenue may be decreased as result of all or a portion of Maximum Facilities Special Tax obligations being prepaid and permanently satisfied pursuant to Section K.
- (4) Based upon the Developed Property Maximum Facilities Special Tax Rate for Zone 1: Single-Family Detached Property – SF/SFHD Zoning with Residential Floor Area of less than 2,699 square feet and Zone 2: Single-Family Detached Property – SF/SFHD Zoning with Residential Floor Area of less than 2,999 square feet.

ATTACHMENT C
City of Folsom
Community Facilities District No. 23 (Folsom Ranch)
Improvement Area No. 7
Effective Tax Rate Evaluation Maximum Facilities Special Tax Rates
(Fiscal Year 2021-2022)

Land Use Category	Residential Floor Area	2021-2022 Effective Tax Rate Evaluation Maximum Facilities Special Tax Rate ⁽¹⁾⁽²⁾	Taxed Per
Developed Property:			
Zone 1: Single-Family Detached Property – SF/SFHD Zoning	≥ 2,900	\$2,450	Residential Unit
Zone 1: Single-Family Detached Property – SF/SFHD Zoning	2,700 – 2,899	2,390	Residential Unit
Zone 1: Single-Family Detached Property – SF/SFHD Zoning	≤ 2,699	2,350	Residential Unit
Zone 2: Single-Family Detached Property – SF/SFHD Zoning	≥ 3,325	3,075	Residential Unit
Zone 2: Single-Family Detached Property – SF/SFHD Zoning	3,000 – 3,324	2,950	Residential Unit
Zone 2: Single-Family Detached Property – SF/SFHD Zoning	≤ 2,999	2,845	Residential Unit
Single-Family Detached Property – MLD Zoning	Not Applicable	2,350	Residential Unit
MMD Multi-Family Attached Property	Not Applicable	30,000	Acre
MHD Multi-Family Attached Property	Not Applicable	11,700	Acre
Non-Residential Property	Not Applicable	11,700	Acre
Small Lot Final Map Property:			
Zone 1: Single-Family Detached Property – SF/SFHD Zoning	Not Applicable	\$2,350	Residential Lot
Zone 2: Single-Family Detached Property – SF/SFHD Zoning	Not Applicable	2,845	Residential Lot
Single-Family Detached Property – MLD Zoning	Not Applicable	2,350	Residential Lot

ATTACHMENT C
City of Folsom
Community Facilities District No. 23 (Folsom Ranch)
Improvement Area No. 7
Effective Tax Rate Evaluation Maximum Facilities Special Tax Rates
(Fiscal Year 2021-2022)

Land Use Category	Residential Floor Area	2021-2022 Effective Tax Rate Evaluation Maximum Facilities Special Tax Rate⁽¹⁾⁽²⁾	Taxed Per
Permit Ready Multi-Family/Non-Residential Property	Not Applicable	\$11,700	Acre
Large Lot Property	Not Applicable	\$18,000	Acre
Undeveloped Property	Not Applicable	\$18,000	Acre

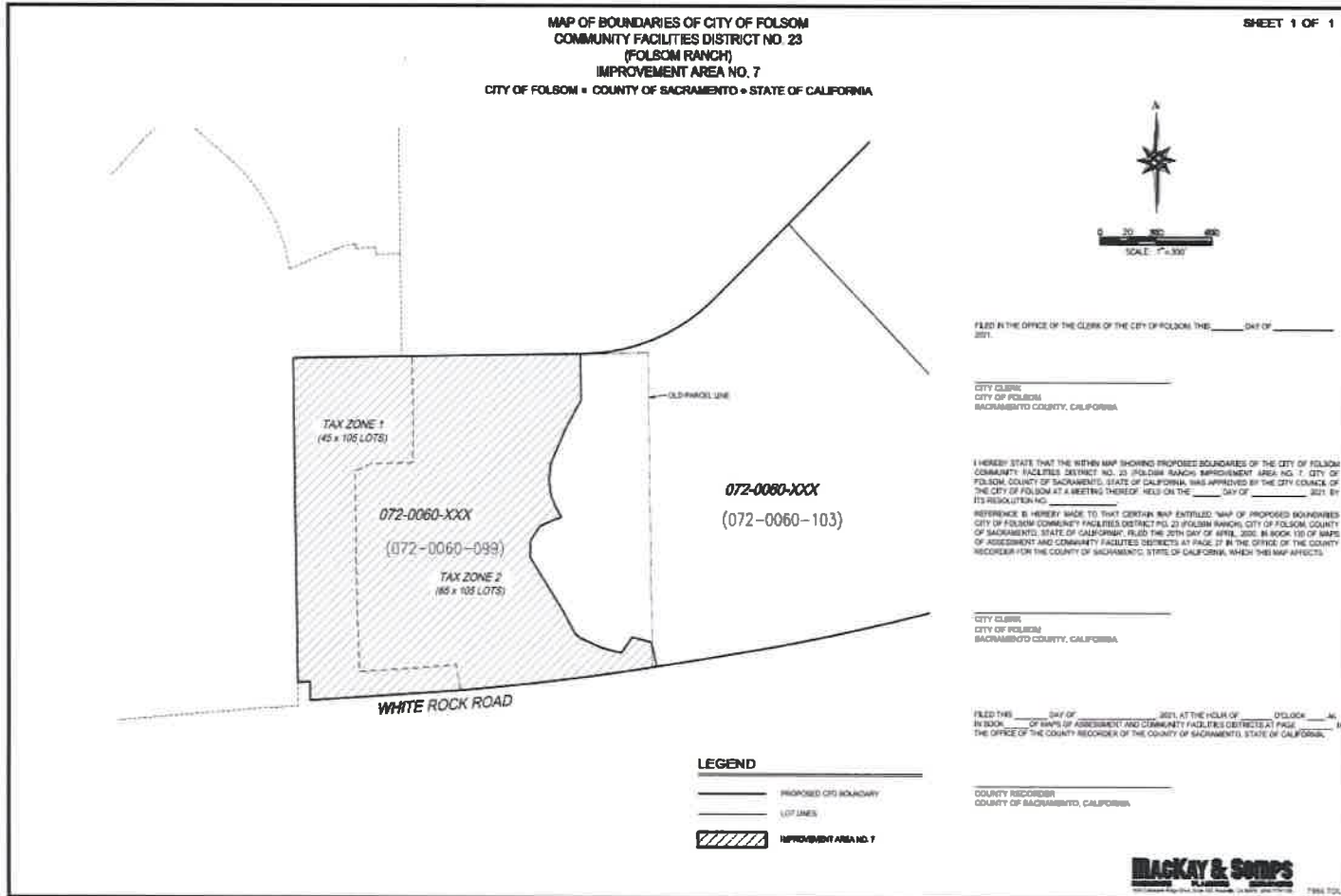
- (1) Effective Tax Rate Evaluation Maximum Facilities Special Tax Rates will be inserted following the Effective Tax Rate Evaluation.
- (2) On each July 1, commencing in the Fiscal Year after the Effective Tax Rate Evaluation occurs, the Effective Tax Rate Evaluation Maximum Facilities Special Tax Rates shall be increased by the Facilities Special Tax Escalation Factor of the Effective Tax Rate Evaluation Maximum Facilities Special Tax Rates in effect for the previous Fiscal Year.

ATTACHMENT D
City of Folsom
Community Facilities District No. 23 (Folsom Ranch)
Improvement Area No. 7
Effective Tax Rate Evaluation Minimum Facilities Revenue
(Fiscal Year 2021-2022)

Land Use Category	Planned Number of Residential Units / Acres⁽¹⁾	2021-2022 Developed Property Effective Tax Rate Evaluation Maximum Facilities Special Tax Rate⁽¹⁾⁽²⁾⁽³⁾	2021-2022 Effective Tax Rate Evaluation Minimum Facilities Revenue⁽¹⁾⁽²⁾⁽⁴⁾
Developed Property:			
Zone 1: Single-Family Detached Property – SF/SFHD Zoning ⁽⁵⁾	101	\$2,350	\$237,350
Zone 2: Single-Family Detached Property – SF/SFHD Zoning ⁽⁵⁾	110	2,845	312,950
Single-Family Detached Property – MLD Zoning	0	2,350	0
MMD Multi-Family Attached Property	0.0	30,000	0
MHD Multi-Family Attached Property	0.0	11,700	0
Non-Residential Property	0.0	11,700	0
Total Effective Tax Rate Evaluation Minimum Facilities Revenue			\$550,300

- (1) Planned Number of Residential Units/Acres, Developed Property Effective Tax Rate Evaluation Maximum Facilities Special Tax Rate and Effective Tax Rate Evaluation Minimum Facilities Revenue to be inserted following the Effective Tax Rate Evaluation.
- (2) On each July 1, commencing in the Fiscal Year after the Effective Tax Rate Evaluation occurs, the Developed Property Effective Tax Rate Evaluation Maximum Facilities Special Tax Rates and Effective Tax Rate Evaluation Minimum Facilities Revenue shall be increased by the Facilities Special Tax Escalation Factor of the Developed Property Effective Tax Rate Evaluation Maximum Facilities Special Tax Rates and Effective Tax Rate Evaluation Minimum Facilities Revenue in effect for the previous Fiscal Year.
- (3) As a result of future Assessor’s Parcel changes, described in Section C.3, the assigned Developed Property Effective Tax Rate Evaluation Maximum Facilities Special Tax Rates may exceed the Developed Property Effective Tax Rate Evaluation Maximum Facilities Special Tax Rates set forth in this table.
- (4) The total Effective Tax Rate Evaluation Minimum Facilities Revenue may be decreased as result of all or a portion of Effective Tax Rate Evaluation Maximum Facilities Special Tax obligations being prepaid and permanently satisfied pursuant to Section K.
- (5) Based upon the Developed Property Effective Tax Rate Evaluation Maximum Facilities Special Tax Rate for Zone 1: Single-Family Detached Property – SF/SFHD Zoning with Residential Floor Area of less than 2,699 square feet and Zone 2: Single-Family Detached Property – SF/SFHD Zoning with Residential Floor Area of less than 2,999 square feet.

ATTACHMENT E
City of Folsom
Community Facilities District No. 23 (Folsom Ranch)
Improvement Area No. 7
Boundaries and Zones





CITY OF
FOLSOM
DISTINGUISHED BY NATURE

Folsom City Council Staff Report

MEETING DATE:	12/14/2021
AGENDA SECTION:	Public Hearing
SUBJECT:	Broadstone Estates Small-Lot Vesting Tentative Subdivision Map Extension – Southeast corner of Placerville Road and U.S. Highway 50 (PN 21-234) i. Resolution No. 10759 – A Resolution extending the Small-Lot Vesting Tentative Subdivision Map for the Broadstone Estates Subdivision project (PN 21-234)
FROM:	Community Development Department

RECOMMENDATION / CITY COUNCIL ACTION

Move to Adopt Resolution No. 10759 – A Resolution extending the Small-Lot Vesting Tentative Subdivision Map for the Broadstone Estates Subdivision project (PN 21-234)

BACKGROUND / ISSUE

On June 28, 2016, the City Council approved a General Plan Amendment, Specific Plan Amendment, and First Amended and Restated Development Agreement for development of the Broadstone Estates Subdivision project. The approved General Plan Amendment and Specific Plan Amendment resulted in an increase in the amount of land designated for single-family development, and increase in the amount of open space, and elimination of land designated for industrial, office, and commercial uses within the 37.2-acre Broadstone Estates Subdivision project area.

On April 11, 2017, the City Council approved a Small-Lot Vesting Tentative Subdivision Map, Project Design Guidelines, and an Inclusionary Housing Plan for the development of an 81-unit single family residential subdivision (Broadstone Estates Subdivision) on a 37.2-acre site located in the Folsom Plan Area at the southeast corner of Placerville Road and U.S. Highway 50. On January 25, 2019, Elliott Homes, Inc. submitted a timely letter to the City requesting a three-year extension in time for the Small-Lot Vesting Tentative Subdivision Map associated with the Broadstone Estates Subdivision project.

On August 27, 2021, Elliott Homes submitted an application to the City for approval of a code amendment to modify Section 16.16.120(D) of the Folsom Municipal Code to make it consistent with State law relative to map extensions. State law allows local jurisdictions to extend subdivision maps up to six years from the date of approval, while the Folsom Municipal Code limits the extension to three years. On September 28, 2021, the City Council approved Ordinance No. 1317, an Ordinance of the City of Folsom Amending Section 16.16.120(D) of the Folsom Municipal Code Pertaining to Extension of Tentative Subdivision Maps.

The applicant, Elliott Homes, Inc., is requesting approval of a three-year extension in time for the previously approved Small-Lot Vesting Tentative Subdivision Map associated with the Broadstone Estates Subdivision project. As referenced previously within this report, the Broadstone Estates Subdivision project features development of an 81-unit single-family residential subdivision on a 37.2-acre site located within the Folsom Plan Area at the southeast corner of the intersection of U.S. Highway 50 and Placerville Road.

The applicant's map extension request was considered by the Planning Commission at its November 3, 2021 meeting. No members of the public spoke regarding the project. The Planning Commission expressed their full support for the project and adopted a motion (6-0-0-1) to recommend approval of the proposed project to the City Council, subject to the findings included with this report.

POLICY / RULE

The Folsom Municipal Code (FMC) requires that applications for Tentative Subdivision Map Extensions be forwarded to the City Council for final action. City Council actions regarding extension of Tentative Subdivision Maps are covered under Section 16.16.120 of the Folsom Municipal Code.

ANALYSIS

As described in the background section of this report, the City Council approved a Small-Lot Vesting Tentative Subdivision Map, Project Design Guidelines, and Inclusionary Housing Plan for development of the 81-unit Broadstone Estates Subdivision project on April 11, 2017. The City Council granted a three-year extension in time for Broadstone Estates Small-Lot Vesting Tentative Subdivision Map on August 27, 2019. The Small-Lot Vesting Tentative Subdivision Map for the project is valid until April 11, 2021. The life of the Project Design Guidelines track with the validity of the Small-Lot Vesting Tentative Subdivision Map. The Inclusionary Housing Plan is a requirement of the project and does not require an extension in time.

On August 27, 2021, Elliott Homes submitted an application to the City for approval of a code amendment to modify Section 16.16.120(D) of the Folsom Municipal Code to make it consistent with State law relative to map extensions. State law allows local jurisdictions to extend subdivision maps up to six years from the date of approval, while the Folsom Municipal Code limits the extension to three years. On September 28, 2021, the City Council approved

Ordinance No. 1317, an Ordinance of the City of Folsom Amending Section 16.16.120(D) of the Folsom Municipal Code Pertaining to Extension of Tentative Subdivision Maps to allow for tentative maps to be extended for a period not exceeding a total of six years.

On August 31, 2021, the project applicant (Elliott Homes, Inc.) submitted a timely letter to the City requesting a three-year extension in time for the Small-Lot Vesting Tentative Subdivision Map associated with the Broadstone Estates Subdivision project. The applicant indicates in their extension letter that they are actively designing the civil site improvements with the goal of beginning grading activities in the summer of 2022. The applicant also states that the extension in time will allow them to complete other required site improvements and to file the Final Map in a timely manner. The applicant is not proposing any changes to the previously approved project.

The Folsom Municipal Code (FMC, Section 16.16.120 D. Time Limit Extensions) states that the time at which a Tentative Subdivision Map expires may be extended by the Planning Commission for a period not exceeding a total of six years. As noted previously in the background section of this staff report, the City Council previously approved a three-year extension for the Broadstone Estates Small-Lot Vesting Tentative Subdivision Map, thus the applicant is limited to one more three-year extension. As stated in the submitted extension request letter, the applicant has been actively engaged in designing the civil site improvements associated with the subdivision with the goal of conducting grading activities in the summer of 2022. In addition, the applicant states that the extension in time will allow them to complete other required site improvements and to file the Final Map in a timely manner. As a result, staff recommends approval of a three-year extension in time for the Small-Lot Vesting Tentative Subdivision Map associated with the Broadstone Estates Subdivision project.

FINANCIAL IMPACT

No financial impact is anticipated with approval of the Small-Lot Vesting Tentative Subdivision Map Extension associated with the Broadstone Estates Subdivision Project as the project will not result in any change in the residential unit count within the Folsom Plan Area.

ENVIRONMENTAL REVIEW

An Addendum to the Folsom Plan Area Environmental Impact Report was previously approved for the Broadstone Estates Subdivision project (PN 15-308) on June 28, 2016 in accordance with the California Environmental Quality Act (CEQA). The proposed Small-Lot Vesting Tentative Subdivision Map is consistent with the Broadstone Estates Subdivision Addendum to the Folsom Plan Area Specific Plan EIR/EIS, and all mitigation measures have been applied as conditions of approval for this project. In addition, none of the conditions described in Section 21166 of the Public Resources Code or Section 15162 of the CEQA Guidelines calling for the preparation of a subsequent EIR have occurred. Therefore, no additional environmental review is required under CEQA.

ATTACHMENTS

1. Resolution No. 10759 – A Resolution extending the Small-Lot Vesting Tentative Subdivision Map for the Broadstone Estates Subdivision project (PN 21-234)
2. Vicinity Map
3. Conditions of Approval
4. Broadstone Estates Subdivision Master Plan Exhibit, dated March 9, 2017
5. Small-Lot Vesting Tentative Subdivision Map, dated March 9, 2017
6. Letter from Applicant, dated August 31, 2021
7. Planning Commission Staff Report, dated November 3, 2021
8. Minutes from November 3, 2021 Planning Commission Meeting

Submitted,



PAM JOHNS
Community Development Director

Attachment 1

Resolution No. 10759 – A Resolution Extending the Small-Lot Vesting Subdivision Map for the Broadstone Estates Subdivision Project (PN 21-234)

RESOLUTION NO. 10759**A RESOLUTION EXTENDING THE SMALL-LOT VESTING TENTATIVE
SUBDIVISION MAP FOR THE BROADSTONE ESTATES SUBDIVISION PROJECT
(PN 21-234)**

WHEREAS, the City Council on April 11, 2017, held a noticed public hearing on the Small-Lot Vesting Tentative Subdivision Map for development of the 81-unit Broadstone Estates Subdivision residential project (“Project”), considered public comment and approved the proposed Project by adopting Resolution No. 9900; and

WHEREAS, the City Council on August 27, 2019, held a public hearing at the developer’s request to extend the Small-Lot Vesting Tentative Subdivision Map for a period of three years, and upon considering public comment and the proposed configuration of the 81 single family lots, determined that the proposed extension of the subdivision map complies with all City requirements, as well as with the requirements of the Subdivision Map Act; and

WHEREAS, the Planning Commission on November 3, 2021, held a public hearing at the developer’s request to extend the Small-Lot Vesting Tentative Subdivision Map for a period of three years, and upon considering public comment and the proposed configuration of the 81 single family lots, determined that the proposed extension of the subdivision map complies with all City requirements, as well as with the requirements of the Subdivision Map Act; and

WHEREAS, an Addendum to the Folsom Plan Area Environmental Impact Report was previously approved for the Broadstone Estates Subdivision project (PN 15-308) on June 28, 2016 in accordance with the California Environmental Quality Act (CEQA), and the Planning Commission determined that the proposed Small-Lot Vesting Tentative Subdivision Map is consistent with the Broadstone Estates Subdivision Addendum to the Folsom Plan Area Specific Plan EIR/EIS, and all mitigation measures have been applied as conditions of approval for this project. In addition, the Commission determined that none of the conditions described in Section 21166 of the Public Resources Code or Section 15162 of the CEQA Guidelines calling for the preparation of a subsequent EIR have occurred, therefore, no additional reviewed is required under CEQA; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Folsom that a three-year extension for the Small-Lot Vesting Tentative Subdivision Map for the Broadstone Estates Subdivision Project is hereby approved (until April 11, 2025), subject to all Conditions of Approval (Nos. 1-189) included as Attachment 3 to the December 14, 2021 City Council Staff Report with the following findings:

GENERAL FINDINGS

- A. NOTICE OF HEARING HAS BEEN GIVEN AT THE TIME AND IN THE MANNER REQUIRED BY STATE LAW AND CITY CODE.
- B. THE PROJECT IS CONSISTENT WITH THE GENERAL PLAN AND THE FOLSOM PLAN AREA SPECIFIC PLAN.

CEQA FINDINGS

- C. THE CITY, AS LEAD AGENCY, PREVIOUSLY CERTIFIED AN ENVIRONMENTAL IMPACT REPORT/ENVIRONMENTAL IMPACT STATEMENT FOR THE FOLSOM PLAN AREA SPECIFIC PLAN AND ALSO APPROVED AN ADDENDUM FOR THE BROADSTONE ESTATES SUBDIVISION PROJECT.
- D. THE PROPOSED PROJECT IS CONSISTENT WITH THE FOLSOM PLAN AREA SPECIFIC PLAN.
- E. THE FEASIBLE MITIGATION MEASURES SPECIFIED IN THE FOLSOM PLAN AREA SPECIFIC PLAN ENVIRONMENTAL IMPACT REPORT AND BROADSTONE ESTATES CERTIFIED ADDENDUM WILL BE IMPLEMENTED FOR THE PROPOSED SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP, CONSISTENT WITH CEQA GUIDELINES SECTION 15183(e).
- F. NONE OF THE EVENTS SPECIFIED IN SECTION 21166 OF THE PUBLIC RESOURCES CODE OR SECTION 15162 OF THE CEQA GUIDELINES REQUIRING SUBSEQUENT ENVIRONMENTAL REVIEW HAVE OCCURRED.

VESTING TENTATIVE SUBDIVISION MAP AND MAP EXTENSION FINDINGS

- G. THE PROPOSED SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP IS CONSISTENT WITH THE CITY'S SUBDIVISION ORDINANCE AND THE SUBDIVISION MAP ACT IN THAT THE PROJECT IS SUBJECT TO CONDITIONS OF APPROVAL THAT WILL ENSURE THAT THE PROJECT IS DEVELOPED IN COMPLIANCE WITH CITY STANDARDS.
- H. THE PROPOSED SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP , TOGETHER WITH THE PROVISIONS FOR ITS DESIGN AND IMPROVEMENT, IS CONSISTENT WITH THE GENERAL PLAN, THE FOLSOM PLAN AREA SPECIFIC PLAN, AND ALL APPLICABLE PROVISIONS OF THE FOLSOM MUNICIPAL CODE.
- I. THE PROJECT SITE IS PHYSICALLY SUITABLE FOR THE TYPE OF DEVELOPMENT PROPOSED.

- J. THE PROJECT SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED DENSITY OF DEVELOPMENT.
- K. AS CONDITIONED, THE DESIGN OF THE SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE ENVIRONMENTAL DAMAGE OR SUBSTANTIALLY AND AVOIDABLY INJURE FISH OR WILDLIFE OR THEIR HABITAT.
- L. THE DESIGN OF THE SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SERIOUS PUBLIC HEALTH OR SAFETY PROBLEMS.
- M. THE DESIGN OF THE SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP AND THE TYPE OF IMPROVEMENTS WILL NOT CONFLICT WITH EASEMENTS FOR ACCESS THROUGH OR USE OF PROPERTY WITHIN THE PROPOSED SUBDIVISION.
- N. SUBJECT TO SECTION 66474.4 OF THE SUBDIVISION MAP ACT, THE LAND IS NOT SUBJECT TO A CONTRACT ENTERED INTO PURSUANT TO THE CALIFORNIA LAND CONSERVATION ACT OF 1965 (COMMENCING WITH SECTION 51200 OF THE GOVERNMENT CODE).
- O. APPLICABLE DEVELOPMENT FEES HAVE INCREASED SINCE INITIAL APPROVAL OF THE SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP ON APRIL 11, 2017. THE PROJECT IS SUBJECT TO APPLICABLE DEVELOPMENT FEES IN PLACE AT TIME OF ISSUANCE OF PERMITS.

PASSED AND ADOPTED on this 14th day of December 2021, by the following roll-call vote:

AYES: Councilmember(s)

NOES: Councilmember(s)

ABSENT: Councilmember(s)

ABSTAIN: Councilmember(s)

ATTEST:

Christa Freemantle, CITY CLERK

Michael D. Kozlowski, MAYOR

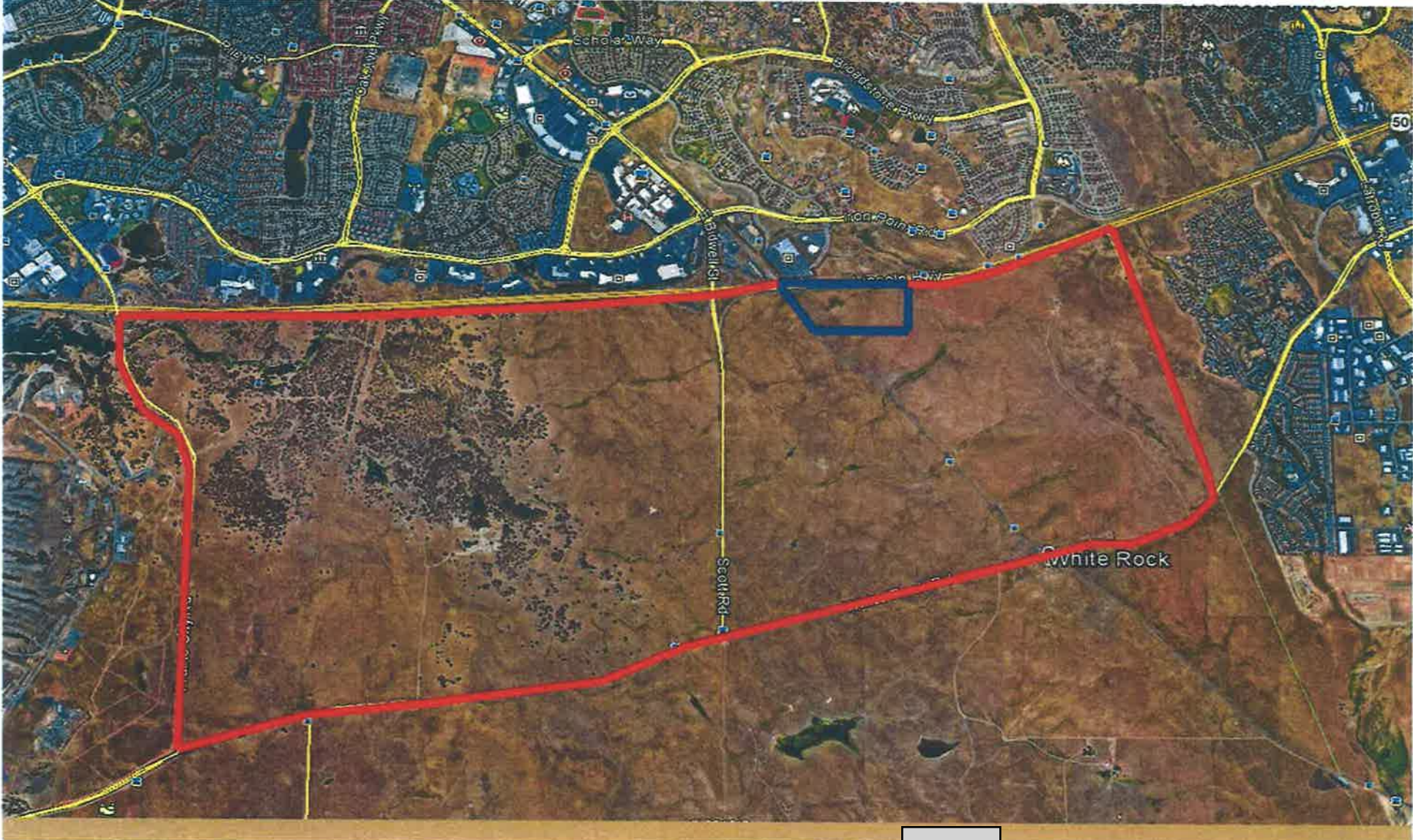
Attachment 2

Vicinity Map



CITY OF
FOLSOM

Vicinity Map



Attachment 3

Conditions of Approval

**CONDITIONS OF APPROVAL FOR THE BROADSTONE ESTATES SUBDIVISION PROJECT (PN 21-234)
SOUTHEAST CORNER OF THE INTERSECTION OF U.S. HIGHWAY 50 AND PLACERVILLE ROAD
SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP EXTENSION**

	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
1.		<p><i>Final Development Plans</i> The owner/applicant shall submit final site development plans to the Community Development Department that shall substantially conform to the exhibits referenced below:</p> <ol style="list-style-type: none"> 1. Small Lot Vesting Tentative Subdivision Map dated 3-9-17 2. Preliminary Grading and Drainage Plan dated 3-9-17 3. Preliminary Utility Plan dated 3-9-17 4. Preliminary Offsite Improvements Plan dated 3-9-17 5. Russell Ranch and Broadstone Estates at Russell Ranch Design Guidelines 6. Inclusionary Housing Plan <p>The Vesting Small Lot Tentative Subdivision Map, Russell Ranch and Broadstone Estates at Russell Ranch Design Guidelines and Inclusionary Housing Plan are approved for the development of a 81 lot single family residential subdivision (Broadstone Estates Subdivision). Implementation of the project shall be consistent with the above referenced items and these conditions of approval.</p>	G,I,M,B	CD (P)(E)
2.		<p><i>Plan Submittal</i> All civil engineering, improvement, and landscape and irrigation plans, shall be submitted to the Community Development Department for review and approval to ensure conformance with this approval and with relevant codes, policies, standards and other requirements of the City of Folsom.</p>	G, I, M,	CD (P)(E)(B)
3.		<p><i>Validity</i> This approval of the Vesting Small Lot Tentative Subdivision Map shall be valid for a period of three years or thirty-six months (April 11, 2025). Pursuant to Section 2.2 of Amendment No. 1 to ARDA, the term of the Project Design Guidelines shall track the term of the map.</p>	OG	CD (P)

CONDITIONS OF APPROVAL FOR THE BROADSTONE ESTATES SUBDIVISION PROJECT (PN 21-234) SOUTHEAST CORNER OF THE INTERSECTION OF U.S. HIGHWAY 50 AND PLACERVILLE ROAD SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP EXTENSION				
	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
4.		<p><i>Improvements in the PFFP</i> The owner/applicant shall be subject to all thresholds, timelines and deadlines for the construction and final completion of various improvements for the entire Folsom Plan Area. The various improvements are outlined and detailed in the Folsom Plan Area Specific Plan Public Facilities Financing Plan (PFFP) dated January 28, 2014 and adopted by City of Folsom Resolution No. 9298. These improvements in the PFFP include, but are not limited to, the backbone infrastructure water (water reservoirs, water transmission mains, booster pump stations, pressure reducing valve stations, etc.), sanitary sewer (lift stations and forced mains) systems, recycled water mains and associated infrastructure, roadway and transportation (future interchanges, major arterial roadways, etc.) improvements , aquatic center (community pool), parks, fire stations, municipal services center, community library, etc. The thresholds and timelines included in the PFFP require facilities to be constructed and completed based on number of building permits issued and in some cases, number of residential units that are occupied. The owner/applicant shall be required to address these thresholds and timelines as the project moves forward through the various developments stages and shall be subject to the various fair share requirements, subject to the provisions of the PFFP, the ARDA and any amendment thereto.</p>	M	PFFP. M,B CDD(E)(P)(B), PW, FD, EWR, PR

**CONDITIONS OF APPROVAL FOR THE BROADSTONE ESTATES SUBDIVISION PROJECT (PN 21-234)
SOUTHEAST CORNER OF THE INTERSECTION OF U.S. HIGHWAY 50 AND PLACERVILLE ROAD
SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP EXTENSION**

	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
5.		<p><i>Indemnity for City</i> The owner/applicant shall protect, defend, indemnify, and hold harmless the City and its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void, or annul any approval by the City or any of its agencies, departments, commissions, agents, officers, employees, or legislative body concerning the project, which claim, action or proceeding is brought within the time period provided therefore in Government Code Section 66499.37 or other applicable statutes of limitation. The City will promptly notify the owner/applicant of any such claim, action or proceeding, and will cooperate fully in the defense. If the City should fail to cooperate fully in the defense, the owner owner/applicant shall not thereafter be responsible to defend, indemnify and hold harmless the City or its agents, officers, and employees, pursuant to this condition. The City may, within its unlimited discretion, participate in the defense of any such claim, action or proceeding if both of the following occur:</p> <ul style="list-style-type: none"> • The City bears its own attorney’s fees and costs; and • The City defends the claim, action or proceeding in good faith <p>The owner/applicant shall not be required to pay or perform any settlement of such claim, action or proceeding unless the settlement is approved by the owner/applicant. The owner/applicant’s obligations under this condition shall apply regardless of whether a Final Map is ultimately recorded with respect to this project.</p>	OG	CD (P)(E)(B) PW, PR, FD, PD
6.		<p><i>Vesting Tentative Subdivision Map</i> The vesting tentative subdivision map is expressly conditioned upon compliance with all environmental mitigation measures in the Folsom Plan Area Specific Plan (FEIR/EIS) and the Broadstone Estates Addendum.</p>	OG	CD
7.		<p><i>ARDA and Amendments</i> The owner/applicant shall comply with all provisions of Amendment No. 1 to the ARDA and any approved amendments by and between the City and the landowner/developer of the project.</p>	G, I, M, B	CD (E)

CONDITIONS OF APPROVAL FOR THE BROADSTONE ESTATES SUBDIVISION PROJECT (PN 21-234) SOUTHEAST CORNER OF THE INTERSECTION OF U.S. HIGHWAY 50 AND PLACERVILLE ROAD SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP EXTENSION				
	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
8.		<p><i>Mitigation Monitoring</i> The owner/applicant shall be required to participate in a mitigation monitoring and reporting program pursuant to City Council Resolution No. 2634 and Public Resources Code 21081.6. The mitigation monitoring and reporting measures identified in the Folsom Plan Area Specific Plan FEIR/EIS have been incorporated into these conditions of approval in order to mitigate or avoid significant effects on the environment. These mitigation monitoring and reporting measures are identified in the mitigation measure column. Applicant shall fund on a Time and Materials basis all mitigation monitoring (e.g., staff and consultant time).</p>	OG	CD (P)
POLICE/SECURITY REQUIREMENT				
9.		<p>The owner/applicant shall consult with the Police Department in order to incorporate all reasonable crime prevention measures. The following security/safety measures shall be considered:</p> <p>A security guard on-duty at all times at the site or a six-foot security fence shall be constructed around the perimeter of construction areas.</p> <p>Security measures for the safety of all construction equipment and unit appliances.</p> <p>Landscaping shall not cover exterior doors or windows, block line-of-sight at intersections or screen overhead lighting.</p>	G, I, B	PD
DEVELOPMENT COSTS AND FEE REQUIREMENTS				
10.		<p><i>Taxes and Fees</i> The owner/applicant shall pay all applicable taxes, fees and charges for the project at the rate and amount required by the Public Facilities Financing Plan and the Amended and Restated Development Agreement.</p>	OG	CD (P)(E)
11.		<p><i>Assessments</i> If applicable, the owner/applicant shall pay off any existing assessments against the property, or file necessary segregation request and pay applicable fees.</p>	OG	CD (E)

CONDITIONS OF APPROVAL FOR THE BROADSTONE ESTATES SUBDIVISION PROJECT (PN 21-234) SOUTHEAST CORNER OF THE INTERSECTION OF U.S. HIGHWAY 50 AND PLACERVILLE ROAD SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP EXTENSION				
	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
12.		<p><i>FPASP Development Impact Fees</i> The owner/applicant shall be subject to all Folsom Plan Area Specific Plan Area development impact fees in place at the time of approval or subsequently adopted consistent with the Public Facilities Financing Plan (PFFP), Development Agreement and amendments thereto, unless exempt by previous agreement. The owner/applicant shall be subject to all applicable Folsom Plan Area plan-wide development impact fees in effect at such time that a building permit is issued. These fees may include, but are not limited to, the Folsom Plan Area Specific Plan Fee, Specific Plan Infrastructure Fee (SPIF), Solid Waste Fee, Corporation Yard Fee, Transportation Management Fee, Transit Fee, Highway 50 Interchange Fee, General Park Equipment Fee, Housing Trust Fee, etc.</p> <p>Any protest to such for all fees, dedications, reservations or other exactions imposed on this project will begin on the date of final approval (____), or otherwise shall be governed by the terms of Amendment No. 1 to the ARDA. The fees shall be calculated at the fee rate set forth in the PFFP and the ARDA.</p>	B	CD (P) PW, PK
13.		<p><i>Legal Counsel</i> The City, at its sole discretion, may utilize the services of outside legal counsel to assist in the implementation of this project, including, but not limited to, drafting, reviewing and/or revising agreements and/or other documentation for the project. If the City utilizes the services of such outside legal counsel, the City shall provide notice to the owner/applicant of the outside counsel selected, the scope of work and hourly rates, and the owner/applicant shall reimburse the City for all outside legal fees and costs incurred and documented by the City for such services. The owner/applicant may be required, at the sole discretion of the City Attorney, to submit a deposit to the City for these services prior to initiation of the services. The owner/applicant shall be responsible for reimbursement to the City for the services regardless of whether a deposit is required.</p>	OG	CD (P)(E)

CONDITIONS OF APPROVAL FOR THE BROADSTONE ESTATES SUBDIVISION PROJECT (PN 21-234) SOUTHEAST CORNER OF THE INTERSECTION OF U.S. HIGHWAY 50 AND PLACERVILLE ROAD SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP EXTENSION				
	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
14.		<p><i>Consultant Services</i> If the City utilizes the services of consultants to prepare special studies or provide specialized design review or inspection services for the project, the City shall provide notice to the owner/applicant of the outside consultant selected, the scope of work and hourly rates, and the owner/applicant shall reimburse the City for actual costs incurred and documented in utilizing these services, including administrative costs for City personnel. A deposit for these services shall be provided prior to initiating review of the Grading Plan, Final Map, improvement plans, or beginning inspection, whichever is applicable.</p>	G,I,M,B	CD (P)(E)

GRADING PERMIT REQUIREMENTS				
15.		<p>Phasing Plan The owner/applicant shall prepare a complete and comprehensive phasing plan and shall submit the phasing plan to the City for each proposed phase of development. The phasing plan shall include all required infrastructure for each proposed phase of development. The infrastructure shall include all required on-site and off-site improvements, including but not limited to, water system improvements (distribution and transmission mains, booster pump stations, water reservoirs, PRV stations, etc.), Recycled water mains and associated infrastructure, sanitary sewer improvements (sewer mains, lift stations, forced mains, etc.) roadway and transportation improvements, storm drainage improvements (detention/water quality basins, outfalls, etc.) and all other necessary improvements required for each phase of development. The phasing plan shall include itemized cost estimates for all required improvements and the phasing plan shall be reviewed and approved by the City prior to approval of grading and/or improvements plans.</p>	G,I,M,	CDD(E), EWR, PW, FD
15. cont.		<p>The City Engineer may condition the phasing to ensure that each phase functions independently and is consistent with the minimum utility and access standards of the City. All maps filed in phases will be required to have two points of access for vehicle access and/or general traffic purposes for each phase and all off-site utilities deemed necessary as determined by the City Engineer.</p> <p>Improvement plans for all phases that include half sections of streets shall include a minimum of 15 feet of pavement over the centerline, to allow two-way traffic and shall be subject to approval of the Community Development Department and Fire Department.</p> <p>The City will not dictate the order of the phasing provided that the first phase meets the following requirements;</p> <ul style="list-style-type: none"> • All off site utilities (i.e. water, sanitary sewer, recycled water, storm drainage, roadway improvements, etc.) necessary to serve the project shall be completed and accepted by the City Engineer. 	G, I, M	

16.		<p>Off-site improvements / Rights of Entry For any improvements constructed on private property that are not under the ownership or control of the owner/applicant (and are not subject to the provisions of the Amended and Restated Development Agreement between the City of Folsom and the property owner), all rights-of-entry, and if necessary, and any permanent easements shall be obtained and provided to the City.</p> <p>All rights of entry, construction easements, either permanent or temporary and other easements shall be obtained and shall be fully executed by all affected parties and shall be recorded with the Sacramento County Recorder, where applicable, prior to approval of grading and/or improvement plans.</p>	G,I	CD (E)
17	3A 7-1a	<p>Geotechnical Report Prior to the issuance of any grading permit, the owner/applicant shall have a geotechnical report prepared by an appropriately licensed engineer that includes an analysis of site preparation, soil bearing capacity, appropriate sources and types of fill, potential need for soil amendments, road, pavement and parking areas, structural foundations, including retaining wall designs, grading practices, soil corrosion of concrete and steel, erosion /winterization, seismic ground shaking, liquefaction and expansive/unstable soils.</p>	G	CD (E)
18.	3A 7-1a	<p>Geotechnical Recommendations The owner/applicant shall submit to the Engineering Division, for review and approval, a grading plan for the project site which ensures that all geotechnical recommendations specified in the geotechnical report are properly incorporated and utilized in the design.</p>	G	CD (E)
19.	3A 7-1b	<p>Geotechnical Monitoring Program The owner/applicant shall contract with a geotechnical engineer who shall develop a program to monitor the site during construction to ensure compliance with the recommendations presented in the geotechnical report(s) and conditions for performing such monitoring. The geotechnical monitoring program shall include a description of the improvements areas where geotechnical monitoring shall be required. The completed program shall be submitted to the City prior to approval of any grading and/or improvement plan.</p>	G	CD (P) CD (E) (B)

20.	3A.7-4	<p><i>Prepare a Seismic Refraction Survey and Obtain Appropriate Permits for all On-Site and Off-site Elements East of Old Placerville Road.</i></p> <p>Before the start of all construction activities east of Old Placerville Road, owner/applicant shall retain a licensed geotechnical engineer to perform a seismic refraction survey. Project-related excavation activities shall be carried out as recommend by the geotechnical engineer. Excavation may include the use of heavy-duty equipment such as large bulldozers or large excavators, and may include blasting. Appropriate permits for blasting operations shall be obtained from the relevant City or county jurisdiction, if applicable, prior to the start of any blasting activities.</p> <p>Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries shall be coordinated by owner/ applicant with the affected oversight agency(ies) (i.e., El Dorado and/or Sacramento Counties).</p>	G	CD (E)
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21.	3B.7-1a	<p><i>Prepare Geotechnical Report(s) for the Off-site Water Facilities and Implement Required Measures.</i></p> <p>The owner/applicant shall provide a comprehensive facility design for all proposed Off-site Water Facility improvements and shall comply with the site-specific design recommendations as provided by a licensed geotechnical or civil engineer. The final geotechnical and/or civil engineering report shall address and make recommendations on the following:</p> <ul style="list-style-type: none"> ▶ site preparation; ▶ soil bearing capacity; ▶ appropriate sources and types of fill; ▶ potential need for soil amendments; ▶ road, pavement, and parking areas; ▶ structural foundations, including retaining-wall design; ▶ grading practices; ▶ soil corrosion of concrete and steel; ▶ erosion/winterization; ▶ seismic ground shaking; ▶ liquefaction; and ▶ expansive/unstable soils. <p>In addition to the recommendations for the conditions listed above, the geotechnical investigation shall include subsurface testing of soil and groundwater conditions, and shall determine appropriate foundation designs that are consistent with the version of the California Building Code that is applicable at the time building and grading permits are applied for. All recommendations contained in the final geotechnical engineering report shall be implemented by the owner/applicant.</p>	G, I	CD (E)(EWR)
22.	3B.7-1b	<p><i>Incorporate Pipeline Failure Contingency Measures Into Final Pipeline Design.</i></p> <p>Isolation valves or similar devices shall be incorporated into all pipeline facilities to prevent substantial losses of surface water in the event of pipeline rupture, as recommended by a licensed geotechnical or civil engineer. The specifications of the isolation valves shall conform to the California Building Code and American Water Works Association (AWWA) standards.</p>	I	EWR, CD (E)
23.		<p><i>Mine Shaft Remediation</i></p> <p>The owner/applicant shall locate and remediate all antiquated mine shafts, drifts, open cuts, tunnels, and water conveyance or impoundment structures existing on the project site, with specific recommendations for the sealing, filling, or removal of each that meet all applicable health, safety and engineering standards. Recommendations shall be prepared by an appropriately licensed engineer or geologist. All remedial plans shall be reviewed and approved by the City prior to approval of grading plans.</p>	G	CD (E)

24.	3A1-4	<p>Material Storage Areas The owner/applicant shall locate staging and material storage areas as far away from sensitive biological resources and sensitive land uses (e.g., residential areas, schools, parks) as feasible. Staging and material storage areas shall be screened from adjacent occupied land uses in earlier development phases to the maximum extent practicable. Screens may include, but are not limited to, the use of visual barriers such as berms or fences. Staging and material storage areas shall be shown on all grading and/or improvement plans prior to plan approval by the City.</p>	G	CD (P) CD (E) (B)
25.		<p>Retaining Walls All retaining walls constructed on the open space lots or in any area visible to the public shall be constructed of rockery or split face masonry block. If the adjoining portion of the Russell Ranch subdivision (located to the south and east of the subject property) has been constructed or is approved to be constructed prior to construction of the Broadstone Estates Subdivision, the materials to be used for the retaining walls for the Broadstone Estates project shall be the same as those used on the Russell Ranch project.</p>	G	CD (P) (E)

26.	3A 14-1	<p><i>Traffic and Parking Management Plan</i></p> <p>Prior to the approval of the grading plan and or construction, the owner/applicant shall prepare a construction traffic and parking management plan to the satisfaction of the City Traffic Engineer and subject to review by any affected agencies, if necessary. The plan shall ensure that acceptable operating conditions on local roadways and freeway facilities are maintained. Measures typically used in traffic control plans include advertising of planned lane closures, warning signage, a flagperson to direct traffic flows when needed, and methods to ensure continued access by emergency vehicles. During project construction, access to existing land uses shall be maintained at all times, with detours used as necessary during road closures. At a minimum, the plan shall include the following:</p> <ul style="list-style-type: none">• Description of trucks including number and size of trucks per day (i.e., 85 trucks per day), expected arrival/departure times, and truck circulation patterns.• Description of staging area including location, maximum number of trucks simultaneously permitted in staging area, use of traffic control personnel, and specific signage.• Description of street closures and/or bicycle and pedestrian facility closures including duration, advance warning and posted signage, safe and efficient access routes for existing businesses and emergency vehicles, and use of manual traffic control.• Description of driveway access plan including provisions for safe vehicular, pedestrian, and bicycle travel, minimum distance from any open trench, special signage, and private vehicle access.	G	CD (E), PW
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27.		<p><i>Prepare Traffic Control Plan.</i></p> <p>Prior to construction, a Traffic Control Plan for roadways and intersections affected by construction shall be prepared. The Traffic Control Plan shall designate haul routes and comply with requirements in the encroachment permits issued by the City of Rancho Cordova, Sacramento County, and Caltrans and any other local agencies, including but not limited to the City, if applicable. The Traffic Control Plan to be prepared by the project construction contractor(s) shall, at minimum, include the following measures:</p> <ul style="list-style-type: none"> ▶ Maintaining the maximum amount of travel lane capacity during non-construction periods, possible, and advanced notice to drivers through the provision of construction signage. ▶ Maintaining alternate one-way traffic flow past the lay down area and site access when feasible. ▶ Heavy trucks and other construction transport vehicles shall avoid the busiest commute hours (7 a.m. to 8 a.m. and 5 p.m. to 6 p.m. on weekdays). ▶ A minimum 72-hour advance notice of access restrictions for residents, businesses, and local emergency response agencies. This shall include the identification of alternative routes and detours to enable for the avoidance of the immediate construction zone. ▶ A phone number and community contact for inquiries about the schedule of the construction throughout the construction period. This information will be posted in a local newspaper, via the City’s web site, or at City Hall and will be updated on a monthly basis. 	G	CD (E)
28.		<p><i>Assess Pre-Off-site Water Facilities Roadway Conditions.</i></p> <p>Prior to construction, the owner/applicant shall be responsible for assessing current road conditions for off-site improvement haul routes including the local access roads and develop post construction road restoration requirements. As part of the encroachment permitting process, an agreement shall be entered into with applicable jurisdictions prior to construction that details post construction road restoration requirements. Staff with Sacramento County or Folsom shall review the post construction restoration standards for each of the affected roadways. The owner/applicant shall perform roadway repairs or rehabilitation as necessary such that post construction requirements are met.</p>	G	CD (E)

29.	3A.2-4a 3A.2-4b	<p><i>Develop and Implement a Plan to Reduce Exposure of Sensitive Receptors to Construction-Generated Toxic Air Contaminant Emissions.</i></p> <p>The owner/applicant(s) shall develop a plan to reduce the exposure of sensitive receptors to TACs generated by project construction activity. Each plan shall be developed by the owner/applicant(s) in consultation with SMAQMD. The plan shall be submitted to the City for review and approval before the approval of any grading plans.</p> <p>The plan may include such measures as scheduling activities when the residences are the least likely to be occupied, requiring equipment to be shut off when not in use, and prohibiting heavy trucks from idling for more than 3 minutes. Applicable measures shall be included in all project plans and specifications for all project phases.</p> <p>Signs shall be posted at all truck loading areas which indicate that diesel-powered trucks must be shut off when not in use for longer than 3 minutes on the premises in order to reduce idling emissions.</p> <p>The implementation and enforcement of all measures identified in each plan shall be funded by the owner/applicant for the respective phase of development.</p>	G	CD (E) SMAQMD
30.	3B.2-3b	<p><i>Conduct Project-Level Diesel Particulate Matter (DPM) Screening and Implement Measures to Reduce Annual DPM to Acceptable Concentrations.</i></p> <p>Screening-level DPM assessments shall be conducted for diesel-powered pump operations proposed within 200 feet of residences or other sensitive receptors. These analyses should include exact distances between the receptors and operations, and include the actual DPM emissions for the engines proposed. If the analysis shows an annual average DPM concentration from project operations at residences within 200 feet of the DPM source to be greater than 0.024 µg/m³, the engine location shall be moved to a location where the annual average DPM concentration from project emissions at the residences is less than 0.024 µg/m³. The acceptable concentration of 0.024 µg/m³ was determined using the current OEHHA cancer potency factor and methodology for diesel exhaust (OEHHA 2003). If diesel exhaust concentrations at the affected receptor would be below 0.024 µg/m³, then the cancer health risk would be less than 9.9 cancers in a million population.</p>	G	CD (E)(P)

31.	3B 4-1a	<p><i>Implement Greenhouse Gas Reduction Measures during Construction.</i></p> <p>Prior to approval of a grading permit, the owner/applicant(s) shall stipulate that these measures be implemented within the project notes.</p> <ol style="list-style-type: none"> 1) Construction vehicles and equipment will be properly maintained at all times in accordance with manufacturer’s specifications, including proper tuning and timing of engines. Equipment maintenance records and equipment design specification data sheets shall be kept on-site during construction and demolition activities and subject to inspection by the Sacramento Metropolitan Air Quality Management District (SMAQMD). 2) Operators will turn off all construction vehicles and equipment and all delivery vehicles when not in use, and not allow idling for more than 3 minutes or for such other more restrictive time as may be required in law or regulation. 3) On-site construction vehicles and equipment will use Air Resources Board (ARB)-certified biodiesel fuel if available (a minimum of B20, or 20 percent of biodiesel) except for those with warranties that would be voided if B20 biodiesel fuel were used. Prior to issuance of grading or demolition permits, the contractor shall provide documentation to the City that verifies whether any equipment is exempt; that a biodiesel supply has been secured; and that the construction contractor is aware that the use of biodiesel is required. 4) A Solid Waste Diversion and Recycling Plan (or such other documentation to the satisfaction of the City) shall be in place that demonstrates the diversion from landfills and recycling of all nonhazardous, salvageable and re-useable wood, metal, plastic and paper products during construction and demolition activities. The Plan or other documentation shall include the name of the waste hauler, their assumed destination for all waste and recycled materials, and the procedures that will be followed to ensure implementation of this measure. 	G	CDD(E), (P)
31. cont.		<p>For those areas that would be disturbed as part of the U.S. 50 interchange improvements, it is anticipated that Caltrans would coordinate with the development and implementation of the overall project SWPPP, or develop and implement its own SWPPP specific to the interchange improvements, to ensure that water quality degradation would be avoided or minimized to the maximum extent practicable.</p> <p>Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries shall be coordinated by the owner/applicant of each applicable project phase with El Dorado County and Caltrans.</p>		

<p>32.</p>	<p>3A 4-1</p>	<p><i>Implement Additional Measures to Control Construction-Generated Greenhouse Gas Emissions</i></p> <p>Prior to approval of a grading permit, the owner/applicant(s) shall obtain the most current list of greenhouse gas reduction measures that are recommended by Sacramento Metropolitan Air Quality Management District (SMAQMD) and stipulate how those measures be implemented within the project notes. The owner/ applicant(s) may submit to the City and SMAQMD a report that substantiates why specific measures are considered infeasible for construction of that particular development phase and/or at that point in time. The report, including the substantiation for not implementing particular greenhouse gas reduction measures, shall be approved by the City, in consultation with SMAQMD prior to approval of a grading permit. In addition to SMAQMD-recommended measures, construction activity shall comply with all applicable rules and regulations established by SMAQMD and California Air Resources Board.</p>	<p>G</p>	<p>CD (E)(P) SMAQMD CARB</p>
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33.	3A.2-1g	<p><i>Pay Off-site Mitigation Fee to SMAQMD to Off-Set NOX Emissions Generated by Construction of Off-site Elements.</i></p> <p>The off-site elements could result in construction-generated NOX emissions that exceed the SMAQMD threshold of significance, even after implementation of the SMAQMD Enhanced Exhaust Control Practices (listed in Mitigation Measure 3A.2-1a). Therefore, the owner/applicant shall pay SMAQMD an off-site mitigation fee for implementation of each off-site element in for the purpose of reducing NOX emissions to a less-than-significant level (i.e., less than 85 lb/day).</p> <p>The specific fee amounts shall be calculated when the daily construction emissions can be more accurately determined. Calculation of fees associated with each off-site element shall be conducted by the owner/applicant in consultation with SMAQMD staff before the approval of respective grading plans. The calculation of daily NOX emissions shall be based on the cost rate established by SMAQMD at the time the calculation and payment are made. Because the fee is based on the mass quantity of emissions that exceed SMAQMD's daily threshold of significance of 85 lb/day, total fees for construction of the off-site improvements would vary according to the timing and potential overlap of construction schedules for off-site elements.</p> <p>Mitigation for the off-site improvements outside of the City of Folsom's jurisdictional boundaries shall be developed by the owner/applicant of each applicable project phase in consultation with the affected oversight agency(ies) (i.e., Sacramento County or Caltrans).</p>	G	CD (E)(P) SMAQMD
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34.	3B.2-1a	<p><i>Develop and Implement a Construction NOX Reduction Plan.</i></p> <p>Consistent with SMAQMD requirements, the owner/applicant shall provide a plan for demonstrating that the heavy-duty (> 50 horsepower) off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project wide fleet-average 20% NOX reduction.</p> <p>Prior to construction, the owner/applicant's contractor shall submit to the SMAQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during any portion of the construction. The inventory shall include the horsepower rating, engine production year, and projected hours of use or fuel throughput for each piece of equipment. The inventory shall be updated and submitted quarterly throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs. At least 48 hours prior to the use of subject heavy-duty off-road equipment, the owner/applicant shall provide SMAQMD with the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreman.</p>	G,I	SMAQMD
35.	3B.2-1b	<p><i>Conduct Visible Emissions Testing and if Non-Compliance, Repair Equipment Immediately.</i></p> <p>The owner/applicant shall ensure that emissions from all off-road diesel powered equipment used on the project site do not exceed 40% opacity for more than three minutes in any one hour. Any equipment found to exceed 40% opacity (or Ringelmann 2.0) shall be repaired immediately, and the City and SMAQMD shall be notified within 48 hours of identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made at least monthly, and a quarterly summary of the visual survey results shall be submitted throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey.</p>	G,I	CD (E)(P) SMAQMD
36	3A 2-2	<p><i>Folsom Plan Area Specific Plan Air Quality Mitigation Plan</i></p> <p>The owner/applicant shall implement all applicable measures in the Sacramento Metropolitan Air Quality Management District approved Folsom Plan Area Specific Plan Air Quality Mitigation Plan.</p>	G, I, B	Sacramento Metropolitan Air Quality Management District CD (E) (P)

37	3A2-5	<p>Naturally Occurring Asbestos</p> <p>Prior to the commencement of any site-disturbing activities, the owner/applicant shall demonstrate to the satisfaction of the Sacramento Metropolitan Air Quality Management District that Naturally Occurring Asbestos does not exist on site. To demonstrate the owner/applicant shall obtain the services of a California Certified Geologist to conduct a thorough site investigation of the development area per the protocol outlined in the California Geological Survey Special Report 124 to determine whether and where Naturally Occurring Asbestos is present in the soil and rock on the project site and/or areas that would be disturbed by the project. The site investigation shall include the collection of three soil and rock samples per acre to be analyzed via the California Air Resources Board 435 Method, or other acceptable method agreed upon by Sacramento Metropolitan Air Quality Management District and the City. If the investigation determines that Naturally Occurring Asbestos is not present on the project site, then the owner/applicant shall submit a Geologic Exemption to Sacramento Metropolitan Air Quality Management District as allowed under Title 17, Section 93105, Asbestos Airborne Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining (Asbestos ATCM). The owner/applicant shall submit proof of compliance with the above to the Community Development Department for review and approval prior to the commencement of any site-disturbing activities.</p> <p>If the site investigation determines that Naturally Occurring Asbestos is present on the project site, or alternatively if the owner/applicant elects to assume presence of trace Naturally Occurring Asbestos, then, prior to commencement of any ground disturbance activity, the owner/applicant shall submit to the Sacramento Metropolitan Air Quality Management District for review and approval an Asbestos Dust Mitigation Plan, including, but not limited to, control measures required by the Asbestos ATCM, such as vehicle speed limitations, application of water prior to and during ground</p>	G	<p>Sacramento Metropolitan Air Quality Management District</p> <p>CD (E) (P)</p>
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<p>37. cont.</p>		<p>disturbance, keeping storage piles wet or covered, and track-out prevention and removal.</p> <p>The owner/applicant shall submit proof of compliance with the above to the Community Development Department for review and approval prior to the commencement of any site-disturbing activities. Upon approval of the Asbestos Dust Control Plan by the Sacramento Metropolitan Air Quality Management District , the owner/applicant shall ensure that construction contractors implement the terms of the plan throughout the construction period. If Naturally Occurring Asbestos is determined to be located on the surface of the project site, all surface soil containing Naturally Occurring Asbestos shall be replaced with clean soil or capped with another material (e.g., cinder or rubber), subject to review and approval by the City Engineer.</p>		
<p>38.</p>	<p>3A 2-1h</p>	<p><i>Analyze and Disclose Projected PM10 Emission Concentrations at Nearby Sensitive Receptors Resulting from Construction of Off-site Elements.</i></p> <p>Prior to construction of any improvements that would involve site grading or earth disturbance activity that would exceed 15 acres in one day, the responsible agency or its selected consultant shall conduct detailed dispersion modeling of construction-generated PM10 emissions pursuant to Sacramento Metropolitan Air Quality Management District guidance that is in place at the time the analysis is performed.</p>	<p>G</p>	<p>Sacramento Metropolitan Air Quality Management District</p> <p>Caltrans</p> <p>Sacramento County</p> <p>CD (E) (P)</p>

38 cont.

Sacramento Metropolitan Air Quality Management District emphasizes that PM10 emission concentrations at nearby sensitive receptors be disclosed in project-level CEQA analysis. Each project-level analysis shall incorporate detailed parameters of the construction equipment and activities, including the year during which construction would be performed, as well as the proximity of potentially affected receptors, including receptors proposed by the project that exist at the time the construction activity would occur. If the modeling analysis determines that construction activity would result in an exceedance or substantial contribution to the California Ambient Air Quality Standards and National Ambient Air Quality Standards at a nearby receptor, then the owner/applicant shall require their respective contractors to implement additional measures for controlling construction-generated PM10 exhaust emission and fugitive PM10 dust emissions in accordance with Sacramento Metropolitan Air Quality Management District guidance, requirements, and/or rules that apply at the time the project-level analysis is performed. It is likely that these measures would be the same or similar to those listed as Enhanced Fugitive PM Dust Control Practices for Soil Disturbance Areas and Unpaved Roads and Enhanced Exhaust Control Practices. Dispersion modeling is not required for the two El Dorado County roadway connections because the total amount of disturbed acreage is expected to be less than the EDCAQMD screening level of 12 acres.

Mitigation for the any construction outside of the City of Folsom's jurisdictional boundaries shall be developed by the owner/applicant(s) of each applicable project phase in consultation with the affected oversight agency(ies) (i.e., Sacramento County or Caltrans).

<p>39.</p>	<p>3A 2-1a 3A 2-1d 3A 2-1f</p>	<p><i>Basic Construction Emission Control Practices</i></p> <p>The owner/applicant shall implement Sacramento Metropolitan Air Quality Management District 's list of Basic Construction Emission Control Practices, Enhanced Fugitive Particulate Matter Dust Control Practices (listed below), and Enhanced Exhaust Control Practices or whatever mitigation measures are recommended by Sacramento Metropolitan Air Quality Management District at the time individual portions of the site undergo construction. In addition to Sacramento Metropolitan Air Quality Management District –recommended measures, construction operations shall comply with all applicable Sacramento Metropolitan Air Quality Management District rules and regulations.</p> <p>The following shall be noted on Grading Plans and building construction plans:</p> <p>Basic Construction Emission Control Practices</p> <ul style="list-style-type: none"> • Water all exposed surfaces two times daily. Exposed surfaces include, but are not limited to soil piles, graded areas, unpaved parking areas, staging areas, and access roads. The owner/applicant shall not be permitted to use potable water from the City of Folsom water system for grading and/or construction while the City is in a stage 3 (water warning), stage 4 (water crisis), or stage 5 (water emergency) conservation stage as determined by the City and in conformance with Chapter 13.26 Water Conservation of the Folsom Municipal Code (FMC). The City may prohibit the use of potable water for grading and/or construction purposes on the project in its sole discretion regardless of the Water Conservation Stage. • Cover or maintain at least two feet of free board space on haul trucks transporting soil, sand, or other loose material on the site. Any haul trucks that would be traveling along freeways or major roadways shall be covered. 	<p>G, I, B</p>	<p>Sacramento Metropolitan Air Quality Management District</p> <p>CD (E) (P)</p>
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<p>39 cont.</p>	<p>3A 2-1a 3A 2-1d 3A 2-1f</p>	<p>Use wet power vacuum street sweepers to remove any visible trackout mud or dirt onto adjacent public roads at least once a day. Use of dry power sweeping is prohibited.</p> <ul style="list-style-type: none"> • Limit vehicle speeds on unpaved roads to 15 miles per hour (mph). • All roadways, driveways, sidewalks, parking lots to be paved should be completed as soon as possible. In addition, building foundations shall be laid as soon as possible after grading unless seeding or soil binders are used. • Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes (as required by the state airborne toxics control measure [Title 13, Section 2485 of the California Code of Regulations]). Provide clear signage that posts this requirement for workers at the entrances to the site. • Maintain all construction equipment in proper working condition according to manufacturer’s specifications. The equipment shall be checked by a certified mechanic and determine to be running in proper condition before it is operated. <p>Enhanced Fugitive Particulate Matter Dust Control Practices – Soil Disturbance Areas</p> <ul style="list-style-type: none"> • Water exposed soil with adequate frequency for continued moist soil. However, do not overwater to the extent that sediment flows off the site. • Suspend excavation, grading, and/or demolition activity when wind speeds exceed 20 mph. • Install wind breaks (e.g., plant trees, solid fencing) on windward side(s) of construction areas. • Plant vegetative ground cover (fast-germinating native grass seed) in disturbed areas as soon as possible. Water appropriately until vegetation is established. 	<p>G, I, B</p>	<p>Sacramento Metropolitan Air Quality Management District</p> <p>CD (E) (P)</p>
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<p>39 cont.</p>	<p>3A 2-1a 3A 2-1d 3A 2-1f</p>	<p>Enhanced Fugitive Particulate Matter Dust Control Practices – Unpaved Roads</p> <ul style="list-style-type: none"> • Install wheel washers for all exiting trucks, or wash off all trucks and equipment leaving the site. • Treat site accesses to a distance of 100 feet from the paved road with a 6 to 12-inch layer of wood chips, mulch, or gravel to reduce generation of road dust and road dust carryout onto public roads. • Post a publicly visible sign with the telephone number and person to contact at the construction site regarding dust complaints. This person shall respond and take corrective action within 48 hours. The phone number of Sacramento Metropolitan Air Quality Management District and the City contact person shall also be posted to ensure compliance. <p>Enhanced Exhaust Control Practices</p> <p>The owner/applicant shall provide a plan, for approval by the City of Folsom Community Development Department and Sacramento Metropolitan Air Quality Management District , demonstrating that the heavy-duty (50 horsepower [hp] or more) offroad vehicles to be used in the construction project, including owned, leased, and subcontractor vehicles, will achieve a project wide fleet-average 20% NOX reduction and 45% particulate reduction compared to the most current California Air Resources Board (ARB) fleet average that exists at the time of construction. Acceptable options for reducing emissions may include use of late-model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available.</p>	<p>G, I, B</p>	<p>Sacramento Metropolitan Air Quality Management District</p> <p>CD (E) (P)</p>
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39 cont.	3A 2-1a 3A 2-1d 3A 2-1f	<p>The owner/applicant shall submit to the City of Folsom Community Development Department and Sacramento Metropolitan Air Quality Management District a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 hp, that would be used an aggregate of 40 or more hours during any portion of the construction project. The inventory shall include the horsepower rating, engine production year, and projected hours of use for each piece of equipment. The inventory shall be updated and submitted monthly throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs. At least 48 hours prior to the use of heavy-duty off-road equipment, the project representative shall provide Sacramento Metropolitan Air Quality Management District with the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreman.</p> <p>Sacramento Metropolitan Air Quality Management District's Construction Mitigation Calculator can be used to identify an equipment fleet that achieves this reduction (Sacramento Metropolitan Air Quality Management District 2007a). The project shall ensure that emissions from all off-road diesel powered equipment used within the project area do not exceed 40% opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately, and the City and Sacramento Metropolitan Air Quality Management District shall be notified within 48 hours of identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made at least weekly, and a monthly summary of the visual survey results shall be submitted throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. Sacramento Metropolitan Air Quality Management District staff and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this mitigation measure shall supersede other Sacramento Metropolitan Air Quality Management District or state rules or regulations.</p>	G, I, B	Sacramento Metropolitan Air Quality Management District CD (E) (P)
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39 cont.	3A 2-1a 3A 2-1d 3A 2-1f•	If at the time of grading and/or construction, Sacramento Metropolitan Air Quality Management District has adopted a regulation or new guidance applicable to construction emissions, compliance with the regulation or new guidance may completely or partially replace this mitigation if it is equal to or more effective than the mitigation contained herein, and if Sacramento Metropolitan Air Quality Management District so permits. Such a determination shall be supported by a project-level analysis and be approved by Sacramento Metropolitan Air Quality Management District.	G, I, B	Sacramento Metropolitan Air Quality Management District CD (E) (P)
40.	3B.2-1c	<p><i>Implement Fugitive Dust Control Measures and a Particulate Matter Monitoring Program during Construction.</i></p> <p>The owner/applicant shall implement fugitive dust control measures and a particulate matter monitoring program during construction. The owner/applicant shall ensure implementation of dust control measures and a particulate matter monitoring program during each phase of construction. Dust control measures may include, but are not limited to, the following:</p> <ul style="list-style-type: none"> ▶ minimize on-site construction vehicle speeds on unpaved surfaces; ▶ post speed limits; ▶ suspend grading operations when wind speeds exceed 20 m.p.h. ▶ pave, water, use gravel, cover, or spray a dust-control agent on all haul roads; ▶ Prohibit no open burning of vegetation during project construction; ▶ Chip or deliver vegetative material to waste-to-energy facilities; ▶ reestablish vegetation as soon as possible after construction and maintain vegetation consistent with the parameters established in Condition 39; ▶ clean earthmoving construction equipment with water once daily and clean all haul trucks leaving the site; and ▶ water and keep moist exposed earth surfaces, graded areas, storage piles, and haul roads as needed to prevent fugitive dust. 	G,I	CD (E)(P)
41.		<p><i>Minimum Pad Elevations for Noise Attenuation</i></p> <p>The elevation of all building pads shall be no less than those shown on the preliminary grading and drainage plan dated March 9, 2017.</p>	G,I	CD (E) (P)
42.	3B.2-3a	<p><i>Locate Pump Stations Away from Sensitive Receptors.</i></p> <p>New pumping stations including back-up diesel generators shall be located more than 200 feet away from sensitive receptors. Electrically-powered pumps shall be used to power new pumps, to the extent practicable.</p>	I	CD (E)

43.	3B.11-1a	Limit Construction Hours. Construction activities shall be limited to daylight hours between 7 a.m. and 7 p.m. Monday through Friday, and 9 a.m. and 5 p.m. on Saturday. No construction shall be allowed on Sundays or holidays.	I	CD (E), PW
44.	3B.11-1b	Minimize Noise from Construction Equipment and Staging. Construction equipment noise shall be minimized during project construction by muffling and shielding intakes and exhaust on construction equipment (per the manufacturer's specifications) and by shrouding or shielding impact tools, where used. The City's construction specifications shall also require that the contractor select staging areas as far as feasibly possible from sensitive receptors.	G,I	CD (E), PW
45.	3B.11-1c	Maximize the Use of Noise Barriers. Construction contractors shall locate fixed construction equipment (such as compressors and generators) and construction staging areas as far as possible from nearby residences. If feasible, noise barriers shall be used at the construction site and staging area. Temporary walls, stockpiles of excavated materials, or moveable sound barrier curtains would be appropriate in instances where construction noise would exceed 90 dBA and occur within less than 50 feet from a sensitive receptor. The final selection of noise barriers will be subject to the City's approval and shall provide a minimum 10 dBA reduction in construction noise levels.	G,I	CD (E)(P)
46.	3B.11-1d	Prohibit Non-Essential Noise Sources During Construction. No amplified sources (e.g., stereo "boom boxes") shall be used in the vicinity of residences during project construction.	G,I,B	CD (E)(P)
47.	3B.11-1e	Monitor Construction Noise and Provide a Mechanism for Filing Noise Complaints. The owner/applicant shall provide an on-site complaint and enforcement manager that shall track and respond to noise complaints during grading and construction. The City shall also provide a mechanism for residents, businesses, and agencies to register complaints with the City if construction noise levels are overly intrusive or construction occurs outside the required hours.	G,I	CD (E)(P)

<p>48.</p>	<p>3A 11-1 3B1-3a</p>	<p><i>Implement Noise-Reducing Construction Practices, Prepare and Implement a Noise Control Plan, and Monitor and Record Construction Noise near Sensitive Receptors.</i></p> <p>The owner/applicant shall prepare and implement a construction noise management plan. This plan shall identify specific measures to ensure compliance with the noise control measures specified below. The noise control plan shall be submitted to the City of Folsom before any noise-generating construction activity begins and shall be noted on Grading Plans and building construction plans. Grading and construction shall not commence until the construction noise management plan is approved by the City of Folsom.</p> <ul style="list-style-type: none"> • Noise-generating construction operations shall be limited to the hours between 7 a.m. and 7 p.m. Monday through Friday, and between 8 a.m. and 5 p.m. on Saturdays. No construction is allowed on Sundays. These hours may be expanded to include Saturday and Sunday between 8 a.m. and 6 p.m. provided there are no sensitive receptors within 1500 feet, subject to the sole discretion of the city. • All construction equipment and equipment staging areas (including rock crushing operations) shall be located as far as possible from nearby noise-sensitive land uses. • All construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations. Equipment engine shrouds shall be closed during equipment operation. • All motorized construction equipment shall be shut down when not in use to prevent idling. • Individual operations and techniques shall be replaced with quieter procedures (e.g., using welding instead of riveting, mixing concrete off- site instead of on-site). 	<p>G, I, B</p>	<p>CD (P) CD (E) (B)</p>
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<p>48. cont.</p>		<ul style="list-style-type: none"> • Noise-reducing enclosures shall be used around stationary noise-generating equipment (e.g., compressors and generators) as planned phases are built out and future noise sensitive receptors are located within close proximity to future construction activities. • Written notification of construction activities shall be provided to all noise-sensitive receptors located within 850 feet of construction activities. Notification shall include anticipated dates and hours during which construction activities are anticipated to occur and contact information, including a daytime telephone number, for the project representative to be contacted in the event that noise levels are deemed excessive. Recommendations to assist noise-sensitive land uses in reducing interior noise levels (e.g., closing windows and doors) shall also be included in the notification. • To the extent feasible, acoustic barriers (e.g., lead curtains, sound barriers) shall be constructed to reduce construction-generated noise levels at affected noise-sensitive land uses. The barriers shall be designed to obstruct the line of sight between the noise-sensitive land use and on-site construction equipment. When installed properly, acoustic barriers can reduce construction noise levels by approximately 8–10 dB (EPA 1971). • When future noise sensitive uses are within close proximity to prolonged construction noise, noise-attenuating buffers such as structures, truck trailers, or soil piles shall be located between noise sources and future residences to shield sensitive receptors from construction noise. 		
<p>49.</p>	<p>3B.16-3a</p>	<p><i>Minimize Utility Conflicts by Implementing an Underground Services Alert.</i> Underground utilities and service connections shall be identified prior to commencing any excavation work through the implementation of an Underground Services Alert (USA). The exact utility locations will be determined by hand-excavated test pits dug at locations determined and approved by the construction manager (also referred to as “pot-holing”). Temporary disruption of service may be required to allow for construction. No service on such lines would be disrupted until prior approval is received from the construction manager and the service provider.</p>	<p>G</p>	<p>CD (E)(P) Underground Services Alert</p>
<p>50.</p>		<p><i>Grading in Utility Easement</i> The owner/applicant shall obtain a consent agreement, letter of waiver and/or an encroachment permit from Pacific Gas and Electric, SMUD, WAPA, etc. for any proposed grading and/or construction in any existing tower line and/or underground facility easement. The owner/applicant shall provide the approved consent agreement, letter of waiver and/or encroachment permit to the City prior to approval of any grading and/or improvement plans.</p>		

51.	3A-7.3	<p><i>Prepare and Implement the Appropriate Grading and Erosion Control Plan.</i> Prior to issuance of a grading permit, the owner/applicant shall retain a California Registered Civil Engineer to prepare a grading and erosion and sedimentation control plan. The grading and erosion and sedimentation control plan shall be submitted to the Community Development Department prior to issuance of a grading permit. The plan shall be consistent with the City’s Grading Ordinance, where applicable, the state’s NPDES permit, the FPASP preliminary grading plans and shall include the site-specific grading associated with development for all project phases.</p> <p>The plans referenced above shall include the location, implementation schedule, and maintenance schedule of all erosion and sediment control measures, a description of measures designed to control dust and stabilize the construction-site road and entrance, and a description of the location and methods of storage and disposal of construction materials. Erosion and sediment control measures could include the use of temporary detention basins, berms, swales, wattles, and silt fencing, and covering or watering of stockpiled soils to reduce wind erosion. Stabilization on steep slopes could include construction of retaining walls and reseeded with vegetation after construction. Stabilization of construction entrances to minimize trackout (control dust) is commonly achieved by installing filter fabric and crushed rock to a depth of approximately 1 foot.</p> <p>The owner/applicant(s) shall ensure that the construction contractor is responsible for securing a source for transportation and deposition of excavated materials.</p>	G	CD (E)
52.	3A7-3	<p><i>Erosion Control Plan</i> Prior to the approval of the final facilities design, commencement of grading and/or construction activities, the owner/applicant shall submit an erosion control plan to the City for review and approval. The plan shall identify protective measures to be taken during excavation, temporary stockpiling, any reuse or disposal, and revegetation. Specific techniques may be based upon geotechnical reports, the <u>Erosion and Sediment Control Handbook</u> of the State of California Department of Conservation, and shall comply with all updated City standards.</p>	G	CD (E)
53.	3A7-3	<p><i>Erosion and sedimentation control measures</i> Erosion and sedimentation control measures shall be incorporated into all grading and/or construction plans. These measures shall conform to the City of Folsom requirements and the County of Sacramento <u>Erosion and Sedimentation Control Standards and Specifications</u>-current edition and as directed by the Community Development Department.</p>	G	CD (E)

54.	3A 9-1	<p><i>Acquire Appropriate Regulatory Permits and Prepare and Implement Stormwater Pollution Prevention Plan (SWPPP) and Best Management Practices (BMPs).</i></p> <p>The owner/applicant of the project disturbing one or more acres (including phased construction of smaller areas which are part of a larger project) shall obtain coverage under the State Water Resources Control Board's National Pollution Discharge Elimination System stormwater permit for general construction activity (Order 2009-0009-DWQ), including preparation and submittal of a project-specific Storm Water Pollution Prevention Plan at the time the Notice of Intent is filed. The Storm Water Pollution Prevention Plan and other appropriate plans shall identify and specify:</p> <ul style="list-style-type: none">○ the use of an effective combination of robust erosion and sediment control BMPs and construction techniques accepted by the local jurisdictions for use in the project area at the time of construction, that shall reduce the potential for runoff and the release, mobilization, and exposure of pollutants, including legacy sources of mercury from project-related construction sites. These may include but would not be limited to temporary erosion control and soil stabilization measures, sedimentation ponds, inlet protection, perforated riser pipes, check dams, and silt fences● the implementation of approved local plans, non-stormwater management controls, permanent post-construction BMPs, and inspection and maintenance responsibilities;● the pollutants that are likely to be used during construction that could be present in stormwater drainage and nonstormwater discharges, including fuels, lubricants, and other types of materials used for equipment operation;● spill prevention and contingency measures, including measures to prevent or clean up spills of hazardous waste and of hazardous materials used for equipment operation, and emergency procedures for responding to spills;	G	CD (E)
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<p>54. cont.</p>		<ul style="list-style-type: none">• personnel training requirements and procedures that shall be used to ensure that workers are aware of permit requirements and proper installation methods for BMPs specified in the Storm Water Pollution Prevention Plan; and• the appropriate personnel responsible for supervisory duties related to implementation of the Storm Water Pollution Prevention Plan. <p>Where applicable, Best Management Practices identified in the Storm Water Pollution Prevention Plan shall be in place throughout all site work and construction/demolition activities and shall be used in all subsequent site development activities. Best Management Practices may include, but are not limited to, such measures as those listed below:</p> <ul style="list-style-type: none">• Implementing temporary erosion and sediment control measures in disturbed areas to minimize discharge of sediment into nearby drainage conveyances, in compliance with state and local standards in effect at the time of construction. These measures may include silt fences, staked straw bales or wattles, sediment/silt basins and traps, geofabric, sandbag dikes, and temporary vegetation.• Establishing permanent vegetative cover to reduce erosion in areas disturbed by construction by slowing runoff velocities, trapping sediment, and enhancing filtration and transpiration.• Using drainage swales, ditches, and earth dikes to control erosion and runoff by conveying surface runoff down sloping land, intercepting and diverting runoff to a watercourse or channel, preventing sheet flow over sloped surfaces, preventing runoff accumulation at the base of a grade, and avoiding flood damage along roadways and facility infrastructure. <p>A copy of the approved Storm Water Pollution Prevention Plan shall be maintained and available at all times on the construction site.</p>	<p>G</p>	<p>CD (E)</p>
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55.	3A-9.2	<p><i>Prepare and Submit Final Drainage Plans and Implement Requirements Contained in Those Plans.</i></p> <p>The owner/applicant shall submit a final drainage plan to the City demonstrating that off-site upstream runoff will be appropriately conveyed through the Folsom Plan Area, and that project-related on-site runoff will be appropriately conveyed and contained in detention basins or managed through other improvements (e.g., source controls, biotechnical stream stabilization) to reduce flooding and hydromodification impacts and provide water quality treatment.</p> <p>The plans shall include, but not be limited to, the following items:</p> <ul style="list-style-type: none"> • a drainage swale, located at the base of the noise berm, shall be included to prevent sheet flow from the berm flowing onto the Class 1 bike trail. Inlets and under drains shall be included as necessary. • an accurate calculation of pre-project and post-project runoff scenarios, obtained using appropriate engineering methods, that accurately evaluates potential changes to runoff, including increased surface runoff; • runoff calculations for the 10-year and 100-year (0.01 AEP) storm events (and other, smaller storm events as required) shall be performed and the trunk drainage pipeline sizes confirmed based on alignments and detention facility locations finalized in the design phase; • a description of the proposed maintenance program for the on-site drainage system; • project-specific standards for installing drainage systems; • City flood control design requirements and measures designed to comply with them; Implementation of stormwater management BMPs that avoid increases in the erosive force of flows beyond a specific range of conditions needed to limit hydromodification and maintain current stream geomorphology. These Best Management Practices will be designed and constructed in accordance with the forthcoming Stormwater Quality Partnership Hydromodification Management Plan (to be adopted by the Regional Water Quality Control Board) and may include, but are not limited to, the following: 	G, I	CD (E)
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55 cont.	3A-9.2	<ul style="list-style-type: none"> i. Use of Low Impact Development (LID) techniques to limit increases in stormwater runoff at the point of origination (these may include, but are not limited to: surface swales; replacement of conventional impervious surfaces with pervious surfaces [e.g., porous pavement]; impervious surfaces disconnection; and trees planted to intercept stormwater); ii. Enlarged detention basins to minimize flow changes and changes to flow duration characteristics; iii. Bioengineered stream stabilization to minimize bank erosion, utilizing vegetative and rock stabilization, and inset floodplain restoration features that provide for enhancement of riparian habitat and maintenance of natural hydrologic and channel to floodplain interactions; iv. Minimize slope differences between any stormwater or detention facility outfall channel with the existing receiving channel gradient to reduce flow velocity; and v. Minimize to the extent possible detention basin, bridge embankment, and other encroachments into the channel and floodplain corridor, and utilize open bottom box culverts to allow sediment passage on smaller drainage courses. <p>The final drainage plan shall demonstrate to the satisfaction of the City of Folsom Community Development and Public Works Departments that 100-year (0.01 AEP) flood flows would be appropriately channeled and contained, such that the risk to people or damage to structures within or down gradient of the Folsom Plan Area would not occur, and that hydromodification would not be increased from pre-development levels such that existing stream geomorphology would be changed (the range of conditions should be calculated for each receiving water if feasible, or a conservative estimate should be used, e.g., an Ep of 1 ±10% or other as approved by the Sacramento Stormwater Quality Partnership and/or City of Folsom).</p>	G	CD (E), PW
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<p>56.</p>		<p><i>Develop and Implement a BMP and Water Quality Maintenance Plan.</i> A detailed BMP and water quality maintenance plan shall be prepared by a qualified engineer retained by the owner/applicant(s) for the project. The plan shall finalize the water quality improvements and further detail the structural and nonstructural BMPs proposed for the project. The plan shall include the elements described below.</p> <ul style="list-style-type: none"> • A quantitative hydrologic and water quality analysis of proposed conditions incorporating the proposed drainage design features. • Predevelopment and post development calculations demonstrating that the proposed water quality BMPs meet or exceed requirements established by the City of Folsom and including details regarding the size, geometry, and functional timing of storage and release pursuant to the latest edition of the “Stormwater Quality Design Manual for Sacramento and South Placer Regions” (the City’s MS4NPDES permit, page 46) and El Dorado County’s NPDES SWMP (County of El Dorado 2004). • Source control programs to control water quality pollutants within the project, which may include but are not limited to recycling, street sweeping, storm drain cleaning, household hazardous waste collection, waste minimization, prevention of spills and illegal dumping, and effective management of public trash collection areas. • A pond management component for the proposed basins that shall include management and maintenance requirements for the design features and BMPs, and responsible parties for maintenance and funding. • LID control measures shall be integrated into the BMP and water quality maintenance plan. These may include, but are not limited to: <ul style="list-style-type: none"> • surface swales; • replacement of conventional impervious surfaces with pervious surfaces (e.g., porous pavement); • impervious surfaces disconnection; and • trees planted to intercept stormwater. 	<p>G</p>	<p>CD (E)</p>
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<p>56.cont.</p>		<ul style="list-style-type: none">• New stormwater facilities shall be placed along the natural drainage courses within the project to the extent practicable so as to mimic the natural drainage patterns. The reduction in runoff as a result of the LID configurations shall be quantified based on the runoff reduction credit system methodology described in “Stormwater Quality Design Manual for the Sacramento and South Placer Regions, Chapter 5 and Appendix D4” (SSQP 2007b) and proposed detention basins and other water quality BMPs shall be sized to handle these runoff volumes. <p>For those areas that would be disturbed as part of the U.S. 50 interchange improvements, it is anticipated that Caltrans would coordinate with the development and implementation of the overall project SWPPP, or develop and implement its own SWPPP specific to the interchange improvements, to ensure that water quality degradation would be avoided or minimized to the maximum extent practicable. Mitigation for the off-site improvements outside of the City of Folsom’s jurisdictional boundaries shall be coordinated by the owner/applicant of each applicable project phase with El Dorado County and Caltrans.</p>		
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57.	3A 8.7	<p><i>Prepare and Implement a Vector Control Plan in Consultation with the Sacramento-Yolo Mosquito and Vector Control District.</i></p> <p>To ensure that the operation and design of the stormwater system, including multiple planned detention basins, is consistent with the recommendations of the Sacramento-Yolo Mosquito and Vector Control District regarding mosquito control, the owner/applicant shall prepare and implement a Vector Control Plan. This plan shall be prepared in coordination with the Sacramento-Yolo Mosquito and Vector Control District and shall be submitted to the City for approval prior to issuance of the grading permit for the proposed detention basins under the City’s jurisdiction.</p> <p>The plan shall incorporate specific measures deemed sufficient by the City to minimize public health risks from mosquitoes, and as contained within the Sacramento-Yolo Mosquito and Vector Control District BMP Manual (Sacramento-Yolo Mosquito and Vector Control District 2008). The plan shall include, but is not limited to, the following components:</p> <ul style="list-style-type: none"> • Description of the project. • Description of detention basins and all water features and facilities that would control on-site water levels. • Goals of the plan. • Description of the water management elements and features that would be implemented, including: <ul style="list-style-type: none"> i. BMPs that would be implemented on-site; ii. public education and awareness; iii. sanitary methods used (e.g., disposal of garbage); iv. mosquito control methods used (e.g., fluctuating water levels, biological agents, pesticides, larvacides, circulating water); and v. stormwater management. 	G	CD (E) Sacto. County
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<p>57 cont.</p>		<ul style="list-style-type: none"> • Long-term maintenance of the detention basins and all related facilities (e.g., specific ongoing enforceable conditions or maintenance by a homeowner’s association). <p>To reduce the potential for mosquitoes to reproduce in the detention basins, the owner/applicant shall coordinate with the Sacramento-Yolo Mosquito and Vector Control District to identify and implement BMPs based on their potential effectiveness for the site conditions. Potential BMPs could include, but are not limited to, the following:</p> <ul style="list-style-type: none"> • build shoreline perimeters as steep and uniform as practicable to discourage dense plant growth; • perform routine maintenance to reduce emergent plant densities to facilitate the ability of mosquito predators (i.e., fish) to move throughout vegetated area; • design distribution piping and containment basins with adequate slopes to drain fully and prevent standing water. The design slope should take into consideration buildup of sediment between maintenance periods. Compaction during grading may also be needed to avoid slumping and settling; • coordinate cleaning of catch basins, drop inlets, or storm drains with mosquito treatment operations; • enforce the prompt removal of silt screens installed during construction when no longer needed to protect water quality; • if the sump, vault, or basin is sealed against mosquitoes, with the exception of the inlet and outlet, submerge the inlet and outlet completely to reduce the available surface area of water for mosquito egg-laying (female mosquitoes can fly through pipes); and • design structures with the appropriate pumping, piping, valves, or other necessary equipment to allow for easy dewatering of the unit if necessary (Sacramento Yolo Mosquito and Vector Control District 2008). 	<p>G</p>	<p>CD (E)</p>
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57 cont.		<ul style="list-style-type: none"> i. Surface swales; ii. Replacement of conventional impervious surfaces with pervious surfaces (e.g., porous pavement); iii. Impervious surfaces disconnection; and iv. Trees planted to intercept stormwater. 		CD (E)
58.	3B.9-1b	<p><i>Properly Dispose of Hydrostatic Test Water and Construction Dewatering in Accordance with the Central Valley Regional Water Quality Control Board</i></p> <p>All hydrostatic test water and construction dewatering shall be discharged to an approved land disposal area or drainage facility in accordance with Central Valley RWCQB requirements. The City or its construction contractor shall provide the Central Valley RWQCB with the location, type of discharge, and methods of treatment and monitoring for all hydrostatic test water discharges. Emphasis shall be placed on those discharges that would occur directly to surface water bodies.</p>	G	<p>CD (E)</p> <p>CVRWQCB</p>
59.		<p><i>State and Federal Permits</i></p> <p>The owner/applicant shall obtain all required State and Federal permits and provide evidence that said permits have been obtained, or that the permit is not required, subject to staff review prior to approval of any grading or improvement plan.</p>	G, I	CD (P) CD (E)

<p>60.</p>	<p>3A 3-1a 3A 3-1b</p>	<p>Clean Water Act Sections 401 and 404 Permits Prior to the approval of grading and improvement plans and before any groundbreaking activity associated with each distinct project phase, the owner/applicant shall secure all necessary permits obtained under Sections 401 and 404 of the Clean Water Act or the State’s Porter-Cologne Act and implement all permit conditions for the proposed project. All permits, regulatory approvals, and permit conditions for effects on wetland habitats shall be secured and conditions implemented before implementation of any grading activities within 250 feet of Waters of the U.S, or wetland habitats, including Waters of the State, that potentially support federally-listed species, or within 100 feet of any other Waters of the U.S. or wetland habitats, including Waters of the State. The owner/applicant shall adhere to all conditions outlined in the permits. The owner/applicant shall commit to replace, restore, or enhance on a “no net loss” basis (in accordance with United States Army Corps Of Engineers and the Central Valley Regional Water Quality Control Board) the acreage of all wetlands and other Waters of the U.S. that would be removed, lost, and/or degraded with implementation of the project. Wetland habitat shall be restored, enhanced, and/or replaced at an acreage and location and by methods agreeable to United States Army Corps Of Engineers, the Central Valley Regional Water Quality Control Board, and the City, as appropriate, depending on agency jurisdiction, and as determined during the Section 401 and Section 404 permitting processes. The boundaries of the 404 permit, including required buffers shall be shown on the grading plans.</p> <p>All mitigation requirements to satisfy the requirements of the City and the Central Valley Regional Water Quality Control Board, for impacts on the non-jurisdictional wetlands beyond the jurisdiction of United States Army Corps Of Engineers, shall be determined and implemented before grading plans are approved.</p> <p>All wetland mitigation compliance reports submitted to the Army Corps of Engineers shall also be copied concurrently to the City.</p>	<p>G, I</p>	<p>CD(P) CD (E) United States Army Corps. Of Engineers Central Valley Regional Water Quality Control Board</p>
<p>61.</p>		<p>Water Quality Certification A water quality certification pursuant to Section 401 of the Clean Water Act is required before issuance of the record of decision and before issuance of the Section 404 permit. Before construction in any areas containing wetland features, the owner/applicant shall obtain water quality certification for the project. Any measures required as part of the issuance of water quality certification shall be implemented pursuant to the permit conditions.</p>	<p>G</p>	<p>CD (E)</p>

62.	3A3-4a.	<p><i>Master Streambed Alteration Agreement</i> The owner/applicant shall amend, if necessary, and implement the original Section 1602 Master Streambed Alteration Agreement received from California Department of Fish and Wildlife for all construction activities that would occur in the bed and bank of California Department of Fish and Wildlife jurisdictional features within the project site. As outlined in the Master Streambed Alteration Agreement, the owner/applicant shall submit a Sub-notification Form (SNF) to California Department of Fish and Wildlife 60 days prior to grading and/or the commencement of construction to notify California Department of Fish and Wildlife of the project.</p> <p>Any conditions of issuance of the Master Streambed Alteration Agreement shall be implemented as part of those project construction activities that would adversely affect the bed and bank within on-site drainage channels subject to California Department of Fish and Wildlife jurisdiction. The agreement shall be executed by the owner/applicant and California Department of Fish and Wildlife before the approval of any grading or improvement plans or any construction activities in any project phase that could potentially affect the bed and bank of on-site drainage channels under California Department of Fish and Wildlife jurisdiction.</p>	G	CD(P) CD (E) California Department of Fish and Wildlife
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63.	3B 3-1c	<p><i>Restore All Waters Impacted by Trenching and Temporary Construction Staging</i></p> <p>For all crossings of waters of the U.S. or State in which the use of trenchless technologies are not feasible, the City shall ensure that all waters impacted by trenching activities are restored to pre-project conditions. In addition, within 30 days following project construction, the owner/applicant shall ensure that all temporary construction staging areas within waters of the U.S. or State are restored to preproject conditions. At minimum, the City shall ensure that the following measures are implemented during construction:</p> <ul style="list-style-type: none">▶ Conduct trenching and construction activities across drainages during low-flow (e.g., <1 to 2 cfs) or dry periods as feasible;▶ If working in active channels, install cofferdam upstream and downstream of stream crossing to separate construction area from flowing waterway;▶ Place sediment curtains upstream and downstream of the construction zone to prevent sediment disturbed during trenching activities from being transported and deposited outside of the construction zone;▶ Locate spoil sites such that they do not drain directly into the drainages or seasonal wetlands;▶ Store equipment and materials away from the drainages and wetland areas. No debris will be deposited within 250 feet of the drainages and wetland areas;▶ Prepare and implement a revegetation plan to restore vegetation in all temporarily disturbed wetlands and other waters using native species seed mixes and container plant material that are appropriate for existing hydrological conditions.	G	CD (E)
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<p>63 cont.</p>		<p>Prior to the approval of grading and improvement plans and before any groundbreaking activity associated with grading and construction requiring fill of wetlands or other waters of the U.S. or waters of the state, the owner/applicant shall submit a wetland mitigation and monitoring plan (MMP) for the restoration of these waters within the selected water alignment to the US Army Corps of Engineers (USACE) and Central Valley Regional Water Quality Control Board (RWQCB) for review and approval of those portions of the plan over which they have jurisdiction. The Mitigation and Monitoring Plan (MMP) would have to be approved prior to issuance of a Section 404 permit. Once the final MMP is approved and implemented, mitigation monitoring shall continue for a minimum of 5 years from completion of restoration activities, or human intervention (including recontouring and grading), or until the performance standards identified in the approved MMP have been met, whichever is longer.</p> <p>At minimum, the MMP shall provide the following information:</p> <ul style="list-style-type: none">▶ A description and drawings showing the existing contours (elevation) and existing vegetation of the waters of the U.S. and State that would be impacted through trenching activities. This information shall include site photographs taken at each impacted water.▶ Methods used to ensure that trenching within waters of the U.S. and State do not adversely alter existing hydrology, including the draining of the waters (e.g., use of cut-off walls).▶ The methods used to restore the site to the original contour and condition, as well as a plan for the revegetation of the site following installation of the improvements.▶ Proposed schedule for restoration activities		
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64.	3A 3-2a	<p>Swainson's Hawk Nesting Habitat</p> <p>A qualified biologist shall be retained by the owner/applicant to conduct preconstruction surveys and to identify active Swainson's Hawk nests on and within 0.5-mile of the project area. The surveys shall be conducted before the approval of grading and/or improvement plans (as applicable) and no less than 14 days and no more than 30 days before the beginning of grading and construction. To the extent feasible, guidelines provided in <i>Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in the Central Valley (Swainson's Hawk Technical Advisory Committee 2000)</i> shall be followed for surveys for Swainson's hawk. If no nests are found, no further mitigation is required.</p> <p>If active nests are found, impacts on nesting Swainson's Hawks shall be avoided by establishing appropriate buffers around the nests. No project activity shall commence within the buffer area until the young have fledged, the nest is no longer active, or until a qualified biologist has determined in coordination with California Department of Fish and Wildlife that reducing the buffer would not result in nest abandonment. California Department of Fish and Wildlife guidelines recommend implementation of 0.25- or 0.5-mile-wide buffers, but the size of the buffer may be adjusted if a qualified biologist and the City, in consultation with California Department of Fish and Wildlife, determine that such an adjustment would not be likely to adversely affect the nest. Monitoring of the nest by a qualified biologist during and after construction activities will be required if the activity has potential to adversely affect the nest.</p>	G	CD(P) CD (E) California Department of Fish and Wildlife
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65.	3A 3-2b	<p><i>Swainson's Hawk Habitat</i> Prior to the approval of grading and improvement plans, or before any ground-disturbing activities, whichever occurs first, the owner/applicant shall secure suitable Swainson's Hawk foraging habitat to ensure appropriate mitigation of habitat value for Swainson's Hawk foraging habitat that is permanently lost as a result of the project, as determined by the City after consultation with California Department of Fish and Wildlife and a qualified biologist.</p> <p>The habitat value or shall be based on Swainson's Hawk nesting distribution and an assessment of habitat quality, availability, and use within the project area. The mitigation ratio shall be consistent with the 1994 DFG Swainson's Hawk Guidelines included in the Staff Report Regarding Mitigation for Impacts to Swainson's Hawks (<i>Buteo swainsoni</i>) in the Central Valley of California. If such mitigation shall be accomplished through purchase of credits at an approved mitigation bank, the transfer of fee title, or perpetual conservation easement, the ratio for habitat value shall be 0.5:1. If non-bank mitigation is proposed, the mitigation land shall be located within the known foraging area and within Sacramento County and the habitat value shall be 1:1. The City, after consultation with California Department of Fish and Wildlife, will determine the appropriateness of the mitigation land.</p> <p>The owner/applicant shall transfer said Swainson's Hawk mitigation land, through either conservation easement or fee title, to a third-party, nonprofit conservation organization (Conservation Operator), with the City and California Department of Fish and Wildlife named as third-party beneficiaries. The Conservation Operator shall be a qualified conservation easement land manager that manages land as its primary function. Additionally, the Conservation Operator shall be a tax-exempt nonprofit conservation organization that meets the criteria of Civil Code Section 815.3(a) and shall be selected or approved by the City, after consultation with California Department of Fish and Wildlife. After consultation with California Department of Fish and Wildlife and the Conservation Operator, the City shall approve the content and form</p>	G	CD (P) California Department of Fish and Wildlife
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<p>65 cont.</p>		<p>of the conservation easement. The City, California Department of Fish and Wildlife, and the Conservation Operator shall each have the power to enforce the terms of the conservation easement. The Conservation Operator shall monitor the easement in perpetuity to assure compliance with the terms of the easement.</p> <p>After consultation with the City, The owner/applicant, California Department of Fish and Wildlife, and the Conservation Operator, shall establish an endowment or some other financial mechanism that is sufficient to fund in perpetuity the operation, maintenance, management, and enforcement of the conservation easement. If an endowment is used, either the endowment funds shall be submitted to the City for impacts on lands within the City's jurisdiction to an appropriate third-party nonprofit conservation agency, or they shall be submitted directly to the third-party nonprofit conservation agency in exchange for an agreement to manage and maintain the lands in perpetuity. The Conservation Operator shall not sell, lease, or transfer any interest of any conservation easement or mitigation land it acquires without prior written approval of the City and California Department of Fish and Wildlife.</p> <p>If the Conservation Operator ceases to exist, the duty to hold, administer, manage, maintain, and enforce the interest shall be transferred to another entity acceptable to the City and California Department of Fish and Wildlife. The City Planning Department shall ensure that mitigation habitat established for impacts on habitat within the City's planning area is properly established and is functioning as habitat by conducting regular monitoring of the mitigation site(s) for the first ten years after establishment of the easement.</p>	<p>G</p>	<p>CD(P) CD (E) California Department of Fish and Wildlife</p>
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<p>66.</p>	<p>3A 3-2a</p>	<p>Burrowing Owl A qualified biologist shall be retained by the owner/applicant to conduct a preconstruction survey to identify active Burrowing Owl burrows within the project area. The surveys shall be conducted no less than 14 days and no more than 30 days before the beginning of grading and construction activities for each phase of development. The preconstruction survey shall follow the protocols outlined in the Staff Report on Burrowing Owl Mitigation (CDFG 2012).</p> <p>If active burrows are found, a mitigation plan shall be submitted to the City for review and approval before any ground-disturbing activities. The City shall consult with California Department of Fish and Wildlife. The mitigation plan may consist of installation of one-way doors on all burrows to allow owls to exit, but not reenter, and construction of artificial burrows within the project vicinity, as needed; however, burrowing owl exclusions may only be used if a qualified biologist verifies that the burrow does not contain eggs or dependent young. If active burrows contain eggs and/or young, no construction shall occur within 50 feet of the burrow until young have fledged. Once it is confirmed that there are no owls inside burrows, these burrows may be collapsed.</p>	<p>G</p>	<p>CD(P) CD (E) California Department of Fish and Wildlife</p>
<p>67.</p>		<p>Nesting Raptors To mitigate impacts on nesting raptors, a qualified biologist shall be retained by the owner/applicant to conduct a preconstruction survey to identify active nests on and within 0.5 miles of the project area. The surveys shall be conducted no less than 14 days and no more than 30 days before the beginning of construction activities for each phase of development</p> <p>If active nests are found, impacts on nesting raptors shall be avoided by establishing appropriate buffers around the nests. No project activity shall commence within the buffer area until the young have fledged, the nest is no longer active, or until a qualified biologist has determined in coordination with California Department of Fish and Wildlife that reducing the buffer would not result in nest abandonment. The buffer may be adjusted if a qualified biologist and the City, in consultation with California Department of Fish and Wildlife, determine that such an adjustment would not be likely to adversely affect the nest. Monitoring of the nest by a qualified biologist during and after construction activities will be required if the activity has potential to adversely affect the nest.</p>	<p>G.</p>	<p>CD(P) CD (E) California Department of Fish and Wildlife</p>

<p>68.</p>	<p>3A.3-2c</p>	<p><i>Avoid and Minimize Impacts to Tricolored Blackbird Nesting Colonies.</i></p> <p>To avoid and minimize impacts to tricolored blackbird, the owner/applicant of all project phases shall conduct a preconstruction survey for any project activity that would occur during the tricolored blackbird’s nesting season (March 1–August 31). The preconstruction survey shall be conducted by a qualified biologist before any activity occurring within 500 feet of suitable nesting habitat, including freshwater marsh and areas of riparian scrub vegetation. The survey shall be conducted within 14 days before project activity begins.</p> <p>If no tricolored blackbird colony is present, no further mitigation is required. If a colony is found, the qualified biologist shall establish a buffer around the nesting colony. No project activity shall commence within the buffer area until a qualified biologist confirms that the colony is no longer active. The size of the buffer shall be determined in consultation with DFG. Buffer size is anticipated to range from 100 to 500 feet, depending on the nature of the project activity, the extent of existing disturbance in the area, and other relevant circumstances.</p> <p>Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries (i.e., U.S. 50 interchange improvements) must be developed by the owner/applicant of each applicable project phase in consultation with the affected oversight agency(ies) (i.e., Caltrans) and must be sufficient to achieve the performance criteria described above.</p>	<p>G</p>	<p>CD(P) CD (E) California Department of Fish and Wildlife</p>
<p>69</p>		<p><i>Other Nesting Special-Status and Migratory Birds</i></p> <p>The owner/applicant shall retain a qualified biologist to conduct a preconstruction survey for any project activity that would occur in suitable nesting habitat during the avian nesting season (approximately March 1–August 31).The preconstruction survey shall be conducted within 14 days before any activity occurring within 100 feet of suitable nesting habitat. Suitable habitat includes annual grassland, valley needlegrass grassland, freshwater seep, vernal pool, seasonal wetland, and intermittent drainage habitat within the project site.</p> <p>If no active special-status or other migratory bird nests are present, no further mitigation is required. If an active nest is found, the qualified biologist shall establish a buffer around the nest. No project activity shall commence within the buffer area until a qualified biologist confirms that the nest is no longer active. The size of the buffer shall be determined in consultation with California Department of Fish and Wildlife. Buffer size is anticipated to range from 50 to 100 feet, depending on the nature of the project activity, the extent of existing disturbance in the area, and other relevant circumstances.</p>	<p>G</p>	<p>CD(P) CD (E) California Department of Fish and Wildlife</p>

70.		<p><i>Animal Barrier</i> To discourage the migration of undesirable small animals (including snakes) into adjacent developed properties during the development of the project, the owner/applicant shall install a barrier along all areas adjacent to developed residential properties and parks to the satisfaction of the Community Development Department and consistent with a qualified biologist's recommendations. In general, the barrier may consist of wire-mesh fabric with openings not exceeding ½-inch width. The height of the barrier shall be at least 18 inches (above the ground surface), and may be buried into the ground at least twelve inches. The barrier shall be supported with metal stakes at no more than 10-foot spacing. The barrier shall be installed by the owner/applicant, as approved by the Community Development Department and a qualified biologist, prior to any construction disturbance on the site, including clearing and grading operations.</p>	G	CD (E) (P)
71.	<p>3 A 5-1a 3A 5-2 3A 5-3</p>	<p><i>Conduct Construction Worker Awareness Training, Conduct On-Site Monitoring if Required, Stop Work if Cultural Resources are Discovered, Assess the Significance of the Find, and Perform Treatment or Avoidance as Required.</i> The owner/applicant shall retain a qualified archaeologist to prepare and disseminate a contractor awareness training program for all construction supervisors. The sensitivity training program will provide information about notification procedures when potential archaeological material is discovered, procedures for coordination between construction personnel and information about other treatment or issues that may arise if cultural resources (including human remains) are discovered during project construction. The training shall be carried out each time a new contractor will begin work in the project area, and a minimum of once at the start of each construction season by that contractor, the qualified archeologist shall submit the completed training attendance roster and a copy of the training materials to the City and the USACE within 48 hours of delivery of the training program.</p>	G	CD CD (E) USACE

72.	3A 5-3	<p><i>Suspend Ground-Disturbing Activities if Human Remains are Encountered and Comply with California Health and Safety Code Procedures.</i></p> <p>In the event that human remains are discovered, construction activities within 150 feet of the discovery shall be halted or diverted and the requirements for managing unanticipated discoveries in Mitigation Measure 4.4-2(a) shall be implemented. In addition, the provisions of Section 7050.5 of the California Health and Safety Code, Section 5097.98 of the California Public Resources Code, and Assembly Bill 2641 shall be implemented. When human remains are discovered, state law requires that the discovery be reported to the County Coroner (Section 7050.5 of the Health and Safety Code) and that reasonable protection measures be taken during construction to protect the discovery from disturbance (AB 2641).</p> <p>If the Coroner determines the remains are Native American, the Coroner shall notify the Native American Heritage Commission (NAHC), which then designates a Native American Most Likely Descendant for the project (Section 5097.98 of the Public Resources Code). The designated Native American Most Likely Descendant then has 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains (AB 2641).</p> <p>If the owner/applicant does not agree with the recommendations of the Native American Most Likely Descendant, the NAHC can mediate (Section 5097.94 of the Public Resources Code). If no agreement is reached, the owner/applicant shall rebury the remains where they will not be further disturbed (Section 5097.98 of the Public Resources Code). This will also include either recording the site with the NAHC or the appropriate Information Center; using an open space or conservation zoning designation or easement; or recording a deed restriction with the county in which the property is located (AB 2641).</p>	OG	<p>Sacramento County Coroner</p> <p>Native American Heritage Commission</p> <p>CD (P) CD (E)</p>
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73.	3A5-2	<p><i>Conduct Construction Worker Awareness Training, Stop Work if Paleontological Resources are Discovered, Assess the Significance of the Find, and Prepare and Implement a Recovery Plan as Required.</i></p> <p>Before the start of any earthmoving activities, the owner/applicant shall retain a qualified professional to train all construction personnel involved with earthmoving activities, including the site superintendent, regarding the possibility of encountering fossils, the appearance and types of fossils likely to be seen during construction, and proper notification procedures should fossils be encountered. The training shall be included in the archaeological contractor awareness training program.</p> <p>If paleontological resources are discovered during earthmoving activities, the construction crew shall immediately cease work in the vicinity of the find and notify the City of Folsom's Community Development Department. The owner/applicant shall retain a qualified paleontologist to evaluate the resource and prepare a recovery plan in accordance with Society of Vertebrate Paleontology guidelines (1996). The recovery plan may include, but is not limited to, a field survey, construction monitoring, sampling and data recovery procedures, museum storage coordination for any specimen recovered, and a report of findings. Recommendations in the recovery plan that are determined by the lead agency to be necessary and feasible shall be implemented before construction activities can resume at the site where the paleontological resources were discovered.</p>	G	CD (E) (P),
74.	3A 5-1a	<p><i>Geoarcheological Monitoring</i></p> <p>In the event that any grading will occur within areas determined to require geoarcheological monitoring, the owner/applicant shall retain a qualified professional geoarcheologist who has a graduate degree in the specialized discipline, possesses a demonstrated ability to carry research to completion, and has at least 24 months of professional experience and/or specialized training in geoarcheology. The geoarcheologist shall monitor the ground disturbing activities in the affected areas down to 1.5 meters below the surface. The monitoring geoarcheologist shall submit proof of monitoring in the form of daily field monitoring logs to the City and the US Army Corps of Engineers within 48 hours of completion of monitoring activities.</p>	G	CD (E) (P)

75.	3B.8-1a	<p>Transport, Store, and Handle Construction-Related Hazardous Materials in Compliance with Relevant Regulations and Guidelines.</p> <p>The City shall ensure, through the enforcement of contractual obligations, that all contractors transport, store, and handle construction-related hazardous materials in a manner consistent with relevant regulations and guidelines, including those recommended and enforced by Caltrans, Central Valley RWQCB, local fire departments, and the County environmental health department.</p> <p>Recommendations shall include as appropriate transporting and storing materials in appropriate and approved containers, maintaining required clearances, and handling materials using applicable Federal, state and/or local regulatory agency protocols. In addition, all precautions required by the Central Valley RWQCB-issued NPDES construction activity stormwater permits shall be taken to ensure that no hazardous materials enter any nearby waterways.</p> <p>In the event of a spill, the City shall ensure, through the enforcement of contractual obligations, that all contractors immediately control the source of any leak and immediately contain any spill utilizing appropriate spill containment and countermeasures. If required by the local fire departments, the local environmental health department, or any other regulatory agency, contaminated media shall be collected and disposed of at an off-site facility approved to accept such media. The storage, handling, and use of the construction-related hazardous materials shall be in accordance with applicable Federal, state, and local laws. Construction-related hazardous materials and hazardous wastes (e.g., fuels and waste oils) shall be stored away from stream channels and steep banks to prevent these materials from entering surface waters in the event of an accidental release. These materials shall be kept at sufficient distance (at least 500 feet) from nearby residences or other sensitive land uses. This includes materials stored for expected use, materials in equipment and vehicles, and waste materials.</p>	G,I,B	CD (E), FD
76.		<p>Landslide /Slope Failure</p> <p>The owner/applicant shall retain an appropriately licensed engineer during the grading activities to identify existing landslides and potential slope failure hazards. The said engineer shall be notified a minimum of two days prior to any site clearing or grading to facilitate meetings with the grading contractor in the field.</p>	G	CD (E) PW

77.	3A.16-1	<p>Submit Proof of Adequate On- and Off-Site Wastewater Conveyance Facilities and Implement On- and Off-Site Infrastructure Service Systems or Ensure That Adequate Financing Is Secured.</p> <p>Before the approval of the final map and issuance of building permits for all project phases, the owner/applicant shall submit proof to the City of Folsom that an adequate wastewater conveyance system either has been constructed or is ensured through payment of the City’s facilities augmentation fee as described under the Folsom Municipal Code Title 3, Chapter 3.40, “Facilities Augmentation Fee – Folsom South Area Facilities Plan,” or other sureties to the City’s satisfaction. Both on-site wastewater conveyance infrastructure and off-site force main sufficient to provide adequate service to the project shall be in place for the amount of development identified in the tentative map before approval of the final map and issuance of building permits, or their financing shall be ensured to the satisfaction of the City.</p>	M,B	CD (E) PW
78.	3B.16-3b	<p>Coordinate with Utility Providers and Implement Appropriate Installation Methods to Minimize Potential Utility Service Disruptions.</p> <p>Prior to installation, the City shall consult with SCWA, SRCSD, CSD-1, and PG&E to determine proper installation methods and final design criteria to minimize the potential for disruptions to existing and planned utilities.</p>	I	CD (E), EWR
IMPROVEMENT PLAN REQUIREMENTS				
79.		<p>Improvement Plans The improvement plans for the required public and private subdivision improvements necessary to serve any and all phases of development shall be reviewed and approved by the Community Development Department prior to approval of a Final Map.</p>	M	CD(E)
80.	3A.9-4:	<p>Inspect and Evaluate Existing Dams Within and Upstream of the Project Site and Make Improvements if Necessary.</p> <p>Prior to submittal to the City of tentative maps or improvement plans the owner/applicant shall conduct studies to determine the extent of inundation in the case of dam failure. If the studies determine potential exposure of people or structures to a significant risk of flooding as a result of the failure of a dam, the owner/applicants shall implement of any feasible recommendations provided in that study, potentially through drainage improvements, subject to the approval of the City.</p>	I, M	CD(E)(P)

81.	<p>Standard Construction Specifications and Details</p> <p>Public and private improvements, including roadways, curbs, gutters, sidewalks, bicycle lanes and trails, streetlights, underground infrastructure, landscaping and irrigation and all other improvements shall be provided in accordance with the latest edition of the City of Folsom <u>Standard Construction Specifications and Details</u> and the <u>Design and Procedures Manual and Improvement Standards</u>.</p>	I	CD (P) CD (E)
82.	<p>Water and Sewer Infrastructure</p> <p>All publicly owned water and sewer infrastructure shall be placed within the street right of way. In the event that a public water or sewer main needs to be placed in an area other than the public right of way such as through an open space corridor, landscaped area, etc. an access road shall be designed and constructed to allow for the operations, maintenance and replacement of the public water or sewer line along the entire water and/or sewer line alignment. The public water and sewer mains shall be publicly owned and maintained within any street and public sewer and water main easements shall be provided and in no event shall a public water or public sewer line be placed on private residential property. For example, installing a public water main on the property line between two single family homes. The domestic water and irrigation system shall be separately metered per City of Folsom <u>Standard Construction Specifications and Details</u>.</p> <p>All publicly owned water and sewer lines and services shall be accessible for operations, maintenance, and repair. Non-accessible situations would include placing mains and services behind retaining walls, placing public mains on private property, etc.</p>	I	CD (E)
83.	<p>SPTC-JPA Approval</p> <p>The owner/applicant shall cooperate with the City to obtain written approval from both the Sacramento Placerville Transportation Corridor-Joint Powers Authority (SPTC-JPA) and the Public Utilities Commission (PUC) for any proposed crossing(s) of work within the existing JPA corridor which parallels Old Placerville Road. The owner/applicant shall provide written approval from both the SPTC-JPA and as required by the PUC to the City prior to approval of grading and/or improvement plans. The owner applicant shall provide all encroachment permits from the SPTC-JPA and PUC as necessary.</p>	I	CD (E)

84.	3A1-5	<p>Lighting Plan</p> <p>The owner/applicant shall submit a lighting plan for the project to the Community Development Department. The lighting plan shall be consistent with the Design Guidelines:</p> <ul style="list-style-type: none"> • shield or screen lighting fixtures to direct the light downward and prevent light spill on adjacent properties; • place and shield or screen flood and area lighting needed for construction activities, nighttime sporting activities, and/or security so as not to disturb adjacent residential areas and passing motorists; • for public lighting in residential neighborhoods, prohibit the use of light fixtures that are of unusually high intensity or that blink or flash; • use appropriate building materials (such as low-glare glass, low-glare building glaze or finish, neutral, earthtoned colored paint and roofing materials), shielded or screened lighting, and appropriate signage in the office/commercial areas to prevent light and glare from adversely affecting motorists on nearby roadways; and • design exterior on-site lighting as an integral part of the building and landscaping design in the Specific Plan Area. Lighting fixtures shall be architecturally consistent with the overall site design. Lights used on signage should be directed to light only the sign face with no off site glare. 	I	CD (P)
85.	3B. 1-2a.	<p>Above Ground Utility Site Design Review Application</p> <p>The owner/applicant shall submit a Site Design Review Application for all above ground utility installations (water tanks, booster pumps stations, etc.) to the Community Development Department to ensure these facilities are adequately screened. These above ground utility installations shall be designed to be adequately screened and/or blended into the hillsides through use of berming, landscaping or through the use of walls or fences to the satisfaction of the Community Development Department.</p>	G, I	CD (P) (E) EWR
86		<p>Utility Coordination</p> <p>The owner/applicant shall coordinate the planning, development and completion of this project with the various utility agencies (i.e., SMUD, PG&E, etc.). The owner/applicant shall provide the City with written confirmation of public utility service prior to approval of all final maps.</p>	I	CD (P) CD (E)

87.	3B.7-4	<p>Implement Corrosion Protection Measures. The owner/applicant shall be required to provide that all underground metallic fittings, appurtenances and piping in the City’s water systems include a cathodic protection system to protect these facilities from corrosion. The cathodic protection system shall be prepared by a licensed geotechnical or civil engineer and the system shall be reviewed and approved by the City prior to approval of improvement plans.</p>	I	CDD(E), EWR
88.		<p>Replacing Hazardous Facilities The owner/applicant shall be responsible for replacing any and all damaged or hazardous public sidewalk, curb and gutter, and/or bicycle trail facilities along the site frontage and/or boundaries, including pre-existing conditions and construction damage, to the satisfaction of the Community Development Department.</p>	I, OG	CD
89.		<p>Water Meter Network The owner/applicant shall pay for, furnish, and install all infrastructure associated with the water meter fixed network system.</p>		
90		<p>Final Design The final design of all sound walls, fences, and gates shall be subject to review and approval by the Community Development Department.</p>		

91	<p>Temporary Detention Basin</p> <p>a. Design. If it is necessary at the time of recordation of the first final map, the owner/applicant shall be responsible for the design and construction of the temporary detention basin which will temporarily impact the development of tentative subdivision map lots 23 through 29 of the Broadstone Estates subdivision. The detention basin design shall include City approved vehicular access to the entire basin, including but not limited to, the inlets and outfalls for the basin. The improvement plans for the proposed interim basin shall be reviewed and approved by the City prior to approval of the Final Subdivision Map.</p> <p>b. Easements. Prior to approval of the first final map, a maintenance and access easement and a public drainage easement shall be granted to the City of Folsom over the entire basin.</p> <p>c. Operation and Maintenance Manual. The owner/applicant shall prepare an Operations and Maintenance manual for the interim detention basin for maintenance by the City. The manual shall be subject to review and approval by the City prior to approval of the first final map.</p> <p>d. Operation Funding. The owner/applicant shall provide a funding mechanism, separate from the funding mechanism for the permanent detention basin, for the operation and maintenance by the City of Folsom of the interim detention basin.</p> <p>a. Notice of Temporary Detention Basin</p> <p>The owner/applicant shall record a separate instrument against the property comprised of tentative map lots 23 through 29, that said lots shall be encumbered by the construction of a temporary detention basin needed to serve the development of the Broadstone Estates. The document shall include a description of the proposed improvements, describe the required off site permanent detention basin needed to be constructed in order to abandon the temporary detention basin, and shall include a statement that the development of lots 23 through 29 as shown on the approved tentative subdivision map cannot proceed until such time as the interim basin is removed and all easements are abandoned to the satisfaction of the city.</p> <p>b. Removal of the Temporary Detention Basin</p> <p>The owner/applicant shall be solely responsible for the removal and cost of the temporary detention basin at such time as the temporary detention basin is no</p>	I	CD (E)
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		<p>longer required. Lots 23 through 29 of the Broadstone Estates subdivision map shall not be created with a final map until it has been determined that the downstream permanent detention basin has been constructed by others in accordance with the Folsom Plan Area Storm Drainage Master Plan and is operational and the temporary detention basin is abandoned, removed and regraded to allow for home construction to the satisfaction of the City.</p> <p>c. Removal Agreement The owner/applicant shall execute an agreement with the City of Folsom to guarantee the funding for the removal of the temporary detention basin prior to approval of the first final map.</p>		
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<p>91 cont.</p>		<p>The funding for the operation and maintenance of the basin shall remain in place until such time as the required permanent detention basin(s) are constructed downstream by others and are operational in accordance with the Folsom Plan Area Storm Drainage Master Plan. The funding mechanism shall be in place and funding available to the city prior to approval of the first final map.</p> <p>e. Notice of Temporary Detention Basin. The owner/applicant shall record a separate instrument against the property comprised of tentative map lots 23 through 29, that said lots shall be encumbered by the construction of a temporary detention basin needed to serve the development of the Broadstone Estates. The document shall include a description of the proposed improvements, describe the required off site permanent detention basin needed to be constructed in order to abandon the temporary detention basin, and shall include a statement that the development of lots 23 through 29 as shown on the approved tentative subdivision map cannot proceed until such time as the interim basin is removed and all easements are abandoned to the satisfaction of the city.</p> <p>f. Removal of the Temporary Detention Basin. The owner/applicant shall be solely responsible for the removal and cost of the temporary detention basin at such time as the temporary detention basin is no longer required. Lots 23 through 29 of the Broadstone Estates subdivision map shall not be created with a final map until it has been determined that the downstream permanent detention basin has been constructed by others in accordance with the Folsom Plan Area Storm Drainage Master Plan and is operational and the temporary detention basin is abandoned, removed and regraded to allow for home construction to the satisfaction of the City.</p> <p>h. Removal Agreement. The owner/applicant shall execute an agreement with the City of Folsom to guarantee the funding for the removal of the temporary detention basin prior to approval of the first final map.</p>		
<p>92</p>		<p>Old Placerville Road The City may consider the closure and re-alignment of Old Placerville Road between US Highway 50 and future Alder Creek Parkway as part of future development in the Folsom Plan Area, consistent with the project Folsom Plan Area EIR. The removal of the existing asphalt concrete pavement on any future abandoned segment of Old Placerville Road will not be permitted without the prior approval of the City.</p>	<p>I</p>	<p>CD (E)</p>

<p>93</p>		<p><i>Placerville Road/Alder Creek Parkway Intersection</i></p> <p>Prior to the issuance of the first building permit, the owner/applicant shall have completed all off site road and intersection improvements from the on-site terminus of Dewy Oak Drive, Dehone Drive to Purple Sage Drive and to Alder Creek Parkway, ultimately to the Placerville Road/Alder Creek Parkway intersection and it shall be operational, to the satisfaction of the City. These improvements are to be applied to the existing Placerville Road alignment and geometry;</p> <p>Two lanes (one in each direction) of Alder Creek Parkway shall be constructed from Placerville Road to the proposed intersection of Purple Sage Drive and Alder Creek Parkway and the segment of Purple Sage Drive connecting to the local streets within the project to provide the required secondary access.</p> <p>Southbound on Placerville Road, the lane configuration shall include the addition of a southbound left turn lane consisting of 200 feet transitional length plus 140 feet storage length, excluding appropriate tapers, to accommodate anticipated vehicle queuing and deceleration for the southbound left turn lane onto eastbound Alder Creek Parkway. The resulting southbound lane configuration will be two lanes, one left turn lane, one through lane.</p> <p>Northbound on Placerville Road the lane configuration shall include the addition of a northbound right turn lane consisting of 180 feet transition length. The resulting northbound lane configuration will be one lane, a shared right turn and through lane.</p>	<p>I, B</p>	<p>CD (E), PW</p>
<p>94.</p>		<p><i>Future Utility Lines</i></p> <p>All future utility lines lower than 69 KV that are to be built within the project, shall be placed underground within and along the perimeter of the project at the developer's cost. The owner/applicant shall dedicate to SMUD all necessary underground easements for the electrical facilities that will be necessary to service development of the project.</p>	<p>I</p>	<p>CD(E), EWR</p>

95.		<p>Off-site Trunk Sewer Main The owner/applicant shall design and construct the off-site trunk sewer main as shown in Preliminary Offsite Infrastructure Plan attached to the vesting tentative subdivision map. Owner/applicant may propose an alternative alignment for routing the sewer backbone infrastructure in conformance with the Wastewater Master Plan Update subject to the sole discretion of the City. The off-site sewer trunk mains, the sewer maintenance roads, sanitary sewer lift station(s), and sewer forced mains extended across US Highway 50 to the existing Sacramento Regional County Sanitation District (SRCSD) lift station shall be completed and accepted by the City for operation and maintenance prior to issuance of the first building permit in the project.</p> <p>The owner/applicant shall be responsible for constructing any and all odor control facilities, providing high-velocity hydraulic cleaning and vacuum cleaning of select sewer mains and providing temporary supplemental flows into select sewer mains as determined by the City until such time the peak average flows are met in the Folsom Plan Area backbone sewer system in accordance with the Wastewater Master Plan Update.</p>	I	CD(E), PW, EWR
96.		<p>Vertical Curb All curbs located adjacent to landscaping, whether natural or manicured, and where parking is allowed shall be vertical.</p>	I	CD (P) (B)
97.		<p>Class II Bike Lanes All Class II bike lanes shall be striped and painted green. No parking shall be permitted within the Class II bike lanes.</p>	I	CD (E) (P)
98.		<p>Sewer Maintenance Road The owner/applicant shall provide an asphalt concrete (AC) maintenance road (a minimum of 12 feet wide) which extends from East Bidwell Street (formerly Scott Road) to the future sanitary sewer lift station on the proposed future extension of Alder Creek Parkway. The owner/applicant shall also construct an asphalt concrete (AC) maintenance road (a minimum of 12 feet wide) which extends from Placerville Road to Alder Creek Parkway, as shown on the Preliminary Off Site Infrastructure Plan. The AC maintenance road shall be designed to meet City Standards for utility vehicle loads including, but not limited to, vactor trucks, fire vehicles, and fire apparatus and other maintenance vehicles.</p>	I	CD (E)

99.		<p>Parks and Recreation The following measures shall be implemented to the satisfaction of the Parks and Recreation Department:</p> <ol style="list-style-type: none"> 1. The Owner/Applicant will pay Parkland Dedication In-Lieu fees based on 0.0146 AC. per single-family unit resulting in a total parkland dedication requirement of 1.04 acres. The in-lieu fee shall be calculated based on a Complete Summary Appraisal prepared to establish a Fair Market Value as defined by the Folsom Municipal Code (FMC 16.32.040). 2. The Owner/Applicant will provide the proposed Class I bike trail alignments and connections consistent with the Bikeways Master Plan and Illustrative Master Plan for Broadstone Estates Exhibit dated October 8, 2015. The Owner/Applicant may enter into a construction reimbursement agreement with the City in the future to facilitate efficient delivery of the trail facilities to the public 3. The Class I Bike Trail and associated drainage swales shall be placed in a separate lot and granted to the City of Folsom. The trail shall be designed to accommodate regular vehicular access by maintenance vehicles using the trail to access the Future Zone 4 water tank. 	I	CD, PR
100.	3A 11-4	<p>Noise Barriers In conjunction with the submittal of improvement plans for each proposed development phase where noise barrier locations are required, the owner/applicant shall show on the Improvement Plans that sound walls and/or landscaped berms shall be constructed as shown on the Preliminary Grading and Drainage plan dated March 9, 2017.</p> <p>The solid noise barriers shall be no less than the height shown on the Preliminary Grading and Drainage Plan dated March 9, 2017, relative to building pad elevation and shall be confirmed based upon the final approved site and grading plans. Noise barrier walls shall be constructed of decorative split face concrete masonry units and shall be treated with an anti-graffiti treatment. Abrupt transitions exceeding two feet in height shall be avoided. The Grading and/or Improvement Plans shall be subject to review and approval by the City Engineer.</p>	I	CD (E) (P)

101.	<p><i>Master Plan Updates</i></p> <p>The City has approved the Folsom Plan Area Storm Drainage Master Plan, the Folsom Plan Area Water System Master Plan and the Folsom Plan Area Wastewater Master Plan Update. The owner/applicant shall submit complete updates to each of these approved master plans for the proposed changes to each master plan as a result of the proposed project. The updates to each master plan for the proposed project shall be reviewed and approved by the City prior to approval of grading and/or improvement plans.</p> <p>The plans shall be accompanied by engineering studies supporting the sizing, location, and timing of the proposed facilities. Improvements shall be constructed in phases as the project develops in accordance with the approved master plans, including any necessary off-site improvements to support development of a particular phase or phases, subject to prior approval by the City. Off-site improvements may include roadways to provide secondary access, water transmission lines or distribution facilities to provide a looped water system, sewer trunk mains and lift stations, water quality facilities, non-potable water pipelines and infrastructure, and drainage facilities including on or off-site detention. No changes in infrastructure from that shown on the approved master plan shall be permitted unless and until the applicable master plan has been revised and approved by the City. Final lot configurations may need to be modified to accommodate the improvements identified in these studies to the satisfaction of the City.</p> <p>The owner/applicant shall provide sanitary sewer, water and storm drainage improvements with corresponding easements, as necessary, in accordance with these studies and the latest edition of the City of Folsom <u><i>Standard Construction Specifications and Details</i></u>, and the <u><i>Design and Procedures Manual and Improvement Standards</i></u>.</p> <p>The storm drainage design shall provide for no net increase in run-off under post-development conditions.</p>	G,I	CDD(E), EWR, PW
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<p>102.</p>	<p>3A 3-1a</p>	<p><i>Design Stormwater Drainage Plans and Erosion and Sediment Control Plans to Avoid and Minimize Erosion and Runoff to All Wetlands and Other Waters That Are to Remain on the project and Use Low Impact Development Features.</i></p> <p>To minimize indirect effects on water quality and wetland hydrology, the owner/applicant shall include stormwater drainage plans and erosion and sediment control plans in their grading and/or improvement plans and shall submit these plans to the City for review and approval. Prior to approval of grading and/or improvement plans, the owner/applicant for any particular discretionary development application shall obtain a NPDES Construction General Permit and Grading Permit, comply with the City’s Grading Ordinance and City drainage and stormwater quality standards, and commit to implementing all measures in their drainage plans and erosion and sediment control plans to avoid and minimize erosion and runoff into Alder Creek and all wetlands and other waters that would remain on-site.</p> <p>The owner/applicant shall implement stormwater quality treatment controls consistent with the Stormwater Quality Design Manual for Sacramento and South Placer Regions in effect at the time the application is submitted. Appropriate runoff controls such as berms, storm gates, off-stream detention basins, overflow collection areas, filtration systems, and sediment traps shall be implemented to control siltation and the potential discharge of pollutants. Development plans shall incorporate Low Impact Development (LID) features, such as pervious strips, permeable pavements, bioretention ponds, vegetated swales, disconnected rain gutter downspouts, and rain gardens, where appropriate. Use of LID features is recommended by the EPA to minimize impacts on water quality, hydrology, and stream geomorphology and is specified as a method for protecting water quality in the proposed specific plan. In addition, free spanning bridge systems shall be used for all roadway crossings over wetlands and other waters that are retained in the on-site open space. These bridge systems would maintain the natural and restored channels of creeks, including the associated wetlands, and would be designed with sufficient span width and depth to provide for wildlife movement along the creek corridors even during high-flow or flood events, as specified in the 404 permit. The owner/applicant shall be responsible for all necessary off-site improvements needed to support the Broadstone Estates drainage system.</p>	<p>G, I</p>	<p>CD (E), PW PW (Sacto. Co. or El Dorado Co.)</p> <p>CALTRANS</p> <p>USACE</p> <p>CVRWQCB</p>
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103.		<p>Best Management Practices The storm drain improvement plans shall provide for “Best Management Practices” that meet the requirements of the water quality standards of the City’s National Pollutant Discharge Elimination System Permit issued by the State Regional Water Quality Control Board.</p> <p>Each proposed project development shall result in no net change to peak flows into Alder Creek and associated tributaries, or to Buffalo Creek, Carson Creek, and Coyote Creek. The owner/applicant shall establish a baseline of conditions for drainage on-site. The baseline-flow conditions shall be established for 2-, 5-, and 100-year storm events. These baseline conditions shall be used to develop monitoring standards for the stormwater system on the Specific Plan Area. The baseline conditions, monitoring standards, and a monitoring program shall be submitted to USACE and the City for their approval. Water quality and detention basins shall be designed and constructed to ensure that the performance standards, which are described in Chapter 3A.9, “Hydrology and Water Quality,” are met and shall be designed as off-stream detention basins.</p> <p>Discharge sites into Alder Creek and associated tributaries, as well as tributaries to Carson Creek, Coyote Creek, and Buffalo Creek, shall be monitored to ensure that pre-project conditions are being met. Corrective measures shall be implemented as necessary. The mitigation measures will be satisfied when the monitoring standards are met for 5 consecutive years without undertaking corrective measures to meet the performance standard.</p>	G, I	CD (E)
104.		<p>Litter Control During Construction, the owner/applicant shall be responsible for litter control and sweeping of all paved surfaces in accordance with City standards. All on-site storm drains shall be cleaned immediately before the commencement of the rainy season (October 15).</p>	OG	CD (E)
FIRE DEPARTMENT REQUIREMENTS				

105.	3A 14-3	<p><i>Incorporate Fire Flow Requirements into Project Designs.</i> The owner/applicant shall incorporate into their project designs fire flow requirements based on the California Fire Code, Folsom Fire Code and shall verify to the City of Folsom Fire Department that adequate water flow is available, prior to approval of improvement plans and issuance of occupancy permits or final inspections for all project phases.</p>	I, B	CD (E) Fire
106.		<p><i>Prepare fuel modification plan (FMP).</i> The owner/applicant shall submit a Fuel Modification Plan to the City for review and preliminary approval from the Fire Code Official prior to any Final and/or Parcel Map. Final approval of the plan by the Fire Code Official shall occur prior to the issuance of a permit for any new construction. A Fuel Modification Plan shall consist of a set of scaled plans showing fuel modification zones indicated with applicable assessment notes, a detailed landscape plan and an irrigation plan. A fuel modification plan submitted for approval shall be prepared by one of the following: a California state licensed landscape architect, or state licensed landscape contractor, or a landscape designed, or an individual with expertise acceptable to the Fire Code Official.</p> <p>The owner/applicant agree to be responsible for the long-term maintenance of the Fuel Modification Plan. Notification of fuel modification requirements are to be made upon sale to new property owners. Proposed changes to the approved Fuel Modification Plan shall be submitted to the Fire Code Official for approval prior to implementation.</p>	G,I,M,B	CD (P) FD

107.		<p>All-Weather Access and Fire Hydrants</p> <p>The owner/applicant shall provide all-weather access and fire hydrants before combustible materials are allowed on any project site or other approved alternative method as approved by the Fire Code Official/Fire Chief. All-weather emergency access roads and fire hydrants (tested and flushed) shall be provided before combustible material or vertical construction is allowed on any project site or other approved alternative method as approved by the Fire Code Official/Fire Chief. (All-weather access is defined as six inches of compacted aggregate base from May 1 to September 30 and two inch asphalt concrete over six inch aggregate base from October 1 to April 30).</p> <p>The building shall have illuminated addresses visible from the street or drive fronting the property. Size and location of address identification shall be reviewed and approved by the Fire Marshal.</p> <ul style="list-style-type: none">• The minimum fire flow for residential dwellings is 1,000 gpm at 20 psi for houses 3,600 sq. ft. and less, 1,750 gpm for dwellings greater than 3,600 sq. ft. in area, and 2,000 gpm for dwellings greater than 4,800 sq. ft. up to 6,200 sq. ft. in area. Please determine the maximum size homes that will be built in this subdivision. A water model analysis that proves the minimum fire flow will be required before any permits are issued.• All public streets shall meet City of Folsom Street Standards unless an alternative is specifically included within this approval.• The maximum length of any dead end street shall not exceed 500 feet in accordance with the Folsom Fire Code. Several streets indicated on the plans are dead ends greater than 500 feet. In such cases, a second emergency access will be required.• All-weather emergency access roads and fire hydrants (tested and flushed) shall be provided before combustible material storage or vertical construction is allowed. All-weather access is defined as 6" of compacted AB from May 1 to September 30 and 2"AC over 6" AB from October 1 to April 30• The first Fire Station planned for the Folsom Ranch Plan Area shall be completed and operational at the time that the threshold of 1,500 occupied homes within the Folsom Ranch Plan Area is met.	I	CD (E) Fire
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108.	3A 14-2	<p><i>Incorporate California Fire Code; City of Folsom Fire Code Requirements; and EDHFD Requirements, if Necessary, into Project Design and Submit Project Design to the City of Folsom Fire Department for Review and Approval.</i></p> <p>To reduce impacts related to the provision of new fire services, the owner/applicant shall do the following, as described below: Incorporate into project designs fire flow requirements based on the California Fire Code, Folsom Fire Code (City of Folsom Municipal Code Title 8, Chapter 8.36), and other applicable requirements based on the City of Folsom Fire Department fire prevention standards. Improvement plans showing the incorporation of automatic sprinkler systems, the availability of adequate fire flow, and the locations of hydrants shall be submitted to the City of Folsom Fire Department for review and approval. In addition, approved plans showing access design shall be provided to the City of Folsom Fire Department as described by Zoning Code Section 17.57.080 (“Vehicular Access Requirements”). These plans shall describe access-road length, dimensions, and finished surfaces for firefighting equipment. The installation of security gates across a fire apparatus access road shall be approved by the City of Folsom Fire Department. The design and operation of gates and barricades shall be in accordance with the Sacramento County Emergency Access Gates and Barriers Standard, as required by the City of Folsom Fire Code.</p>	I, B, O	FD PW CD (E)
109.		<p><i>Submit a Fire Systems New Buildings, Additions, and Alterations Document Submittal List to the City of Folsom Community Development Department Building Division</i></p> <p>The Fire Dept. shall review and approve any improvement plans or building permits for accessibility of emergency fire equipment, fire hydrant flow location, and other construction features. The City shall not authorize the occupancy of any structures until the owner/applicant have obtained a Certificate of Occupancy from the City of Folsom Community Development Department verifying that all fire prevention items have been addressed on-site to the satisfaction of the City of Folsom Fire Department.</p>	I, B	CD (B) Fire

110.		<p><i>Reclaimed Water Pipe</i></p> <p>The owner/applicant shall install a reclaimed water “purple” pipe conveyance and irrigation system for all proposed landscaping for the project including, but not limited to, landscape corridors along roadways, median islands within roadways, future park sites, school sites, open space parcels either publicly maintained or privately maintained by the owner/applicant, etc. in accordance the Folsom Plan Area Specific Plan Environmental Impact Report. The reclaimed water pipe conveyance and irrigation systems shall be designed and maintained by the owner/applicant to accommodate the future conversion of these irrigation systems from potable water to non-potable water at such time the non-potable water systems is constructed and installed in accordance with the 2014 FPA Recycled Water Analysis 2.0. The owner/applicant shall include the reclaimed water pipe conveyance and irrigation systems on all future landscape plans within the project to the satisfaction of the City.</p>	I	CD (E) (P) EWR, PK
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111.		<p>Landscaping Plans Final landscape plans and specifications shall be prepared by a registered landscape architect and approved by the City prior to the approval of improvement plans. Said plans shall include all on-site landscape specifications and details, and shall comply with all State and local rules, regulations, Governor’s declarations and restrictions pertaining to water conservation and outdoor landscaping.</p> <p>Landscaping shall meet shade requirements as outlined in the <u>Folsom Municipal Code Chapter 17.57</u> where applicable. The landscape plans shall comply and implement water efficient requirements as adopted by the State of California (Assembly Bill 1881) (State Model Water Efficient Landscape Ordinance) until such time the City of Folsom adopts its own Water Efficient Landscape Ordinance at which time the owner/applicant shall comply with any new ordinance. Shade and ornamental trees shall be maintained according to the most current American National Standards for Tree Care Operations (ANSI A-300) by qualified tree care professionals. Tree topping for height reduction, view protection, light clearance or any other purpose shall not be allowed. Specialty-style pruning, such as pollarding, shall be specified within the approved landscape plans and shall be implemented during a 5-year establishment and training period. Landscaping installed in open spaces located between tiers of lots shall be chosen for resistance to fire and limited fuel production.</p> <p>Furthermore, the owner/applicant shall comply with city-wide landscape rules or regulations on water usage. Owner/applicant shall comply with any state or local rules and regulations relating to landscape water usage and landscaping requirements necessitated to mitigate for drought conditions on all landscaping in the Broadstone Estates Project.</p>	I, OG	CD(P), PW
112.		<p>Right of Way Landscaping Landscaping along all road rights of way and in public open space lots shall be installed when the adjoining road or lots are constructed.</p>	I, OG	CD(P), PW
MAP REQUIREMENTS				
113.		<p>Subdivision Improvement Agreement Prior to the approval of any Final Map, the owner/applicant shall enter into a subdivision improvement agreement with the City, identifying all required improvements, if any, to be constructed with each proposed phase of development. The owner/applicant shall provide security acceptable to the City, guaranteeing construction of the improvements.</p>	M	CD(E)

114.		<p>Hillsdale Drive Lots 30 through 35 Inclusive Lots 30 through 35, inclusive, shall not be created with a final map until such time as one of the following access options has been provided:</p> <ol style="list-style-type: none"> 1. An Emergency Vehicle Access Easement (EVA) (as shown on the Preliminary Off Site Infrastructure Plan) from the terminus of Hinsdale Drive, across the adjoining Russell Ranch property and joining the EVA located along the easterly side of Lot 29 2. Hinsdale Drive through the adjoining Russell Ranch Subdivision has been constructed, 3. A temporary turnaround has been constructed at the end of Hinsdale Drive. Any such turn-around will be subject to review and approval of the Fire Department. 		
115.		<p>The Final Inclusionary Housing Plan The Final Inclusionary Housing Plan and Final Inclusionary Housing Agreement as approved by the City Council shall be executed prior to recordation of the first Final Map for the Broadstone Estates Subdivision.</p>	M	CD (P)(E)
116.		<p>Homeowner's Association</p> <p>The owner/applicant shall form a Homeowners Association for the ownership and maintenance of all landscaped open spaces and common areas on hillsides, slopes etc. (Lots A through G, I, and L), and all sound walls located along the northerly side of the subdivision.</p> <p>In addition, CC&R's shall be prepared by the owner/applicant and shall be subject to review and approval by the Community Development Department for compliance with this approval and with the Folsom Municipal Code and adopted policies, prior to the recordation of the Final Map.</p>	M	CD (P)(E)

117.	3A 2-6	<p>Conditions, Covenants, and Restrictions (CC&Rs) The owner/applicant shall disclose to the homebuyers in the Covenants, Conditions, and Restrictions (CC&Rs) and in the Department of Real Estate Public Report</p> <ol style="list-style-type: none">1) The soil in the subdivision may contain naturally occurring asbestos.2) The collecting, digging, or removal of any stone, artifact, or other prehistoric or historic object located in public or open space areas, and the disturbance of any archaeological site or historic property, is prohibited.3) The project site is located within close proximity to the Mather Airport flight path and that overflight noise may be present at various times.4) That all properties located within one mile of an on- or off-site area zoned or used for agricultural use (including livestock grazing) shall be accompanied by written disclosure from the transferor, in a form approved by the City of Folsom, advising any transferee of the potential adverse odor impacts from surrounding agricultural operations which disclosure shall direct the transferee to contact the County of Sacramento concerning any such property within the County zoned for agricultural uses within one mile of the subject property being transferred.5) All sound walls are located on Open Space property owned and maintained by the Homeowners Association. These walls cannot be altered by the adjoining homeowners.	M	CD (P) PK
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118.		<p>Financing Districts The owner/applicant shall form a Landscape and Lighting Assessment District, a Community Services District, and/ or a Home Owners Association, which shall be responsible for maintenance of all common areas, maintenance of all on-site landscaping, maintenance of storm drainage facilities, maintenance of storm water detention/detention basins and associated channels, maintenance of water quality ponds, and maintenance of any other site facilities in the subdivision throughout the life of the project to the satisfaction of the Community Development Department. Vegetation or plant spacing shall not be less than that depicted on the final landscape plan, unless tree removal is approved by the Community Development Department because the spacing between trees will be too close on center as they mature.</p>	M	CD (P) CD (E)
119.		<p>Public Utility Easements The owner/applicant shall dedicate public utility easements for underground facilities on properties adjacent to the streets. A minimum of twelve and one-half-foot (12.5') wide Public Utility Easements for underground facilities (i.e., SMUD, Pacific Gas and Electric, cable television, telephone) shall be dedicated adjacent to all private and public street rights-of-way. The owner/applicant shall dedicate additional width to accommodate extraordinary facilities as determined by the City. The width of the public utility easements adjacent to public and private right of way may be reduced with prior approval from public utility companies.</p>	M	CD (E)
120.		<p>Backbone Infrastructure As provided for in the ARDA and the Amendment No. 1 thereto, the owner/applicant shall provide fully executed grant deeds, legal descriptions, and plats for all necessary Backbone Infrastructure to serve the project, including but not limited to lands, public rights of way, public utility easements, public water main easements, public sewer easements, irrevocable offers of dedication and temporary construction easements. All required easements as listed necessary for the Backbone Infrastructure shall be reviewed and approved by the City and recorded with the Sacramento County Recorder pursuant to the timing requirements set forth in Section 3.8 of the ARDA.</p>	M	CD (E)
121.		<p>New Permanent Benchmarks The owner/applicant shall provide and establish new permanent benchmarks on the (NAVD 88) datum in various locations within the subdivision or at any other locations in the vicinity of the off-site Backbone Infrastructure as directed by the City Engineer. The type and specifications for the permanent benchmarks shall be provided by the City. The new benchmarks shall be placed by the owner/applicant within 6 months from the date of approval of the vesting tentative subdivision map.</p>	M	CD (E)

122.		<p>Maintenance Plan Final Approval No final map will be accepted by the city for processing and review until such time that the Open Space Management and Financing Plan, the Drainage Facilities Maintenance and Financing Plan and the Parks, Trails, Landscape Corridors, Medians and Open Space Maintenance Community Facilities District is formed and approved by the City Council.</p>	M	CD (E)
123.		<p>Community Facilities Districts and Financing Plans Prior to approval of the first small lot final map and in accordance with Amendment No. 1 of the ARDA and any further amendments thereto, the owner/applicant is required to complete the following:</p> <ul style="list-style-type: none"> • Formation and approval by the City Council of the Sewer and Water CFD, • Formation and approval by the City Council of the Aquatic Center CFD, • Formation and approval by the City Council of the Parks, Trails, Landscape Corridors, Medians and Open Space Maintenance CFD, • Formation and approval by the City Council of the Storm Drainage Maintenance CFD (unless such drainage maintenance is included in the Services CFD) , • Formation and approval by the City Council of the Street Maintenance District/Lighting Maintenance District CFD (unless such street maintenance is included in the Services CFD) • Formation and approval by the City Council of the Open Space Management and Financing Plan. • Formation and approval by the City Council of the Drainage Facilities Maintenance and Financing Plan 	M	CD (E)
124.	4.7-1 3A 18-1	<p>Water Supply Availability The owner/applicant shall submit proof of compliance with Government Code Section 66473.7 (SB 221) by demonstrating the availability of a reliable and sufficient water supply from a public water system for the amount of development that would be authorized by the final subdivision map. Such a demonstration shall consist of information showing that both existing sources are available or needed supplies and improvements will be in place prior to occupancy. The written proof of compliance shall be provided to the City and approved by the City prior to approval of any final map.</p>	M	CD (E) Utilities

125.	3A 18-2a	<p>Submit Proof of Adequate Off-Site Water Conveyance Facilities and Implement Off-Site Infrastructure Service System or Ensure That Adequate Financing Is Secured. The owner/applicant shall submit proof to the City of Folsom that an adequate off-site water conveyance system either has been constructed or is ensured to the City’s satisfaction. The off-site water conveyance infrastructure sufficient to provide adequate service to the project shall be in place for the amount of development identified in the tentative map before approval of a final subdivision map and issuance of building permits for all project phases, or their financing shall be ensured to the satisfaction of the City. A building permit shall not be issued for any building within the project until the water conveyance infrastructure sufficient to serve such building has been constructed and is in place to the satisfaction of the City.</p>	M, B, O	CD (E) (B), PW
126.	3A 16-3	<p>Demonstrate Adequate SRWTP Wastewater Treatment Capacity. The owner/applicant shall demonstrate adequate capacity at the Sacramento Regional Water Treatment Plant for new wastewater flows generated by the project. This shall involve preparing a tentative map–level study and paying connection and capacity fees as identified by Sacramento Regional County Sanitation District. Approval of the final map and issuance of building permits for all project phases shall not be granted until the City verifies adequate Sacramento Regional Water Treatment Plant capacity is available for the amount of development identified in the tentative map. The written approval from the Sacramento Regional County Sanitation District shall be provided to the City.</p>	M, B	CD (E) (B), PW
127.	3A 16-1	<p>Submit Proof of Adequate On- and Off-Site Wastewater Conveyance Facilities and Implement On- and Off-Site Infrastructure Service Systems or Ensure That Adequate Financing Is Secured. The owner/applicant shall submit proof to the City of Folsom that an adequate wastewater conveyance system either has been constructed or is ensured through payment or other sureties to the City’s satisfaction. Both on-site wastewater conveyance infrastructure and off-site force main sufficient to provide adequate service to the project shall be in place for the amount of development identified in the tentative map before approval of the final map and issuance of building permits for all project phases, or their financing shall be ensured to the satisfaction of the City.</p>	M, B	CD (E) (B) PW
128.		<p>Centralized Mail Delivery Units All Final Maps shall show easements or other mapped provisions for the placement of centralized mail delivery units. The owner/applicant shall provide a concrete base for the placement of any centralized mail delivery unit. Specifications and location of such base shall be determined pursuant to the applicable requirements of the U. S. Postal Service and the City of Folsom Community Development Department, with due consideration for street light location, traffic safety, security, and consumer convenience.</p>	M	CD (E)

129.		<p>Street Names The street names identified below shall be used for the small lot final map:</p> <p>Dewy Oak Drive Hinsdale Drive Dehone Drive Purple Sage Drive Rocky Hills Drive Spotted Dog Court</p>	M	CD (E)
130.		<p>Credit Reimbursement Agreement Prior to the recordation of the first final map, the owner/applicant and City shall enter into a credit and reimbursement agreement for constructed improvements that are included in the Folsom Plan Area's Public Facilities Financing Plan.</p>	M	CD (E)

BUILDING PERMIT REQUIREMENTS

131.	<u>3A.4-2a</u>	<i>Implement Additional Measures to Reduce Operational GHG Emissions.</i> Energy Efficiency <ul style="list-style-type: none">▶ Include clean alternative energy features to promote energy self-sufficiency (e.g., photovoltaic cells, solar thermal electricity systems, small wind turbines).▶ Design buildings to meet CEC Tier II requirements (e.g., exceeding the requirements of the Title 24 [as of 2007] by 35%).▶ Site buildings to take advantage of shade and prevailing winds and design landscaping and sun screens to reduce energy use.▶ Install efficient lighting in all buildings (including residential). Also install lighting control systems, where practical. Use daylight as an integral part of lighting systems in all buildings.▶ Install light-colored “cool” pavements, and strategically located shade trees along all bicycle and pedestrian routes. Water Conservation and Efficiency <ul style="list-style-type: none">▶ With the exception of ornamental shade trees, use water-efficient landscapes with native, drought-resistant species in all public area and commercial landscaping. Use water-efficient turf in parks and other turf-dependent spaces.▶ Install the infrastructure to use reclaimed water for landscape irrigation and/or washing cars.▶ Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls. ▶ Design buildings and lots to be water-efficient. Only install water-efficient fixtures and appliances.	B	CD (P)(B)
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<p>131. Cont.</p>	<p>3A.4-2a</p>	<ul style="list-style-type: none"> ▶ Restrict watering methods (e.g., prohibit systems that apply water to nonvegetated surfaces) and control runoff. Prohibit businesses from using pressure washers for cleaning driveways, parking lots, sidewalks, and street surfaces. These restrictions should be included in the Covenants, Conditions, and Restrictions of the community. ▶ Provide education about water conservation and available programs and incentives. ▶ To reduce stormwater runoff, which typically bogs down wastewater treatment systems and increases their energy consumption, construct driveways to single-family detached residences and parking lots and driveways of multifamily residential uses with pervious surfaces. Possible designs include Hollywood drives (two concrete strips with vegetation or aggregate in between) and/or the use of porous concrete, porous asphalt, turf blocks, or pervious pavers. <p>Solid Waste Measures</p> <ul style="list-style-type: none"> ▶ Reuse and recycle construction and demolition waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard). ▶ Provide interior and exterior storage areas for recyclables and green waste at all buildings. ▶ Provide adequate recycling containers in public areas, including parks, school grounds, golf courses, and pedestrian zones in areas of mixed-use development. ▶ Provide education and publicity about reducing waste and available recycling services. <p>Transportation and Motor Vehicles</p> <ul style="list-style-type: none"> ▶ Promote ride-sharing programs and employment centers (e.g., by designating a certain percentage of parking spaces for ride-sharing vehicles, designating adequate passenger loading and unloading zones and waiting areas for ride-share vehicles, and providing a Web site or message board for coordinating ride-sharing). ▶ Provide the necessary facilities and infrastructure in all land use types to encourage the use of low- or zero-emission vehicles (e.g., electric vehicle charging facilities and conveniently located alternative fueling stations). 	<p>B</p>	
<p>132.</p>		<p>Recorded Final Map Prior to the issuance of building permits, the owner/applicant shall provide a digital copy of the recorded Final Map (in AutoCAD format) to the Community Development Department.</p>	<p>B</p>	<p>CD (E)</p>

133.		<p>Recorded Final Map Prior to issuance of building permits, the owner/applicant shall provide the Folsom-Cordova Unified School District with a copy of the recorded Final Map.</p>	B	CD (P) FCUSD
134.		<p>Infrastructure Improvements Timing All on and off-site subdivision and Backbone Infrastructure improvements required to serve this project and any subsequent phase of the project, including but not limited to, roadway and transportation improvements, sanitary sewer, water, storm drainage, water quality/detention basins, etc. shall be completed to the satisfaction of the City prior to issuance of the first building permit within the project.</p>	B	CD (E)
135.	3A.11-5	<p>Implement Measures to Reduce Noise from Project-Generated Stationary Sources.</p> <p>The owner/applicant shall implement the following measures to reduce the effect of noise levels generated by on-site stationary noise sources that would be located within 600 feet of any noise-sensitive receptor:</p> <ul style="list-style-type: none"> ▶ Routine testing and preventive maintenance of emergency electrical generators shall be conducted during the less sensitive daytime hours (i.e., 7:00 a.m. to 6:00 p.m.). All electrical generators shall be equipped with noise control (e.g., muffler) devices in accordance with manufacturers' specifications. ▶ External mechanical equipment associated with buildings shall incorporate features designed to reduce noise emissions below the stationary noise source criteria. These features may include, but are not limited to, locating generators within equipment rooms or enclosures that incorporate noise-reduction features, such as acoustical louvers, and exhaust and intake silencers. Equipment enclosures shall be oriented so that major openings (i.e., intake louvers, exhaust) are directed away from nearby noise-sensitive receptors. 	B	CD (P)(B)
136.		<p>Design Review Approval Prior to issuance of a building permit for any residential units within the subdivision, the owner/applicant shall obtain Design Review approval from the Planning Commission for all residences to be built within the subdivision. If the architecture is not consistent with the Broadstone Estates Design Guidelines, the owner applicant may modify the plans or apply for a modification to the Design Guidelines to be approved by the Planning Commission.</p>	B	CD (P)

137.	3A.7-5	<p><i>Divert Seasonal Water Flows Away from Building Foundations.</i></p> <p>The owner/applicant shall either install subdrains (which typically consist of perforated pipe and gravel, surrounded by nonwoven geotextile fabric), or take such other actions as recommended by the geotechnical or civil engineer for the project that would serve to divert seasonal flows caused by surface infiltration, water seepage, and perched water during the winter months away from building foundations.</p>	B	CD (B)(P)
138.		<p><i>FCUSD Fees</i></p> <p>The owner/applicant agrees to pay to the Folsom Cordova Unified School District the maximum fee authorized by law for the construction and/or reconstruction of school facilities. The applicable fee shall be the fee established by the School District that is in effect at the time of the issuance of a building permit. Specifically, the owner/applicant agrees to pay any and all fees and charges and comply with any and all dedications or other requirements authorized under Section 17620 of the Education Code; Chapter 4.7 (commencing with Section 65970 of the Government Code; and sections 65995, 65995.5, and 65995.7 of the Government Code.</p>	B	CD (B)

TRAFFIC, ACCESS, CIRCULATION, AND PARKING REQUIREMENTS

It should be noted that many of the Transportation, Traffic, and Circulation mitigation measures identified below will be satisfied through the payment of fees. Below is a brief summary of the fee types and their purpose. The acronyms for each fee type noted below are further noted in the Implementation Schedule column of each applicable mitigation measure to clarify how each mitigation measure is anticipated to be satisfied.

Public Facilities Financing Plan (PFFP):

In January of 2014, the City of Folsom adopted the PFFP for the Folsom Plan Area which detailed all the infrastructure components to address full build out of the Plan Area. The PFFP includes various techniques including development fees to fund the necessary infrastructure. The City is currently in the process of preparing and adopting implementing ordinances and a nexus study required by State law to impose the associated development fees.

Included in the PFFP are a number roadway projects including the Highway Interchanges that the White Rock Springs Ranch project will have cumulative impacts on within the Folsom Plan Area. The PFFP was designed to satisfy the “fair share” financing of all the Plan Area’s backbone roadway system. Participating in this fee program will satisfy numerous roadway mitigation measures as shown in the MMRP table.

Sacramento County Transportation Development Fee (SCTDF) contribution:

The City is establishing a “fair share” fee to mitigate roadway impacts outside the project boundaries and within unincorporated Sacramento County. This fee will be included in the City Facilities portion of the Public Facilities Financing Plan program and will be collected at the time of building permit issuance. The basis for the calculation of the fee is a report entitled, “Fair Share Cost Allocation Sacramento County & City of Folsom” dated January 2, 2014.

Cal Trans/ City Memorandum of Understanding (Cal Trans MOU):

The City of Folsom and Cal Trans entered into an MOU on December 17, 2014 to establish a fee mechanism to address the “fair share” impacts to Highway 50. The MOU identifies all the highway improvements for which there are mitigation measures and potential construction projects to address them. The City will establish a fee in the City Facilities portion of the Public Facilities Financing Plan and it will be collected at the time of building permit issuance.

139	3A 15-4b,d	<p><i>East Bidwell/Iron Point</i> Prior to issuance of a building permit, the owner/applicant shall pay a fair share fee to the City of Folsom towards the modification to the westbound approach to the East Bidwell Street/Iron Point Road intersection to include three left-turn lanes, two through lanes, and one right-turn lane.</p>	B	CD (E), PW
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140.	3A 15-4f	<p>Empire Ranch Road/Iron Point Road Intersection To ensure that the Empire Ranch Road / Iron Point Road intersection operates at a LOS D or better, all of the following improvements are required:</p> <ul style="list-style-type: none"> • The eastbound approach shall be reconfigured to consist of one left-turn lane, two through lanes, and a right-turn lane. • The westbound approach shall be reconfigured to consist of two left-turn lanes, one through lane, and a through-right lane. • The northbound approach shall be reconfigured to consist of two left-turn lanes, three through lanes, and a right-turn lane. • The southbound approach shall be reconfigured to consist of two left-turn lanes, three through lanes, and a right-turn lane. <p>The owner/applicant shall pay its proportionate share of funding of improvements.</p>	B (pay PFFP fee)	CD (E), PW
141.	3A 15-1s	<p>US 50 from Sunrise Boulevard to East Bidwell Street/Scott Road Participate in Fair Share Funding of Improvements to Reduce Impacts on Eastbound U.S. 50 between Sunrise Boulevard to East Bidwell Street/Scott Road (Freeway Segment 4). To ensure that Eastbound U.S. 50 operates at an acceptable LOS between Folsom Boulevard and Prairie City Road an auxiliary lane shall be constructed. This improvement was recommended in the Traffic Operations Analysis Report for the U.S. 50 Auxiliary Lane Project. This improvement is included in the proposed 50 Corridor Mobility Fee Program. The owner/applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by the owner/applicant, to reduce the impacts to Eastbound U.S. 50 between Sunrise Boulevard to East Bidwell Street/Scott Road (Freeway Segment 4).</p>	B (Caltrans MOU)	CD (E), PW
142.	3A 15-1u	<p>Westbound U.S. 50 between Prairie City Road and Folsom Boulevard To ensure that Westbound U.S. 50 operates at an acceptable LOS between Prairie City Road and Folsom Boulevard, an auxiliary lane shall be constructed. This improvement was recommended in the Traffic Operations Analysis Report for the U.S. 50 Auxiliary Lane Project. This improvement is included in the proposed 50 Corridor Mobility Fee Program. The owner/applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by the owner/applicant, to reduce the impacts to Westbound U.S. 50 between Prairie City Road and Folsom Boulevard.</p>	B (Caltrans MOU)	CD (E), PW

143.	3A 15-1x	<p><i>U.S. 50 Eastbound/Prairie City Road Diverge</i> To ensure that Eastbound U.S. 50 operates at an acceptable LOS at the Prairie City Road off-ramp diverge, an auxiliary lane from the Folsom Boulevard merge shall be constructed. This improvement was recommended in the Traffic Operations Analysis Report for the U.S. 50 Auxiliary Lane Project. This auxiliary lane improvement is included in the proposed 50 Corridor Mobility Fee Program. The owner/applicant shall pay its proportionate share of funding of improvements to reduce the impacts to the U.S. 50 Eastbound/Prairie City Road diverge.</p>	B (Caltrans MOU)	CD (E), PW
144.	3A 15-1y	<p><i>U.S. 50 Eastbound/Prairie City Road Direct Merge</i> To ensure that Eastbound U.S. 50 operates at an acceptable LOS at the Prairie City Road on-ramp direct merge, an auxiliary lane to the East Bidwell Street – Scott Road diverge shall be constructed. This auxiliary lane improvement included in the proposed 50 Corridor Mobility Fee Program. The owner/applicant shall pay its proportionate share of funding of improvements to reduce the impacts to the U.S. 50 Eastbound/Prairie City Road direct merge.</p>	B (Caltrans MOU)	CD (E), PW
145.	3A 15-1z	<p><i>U.S. 50 Eastbound/Prairie City Road Flyover On-Ramp to Oak Avenue Parkway Off-Ramp Weave</i> To ensure that Eastbound U.S. 50 operates at an acceptable LOS at the Prairie City Road flyover on-ramp to Oak Avenue Parkway off-ramp weave, an improvement acceptable to Caltrans shall be implemented to eliminate the unacceptable weaving conditions. Such an improvement may involve a “braided ramp”. The owner/applicant shall pay its proportionate share of funding of improvements to reduce the impacts to the U.S. 50 Eastbound / Prairie City Road flyover on-ramp to Oak Avenue Parkway off-ramp weave.</p>	B (PFFP)	CD (E), PW
146.	3A 15-1aa	<p><i>U.S. 50 Eastbound/Oak Avenue Parkway Loop Merge</i> To ensure that Eastbound U.S. 50 operates at an acceptable LOS at the Oak Avenue Parkway loop merge, an auxiliary lane to the East Bidwell Street – Scott Road diverge shall be constructed. This auxiliary lane improvement is included in the proposed 50 Corridor Mobility Fee Program. The owner/applicant shall pay its proportionate share of funding of improvements to reduce the impacts to the U.S. 50 Eastbound/ Oak Avenue Parkway loop merge (Freeway Merge 9).</p>	B (Caltrans MOU)	CD (E), PW
147.	3A 15-1dd	<p><i>U.S. 50 Westbound/Empire Ranch Road Loop Ramp Merge</i> To ensure that Westbound U.S. 50 operates at an acceptable LOS, the northbound Empire Ranch Road loop on-ramp should start the westbound auxiliary lane that ends at the East Bidwell Street – Scott Road off ramp. The slip on-ramp from southbound Empire Ranch Road would merge into this extended auxiliary lane. Improvements to this freeway segment shall be implemented by Caltrans. The owner/applicant shall pay its proportionate share of funding of improvements to reduce the impacts to the U.S. 50 Westbound/Empire Ranch Road loop ramp merge.</p>	B (Caltrans MOU)	CD (E), PW

148.	3A 15-1ee	<p><i>U.S. 50 Westbound/Oak Avenue Parkway Loop Ramp Merge</i> To ensure that Westbound U.S. 50 operates at an acceptable LOS, the northbound Oak Avenue Parkway loop on-ramp should start the westbound auxiliary lane that ends at the Prairie City Road off-ramp. The slip on-ramp from southbound Oak Avenue Parkway would merge into this extended auxiliary lane. Improvements to this freeway segment shall be implemented by Caltrans. The owner/applicant shall pay its proportionate share of funding of improvements to reduce the impacts to the U.S. 50 Westbound/Oak Avenue Parkway loop ramp merge.</p>	B (Caltrans MOU)	CD (E), PW
149.	3A 15-1ff	<p><i>U.S. 50 Westbound/Prairie City Road Loop Ramp Merge</i> To ensure that Westbound U.S. 50 operates at an acceptable LOS at the Prairie City Road loop ramp merge, an auxiliary lane to the Folsom Boulevard off ramp diverge shall be constructed. This auxiliary lane improvement is included in the proposed 50 Corridor Mobility Fee Program. The owner/applicant shall pay its proportionate share of funding of improvements to reduce the impacts to the U.S. 50 Westbound/Prairie City Road Loop Ramp Merge.</p>	B (Caltrans MOU)	CD (E), PW
150.	3A-15-1gg	<p><i>U.S. 50 Westbound/Prairie City Road Direct Ramp Merge</i> To ensure that Westbound U.S. 50 operates at an acceptable LOS at the Prairie City Road direct ramp merge, an auxiliary lane to the Folsom Boulevard off ramp diverge shall be constructed. This auxiliary lane improvement is included in the proposed 50 Corridor Mobility Fee Program. The owner/applicant shall pay its proportionate share of funding of improvements, to reduce the impacts to the U.S. 50 Westbound/Prairie City Road direct ramp merge.</p>	B (Caltrans MOU)	CD (E), PW
151.	3A 15-4t	<p><i>Eastbound US 50 between Prairie City Road and Oak Avenue Parkway</i> To ensure that Eastbound US 50 operates at an acceptable LOS between Prairie City Road and Oak Avenue Parkway, the northbound Prairie City Road slip on-ramp should merge with the eastbound auxiliary lane that extends to and drops at the Oak Avenue Parkway off ramp and the southbound Prairie City Road flyover on-ramp should be braided over the Oak Avenue Parkway off ramp and start an extended full auxiliary lane to the East Bidwell Street – Scott Road off ramp. Improvements to this freeway segment shall be implemented by Caltrans. The owner/applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by owner/applicant, to reduce the impacts to Eastbound U.S. 50 between Prairie City Road and Oak Avenue Parkway.</p>	B (pay PFFP/ Interchange fee)	CD (E), PW

152.	3A 15-4u	<p><i>U.S. 50 Eastbound / Prairie City Road Slip Ramp Merge.</i> To ensure that Eastbound US 50 operates at an acceptable LOS, the northbound Prairie City Road slip on-ramp should start the eastbound auxiliary lane that extends to and drops at the Oak Avenue Parkway off ramp (see mitigation measure 3A.15-4u, w and x), and the southbound Prairie City Road flyover on-ramp should be braided over the Oak Avenue Parkway off ramp and start an extended full auxiliary lane to the East Bidwell Street – Scott Road off ramp. Improvements to this freeway segment shall be implemented by Caltrans. The owner/applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by owner/applicant, to reduce the impacts to the U.S. 50 Eastbound / Prairie City Road slip ramp merge.</p>	<p>B (pay PFFP fee)</p>	<p>CD (E), PW</p>
153.	3A 15-4v	<p><i>U.S. 50 Eastbound / Prairie City Road Flyover On-ramp to Oak Avenue Parkway Off Ramp Weave</i> To ensure that Eastbound US 50 operates at an acceptable LOS, the northbound Prairie City Road slip on-ramp should start the eastbound auxiliary lane that extends to and drops at the Oak Avenue Parkway off ramp (see mitigation measure 3A.15-4u, v and x), and the southbound Prairie City Road flyover on-ramp should be braided over the Oak Avenue Parkway off ramp and start an extended full auxiliary lane to the East Bidwell Street – Scott Road off ramp. Improvements to this freeway segment shall be implemented by Caltrans. The owner/applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by the owner/applicant, to reduce the impacts to the U.S. 50 Eastbound / Prairie City Road Flyover On-ramp to Oak Avenue Parkway Off Ramp Weave.</p>	<p>B (pay PFFP fee)</p>	<p>CD (E), PW</p>
154.	3A 15-4w	<p><i>U.S. 50 Eastbound / Oak Avenue Parkway Loop Ramp Merge</i> To ensure that Eastbound US 50 operates at an acceptable LOS, the southbound Oak Avenue Parkway loop on-ramp should merge with the eastbound auxiliary lane that starts at the southbound Prairie City Road braided flyover on-ramp and ends at the East Bidwell Street – Scott Road off ramp (see mitigation measure 3A.15-4u, v and w). Improvements to this freeway segment shall be implemented by Caltrans. The owner/applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by the owner/applicant, to reduce the impacts to U.S. 50 Eastbound / Oak Avenue Parkway Loop Ramp Merge.</p>	<p>B (pay PFFP fee)</p>	<p>CD (E), PW</p>

155.	3A 15-4x	<p><i>U.S. 50 Westbound / Empire Ranch Road Loop Ramp Merge</i> To ensure that Westbound US 50 operates at an acceptable LOS, the northbound Empire Ranch Road loop on-ramp should start the westbound auxiliary lane that ends at the East Bidwell Street – Scott Road off ramp. The slip on-ramp from southbound Empire Ranch Road slip ramp would merge into this extended auxiliary lane. Improvements to this freeway segment shall be implemented by Caltrans. The owner/applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by owner/applicant, to reduce the impacts to the U.S. 50 Westbound / Empire Ranch Road loop ramp merge.</p>	B (pay PFFP fee)	CD (E), PW
156.	3A 15-4y	<p><i>U.S. 50 Westbound / Prairie City Road Loop Ramp Merge.</i> To ensure that Westbound US 50 operates at an acceptable LOS, the northbound Prairie City Road loop on-ramp should start the westbound auxiliary lane that continues beyond the Folsom Boulevard off ramp. The slip on-ramp from southbound Prairie City Road slip ramp would merge into this extended auxiliary lane. Improvements to this freeway segment shall be implemented by Caltrans. The owner/applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by owner/applicant, to reduce the impacts to the U.S. 50 Westbound / Prairie City Road Loop Ramp Merge.</p>	B (pay PFFP fee)	CD (E), PW
157.	3A 15-2a	<p><i>Provide Options for Alternative Transportation Modes.</i> The owner/applicant for any particular discretionary development application shall participate in capital improvements and operating funds for transit service to increase the percent of travel by transit. The project's fair-share participation and the associated timing of the improvements and service shall be identified in the project conditions of approval and/or the project's development agreement. Improvements and service shall be coordinated, as necessary, with Folsom Stage Lines and Sacramento RT.</p>	B (pay PFFP fee and Transit fee)	CD (E), PW
158	3A 15-1a	<p><i>Folsom Boulevard/Blue Ravine Road Intersection</i> To ensure that the Folsom Boulevard/Blue Ravine Road intersection operates at an acceptable LOS, the eastbound approach shall be reconfigured to consist of two left-turn lanes, one through lane, and one right-turn lane. The owner/applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by owner/applicant, to reduce the impacts to the Folsom Boulevard/Blue Ravine Road intersection</p>	B (pay PFFP fee)	CD (E), PW

159.	3A 15-1b	<p><i>Sibley Street/ Blue Ravine Road Intersection</i> To ensure that the Sibley Street/Blue Ravine Road intersection operates at an acceptable LOS, the northbound approach shall be reconfigured to consist of two left-turn lanes, two through lanes, and one right-turn lane. The owner/applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by the owner/applicant, to reduce the impacts to the Sibley Street/Blue Ravine Road intersection</p>	<p>B (pay PFFP fee)</p>	<p>CD (E), PW</p>
160.	3A.15-1i	<p><i>Grant Line Road/White Rock Road Intersection and to White Rock Road widening between the Rancho Cordova City limit to Prairie City Road</i> Improvements shall be made to ensure that the Grant Line Road/White Rock Road intersection operates at an acceptable LOS. The currently County proposed White Rock Road widening project will widen and realign White Rock Road from the Rancho Cordova City limit to the El Dorado County line (this analysis assumes that the Proposed Project and build alternatives will widen White Rock Road to five lanes from Prairie City Road to the El Dorado County Line). This widening includes improvements to the Grant Line Road intersection and realigning White Rock Road to be the through movement. The improvements include two eastbound through lanes, one eastbound right turn lane, two northbound left turn lanes, two northbound right turn lanes, two westbound left turn lanes and two westbound through lanes. This improvement also includes the signalization of the White Rock Road and Grant Line Road intersection. With implementation of this improvement, the intersection would operate at an acceptable LOS A. The owner/applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the Grant Line Road/White Rock Road intersection</p>	<p>B (pay SCTDF)</p>	<p>CD (E), PW</p>

161	3A.15-1o	<p><i>Eastbound U.S. 50 as an alternative to improvements at the Folsom Boulevard/U.S. 50 Eastbound Ramps Intersection</i></p> <p>The owner/applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the Folsom Boulevard/U.S. 50 Eastbound Ramps intersection (Caltrans Intersection 4).</p> <p>To ensure that the Folsom Boulevard/U.S. 50 eastbound ramps intersection operates at an acceptable LOS, auxiliary lanes should be added to eastbound U.S. 50 from Hazel Avenue to east of Folsom Boulevard. This was recommended in the Traffic Operations Analysis Report for the U.S. 50 Auxiliary Lane Project.</p>	B (Caltrans MOU)	CD (E), PW
162.	3A.15-1p	<p><i>Grant Line Road/ State Route 16 Intersection</i></p> <p>To ensure that the Grant Line Road/State Route 16 intersection operates at an acceptable LOS, the northbound and southbound approaches shall be reconfigured to consist of one left-turn lane and one shared through/right-turn lane. Protected left-turn signal phasing shall be provided on the northbound and southbound approaches.</p> <p>Improvements to the Grant Line Road/State Route 16 intersection are contained within the County Development Fee Program, and are scheduled for Measure A funding. Improvements to this intersection shall be implemented by Caltrans, Sacramento County, and the City of Rancho Cordova.</p> <p>The owner/applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the Grant Line Road/State Route 16 intersection.</p>	B (Caltrans MOU/ SCTDF)	CD (E), PW
163.	3A.15-1q	<p><i>Eastbound U.S. 50 between Zinfandel Drive and Sunrise Boulevard</i></p> <p>To ensure that Eastbound U.S. 50 operates at an acceptable LOS between Zinfandel Drive and Sunrise Boulevard, a bus/carpool (HOV) lane shall be constructed. This improvement is currently planned as part of the Sacramento 50 Bus-Carpool Lane and Community Enhancements Project. The owner/applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to Eastbound U.S. 50 between Zinfandel Drive and Sunrise Boulevard</p>	B (Caltrans MOU)	CD (E), PW

164.	3A.15-1r	<p><i>Eastbound U.S. 50 between Hazel Avenue and Folsom Boulevard</i> To ensure that Eastbound U.S. 50 operates at an acceptable LOS between Hazel Avenue and Folsom Boulevard, an auxiliary lane shall be constructed. This improvement was recommended in the Traffic Operations Analysis Report for the U.S. 50 Auxiliary Lane Project. This improvement is included in the proposed 50 Corridor Mobility Fee Program. The owner/applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to Eastbound U.S. 50 between Hazel Avenue and Folsom Boulevard</p>	B (Caltrans MOU)	CD (E), PW
165.	3A.15-1v	<p><i>Westbound U.S. 50 between Hazel Avenue and Sunrise Boulevard</i> To ensure that Westbound U.S. 50 operates at an acceptable LOS between Hazel Avenue and Sunrise Boulevard, an auxiliary lane shall be constructed. This improvement was recommended in the Traffic Operations Analysis Report for the U.S. 50 Auxiliary Lane Project, and included in the proposed Rancho Cordova Parkway interchange project. Improvements to this freeway segment shall be implemented by Caltrans. The owner/applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to Westbound U.S. 50 between Hazel Avenue and Sunrise Boulevard</p>	B (Caltrans MOU)	CD (E), PW
166.	3A.15-1w	<p><i>U.S. 50 Eastbound/Folsom Boulevard Ramp Merge</i> To ensure that Eastbound U.S. 50 operates at an acceptable LOS at the Folsom Boulevard merge, an auxiliary lane from the Folsom Boulevard merge to the Prairie City Road diverge shall be constructed. This improvement was recommended in the Traffic Operations Analysis Report for the U.S. 50 Auxiliary Lane Project. This improvement is included in the proposed 50 Corridor Mobility Fee Program. The owner/applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the U.S. 50 Eastbound/Folsom Boulevard Ramp Merge</p>	B (Caltrans MOU)	CD (E), PW

167.	3A.15-1hh	<p><i>U.S. 50 Eastbound/Folsom Boulevard</i> To ensure that Westbound U.S. 50 operates at an acceptable LOS at the Folsom Boulevard Diverge, an auxiliary lane from the Prairie City Road loop ramp merge shall be constructed. Improvements to this freeway segment shall be implemented by Caltrans. This auxiliary lane improvement is included in the proposed 50 Corridor Mobility Fee Program. The owner/applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by the owner/applicant, to reduce the impacts to the U.S. 50 Eastbound / Folsom Boulevard diverge</p>	B (Caltrans MOU)	CD (E), PW
168.	3A.15-1ii	<p><i>U.S. 50 Westbound/Hazel Avenue Direct Ramp Merge</i> To ensure that Westbound U.S. 50 operates at an acceptable LOS at the Hazel Avenue direct ramp merge, an auxiliary lane to the Sunrise Boulevard off ramp diverge shall be constructed. This auxiliary lane improvement is included in the proposed 50 Corridor Mobility Fee Program. The owner/applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the U.S. 50 Westbound/Hazel Avenue direct ramp merge.</p>	B (Caltrans MOU)	CD (E), PW
169.	3A.15-2b	<p><i>Participate in the City's Transportation System Management Fee Program</i> The owner/applicant for any particular discretionary development application shall pay an appropriate amount into the City's existing Transportation System Management Fee Program to reduce the number of single-occupant automobile travel on area roadways and intersections.</p>	B	CD (E), PW
170.	3A.15-3	<p><i>Pay Full Cost of Identified Improvements that Are Not Funded by the City's Fee Program.</i> In accordance with Measure W, the owner/applicant for any particular discretionary development application shall provide fair-share contributions to the City's transportation impact fee program to fully fund improvements only required because of the Specific Plan.</p>	B (Caltrans MOU, PFFP fee, SCTDF)	CD (E), PW

171.	3A.15-4a	<p><i>Sibley Street/Blue Ravine Road Intersection</i> To ensure that the Sibley Street/Blue Ravine Road intersection operates at a LOS D with less than the Cumulative No Project delay, the northbound approach shall be reconfigured to consist of two left-turn lanes, two through lanes, and one dedicated right-turn lane. The owner/applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by owner/applicant, to reduce the impacts to the Sibley Street/Blue Ravine Road intersection</p>	B Pay PFFP fee	CD (E), PW
172.	3A.15-4c	<p><i>East Bidwell Street/College Street</i> To ensure that the East Bidwell Street/College Street intersection operates at acceptable LOS C or better, the westbound approach shall be reconfigured to consist of one left-turn lane, one left / through lane, and two dedicated right-turn lanes. The owner/applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by owner/applicant, to reduce the impacts to the East Bidwell Street/College Street intersection</p>	B Pay PFFP fee	CD (E), PW
173.	3A.15-4g	<p><i>Oak Avenue Parkway/Alder Creek Parkway</i> To ensure that the Oak Avenue Parkway/Alder Creek Parkway intersection operates at an acceptable LOS the southbound approach shall be reconfigured to consist of two left-turn lanes, two through lanes, and two right-turn lanes.</p>	B Pay SCTDF	CD (E), PW
174.	3A.15-1f	<p><i>Oak Avenue Parkway/Middle Road Intersection</i> To ensure that the Oak Avenue Parkway/Middle Road intersection (as shown in the FPA) operates at an acceptable LOS, control all movements with a stop sign.</p>	B Pay PFFP fee	CD (E), PW
175.	3A.15-1j	<p><i>Hazel Avenue between Madison Avenue and Curragh Downs Drive</i> To ensure that Hazel Avenue operates at an acceptable LOS between Curragh Downs Drive and Gold Country Boulevard, Hazel Avenue must be widened to six lanes. This improvement is part of the County adopted Hazel Avenue widening project.</p>	B Pay SCTDF	CD (E), PW
176.	3A.15-1l:	<p><i>White Rock Road/Windfield Way Intersection</i> To ensure that the White Rock Road/Windfield Way intersection operates at an acceptable LOS, the intersection must be signalized and separate northbound left and right turn lanes must be striped. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the White Rock Road/Windfield Way intersection.</p>	B Pay SCTDF	PW

177.	3A.15-4i	<p><i>Grant Line Road/White Rock Road Intersection</i></p> <p>To ensure that the Grant Line Road/White Rock Road intersection operates at an acceptable LOS E or better this intersection should be replaced by some type of grade separated intersection or interchange.</p> <p>Improvements to this intersection are identified in the Sacramento County’s Proposed General Plan. Implementation of these improvements would assist in reducing traffic impacts on this intersection by providing acceptable operation. Intersection improvements must be implemented by Sacramento County. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the Grant Line Road/White Rock Road intersection.</p>	B Pay SCTDF	PW
178.	3A.15-4j	<p><i>Grant Line Road between White Rock Road and Kiefer Boulevard</i></p> <p>To improve operation on Grant Line Road between White Rock Road and Kiefer Boulevard, this roadway segment must be widened to six lanes. This improvement is proposed in the Sacramento County and the City of Rancho Cordova General Plans; however, it is not in the 2035 MTP. Improvements to this roadway segment must be implemented by Sacramento County and the City of Rancho Cordova.</p> <p>The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to Grant Line Road between White Rock Road and Kiefer Boulevard.</p> <p>The identified improvement would more than offset the impacts specifically related to the Folsom South of U.S. 50 project on this roadway segment.</p>	B Pay SCTDF	Sacramento County City of Rancho Cordova

179.	3A.15-4k	<p><i>Grant Line Road between Kiefer Boulevard and Jackson Highway</i></p> <p>To improve operation on Grant Line Road between Kiefer Boulevard Jackson Highway, this roadway segment could be widened to six lanes. This improvement is proposed in the Sacramento County and the City of Rancho Cordova General Plans; however, it is not in the 2035 MTP. Improvements to this roadway segment must be implemented by Sacramento County and the City of Rancho Cordova.</p> <p>The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to Grant Line Road between Kiefer Boulevard and Jackson Highway.</p> <p>The identified improvement would more than offset the impacts specifically related to the Folsom South of U.S. 50 project on this roadway segment.</p>	B Pay SCTDF	Sacramento County City of Rancho Cordova
180.	3A.15-4l	<p><i>Hazel Avenue between Curragh Downs Drive and U.S. 50 Westbound Ramps</i></p> <p>The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements on Hazel Avenue, based on a program established by that agency to reduce the impacts to Hazel Avenue between Curragh Downs Drive and U.S. 50 Westbound Ramps.</p>	B Pay SCTDF	Sacramento County City of Rancho Cordova
181.	3A.15-4m	<p><i>White Rock Road between Grant Line Road and Prairie City Road</i></p> <p>To improve operation on White Rock Road between Grant Line Road and Prairie City Road, this roadway segment shall be widened to six lanes. This improvement is included in the 2035 MTP but is not included in the Sacramento County General Plan. Improvements to this roadway segment must be implemented by Sacramento County.</p> <p>The identified improvement would more than offset the impacts specifically related to the Folsom South of U.S. 50 project on this roadway segment. However, because of other development in the region that would substantially increase traffic levels, this roadway segment would continue to operate at an unacceptable LOS F even with the capacity improvements identified to mitigate Folsom Plan Area impacts.</p> <p>The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to White Rock Road between Grant Line Road and Prairie City Road.</p>	B Pay SCTDF	Sacramento County

182.	3A.15-4n	<p><i>White Rock Road between Empire Ranch Road and Carson Crossing Road</i></p> <p>To improve operation on White Rock Road between Empire Ranch Road and Carson Crossing Road, this roadway segment shall be widened to six lanes. Improvements to this roadway segment shall be implemented by Sacramento County.</p> <p>The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to White Rock Road between Empire Ranch Road and Carson Crossing Road.</p>	<p>B Pay SCTDF</p>	<p>Sacramento County</p>
183.	3A.15-4o	<p><i>White Rock Road/Carson Crossing Road Intersection</i></p> <p>To ensure that the White Rock Road/Carson Crossing Road intersection operates at an acceptable LOS, the eastbound right turn lane shall be converted into a separate free right turn lane, or double right. Improvements to this intersection must be implemented by El Dorado County. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the White Rock Road/Carson Crossing Road Intersection</p>	<p>B Pay SCTDF</p>	<p>CD (E), PW</p>
184.	3A.15-4p	<p><i>Hazel Avenue/U.S. 50 Westbound Ramps Intersection</i></p> <p>To ensure that the Hazel Avenue/U.S. 50 westbound ramps intersection operates at an acceptable LOS, the westbound approach shall be reconfigured to consist of one dedicated left turn lane, one shared left- through lane and three dedicated right-turn lanes. Improvements to this intersection shall be implemented by Caltrans and Sacramento County. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the Hazel Avenue/U.S. 50 Westbound Ramps Intersection.</p>	<p>B Pay SCTDF</p>	<p>CD (E), PW</p>

185.	3A.15-4q	<p><i>Eastbound US 50 between Zinfandel Drive and Sunrise Boulevard</i></p> <p>To ensure that Eastbound US 50 operates at an acceptable LOS between Zinfandel Drive and Sunrise Boulevard, an additional eastbound lane could be constructed. This improvement is not consistent with the Concept Facility in Caltrans State Route 50 Corridor System Management Plan; therefore, it is not likely to be implemented by Caltrans by 2030.</p> <p>Construction of the Capitol South East Connector, including widening White Rock Road and Grant Line Road to six lanes with limited access, could divert some traffic from U.S. 50 and partially mitigate the project’s impact. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to Eastbound U.S. 50 between Zinfandel Drive and Sunrise Boulevard.</p>	<p>B Pay SCTDF</p>	<p>CD (E), PW</p>
186.	3A.15-4r	<p><i>Eastbound US 50 between Rancho Cordova Parkway and Hazel Avenue</i></p> <p>To ensure that Eastbound US 50 operates at an acceptable LOS between Rancho Cordova Parkway and Hazel Avenue, an additional eastbound lane could be constructed. This improvement is not consistent with the Concept Facility in Caltrans State Route 50 Corridor System Management Plan; therefore, it is not likely to be implemented by Caltrans by 2030.</p> <p>Construction of the Capitol South East Connector, including widening White Rock Road and Grant Line Road to six lanes with limited access, could divert some traffic off of U.S. 50 and partially mitigate the project’s impact. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to Eastbound U.S. 50 between Rancho Cordova Parkway and Hazel Avenue.</p>	<p>B Pay SCTDF</p>	<p>CD (E), PW</p>

187.	3A.15-4s	<p><i>Eastbound US 50 between Folsom Boulevard and Prairie City Road</i></p> <p>To ensure that Eastbound US 50 operates at an acceptable LOS between Folsom Boulevard and Prairie City Road, the eastbound auxiliary lane should be converted to a mixed flow lane that extends to and drops at the Oak Avenue Parkway off ramp (see mitigation measure 3A.15-4t). Improvements to this freeway segment must be implemented by Caltrans. This improvement is not consistent with the Concept Facility in Caltrans State Route 50 Corridor System Management Plan; therefore, it is not likely to be implemented by Caltrans by 2030.</p> <p>Construction of the Capitol South East Connector, including widening White Rock Road and Grant Line Road to six lanes with limited access, could divert some traffic off of U.S. 50 and partially mitigate the project's impact.</p> <p>The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to Eastbound U.S. 50 between Folsom Boulevard and Prairie City Road</p>	B Pay SCTDF	CD (E), PW
188.		<p><i>Mechanical Ventilation</i></p> <p>Prior to the issuance of Building Permits, the owner/applicant shall show on the plans that mechanical ventilation shall be installed in all residential uses to allow residents to keep doors and windows closed, as desired, for acoustical isolation. The building plans shall be subject to review and approval by the City Community Development Department.</p>	B	CD (B) (P)
ARCHITECTURE/SITE DESIGN REQUIREMENTS				
189.		<p><i>Landscaping Plan</i></p> <p>Owner/applicant shall submit a landscape plan for all areas (by phase or subdivision) of the project where owner/applicant proposes to install landscaping on residential lots. The landscape plan shall take into account the then existing state or local rules and regulations related to landscape water usage and water wise landscape principles. The landscape plans shall be submitted and approved by the Community Development Director prior to the issuance of a building permit in the phase or subdivision.</p> <p>Owner/applicant shall comply with any state or local rules and regulations relating to landscape water usage and landscaping requirements necessitated to mitigate for drought conditions</p>	B	CD (P) (E)

CONDITIONS

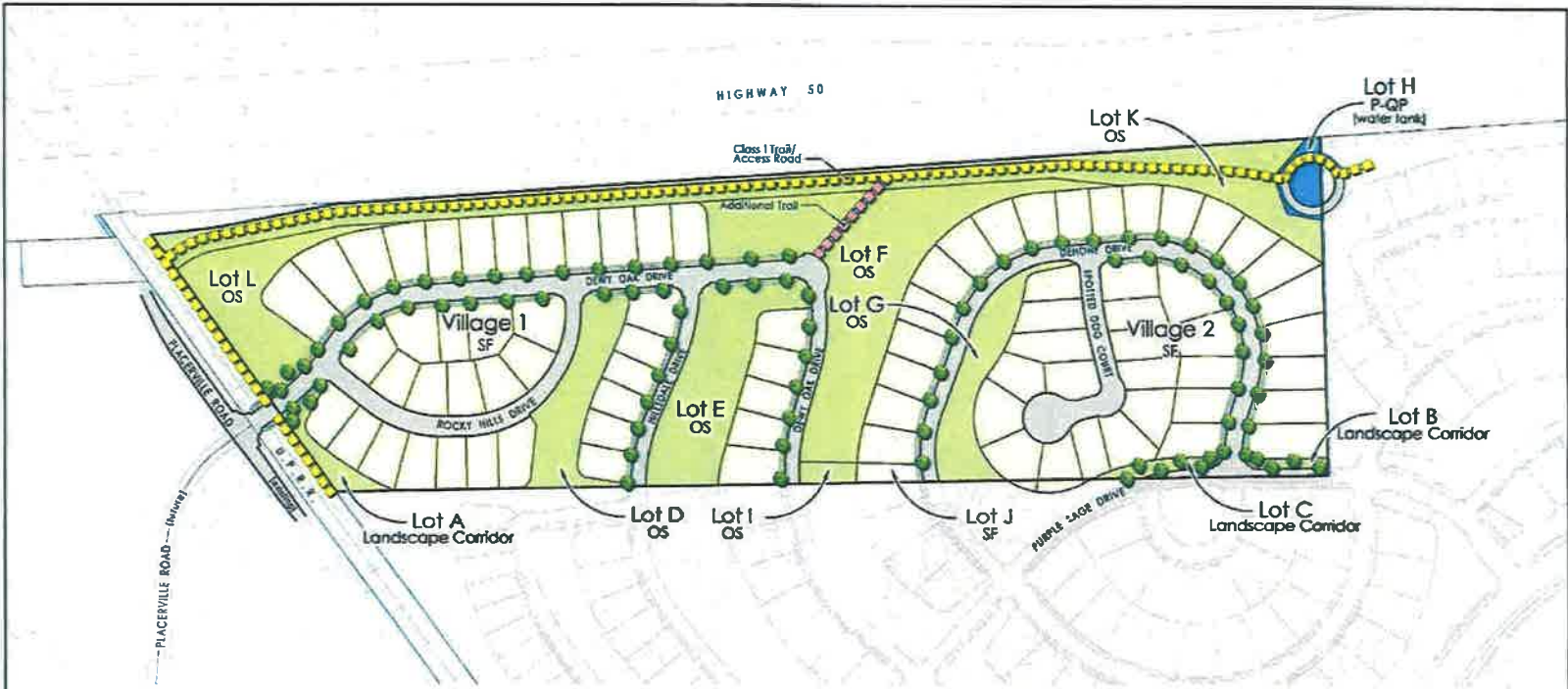
See attached tables of conditions for which the following legend applies.

12/14/2021 Item No.28.

RESPONSIBLE DEPARTMENT		WHEN REQUIRED	
CD	Community Development Department	I	Prior to approval of Improvement Plans
(P)	Planning Division	M	Prior to approval of Final Map
(E)	Engineering Division	B	Prior to issuance of first Building Permit
(B)	Building Division	O	Prior to approval of Occupancy Permit
(F)	Fire Division	G	Prior to issuance of Grading Permit
PW	Public Works Department	DC	During construction
PR	Park and Recreation Department	OG	On-going requirement
PD	Police Department		

Attachment 4

Broadstone Estates Subdivision Master Plan Exhibit, Dated March 9, 2017



LAND USE SUMMARY					
CONVEYANCE REFERENCE	LAND USE	GENERAL PLAN / ZONING	AREA (ACRES)	DU	DENSITY (PLANS)
1	SINGLE-FAMILY RESIDENTIAL (SF X 180)	SF / SP-SF-PD	12.1	48	3.3
2	SINGLE-FAMILY RESIDENTIAL (SF X 180)	SF / SP-SF-PD	12.5	41	3.4
3	LANDSCAPE CORRIDOR	OS / SP-OS-PD	2.9	-	-
4	LANDSCAPE CORRIDOR	SF / SP-SF-PD	0.1	-	-
5	LANDSCAPE CORRIDOR	SF / SP-SF-PD	0.2	-	-
6	OPEN SPACE	OS / SP-OS-PD	1.0	-	-
7	OPEN SPACE	OS / SP-OS-PD	1.7	-	-
8	OPEN SPACE	OS / SP-OS-PD	3.8	-	-
9	OPEN SPACE	OS / SP-OS-PD	0.8	-	-
10	POP (Park Trail)	POP / SP-POP-PD	0.3	-	-
11	OPEN SPACE (Paved Multi-Use BLA)	OS / SP-OS-PD	0.1	-	-
12	SINGLE-FAMILY RESIDENTIAL (Pavement Multi-Use BLA)	SF / SP-SF-PD	0.1	-	-
13	OPEN SPACE (Storage Treatment / Pave / Trail)	OS / SP-OS-PD	4.1	-	-
14	LANDSCAPE	OS / SP-OS-PD	8.8	-	-
TOTAL			87.2	91	

ILLUSTRATIVE MASTER PLAN EXHIBIT

BROADSTONE ESTATES

Scale: 1" = 100'

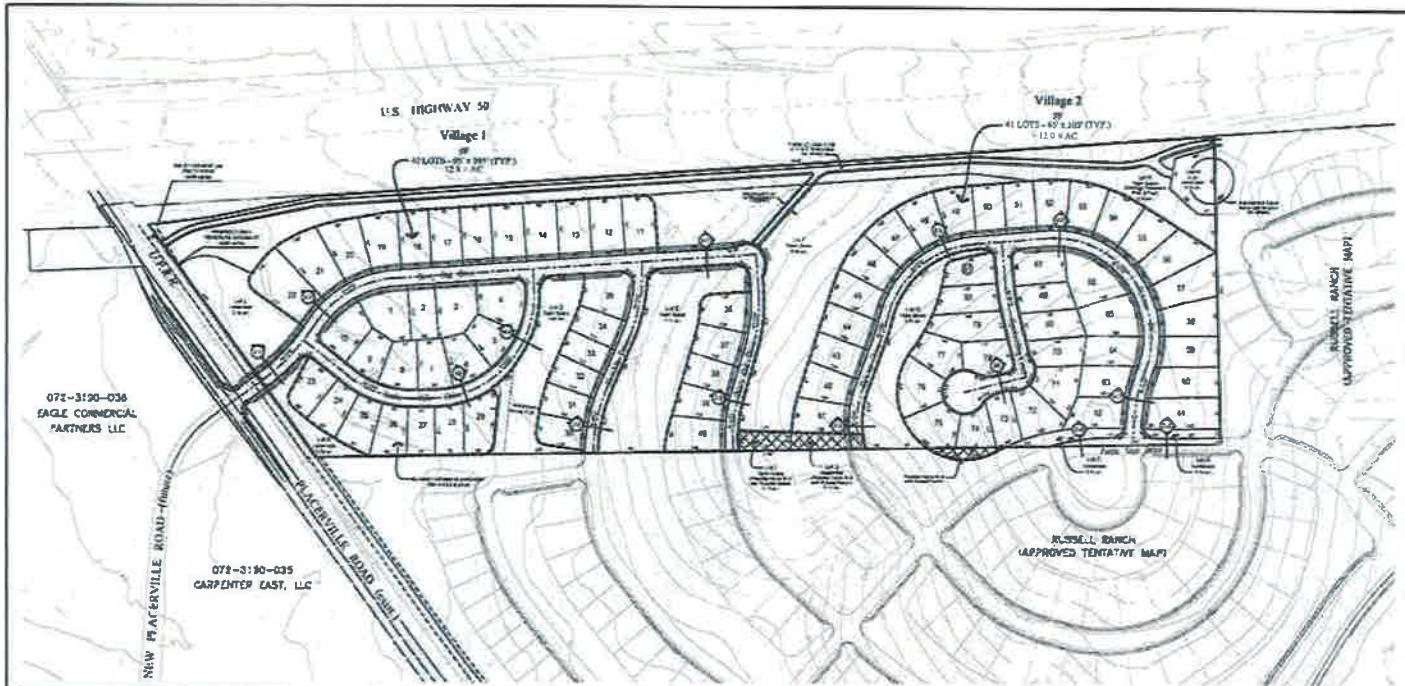
Folsom, California

March 9, 2017

Mackay & Somps
ENGINEERS PLANNERS SURVEYORS

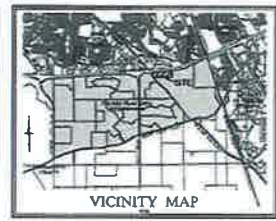
Attachment 5

Small-Lot Vesting Tentative Subdivision Map Dated March 9, 2017



071-3190-036
EAGLE COMMERCIAL
PARTNERS LLC

072-3190-035
CARPENTER EAST, LLC



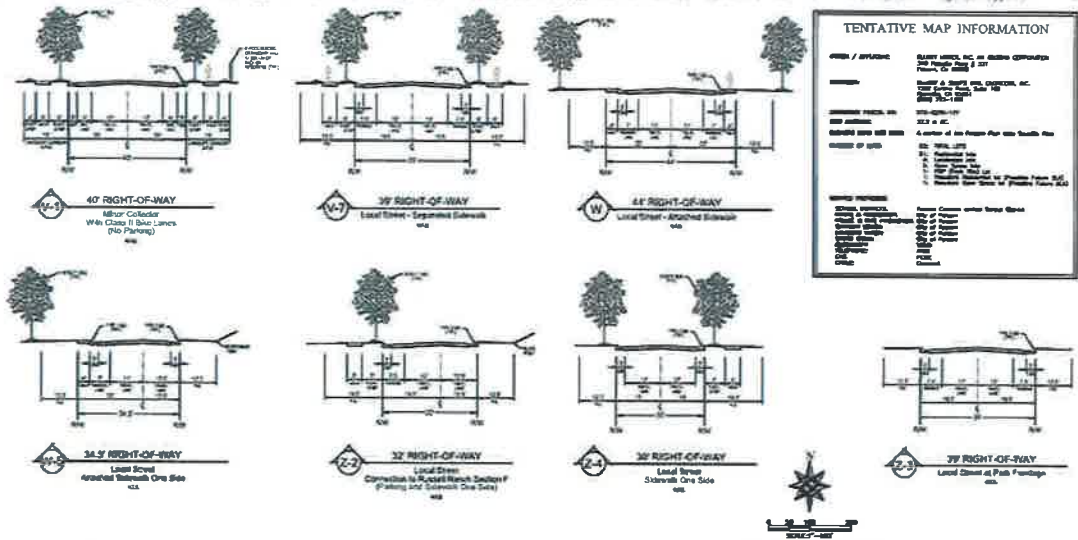
BENCHMARK

Establishment: City of Mount Pleasant "Town"
 Datum: 1988
 729.700 feet MSL, in Station 1. Benchmark corner of 10th Street East and 1st Street West. Based on a Level, set by HCC&P & SONS in February 1984.

NOTES

- 1. All dimensions and bearings are approximate and subject to change.
- 2. All lines and bearings may be adjusted at the time of the first plat.
- 3. The final platting and subsequent development of this map is subject to the final platting and subsequent development of this map is subject to the final platting and subsequent development of this map...

Parcel No.	LAND USE	APPLICABLE PLANNING CODE	AREA (AC)	PERCENT TOTAL
1	RESIDENTIAL SINGLE-FAMILY (SFR)	01 (SFR)	1.0	1.0%
2	RESIDENTIAL SINGLE-FAMILY (SFR)	01 (SFR)	1.0	1.0%
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100	RESIDENTIAL SINGLE-FAMILY (SFR)	01 (SFR)	1.0	1.0%



TENTATIVE MAP INFORMATION

OWNER / APPLICANT: BERRY HILL, INC. IN TRUST FOR THE
300 Maple Park # 101
Folsom, CA 95630

DESIGNER: Mackay & Sorbs, Inc.
2150 Sutter Street, Suite 100
Folsom, CA 95630
(916) 955-1100
www.mackayandsorbs.com

PREPARED FOR THE: BERRY HILL, INC. IN TRUST FOR THE
300 Maple Park # 101
Folsom, CA 95630
(916) 955-1100
www.mackayandsorbs.com

DATE: October 10, 2015

PROJECT: BERRY HILL, INC. IN TRUST FOR THE
300 Maple Park # 101
Folsom, CA 95630
(916) 955-1100
www.mackayandsorbs.com

SCALE: 1" = 100'

PROJECT NO.: 15-000001

DATE: October 10, 2015

PROJECT: BERRY HILL, INC. IN TRUST FOR THE
300 Maple Park # 101
Folsom, CA 95630
(916) 955-1100
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300 Maple Park # 101
Folsom, CA 95630
(916) 955-1100
www.mackayandsorbs.com

SMALL LOT
VESTING TENTATIVE SUBDIVISION MAP
BROADSTONE ESTATES

Scale: 1" = 100' Folsom, California October 10, 2015

MACKAY & SORBS
CONSULTANTS PLANNERS DESIGNERS

Attachment 6

Letter from Applicant, dated August 31, 2021

340 Palladio Parkway, Suite 521
Folsom, California 95630-8775
(916) 984-1300 FAX (916) 984-1322



August 31, 2021

Ms. Pam Johns
Community Development Director
CITY OF FOLSOM
50 Natoma Street
Folsom, California 95630
pjohns@folsom.ca.us

Via USPS and Email

Re: Three-Year Extension Request for Broadstone Estates
Vesting Tentative Subdivision Map

Dear Ms. Johns:

Elliott Homes, Inc., hereby formally requests a three-year extension of time for the Broadstone Estates Vesting Tentative Map. The current map is expected to expire on April 11, 2022. We are actively designing the improvements, with the plan to begin grading the overall site in the Summer of 2022. An extension will allow Elliott Homes to complete the improvements, tie into existing services, and file the Final Map in a timely manner.

Thank you for your consideration of this request. Elliott Homes looks forward to your response and to scheduling the matter before the appropriate hearing bodies.

Yours truly,

ELLIOTT HOMES, INC.

Price Walker

VICE PRESIDENT, PROJECT DEVELOPMENT

PW:tmg

cc: Mr. Steven Wang, City Attorney, swang@folsom.ca.us
Mr. Steven Krahn, City Engineer, skrahn@folsom.ca.us
Mr. Chad Roberts, Attorney, Hefner, Stark & Marois, LLP, croberts@hsmllaw.com

Attachment 7

Planning Commission Staff Report Dated November 3, 2021



CITY OF
FOLSOM
DISTINCTIVE BY NATURE

AGENDA ITEM NO. 3
Type: Public Hearing
Date: November 3, 2021

Planning Commission Staff Report

50 Natoma Street, Council Chambers
Folsom, CA 95630

Project: Broadstone Estates Subdivision Small-Lot Vesting Tentative Subdivision Map Extension

File #: PN-21-234

Request: Small-Lot Vesting Tentative Subdivision Map Extension

Location: Southeast Corner of the intersection of U.S. Highway 50 and Placerville Road within Folsom Plan Area

Staff Contact: Steve Banks, Principal Planner, 916-461-6207
sbanks@folsom.ca.us

Property Owner/Applicant

Name: Elliott Homes, Inc.
Address: 340 Palladio Parkway, Suite 521
Folsom, CA 95630

Recommendation: Conduct a public hearing and upon conclusion recommend approval of a three-year extension in time for the Broadstone Estates Subdivision Small-Lot Vesting Tentative Subdivision Map as illustrated on Attachment 6 for the Broadstone Estates Subdivision project (PN 21-234) subject to the findings (Findings A-O) and conditions of approval (Conditions 1-189) attached to this report.

Project Summary: The proposed project involves a request for approval of a three-year extension in time for the previously approved Small-Lot Vesting Tentative Subdivision Map associated with the Broadstone Estates Subdivision project. The Broadstone Estates Subdivision project includes development of an 81-unit single-family residential subdivision on a 37.2-acre site located within the Folsom Plan Area at the southeast corner of the intersection of U.S. Highway 50 and Placerville Road. The Planning Commission will be making a recommendation to the City Council regarding the project.

Table of Contents:

- 1 - Background and Setting
- 2 - Project Description/Analysis
- 3 - Conditions of Approval
- 4 - Vicinity Map



CITY OF
FOLSOM
DISTINCTIVE BY NATURE

AGENDA ITEM NO. 3
Type: Public Hearing
Date: November 3, 2021

- 5 - Broadstone Estates Subdivision Master Plan Exhibit, dated March 9, 2017**
- 6 - Small-Lot Vesting Tentative Subdivision Map, dated March 9, 2017**
- 7 - Letter from Applicant, dated August 31, 2021**

Submitted,

A handwritten signature in blue ink, appearing to read "Pam Johns", with a long horizontal flourish extending to the right.

PAM JOHNS
Community Development Director

ATTACHMENT 1 BACKGROUND AND SETTING

BACKGROUND

On June 28, 2016, the City Council approved a General Plan Amendment, Specific Plan Amendment, and First Amended and Restated Development Agreement for development of the Broadstone Estates Subdivision project. The approved General Plan Amendment and Specific Plan Amendment resulted in an increase in the amount of land designated for single-family development, and increase in the amount of open space, and elimination of land designated for industrial, office, and commercial uses within the 37.2-acre Broadstone Estates Subdivision project area.

On April 11, 2017, the City Council approved a Small-Lot Vesting Tentative Subdivision Map, Project Design Guidelines, and an Inclusionary Housing Plan for the development of an 81-unit single family residential subdivision (Broadstone Estates Subdivision) on a 37.2-acre site located in the Folsom Plan Area at the southeast corner of Placerville Road and U.S. Highway 50. On August 27, 2019, the City Council approved a three-year extension in time for the previously approved Small-Lot Vesting Tentative Subdivision Map associated with the Broadstone Estates Subdivision project. On August 31, 2021, Elliott Homes submitted a timely letter to the City requesting a three-year extension in time for the Small-Lot Vesting Tentative Subdivision Map associated with the Broadstone Estates Subdivision project.

On August 27, 2021, Elliott Homes submitted an application to the City for approval of a code amendment to modify Section 16.16.120(D) of the Folsom Municipal Code to make it consistent with State law relative to map extensions. State law allows local jurisdictions to extend subdivision maps up to six years from the date of approval, while the Folsom Municipal Code limits the extension to three years. On September 28, 2021, the City Council approved Ordinance No. 1317, an Ordinance of the City of Folsom Amending Section 16.16.120(D) of the Folsom Municipal Code Pertaining to Extension of Tentative Subdivision Maps.

GENERAL PLAN DESIGNATIONS

SF (Single Family)
 OS (Open Space)

SPECIFIC PLAN DESIGNATIONS

SP-SF PD (Specific Plan-Single Family,
 Planned Development District)
 SP-OS2 (Open Space)

ADJACENT LAND USES/ZONING

North: U.S. Highway 50 with a Commercial
 Development (SP 95-1) Beyond
 South: Undeveloped Single-Family
 Residential Property (SP-SF PD and
 SP-SFHD-PD) and Open Space

(SP-OS2) with Alder Creek Parkway
Beyond

East: Undeveloped Single-Family
Residential Property (SP-SF PD and
SP-SFHD-PD) and Open Space
(SP-OS2)

West: Placerville Road with Undeveloped
Commercial Property (SP-GC PD)
Beyond

SITE CHARACTERISTICS

The project site is situated near the base of the Sierra Nevada foothills, immediately adjacent to the Sacramento Valley Railroad. The topography is hillside covered in non-native and naturalized grasslands. Historically, the site has been used for grazing, farming, and mining and is currently vacant.

APPLICABLE CODES

FPASP (Folsom Plan Area Specific Plan)
FMC, Section 16.16, Tentative Subdivision
Maps

ATTACHMENT 2 DESCRIPTION/ANALYSIS

APPLICANT'S PROPOSAL

The applicant, Elliott Homes, Inc., is requesting approval of a three-year extension in time for the previously approved Small-Lot Vesting Tentative Subdivision Map associated with the Broadstone Estates Subdivision project. As referenced previously within this report, the Broadstone Estates Subdivision project features development of an 81-unit single-family residential subdivision on a 37.2-acre site located within the Folsom Plan Area at the southeast corner of the intersection of U.S. Highway 50 and Placerville Road.

POLICY/RULE

The Folsom Municipal Code (FMC) requires that applications for Tentative Subdivision Maps be forwarded to the City Council for final action. City Council actions regarding extension of Tentative Subdivision Maps are covered under Section 16.16.120 of the Folsom Municipal Code.

ANALYSIS

Small-Lot Vesting Tentative Subdivision Map Extension

As described in the background section of this report, the City Council approved a Small-Lot Vesting Tentative Subdivision Map, Project Design Guidelines, and Inclusionary Housing Plan for development of the 81-unit Broadstone Estates Subdivision project on April 11, 2017. The City Council granted a three-year extension in time for Broadstone Estates Small-Lot Vesting Tentative Subdivision Map on August 27, 2019. The Small-Lot Vesting Tentative Subdivision Map for the project is valid until April 11, 2021. The life of the Project Design Guidelines track with the validity of the Small-Lot Vesting Tentative Subdivision Map. The Inclusionary Housing Plan is a requirement of the project and does not require an extension in time.

On August 27, 2021, Elliott Homes submitted an application to the City for approval of a code amendment to modify Section 16.16.120(D) of the Folsom Municipal Code to make it consistent with State law relative to map extensions. State law allows local jurisdictions to extend subdivision maps up to six years from the date of approval, while the Folsom Municipal Code limits the extension to three years. On September 28, 2021, the City Council approved Ordinance No. 1317, an Ordinance of the City of Folsom Amending Section 16.16.120(D) of the Folsom Municipal Code Pertaining to Extension of Tentative Subdivision Maps to allow for tentative maps to be extended for a period not exceeding a total of six years.

On August 31, 2021, the project applicant (Elliott Homes, Inc.) submitted a timely letter to the City requesting a three-year extension in time for the Small-Lot Vesting Tentative Subdivision Map associated with the Broadstone Estates Subdivision project. The applicant indicates in their extension letter that they are actively designing the civil site

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 Broadstone Estates Subdivision Small-Lot Vesting Tentative Subdivision Map Extension (PN 21-234)
 November 3, 2021

improvements with the goal of beginning grading activities in the summer of 2022. The applicant also states that the extension in time will allow them to complete other required site improvements and to file the Final Map in a timely manner. The applicant is not proposing any changes to the previously approved project.

The Folsom Municipal Code (FMC, Section 16.16.120 D. Time Limit Extensions) states that the time at which a Tentative Subdivision Map expires may be extended by the Planning Commission for a period not exceeding a total of six years. As noted previously in the background section of this staff report, the City Council previously approved a three-year extension for the Broadstone Estates Small-Lot Vesting Tentative Subdivision Map, thus the applicant is limited to one more three-year extension. As stated in the submitted extension request letter, the applicant has been actively engaged in designing the civil site improvements associated with the subdivision with the goal of conducting grading activities in the summer of 2022. In addition, the applicant states that the extension in time will allow them to complete other required site improvements and to file the Final Map in a timely manner. As a result, staff recommends approval of a three-year extension in time for the Small-Lot Vesting Tentative Subdivision Map associated with the Broadstone Estates Subdivision project.

ENVIRONMENTAL REVIEW

An Addendum to the Folsom Plan Area Environmental Impact Report was previously approved for the Broadstone Estates Subdivision project (PN 15-308) on June 28, 2016 in accordance with the California Environmental Quality Act (CEQA). The proposed Small-Lot Vesting Tentative Subdivision Map is consistent with the Broadstone Estates Subdivision Addendum to the Folsom Plan Area Specific Plan EIR/EIS, and all mitigation measures have been applied as conditions of approval for this project. In addition, none of the conditions described in Section 21166 of the Public Resources Code or Section 15162 of the CEQA Guidelines calling for the preparation of a subsequent EIR have occurred. Therefore, no additional environmental review is required under CEQA.

RECOMMENDATION/PLANNING COMMISSION ACTION

Move to recommend to the City Council approval of a three-year extension in time for the Broadstone Estates Subdivision Small-Lot Vesting Tentative Subdivision Map as illustrated on Attachment 6 for the Broadstone Estates Subdivision project (PN 21-234) subject to the findings (Findings A-O) and conditions of approval (Conditions 1-189) attached to this report.

GENERAL FINDINGS

- A. NOTICE OF HEARING HAS BEEN GIVEN AT THE TIME AND IN THE MANNER REQUIRED BY STATE LAW AND CITY CODE.

Planning Commission
 Broadstone Estates Subdivision Small-Lot Vesting Tentative Subdivision Map Extension (PN 21-234)
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- B. THE PROJECT IS CONSISTENT WITH THE GENERAL PLAN AND THE FOLSOM PLAN AREA SPECIFIC PLAN.

CEQA FINDINGS

- C. THE CITY, AS LEAD AGENCY, PREVIOUSLY CERTIFIED AN ENVIRONMENTAL IMPACT REPORT/ENVIRONMENTAL IMPACT STATEMENT FOR THE FOLSOM PLAN AREA SPECIFIC PLAN AND ALSO APPROVED AN ADDENDUM FOR THE BROADSTONE ESTATES SUBDIVISION PROJECT.
- D. THE PROPOSED PROJECT IS CONSISTENT WITH THE FOLSOM PLAN AREA SPECIFIC PLAN.
- E. THE FEASIBLE MITIGATION MEASURES SPECIFIED IN THE FOLSOM PLAN AREA SPECIFIC PLAN ENVIRONMENTAL IMPACT REPORT AND BROADSTONE ESTATES CERTIFIED ADDENDUM WILL BE IMPLEMENTED FOR THE PROPOSED SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP, CONSISTENT WITH CEQA GUIDELINES SECTION 15183(e).
- F. NONE OF THE EVENTS SPECIFIED IN SECTION 21166 OF THE PUBLIC RESOURCES CODE OR SECTION 15162 OF THE CEQA GUIDELINES REQUIRING SUBSEQUENT ENVIRONMENTAL REVIEW HAVE OCCURRED.

VESTING TENTATIVE SUBDIVISION MAP AND MAP EXTENSION FINDINGS

- G. THE PROPOSED SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP IS CONSISTENT WITH THE CITY'S SUBDIVISION ORDINANCE AND THE SUBDIVISION MAP ACT IN THAT THE PROJECT IS SUBJECT TO CONDITIONS OF APPROVAL THAT WILL ENSURE THAT THE PROJECT IS DEVELOPED IN COMPLIANCE WITH CITY STANDARDS.
- H. THE PROPOSED SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP , TOGETHER WITH THE PROVISIONS FOR ITS DESIGN AND IMPROVEMENT, IS CONSISTENT WITH THE GENERAL PLAN, THE FOLSOM PLAN AREA SPECIFIC PLAN, AND ALL APPLICABLE PROVISIONS OF THE FOLSOM MUNICIPAL CODE.
- I. THE PROJECT SITE IS PHYSICALLY SUITABLE FOR THE TYPE OF DEVELOPMENT PROPOSED.
- J. THE PROJECT SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED DENSITY OF DEVELOPMENT.

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- K. AS CONDITIONED, THE DESIGN OF THE SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE ENVIRONMENTAL DAMAGE OR SUBSTANTIALLY AND AVOIDABLY INJURE FISH OR WILDLIFE OR THEIR HABITAT.**
- L. THE DESIGN OF THE SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SERIOUS PUBLIC HEALTH OR SAFETY PROBLEMS.**
- M. THE DESIGN OF THE SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP AND THE TYPE OF IMPROVEMENTS WILL NOT CONFLICT WITH EASEMENTS FOR ACCESS THROUGH OR USE OF PROPERTY WITHIN THE PROPOSED SUBDIVISION.**
- N. SUBJECT TO SECTION 66474.4 OF THE SUBDIVISION MAP ACT, THE LAND IS NOT SUBJECT TO A CONTRACT ENTERED INTO PURSUANT TO THE CALIFORNIA LAND CONSERVATION ACT OF 1965 (COMMENCING WITH SECTION 51200 OF THE GOVERNMENT CODE).**
- O. APPLICABLE DEVELOPMENT FEES HAVE INCREASED SINCE INITIAL APPROVAL OF THE SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP ON APRIL 11, 2017. THE PROJECT IS SUBJECT TO APPLICABLE DEVELOPMENT FEES IN PLACE AT TIME OF ISSUANCE OF PERMITS.**

Attachment 8
Minutes from November 3, 2021
Planning Commission Meeting



CITY OF
FOLSOM
DISCOVER THE NATURAL

PLANNING COMMISSION MINUTES
November 3, 2021
CITY COUNCIL CHAMBERS
6:30 P.M.
50 Natoma Street
Folsom, CA 95630

CALL TO ORDER PLANNING COMMISSION: Vice Chair Eileen Reynolds, Daniel West, Kevin Duewel, Bill Miklos, Ralph Peña, Barbara Leary, Chair Justin Rathel

ABSENT: Peña

CITIZEN COMMUNICATION: None

MINUTES: The minutes of October 6, 2021 were approved as submitted.

PUBLIC HEARING

1. PN 21-142, 7635 Baldwin Dam Road Tentative Parcel Map and Determination that the Project is Exempt from CEQA

A Public Hearing to consider a request from Craig Whelan for approval of a Tentative Parcel Map to subdivide two existing parcels totaling 4.48-acres into four individual parcels for future sale and development. The zoning classification for the site is R-1-L A, while the General Plan land-use designation is SF. The project is exempt from environmental review under section 15315 (Minor Land Divisions) of the California Environmental Quality Act (CEQA) Guidelines. **(Project Planner: Steve Banks/Applicant: Craig Whelan)**

1. Eric Forrest addressed the Planning Commission with concerns regarding sewer connection and EVA access on parcel 4.
2. Ryan Rawles addressed the Planning Commission with questions regarding the sewer connection, LLA's, and bridge weight.
3. Brian Martell addressed the Planning Commission in support of the project.
4. Jerome Merchant addressed the Planning Commission with questions regarding the permanency of the building envelopes.

COMMISSIONER DUEWEL MOVED TO APPROVE THE 7635 BALDWIN DAM ROAD TENTATIVE PARCEL MAP PROJECT, SUBJECT TO THE FINDINGS (FINDINGS A-K) AND CONDITIONS OF APPROVAL (CONDITIONS 1-28) WITH ADDITION OF CONDITION NO. 29 TO STATE:

"29. If the owner/applicant decides to construct the improvements associated with the Tentative Parcel Map prior to the City completing the Capital Improvement Project (approximately Spring/Summer 2022) in the Baldwin Dam area, the owner/applicant shall be required to install a cut-in tee with a valve on each leg of the existing 14-inch watermain (3 Valves in total) located in Baldwin Dam Road and install approximately 23 feet of 8-inch Ductile Iron Pipe across Baldwin Dam in order to provide water services to the future parcels. If the City

completes the improvements to Baldwin Dam Road prior to improvements associated with this Tentative Parcel Map, the owner/applicant shall connect to the newly installed 8-Inch blind flange that shall be extended to private road."

COMMISSIONER MIKLOS SECONDED THE MOTION.

COMMISSIONER LEARY MADE A FRIENDLY AMENDMENT TO THE MOTION TO ADD A BULLET POINT TO CONDITION NO. 25 TO STATE:

"25.

- Future homebuilders shall consult with the City Arborist on the location of building footprints prior to the submittal of Design Review application."

COMMISSIONER DUEWEL DENIED THE FRIENDLY AMENDMENT.

COMMISSIONER LEARY THEN MOVED TO AMEND THE PENDING MOTION. SHE MOVED TO APPROVE THE 7835 BALDWIN DAM ROAD TENTATIVE PARCEL MAP PROJECT, SUBJECT TO THE FINDINGS (FINDINGS A-K) AND CONDITIONS OF APPROVAL (CONDITIONS 1-28) WITH ADDITION OF CONDITION NO. 29 TO STATE:

"29. If the owner/applicant decides to construct the improvements associated with the Tentative Parcel Map prior to the City completing the Capital Improvement Project (approximately Spring/Summer 2022) in the Baldwin Dam area, the owner/applicant shall be required to install a cut-in tee with a valve on each leg of the existing 14-inch watermain (3 Valves in total) located in Baldwin Dam Road and install approximately 23 feet of 8-inch Ductile Iron Pipe across Baldwin Dam in order to provide water services to the future parcels. If the City completes the improvements to Baldwin Dam Road prior to improvements associated with this Tentative Parcel Map, the owner/applicant shall connect to the newly installed 8-inch blind flange that shall be extended to private road."

AND THE ADDITION OF A BULLET POINT TO CONDITION NO. 25 TO STATE:

"25.

- Future homebuilders shall consult with the City Arborist on the location of building footprints prior to the submittal of Design Review application."

COMMISSIONER REYNOLDS SECONDED THE MOTION TO AMEND.

THE COMMISSION VOTED TO AMEND COMMISSIONER DUEWEL'S MOTION WITH COMMISSIONER LEARY'S MOTION WHICH CARRIED THE FOLLOWING VOTE:

AYES: REYNOLDS, WEST, LEARY, RAITHEL
NOES: DUEWEL, MIKLOS
ABSTAINED: NONE
ABSENT: PENA

THE COMMISSION VOTED ON COMMISSIONER LEARY'S MOTION WHICH CARRIED THE FOLLOWING VOTE:

AYES: REYNOLDS, WEST, DUEWEL, LEARY, RAITHEL
NOES: MIKLOS
ABSTAINED: NONE
ABSENT: PENA

2. PN 21-233, Folsom Heights Vesting Tentative Subdivision Map Extension

A Public Hearing to consider a request from Elliott Homes, Inc. for approval of a three-year extension in time for the previously approved Small-Lot Vesting Tentative Subdivision Map associated with the Folsom Heights

Subdivision project. The specific plan classifications for the site are SP-SF, SP-SFHD, SP-MLD, SP-GC, SP-P/QP, SP-OS1, and SP-OS2, while the General Plan land-use designations are SF, SFHD, MLD, GC, P-QP, and OS. An Addendum to the Folsom Plan Area Environmental Impact Report was previously approved for the Folsom Heights Subdivision project (PN 15-303) on July 11, 2017 in accordance with the California Environmental Quality Act (CEQA). (Project Planner: Steve Banks/Applicant: Elliott Homes, Inc.)

1. Ellen Post addressed the Planning Commission regarding the EVA access on the trail behind her home.

COMMISSIONER REYNOLDS MOVED TO RECOMMEND THE CITY COUNCIL APPROVAL OF A THREE-YEAR EXTENSION IN TIME FOR THE FOLSOM HEIGHTS SUBDIVISION SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP AS ILLUSTRATED ON ATTACHMENT 6 FOR THE FOLSOM HEIGHTS SUBDIVISION PROJECT (PN 21-233) SUBJECT TO THE FINDINGS (FINDINGS A-O) AND CONDITIONS OF APPROVAL (CONDITIONS 1-182) ATTACHED TO THIS REPORT.

COMMISSIONER LEARY SECONDED THE MOTION WHICH CARRIED THE FOLLOWING VOTE:

AYES: REYNOLDS, WEST, DUEWEL, MIKLOS, LEARY, RAITHEL
 NOES: NONE
 ABSTAINED: NONE
 ABSENT: PENA

3. PN 21-234, Broadstone Estates Vesting Tentative Subdivision Map Extension

A Public Hearing to consider a request from Elliott Homes, Inc. for approval of a three-year extension in time for the previously approved Small-Lot Vesting Tentative Subdivision Map associated with the Broadstone Estates Subdivision project. The specific plan classifications for the site are SP-SF PD and SP-OS2, while the General Plan land-use designations are SF and OS. An Addendum to the Folsom Plan Area Environmental Impact Report was previously approved for the Broadstone Estates Subdivision project (PN 15-308) on June 28, 2016 in accordance with the California Environmental Quality Act (CEQA). (Project Planner: Steve Banks/Applicant: Elliott Homes, Inc.)

COMMISSIONER LEARY MOVED TO RECOMMEND THE CITY COUNCIL APPROVAL OF A THREE-YEAR EXTENSION IN TIME FOR THE BROADSTONE ESTATES SUBDIVISION SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP AS ILLUSTRATED ON ATTACHMENT 6 FOR THE BROADSTONE ESTATES SUBDIVISION PROJECT (PN 21-234) SUBJECT TO THE FINDINGS (FINDINGS A-O) AND CONDITIONS OF APPROVAL (CONDITIONS 1-189) ATTACHED TO THIS REPORT.

COMMISSIONER REYNOLDS SECONDED THE MOTION WHICH CARRIED THE FOLLOWING VOTE:

AYES: REYNOLDS, WEST, DUEWEL, MIKLOS, LEARY, RAITHEL
 NOES: NONE
 ABSTAINED: NONE
 ABSENT: PENA

NEW BUSINESS

4. PN 21-204, Mangini Ranch Phase 2 Village 1 Subdivision Residential Design Review

A Public Meeting to consider a request from Tri-Pointe Homes for approval of a Design Review application for 88 single-family residential units for the Mangini Ranch Phase 2 Village 1 Subdivision. The zoning classification for the site is SP-SFHD (PD), while the General Plan land-use designation is SFHD. The project was previously determined to be exempt from the California Environmental Quality Act in accordance with Government Code section 65457 and section 15182 of the CEQA Guidelines. (Project Planner: Josh Kinkade/Applicant: Tri-Pointe Homes)

COMMISSIONER WEST MOVED TO APPROVE A RESIDENTIAL DESIGN REVIEW APPLICATION FOR 88 SINGLE-FAMILY RESIDENTIAL HOMES AS ILLUSTRATED ON ATTACHMENTS 8 THROUGH 10 FOR THE MANGINI RANCH PHASE 2 VILLAGE 1 PROJECT (PN 21-204) SUBJECT TO THE FINDINGS (FINDINGS A-J) AND CONDITIONS OF APPROVAL (CONDITIONS 1-15) WITH MODIFICATION TO CONDITION NO. 13 TO STATE:

"13. The building shall have illuminated addresses visible from the street or drive fronting the property. Size and location of address identification shall be reviewed and ~~improved~~ approved by the Fire Marshal.

COMMISSIONER REYNOLDS SECONDED THE MOTION WHICH CARRIED THE FOLLOWING VOTE:

AYES: REYNOLDS, WEST, DUEWEL, MIKLOS, LEARY, RAITHEL
NOES: NONE
ABSTAINED: NONE
ABSENT: PENA

5. PN 21-205, Mangini Ranch Phase 2 Village 2 Subdivision Residential Design Review

A Public Meeting to consider a request from Tri-Pointe Homes for approval of a Design Review application for 74 single-family residential units for the Mangini Ranch Phase 2 Village 2 Subdivision. The zoning classification for the site is SP-SFHD (PD), while the General Plan land-use designation is SFHD. The project was previously determined to be exempt from the California Environmental Quality Act in accordance with Government Code section 65457 and section 15182 of the CEQA Guidelines. (Project Planner: Josh Kinkade/Applicant: Tri-Pointe Homes)

COMMISSIONER WEST MOVED TO APPROVE A RESIDENTIAL DESIGN REVIEW APPLICATION FOR 74 SINGLE-FAMILY RESIDENTIAL HOMES AS ILLUSTRATED ON ATTACHMENTS 8 THROUGH 10 FOR THE MANGINI RANCH PHASE 2 VILLAGE 2 PROJECT (PN 21-205) SUBJECT TO THE FINDINGS (FINDINGS A-J) AND CONDITIONS OF APPROVAL (CONDITIONS 1-15) WITH MODIFICATION TO CONDITION NO. 13 TO STATE:

"13. The building shall have illuminated addresses visible from the street or drive fronting the property. Size and location of address identification shall be reviewed and ~~improved~~ approved by the Fire Marshal.

COMMISSIONER LEARY SECONDED THE MOTION WHICH CARRIED THE FOLLOWING VOTE:

AYES: REYNOLDS, WEST, DUEWEL, MIKLOS, LEARY, RAITHEL
NOES: NONE
ABSTAINED: NONE
ABSENT: PENA

PLANNING COMMISSION / PLANNING MANAGER REPORT

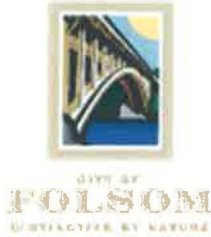
The next regularly scheduled Planning Commission meeting is tentatively scheduled for November 17, 2021.

RESPECTFULLY SUBMITTED,


Kelly Mullett, ADMINISTRATIVE ASSISTANT

APPROVED:


Justin Raithel, CHAIR



Folsom City Council Staff Report

MEETING DATE:	12/14/2021
AGENDA SECTION:	Public Hearing
SUBJECT:	Folsom Heights Small-Lot Vesting Tentative Subdivision Map Extension – Northeast corner of the Folsom Plan Area (PN 21-234) i. Resolution No. 10760 – A Resolution extending the Small-Lot Vesting Tentative Subdivision Map for the Folsom Heights Subdivision project (PN 21-233)
FROM:	Community Development Department

RECOMMENDATION / CITY COUNCIL ACTION

Move to Adopt Resolution No. 10760 – A Resolution extending the Small-Lot Vesting Tentative Subdivision Map for the Folsom Heights Subdivision project (PN 21-233)

BACKGROUND / ISSUE

On June 28, 2016, the City Council approved a General Plan Amendment and Specific Plan Amendment for development of the Folsom Heights Subdivision project. The approved General Plan Amendment and Specific Plan Amendment resulted in an increase in the amount of land designated for single-family development, a decrease in the amount of land designated for multi-family development, a reduction in the amount of land designated for commercial development, and an increase in the amount of open space within the 189.7-acre Folsom Heights Subdivision project area.

On July 11, 2017, the City Council approved a Large-Lot Vesting Tentative Subdivision Map, Small-Lot Vesting Tentative Subdivision Map, Project Design Guidelines, and an Inclusionary Housing Plan for the development of a 530-unit residential and commercial development (Folsom Heights Subdivision) on a 189.7-acre site located in the northeast corner of the Folsom Plan Area. On August 27, 2019, the City Council approved a three-year extension in time for the previously approved Small-Lot Vesting Tentative Subdivision Map associated with the Folsom Heights Subdivision project. On August 11, 2021, Elliott Homes submitted a timely

letter to the City requesting a three-year extension in time for the Small-Lot Vesting Tentative Subdivision Map associated with the Folsom Heights Subdivision project.

On August 27, 2021, Elliott Homes submitted an application to the City for approval of a code amendment to modify Section 16.16.120(D) of the Folsom Municipal Code to make it consistent with State law relative to map extensions. State law allows local jurisdictions to extend subdivision maps up to six years from the date of approval, while the Folsom Municipal Code limits the extension to three years. On September 28, 2021, the City Council approved Ordinance No. 1317, an Ordinance of the City of Folsom Amending Section 16.16.120(D) of the Folsom Municipal Code Pertaining to Extension of Tentative Subdivision Maps.

The applicant, Elliott Homes, Inc., is requesting approval of a three-year extension in time for the previously approved Small-Lot Vesting Tentative Subdivision Map associated with the Folsom Heights Subdivision project. As referenced previously within this report, the Folsom Heights Subdivision project features development of a 530-unit residential and commercial development on a 189.7-acre site located within northeast corner of the Folsom Plan Area.

The applicant's map extension request was considered by the Planning Commission at its November 3, 2021 meeting. At this meeting, the Planning Commission discussed a number of issues associated with the previously approved project including lack of a private park amenity, distance from public parks, and the design of the emergency vehicle access route (Prima Drive EVA). City staff provided an extensive overview of the previously approved Folsom Heights Subdivision project and addressed each of the topics raised by the Commission. In particular, City staff discussed the initial Council decision not to require the Folsom Heights Subdivision project to provide additional private or public parks above and beyond the parks already allocated within the Folsom Plan Area Specific Plan (FPASP). One member of the public spoke regarding the project and expressed concern over Prima Drive EVA and its potential impacts to nearby residences. The Planning Commission expressed their full support for the project and adopted a motion (6-0-0-1) to recommend approval of the proposed project to the City Council, subject to the findings included with this report.

POLICY / RULE

The Folsom Municipal Code (FMC) requires that applications for Tentative Subdivision Map Extensions be forwarded to the City Council for final action. City Council actions regarding extension of Tentative Subdivision Maps are covered under Section 16.16.120 of the Folsom Municipal Code.

ANALYSIS

As described in the background section of this report, the City Council approved a Large-Lot Vesting Tentative Subdivision Map, Small-Lot Vesting Tentative Subdivision Map, Development Agreement Amendment, Project Design Guidelines, and Inclusionary Housing

Plan for development of the 530-unit Folsom Heights Subdivision project on July 11, 2017. The City Council granted a three-year extension in time for Folsom Heights Small-Lot Vesting Tentative Subdivision Map on August 27, 2019. The Small-Lot Vesting Tentative Subdivision Map for the project is valid until July 22, 2022. The life of the Project Design Guidelines track with the validity of the Small-Lot Vesting Tentative Subdivision Map. The Inclusionary Housing Plan is a requirement of the project and does not require an extension in time.

On August 27, 2021, Elliott Homes submitted an application to the City for approval of a code amendment to modify Section 16.16.120(D) of the Folsom Municipal Code to make it consistent with State law relative to map extensions. State law allows local jurisdictions to extend subdivision maps up to six years from the date of approval, while the Folsom Municipal Code limits the extension to three years. On September 28, 2021, the City Council approved Ordinance No. 1317, an Ordinance of the City of Folsom Amending Section 16.16.120(D) of the Folsom Municipal Code Pertaining to Extension of Tentative Subdivision Maps to allow for tentative maps to be extended for a period not exceeding a total of six years.

On August 11, 2021, the project applicant (Elliott Homes, Inc.) submitted a timely letter to the City requesting a three-year extension in time for the Small-Lot Vesting Tentative Subdivision Map associated with the Folsom Heights Subdivision project. The applicant indicates in their extension letter that they recently purchased the subject property from Folsom Heights, LLC. on April 5, 2021. The applicant also states that they are actively designing the civil site improvements with the goal of beginning grading activities in the summer of 2022. In addition, the applicant comments that the extension in time will allow them to complete other required site improvements and to file the Final Map in a timely manner. The applicant has not proposed any changes to the previously approved project.

The Folsom Municipal Code (FMC, Section 16.16.120 D. Time Limit Extensions) states that the time at which a Tentative Subdivision Map expires may be extended by the Planning Commission for a period not exceeding a total of six years. As noted previously in the background section of this staff report, the City Council previously approved a three-year extension for the Folsom Heights Small-Lot Vesting Tentative Subdivision Map, thus the applicant is limited to one more three-year extension. As stated in the submitted extension request letter, the applicant has been actively engaged in designing the civil site improvements associated with the subdivision with the goal of conducting grading activities in the summer of 2022. In addition, the applicant states that the extension in time will allow them to complete other required site improvements and to file the Final Map in a timely manner. As a result, staff recommends approval of a three-year extension in time for the Small-Lot Vesting Tentative Subdivision Map associated with the Folsom Heights Subdivision project.

FINANCIAL IMPACT

No financial impact is anticipated with approval of the Small-Lot Vesting Tentative Subdivision Map Extension associated with the Folsom Heights Subdivision Project as the project will not result in any change in the commercial square footage or residential unit count within the Folsom Plan Area.

ENVIRONMENTAL REVIEW

An Addendum to the Folsom Plan Area Environmental Impact Report was previously approved for the Folsom Heights Subdivision project (PN 15-303) on July 11, 2017 in accordance with the California Environmental Quality Act (CEQA). The proposed Small-Lot Vesting Tentative Subdivision Map extension is consistent with the Folsom Heights Subdivision Addendum to the Folsom Plan Area Specific Plan EIR/EIS, and all mitigation measures have been applied as conditions of approval for this project. In addition, none of the conditions described in Section 21166 of the Public Resources Code or Section 15162 of the CEQA Guidelines calling for the preparation of a subsequent EIR have occurred. Therefore, no additional environmental review is required under CEQA.

ATTACHMENTS

1. Resolution No. 10760 – A Resolution extending the Small-Lot Vesting Tentative Subdivision Map for the Folsom Heights Subdivision project (PN 21-233)
2. Vicinity Map
3. Conditions of Approval
4. Folsom Heights Subdivision Master Plan Exhibit, dated February 27, 2017
5. Small-Lot Vesting Tentative Subdivision Map, dated October 14, 2016
6. Letter from Applicant, dated August 11, 2021
7. Planning Commission Staff Report, dated November 3, 2021
8. Minutes from November 3, 2021 Planning Commission Meeting

Submitted,



PAM JOHNS
Community Development Director

Attachment 1

Resolution No. 10760 – A Resolution Extending the Small-Lot Vesting Subdivision Map for the Folsom Heights Subdivision Project (PN 21-233)

RESOLUTION NO. 10760**A RESOLUTION EXTENDING THE SMALL-LOT VESTING TENTATIVE
SUBDIVISION MAP FOR THE FOLSOM HEIGHTS SUBDIVISION PROJECT
(PN 21-233)**

WHEREAS, the City Council on July 11, 2017, held a noticed public hearing on the Small-Lot Vesting Tentative Subdivision Map for development of the 530-unit Folsom Heights Subdivision residential and commercial project (“Project”), considered public comment and approved the proposed Project by adopting Resolution No. 9965; and

WHEREAS, the City Council on August 27, 2019, held a public hearing at the developer’s request to extend the Small-Lot Vesting Tentative Subdivision Map for a period of three years, and upon considering public comment and the proposed configuration of the 530 single family lots, determined that the proposed extension of the subdivision map complies with all City requirements, as well as with the requirements of the Subdivision Map Act; and

WHEREAS, the Planning Commission on November 3, 2021, held a public hearing at the developer’s request to extend the Small-Lot Vesting Tentative Subdivision Map for a period of three years, and upon considering public comment and the proposed configuration of the 530 single family lots, determined that the proposed extension of the subdivision map complies with all City requirements, as well as with the requirements of the Subdivision Map Act; and

WHEREAS, An Addendum to the Folsom Plan Area Environmental Impact Report was previously approved for the Folsom Heights Subdivision project (PN 15-303) on July 11, 2017 in accordance with the California Environmental Quality Act (CEQA). The proposed Small-Lot Vesting Tentative Subdivision Map extension is consistent with the Folsom Heights Subdivision Addendum to the Folsom Plan Area Specific Plan EIR/EIS, and all mitigation measures have been applied as conditions of approval for this project. In addition, none of the conditions described in Section 21166 of the Public Resources Code or Section 15162 of the CEQA Guidelines calling for the preparation of a subsequent EIR have occurred. Therefore, no additional environmental review is required under CEQA; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Folsom that a three-year extension for the Small-Lot Vesting Tentative Subdivision Map for the Folsom Heights Subdivision Project is hereby approved (until July 11, 2025), subject to all Conditions of Approval (Nos. 1-182) included as Attachment 3 to the December 14, 2021 City Council Staff Report, with the following findings:

GENERAL FINDINGS

- A. NOTICE OF HEARING HAS BEEN GIVEN AT THE TIME AND IN THE MANNER REQUIRED BY STATE LAW AND CITY CODE.

- B. THE PROJECT IS CONSISTENT WITH THE GENERAL PLAN AND THE FOLSOM HEIGHTS SPECIFIC PLAN AMENDMENT.

CEQA FINDINGS

- C. THE CITY, AS LEAD AGENCY, PREVIOUSLY CERTIFIED AN ENVIRONMENTAL IMPACT REPORT/ENVIRONMENTAL IMPACT STATEMENT FOR THE FOLSOM PLAN AREA SPECIFIC PLAN AND ALSO APPROVED AN ADDENDUM FOR THE FOLSOM HEIGHTS SUBDIVISION PROJECT.
- D. THE PROPOSED PROJECT IS CONSISTENT WITH THE FOLSOM PLAN AREA SPECIFIC PLAN.
- E. THE FEASIBLE MITIGATION MEASURES SPECIFIED IN THE FOLSOM PLAN AREA SPECIFIC PLAN ENVIRONMENTAL IMPACT REPORT AND FOLSOM HEIGHTS SUBDIVISION CERTIFIED ADDENDUM WILL BE IMPLEMENTED FOR THE PROPOSED SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP, CONSISTENT WITH CEQA GUIDELINES SECTION 15183(e).
- F. NONE OF THE EVENTS SPECIFIED IN SECTION 21166 OF THE PUBLIC RESOURCES CODE OR SECTION 15162 OF THE CEQA GUIDELINES REQUIRING SUBSEQUENT ENVIRONMENTAL REVIEW HAVE OCCURRED.

VESTING TENTATIVE SUBDIVISION MAP AND MAP EXTENSION FINDINGS

- G. THE PROPOSED SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP IS CONSISTENT WITH THE CITY'S SUBDIVISION ORDINANCE AND THE SUBDIVISION MAP ACT IN THAT THE PROJECT IS SUBJECT TO CONDITIONS OF APPROVAL THAT WILL ENSURE THAT THE PROJECT IS DEVELOPED IN COMPLIANCE WITH CITY STANDARDS.
- H. THE PROPOSED SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP , TOGETHER WITH THE PROVISIONS FOR ITS DESIGN AND IMPROVEMENT, IS CONSISTENT WITH THE GENERAL PLAN, THE FOLSOM PLAN AREA SPECIFIC PLAN, AND ALL APPLICABLE PROVISIONS OF THE FOLSOM MUNICIPAL CODE.
- I. THE PROJECT SITE IS PHYSICALLY SUITABLE FOR THE TYPE OF DEVELOPMENT PROPOSED.
- J. THE PROJECT SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED DENSITY OF DEVELOPMENT.

- K. AS CONDITIONED, THE DESIGN OF THE SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE ENVIRONMENTAL DAMAGE OR SUBSTANTIALLY AND AVOIDABLY INJURE FISH OR WILDLIFE OR THEIR HABITAT.
- L. THE DESIGN OF THE SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SERIOUS PUBLIC HEALTH OR SAFETY PROBLEMS.
- M. THE DESIGN OF THE SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP AND THE TYPE OF IMPROVEMENTS WILL NOT CONFLICT WITH EASEMENTS FOR ACCESS THROUGH OR USE OF PROPERTY WITHIN THE PROPOSED SUBDIVISION.
- N. SUBJECT TO SECTION 66474.4 OF THE SUBDIVISION MAP ACT, THE LAND IS NOT SUBJECT TO A CONTRACT ENTERED INTO PURSUANT TO THE CALIFORNIA LAND CONSERVATION ACT OF 1965 (COMMENCING WITH SECTION 51200 OF THE GOVERNMENT CODE).
- O. APPLICABLE DEVELOPMENT FEES HAVE INCREASED SINCE INITIAL APPROVAL OF THE SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP ON JUNE 11, 2017. THE PROJECT IS SUBJECT TO APPLICABLE DEVELOPMENT FEES IN PLACE AT TIME OF ISSUANCE OF PERMITS.

PASSED AND ADOPTED on this 14th day of December 2021, by the following roll-call vote:

AYES: Councilmember(s)

NOES: Councilmember(s)

ABSENT: Councilmember(s)

ABSTAIN: Councilmember(s)

ATTEST:

Christa Freemantle, CITY CLERK

Michael D. Kozlowski, MAYOR

Attachment 2

Vicinity Map

Vicinity Map



CITY OF
FOLSOM



Attachment 3

Conditions of Approval

CONDITIONS OF APPROVAL FOR THE FOLSOM HEIGHTS SUBDIVISION PROJECT (PN 21-233) WEST OF EL DORADO COUNTY LINE, EAST OF EMPIRE RANCH ROAD, NORTH OF RUSSELL RANCH, AND SOUTH OF U.S. HIGHWAY 50 SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP EXTENSION				
	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
1.		<p><i>Final Development Plans</i> The owner/applicant shall submit final site development plans to the Community Development Department that shall substantially conform to the exhibits referenced below:</p> <ol style="list-style-type: none"> 1. Preliminary Site Plan and Phasing Exhibit, dated September 19, 2017 2. Vesting Large-Lot Tentative Subdivision Map, dated June 28, 2017 3. Vesting Small-Lot Tentative Subdivision Map, dated October 14, 2016 4. Preliminary Grading and Drainage Plan, dated June 28, 2017 5. Preliminary Utility Plan, dated June 28, 2017 6. Preliminary Off-Site Improvements, dated June 28, 2017 7. Proposed Trail System Modifications, dated December 14, 2016 8. Proposed Minor Administrative Modification Exhibit, dated February 17, 2017 9. Inclusionary Housing Plan, dated September 18, 2015 10. Folsom Heights Subdivision Design Guidelines <p>The Large-Lot Vesting Tentative Subdivision Map and Small-Lot Vesting Tentative Subdivision Map are approved for the development of a 530-unit residential and commercial project (Folsom Heights Subdivision). Implementation of the project shall be consistent with the above referenced items and these conditions of approval.</p>	G, I, M, B	CD (P)(E)
2.		<p><i>Plan Submittal</i> All civil engineering, improvement, and landscape and irrigation plans, shall be submitted to the Community Development Department for review and approval to ensure conformance with this approval and with relevant codes, policies, standards and other requirements of the City of Folsom.</p>	G, I, M,	CD (P)(E)(B)
3.		<p><i>Validity</i> This approval of the Vesting Small Lot Tentative Subdivision Map shall be valid for a period of three years or thirty-six months (July 11, 2025). Pursuant to Section 2.2 of Amendment No. 1 to ARDA, the term of the Project Design Guidelines shall track the term of the map.</p>	OG	CD (P)

CONDITIONS OF APPROVAL FOR THE FOLSOM HEIGHTS SUBDIVISION PROJECT (PN 21-233) WEST OF EL DORADO COUNTY LINE, EAST OF EMPIRE RANCH ROAD, NORTH OF RUSSELL RANCH, AND SOUTH OF U.S. HIGHWAY 50 SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP EXTENSION				
	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
4.		<i>Vesting Tentative Subdivision Map Approval</i> The Vesting Tentative Subdivision Map for the Folsom Heights Subdivision project shall be subject to review and approval by the City Council.	M	CD (P)(E)
5.		<i>Improvements in the PFFP</i> The owner/applicant shall be subject to all thresholds, timelines and deadlines for the construction and final completion of various improvements for the entire Folsom Plan Area. The various improvements are outlined and detailed in the Folsom Plan Area Specific Plan Public Facilities Financing Plan (PFFP) dated January 28, 2014 and adopted by City of Folsom Resolution No. 9298. These improvements in the PFFP include, but are not limited to, the backbone infrastructure water (water reservoirs, water transmission mains, booster pump stations [unless otherwise owned and maintained by the El Dorado Irrigation District (EID)], pressure reducing valve stations, etc.), sanitary sewer (lift stations and forced mains) systems, recycled water mains and associated infrastructure, roadway and transportation (future interchanges, major arterial roadways, etc.) improvements, aquatic center (community pool), parks, fire stations, municipal services center, community library, etc The thresholds and timelines included in the PFFP require facilities to be constructed and completed based on number of building permits issued and in some cases, number of residential units that are occupied. The owner/applicant shall be required to address these thresholds and timelines as the project moves forward through the various developments stages and shall be subject to the various fair share requirements, subject to the provisions of the PFFP, the ARDA and any amendment thereto.	M	CD(E)(P)(B), PW, FD, EWR, PR
6.		<i>Street Names</i> The street names identified below shall be used for the Final Small-Lot Map: Empire Ranch Road, Alder Creek Parkway, Prima Drive, Summit Street, Bold Place, Highland Street, Folsom Heights Drive, Hillside Street, Hilltop Street, Paris Place, Deerfield Drive, Desmond Drive, Hillcrest Street, Cozy Court, Diego Court, Dakota Court, Skyview Drive, Rustic Ridge Drive, Iron Horse, Terrace Circle, Lone Leaf Drive, Hornet Street, and Mustang Street.	M	CD (E)(P)

CONDITIONS OF APPROVAL FOR THE FOLSOM HEIGHTS SUBDIVISION PROJECT (PN 21-233) WEST OF EL DORADO COUNTY LINE, EAST OF EMPIRE RANCH ROAD, NORTH OF RUSSELL RANCH, AND SOUTH OF U.S. HIGHWAY 50 SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP EXTENSION				
	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
7.		<p><i>Indemnity for City</i> The owner/applicant shall protect, defend, indemnify, and hold harmless the City and its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void, or annul any approval by the City or any of its agencies, departments, commissions, agents, officers, employees, or legislative body concerning the project, which claim, action or proceeding is brought within the time period provided therefore in Government Code Section 66499.37 or other applicable statutes of limitation. The City will promptly notify the owner/applicant of any such claim, action or proceeding, and will cooperate fully in the defense. If the City should fail to cooperate fully in the defense, the owner owner/applicant shall not thereafter be responsible to defend, indemnify and hold harmless the City or its agents, officers, and employees, pursuant to this condition. The City may, within its unlimited discretion, participate in the defense of any such claim, action or proceeding if both of the following occur:</p> <ul style="list-style-type: none"> • The City bears its own attorney’s fees and costs; and • The City defends the claim, action or proceeding in good faith <p>The owner/applicant shall not be required to pay or perform any settlement of such claim, action or proceeding unless the settlement is approved by the owner/applicant. The owner/applicant’s obligations under this condition shall apply regardless of whether a Final Map is ultimately recorded with respect to this project.</p>	OG	CD (P)(E)(B) PW, PR, FD, PD
8.		<p><i>Small-Lot Vesting Tentative Subdivision Map</i> The Small-Lot Vesting Tentative Subdivision map is expressly conditioned upon compliance with all environmental mitigation measures in the Folsom Plan Area Specific Plan (FEIR/EIS) and the Folsom Heights Subdivision Addendum No. 1 and Addendum No. 2 to the FPASP FEIR/EIS.</p>	OG	CD
9.		<p><i>ARDA and Amendments</i> The owner/applicant shall comply with all provisions of Amendment No. 1 to the Tier 1 Amended and Restated Development Agreement and any approved amendments by and between the City and the owner/applicant of the project.</p>	G, I, M, B	CD (E)

CONDITIONS OF APPROVAL FOR THE FOLSOM HEIGHTS SUBDIVISION PROJECT (PN 21-233) WEST OF EL DORADO COUNTY LINE, EAST OF EMPIRE RANCH ROAD, NORTH OF RUSSELL RANCH, AND SOUTH OF U.S. HIGHWAY 50 SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP EXTENSION				
	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
10.		<p><i>Mitigation Monitoring</i> The owner/applicant shall be required to participate in a mitigation monitoring and reporting program pursuant to City Council Resolution No. 2634 and Public Resources Code 21081.6. The mitigation monitoring and reporting measures identified in the Folsom Plan Area Specific Plan FEIR/EIS have been incorporated into these conditions of approval in order to mitigate or avoid significant effects on the environment. These mitigation monitoring and reporting measures are identified in the mitigation measure column. Applicant shall fund on a Time and Materials basis all mitigation monitoring (e.g., staff and consultant time).</p>	OG	CD (P)
POLICE/SECURITY REQUIREMENT				
11.		<p>The owner/applicant shall consult with the Police Department in order to incorporate all reasonable crime prevention measures. The following security/safety measures shall be considered:</p> <ul style="list-style-type: none"> • A security guard on-duty at all times at the site or a six-foot security fence shall be constructed around the perimeter of construction areas. • Security measures for the safety of all construction equipment and unit appliances. • Landscaping shall not cover exterior doors or windows, block line-of-sight at intersections or screen overhead lighting. 	G, I, B	PD

DEVELOPMENT COSTS AND FEE REQUIREMENTS				
12.		<p>Taxes and Fees The owner/applicant shall pay all applicable taxes, fees and charges for the project at the rate and amount required by the Public Facilities Financing Plan and Amendment No. 1 to the Tier 1 Amended and Restated Development Agreement.</p>	OG	CD (P)(E)
13.		<p>Assessments If applicable, the owner/applicant shall pay off any existing assessments against the property, or file necessary segregation request and pay applicable fees.</p>	OG	CD (E)
14.		<p>FPASP Development Impact Fees The owner/applicant shall be subject to all Folsom Plan Area Specific Plan Area development impact fees in place at the time of approval or subsequently adopted consistent with the Public Facilities Financing Plan (PFFP), Development Agreement and amendments thereto, unless exempt by previous agreement. The owner/applicant shall be subject to all applicable Folsom Plan Area plan-wide development impact fees in effect at such time that a building permit is issued. These fees may include, but are not limited to, the Folsom Plan Area Specific Plan Fee, Specific Plan Infrastructure Fee (SPIF), Solid Waste Fee, Corporation Yard Fee, Transportation Management Fee, Transit Fee, Highway 50 Interchange Fee, General Park Equipment Fee, Housing Trust Fee, etc.</p> <p>Any protest to such for all fees, dedications, reservations or other exactions imposed on this project will begin on the date of final approval (May 23, 2017), or otherwise shall be governed by the terms of Amendment No. 1 to ARDA. The fees shall be calculated at the fee rate set forth in the PFFP and the ARDA.</p>	B	CD (P), PW, PK
15.		<p>Legal Counsel The City, at its sole discretion, may utilize the services of outside legal counsel to assist in the implementation of this project, including, but not limited to, drafting, reviewing and/or revising agreements and/or other documentation for the project. If the City utilizes the services of such outside legal counsel, the City shall provide notice to the owner/applicant of the outside counsel selected, the scope of work and hourly rates, and the owner/applicant shall reimburse the City for all outside legal fees and costs incurred and documented by the City for such services. The owner/applicant may be required, at the sole discretion of the City Attorney, to submit a deposit to the City for these services prior to initiation of the services. The owner/applicant shall be responsible for reimbursement to the City for the services regardless of whether a deposit is required.</p>	OG	CD (P)(E)

16.		<p>Consultant Services If the City utilizes the services of consultants to prepare special studies or provide specialized design review or inspection services for the project, the City shall provide notice to the owner/applicant of the outside consultant selected, the scope of work and hourly rates, and the owner/applicant shall reimburse the City for actual costs incurred and documented in utilizing these services, including administrative costs for City personnel. A deposit for these services shall be provided prior to initiating review of the Grading Plan, Final Map, improvement plans, or beginning inspection, whichever is applicable.</p>	G, I, M, B	CD (P)(E)
GRADING PERMIT REQUIREMENTS				
17.		<p>Phasing Plan The owner/applicant shall prepare a complete and comprehensive phasing plan and shall submit the phasing plan to the City for each proposed phase of development. The phasing plan shall include all required infrastructure for each proposed phase of development. The infrastructure shall include all required on-site and off-site improvements, but not limited to, water system improvements (distribution and transmission mains, booster pump stations, water reservoirs, PRV stations, etc.), recycled water mains and associated infrastructure, sanitary sewer improvements (sewer mains, lift stations, forced mains, etc.) roadway and transportation improvements, storm drainage improvements (detention/water quality basins, outfalls, etc.) and all other necessary improvements required for each phase of development. The phasing plan shall include itemized cost estimates for all required improvements and the phasing plan shall be reviewed and approved by the City prior to approval of grading and/or improvements plans.</p> <p>The City Engineer may condition the phasing to ensure that each phase functions independently and is consistent with the minimum utility and access standards of the City. All maps filed in phases will be required to have two points of access for vehicle access (except as approved by the Fire Department) and/or general traffic purposes for each phase and all off-site utilities deemed necessary as determined by the City Engineer And the El Dorado Irrigation District (EID), if applicable.</p>	G, I, M,	CD (E), EWR, PW, FD

18.		<p>Off-site improvements / Rights of Entry For any improvements constructed on private property that are not under the ownership or control of the owner/applicant, all rights-of-entry, and if necessary, a permanent easement shall be obtained and provided to the City. All rights of entry, construction easements, either permanent or temporary and other easements shall be obtained as set forth in Amendment No. 1 to ARDA, which shall be fully executed by all affected parties and shall be recorded with the Sacramento County Recorder, where applicable, prior to approval of grading and/or improvement plans.</p>	G	CD (E)
19.	3A 7-1a	<p>Geotechnical Report Prior to the issuance of any grading permit, the owner/applicant shall have a geotechnical report prepared by an appropriately licensed engineer that includes an analysis of site preparation, soil bearing capacity, appropriate sources and types of fill, potential need for soil amendments, road, pavement and parking areas, structural foundations, including retaining all designs, grading practices, soil corrosion of concrete and steel, erosion /winterizations, seismic ground shaking, liquefaction and expansive/unstable soils.</p>	G	CD (E)
20.	3A 7-1a	<p>Geotechnical Recommendations The owner/applicant shall submit to the Engineering Division, for review and approval, a grading plan for the project site which ensures that all geotechnical recommendations specified in the geotechnical report are properly incorporated and utilized in the design.</p>	G	CD (E)
21.	3A 7-1b	<p>Geotechnical Monitoring Program The owner/applicant shall contract with a geotechnical engineer who shall develop a program to monitor the sites during construction to ensure compliance with the recommendations presented in the geotechnical report(s) and conditions for performing such monitoring. The geotechnical monitoring program shall include a description of the improvements areas where geotechnical monitoring shall be required. The completed program shall be submitted to the City prior to approval of any grading and/or improvement plan.</p>	G	CD (P)(E)(B)

22.	3B.7-1a	<p><i>Prepare Geotechnical Report(s) for the Off-site Water Facilities and Implement Required Measures.</i> The owner/applicant shall provide a comprehensive facility design for all proposed off-site Water Facility improvements shall comply with the site-specific design recommendations as provided by a licensed geotechnical or civil engineer. The final geotechnical and/or civil engineering report shall address and make recommendations on the following:</p> <ul style="list-style-type: none"> • site preparation; • soil bearing capacity; • appropriate sources and types of fill; • potential need for soil amendments; • road, pavement, and parking areas; • structural foundations, including retaining-wall design; • grading practices; • soil corrosion of concrete and steel; • erosion/winterization; • seismic ground shaking; • liquefaction; and • expansive/unstable soils. <p>In addition to the recommendations for the conditions listed above, the geotechnical investigation shall include subsurface testing of soil and groundwater conditions, and shall determine appropriate foundation designs that are consistent with the version of the California Building Code that is applicable at the time building and grading permits are applied for. All recommendations contained in the final geotechnical engineering report shall be implemented by the owner/applicant.</p>	G	CD (P)(E)(B)
23.	3B.7-1b	<p><i>Incorporate Pipeline Failure Contingency Measures Into Final Pipeline Design.</i> Isolation valves or similar devices shall be incorporated into all pipeline facilities to prevent substantial losses of surface water in the event of pipeline rupture, as recommended by a licensed geotechnical or civil engineer. The specifications of the isolation valves shall conform to the California Building Code and American Water Works Association (AWWA) standards and shall be subject to review and approval by the El Dorado Irrigation District (EID) and the City.</p>	I	EWR, CD (E)

24.		<p><i>Mine Shaft Remediation</i> The owner/applicant shall locate and remediate all antiquated mine shafts, drifts, open cuts, tunnels, and water conveyance or impoundment structures existing on the project site, with specific recommendations for the sealing, filling, or removal of each that meet all applicable health, safety and engineering standards. Recommendations shall be prepared by an appropriately licensed engineer or geologist. All remedial plans shall be reviewed and approved by the City prior to approval of grading plans.</p>	G	CD (E)
25.	3A1-4	<p><i>Material Storage Areas</i> The owner/applicant shall locate staging and material storage areas as far away from sensitive biological resources and sensitive land uses (e.g., residential areas, schools, parks) as feasible. Staging and material storage areas shall be screened from adjacent occupied land uses in earlier development phases to the maximum extent practicable. Screens may include, but are not limited to, the use of visual barriers such as berms or fences. Staging and material storage areas shall be shown on all grading and/or improvement plans prior to plan approval by the City.</p>	G	CD (P)(E)(B)

26.	3A 14-1	<p>Traffic and Parking Management Plan Prior to the approval of the grading plan and or construction, the owner/applicant shall prepare construction traffic and parking management plan to the satisfaction of the City Traffic Engineer and subject to review by any affected agencies, if necessary. The plan shall ensure that acceptable operating conditions on local roadways and freeway facilities are maintained. Measures typically used in traffic control plans include advertising of planned lane closures, warning signage, a flag person to direct traffic flows when needed, and methods to ensure continued access by emergency vehicles. During project construction, access to existing land uses shall be maintained at all times, with detours used as necessary during road closures. At a minimum, the plan shall include the following:</p> <ul style="list-style-type: none"> • Description of trucks including number and size of trucks per day (i.e., 85 trucks per day), expected arrival/departure times, and truck circulation patterns. • Description of staging area including location, maximum number of trucks simultaneously permitted in staging area, use of traffic control personnel, and specific signage. • Description of street closures and/or bicycle and pedestrian facility closures including duration, advance warning and posted signage, safe and efficient access routes for existing businesses and emergency vehicles, and use of manual traffic control. • Description of driveway access plan including provisions for safe vehicular, pedestrian, and bicycle travel, minimum distance from any open trench, special signage, and private vehicle accesses. 	G	CD (E), PW
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27.		<p>Prepare Traffic Control Plan.</p> <p>Prior to construction, a Traffic Control Plan for roadways and intersections affected by construction shall be prepared. The Traffic Control Plan shall designate haul routes and comply with requirements in the encroachment permits issued by the City of Rancho Cordova, Sacramento County, and Caltrans and any other local agencies, including but not limited to the City, if applicable. The Traffic Control Plan to be prepared by the project construction contractor(s) shall, at minimum, include the following measures:</p> <ul style="list-style-type: none">• Maintaining the maximum amount of travel lane capacity during non-construction periods, possible, and advanced notice to drivers through the provision of construction signage.• Maintaining alternate one-way traffic flow past the lay down area and site access when feasible.• Heavy trucks and other construction transport vehicles shall avoid the busiest commute hours (7 a.m. to 8 a.m. and 5 p.m. to 6 p.m. on weekdays).• A minimum 72-hour advance notice of access restrictions for residents, businesses, and local emergency response agencies. This shall include the identification of alternative routes and detours to enable for the avoidance of the immediate construction zone.• A phone number and community contact for inquiries about the schedule of the construction throughout the construction period. This information will be posted in a local newspaper, via the City's web site, or at City Hall and will be updated on a monthly basis.	G	CD (E)
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<p>28.</p>	<p>3A.2-4a 3A.2-4b</p>	<p><i>Develop and Implement a Plan to Reduce Exposure of Sensitive Receptors to Construction-Generated Toxic Air Contaminant Emissions.</i> The owner/applicant(s) shall develop a plan to reduce the exposure of sensitive receptors to TACs generated by project construction activity. Each plan shall be developed by the owner/applicant(s) in consultation with SMAQMD. The plan shall be submitted to the City for review and approval before the approval of any grading plans.</p> <p>The plan may include such measures as scheduling activities when the residences are the least likely to be occupied, requiring equipment to be shut off when not in use, and prohibiting heavy trucks from idling for more than 3 minutes. Applicable measures shall be included in all project plans and specifications for all project phases.</p> <p>Signs shall be posted at all truck loading areas which indicate that diesel-powered trucks must be shut off when not in use for longer than 3 minutes on the premises in order to reduce idling emissions.</p> <p>The implementation and enforcement of all measures identified in each plan shall be funded by the owner/applicant for the respective phase of development.</p>	<p>G</p>	<p>CD (E)</p>
<p>29.</p>	<p>3B.2-3b</p>	<p><i>Conduct Project-Level Diesel Particulate Matter (DPM) Screening and Implement Measures to Reduce Annual DPM to Acceptable Concentrations.</i> Screening-level DPM assessments shall be conducted for diesel-powered pump operations proposed within 200 feet of residences or other sensitive receptors. These analyses should include exact distances between the receptors and operations, and include the actual DPM emissions for the engines proposed. If the analysis shows an annual average DPM concentration from project operations at residences within 200 feet of the DPM source to be greater than 0.024 µg/m³, the engine location shall be moved to a location where the annual average DPM concentration from project emissions at the residences is less than 0.024 µg/m³. The acceptable concentration of 0.024 µg/m³ was determined using the current OEHHA cancer potency factor and methodology for diesel exhaust (OEHHA 2003). If diesel exhaust concentrations at the affected receptor would be below 0.024 µg/m³, then the cancer health risk would be less than 9.9 cancers in a million population.</p>	<p>G</p>	<p>CD (E)</p>

30.	3B 4-1a	<p>Implement Greenhouse Gas Reduction Measures during Construction. Prior to approval of a grading permit, the owner/applicant(s) shall stipulate that these measures be implemented within the project notes.</p> <ul style="list-style-type: none"> • Construction vehicles and equipment will be properly maintained at all times in accordance with manufacturer’s specifications, including proper tuning and timing of engines. Equipment maintenance records and equipment design specification data sheets shall be kept on-site during construction and demolition activities and subject to inspection by the Sacramento Metropolitan Air Quality Management District (SMAQMD). • Operators will turn off all construction vehicles and equipment and all delivery vehicles when not in use, and not allow idling for more than 3 minutes or for such other more restrictive time as may be required in law or regulation. • On-site construction vehicles and equipment will use Air Resources Board (ARB)-certified biodiesel fuel if available (a minimum of B20, or 20 percent of biodiesel) except for those with warranties that would be voided if B20 biodiesel fuel were used. Prior to issuance of grading or demolition permits, the contractor shall provide documentation to the City that verifies whether any equipment is exempt; that a biodiesel supply has been secured; and that the construction contractor is aware that the use of biodiesel is required. • A Solid Waste Diversion and Recycling Plan (or such other documentation to the satisfaction of the City) shall be in place that demonstrates the diversion from landfills and recycling of all nonhazardous, salvageable and re-useable wood, metal, plastic and paper products during construction and demolition activities. The Plan or other documentation shall include the name of the waste hauler, their assumed destination for all waste and recycled materials, and the procedures that will be followed to ensure implementation of this measure. 	G	CD (E)(P)
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<p>30. Cont.</p>	<p>3B 4-1a</p>	<ul style="list-style-type: none"> For those areas that would be disturbed as part of the U.S. 50 interchange improvements, it is anticipated that Caltrans would coordinate with the development and implementation of the overall project SWPPP, or develop and implement its own SWPPP specific to the interchange improvements, to ensure that water quality degradation would be avoided or minimized to the maximum extent practicable. <p>Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries shall be coordinated by the owner/applicant of each applicable project phase with El Dorado County and Caltrans.</p>	<p>G</p>	<p>CD (E)(P)</p>
<p>31.</p>	<p>3A 4-1</p>	<p><i>Implement Additional Measures to Control Construction-Generated Greenhouse Gas Emissions</i></p> <p>Prior to approval of a grading permit, the owner/applicant(s) shall obtain the most current list of greenhouse gas reduction measures that are recommended by Sacramento Metropolitan Air Quality Management District (SMAQMD) and stipulate how those measures be implemented within the project notes. The owner/ applicant(s) may submit to the City and SMAQMD a report that substantiates why specific measures are considered infeasible for construction of that particular development phase and/or at that point in time. The report, including the substantiation for not implementing particular greenhouse gas reduction measures, shall be approved by the City, in consultation with SMAQMD prior to approval of a grading permit. In addition to SMAQMD-recommended measures, construction activity shall comply with all applicable rules and regulations established by SMAQMD and California Air Resources Board.</p>	<p>G</p>	<p>CD (E)(P)</p>

<p>32.</p>	<p>3A.2-1g</p>	<p><i>Pay Off-site Mitigation Fee to SMAQMD to Off-Set NOX Emissions Generated by Construction of Off-site Elements.</i></p> <p>The off-site elements could result in construction-generated NOX emissions that exceed the SMAQMD threshold of significance, even after implementation of the SMAQMD Enhanced Exhaust Control Practices (listed in Mitigation Measure 3A.2-1a). Therefore, the owner/applicant shall pay SMAQMD an off-site mitigation fee for implementation of each off-site element in for the purpose of reducing NOX emissions to a less-than-significant level (i.e., less than 85 lb/day).</p> <p>The specific fee amounts shall be calculated when the daily construction emissions can be more accurately determined. Calculation of fees associated with each off-site element shall be conducted by the owner/applicant in consultation with SMAQMD staff before the approval of respective grading plans. The calculation of daily NOX emissions shall be based on the cost rate established by SMAQMD at the time the calculation and payment are made. Because the fee is based on the mass quantity of emissions that exceed SMAQMD’s daily threshold of significance of 85 lb/day, total fees for construction of the off-site improvements would vary according to the timing and potential overlap of construction schedules for off-site elements.</p> <p>Mitigation for the off-site improvements outside of the City of Folsom’s jurisdictional boundaries shall be developed by the owner/applicant of each applicable project phase in consultation with the affected oversight agency(ies) (i.e., Sacramento County or Caltrans).</p>	<p>G, I</p>	<p>SMAQMD</p>
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33.	3B.2-1a	<p><i>Develop and Implement a Construction NOX Reduction Plan.</i> Consistent with SMAQMD requirements, the owner/applicant shall provide a plan for demonstrating that the heavy-duty (> 50 horsepower) off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project wide fleet-average 20% NOX reduction.</p> <p>Prior to construction, the owner/applicant's contractor shall submit to the SMAQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during any portion of the construction. The inventory shall include the horsepower rating, engine production year, and projected hours of use or fuel throughput for each piece of equipment. The inventory shall be updated and submitted quarterly throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs. At least 48 hours prior to the use of subject heavy-duty off-road equipment, the owner/applicant shall provide SMAQMD with the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreman.</p>	G, I	SMAQMD
34.	3B.2-1b	<p><i>Conduct Visible Emissions Testing and if Non-Compliance, Repair Equipment Immediately.</i> The owner/applicant shall ensure that emissions from all off-road diesel powered equipment used on the project site do not exceed 40% opacity for more than three minutes in any one hour. Any equipment found to exceed 40% opacity (or Ringelmann 2.0) shall be repaired immediately, and the City and SMAQMD shall be notified within 48 hours of identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made at least monthly, and a quarterly summary of the visual survey results shall be submitted throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey.</p>	G, I	SMAQMD
35.	3A 2-2	<p>The owner/applicant shall implement all applicable measures in the Sacramento Metropolitan Air Quality Management District approved Folsom Plan Area Specific Plan Air Quality Mitigation Plan.</p>	G, I, B	SMAQMD CD (E)(P)

<p>36.</p>	<p>3A2-5</p>	<p><i>Naturally Occurring Asbestos</i> Prior to the commencement of any site-disturbing activities, the owner/applicant shall demonstrate to the satisfaction of the Sacramento Metropolitan Air Quality Management District that Naturally Occurring Asbestos does not exist on site. To demonstrate the owner/applicant shall obtain the services of a California Certified Geologist to conduct a thorough site investigation of the development area per the protocol outlined in the California Geological Survey Special Report 124 to determine whether and where Naturally Occurring Asbestos is present in the soil and rock on the project site and/or areas that would be disturbed by the project. The site investigation shall include the collection of three soil and rock samples per acre to be analyzed via the California Air Resources Board 435 Method, or other acceptable method agreed upon by Sacramento Metropolitan Air Quality Management District and the City. If the investigation determines that Naturally Occurring Asbestos is not present on the project site, then the owner/applicant shall submit a Geologic Exemption to Sacramento Metropolitan Air Quality Management District as allowed under Title 17, Section 93105, Asbestos Airborne Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining (Asbestos ATCM). The owner/applicant shall submit proof of compliance with the above to the Community Development Department for review and approval prior to the commencement of any site-disturbing activities.</p> <p>If the site investigation determines that Naturally Occurring Asbestos is present on the project site, or alternatively if the owner/applicant elects to assume presence of trace Naturally Occurring Asbestos, then, prior to commencement of any ground disturbance activity, the owner/applicant shall submit to the Sacramento Metropolitan Air Quality Management District for review and approval an Asbestos Dust Mitigation Plan, including, but not limited to, control measures required by the Asbestos ATCM, such as vehicle speed limitations, application of water prior to and during ground disturbance, keeping storage piles wet or covered, and track-out prevention and removal.</p> <p>The owner/applicant shall submit proof of compliance with the above to the Community Development Department for review and approval prior to the commencement of any site-disturbing activities. Upon approval of the Asbestos Dust Control Plan by the Sacramento Metropolitan Air Quality Management District, the owner/applicant shall ensure that construction contractors implement the terms of the plan throughout the construction period. If Naturally Occurring Asbestos is determined to be located on the surface of the project site, all surface soil containing Naturally Occurring Asbestos shall</p>	<p>G</p>	<p>SMAQMD CD (E)(P)</p>
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		<p>be replaced with clean soil or capped with another material (e.g., cinder or rubber), subject to review and approval by the City Engineer.</p>		
<p>37.</p>	<p>3A 2-1a 3A 2-1d 3A 2-1f</p>	<p>Basic Construction Emission Control Practices The owner/applicant shall implement Sacramento Metropolitan Air Quality Management District 's list of Basic Construction Emission Control Practices, Enhanced Fugitive Particulate Matter Dust Control Practices (listed below), and Enhanced Exhaust Control Practices or whatever mitigation measures are recommended by Sacramento Metropolitan Air Quality Management District at the time individual portions of the site undergo construction. In addition to Sacramento Metropolitan Air Quality Management District –recommended measures, construction operations shall comply with all applicable Sacramento Metropolitan Air Quality Management District rules and regulations.</p> <p>The following shall be noted on Grading Plans and building construction plans:</p> <p>Basic Construction Emission Control Practices</p> <ul style="list-style-type: none"> • Water all exposed surfaces two times daily. Exposed surfaces include, but are not limited to soil piles, graded areas, unpaved parking areas, staging areas, and access roads. The owner/applicant shall not be permitted to use potable water from the City of Folsom water system for grading and/or construction while the City is in a stage 3 (water warning), stage 4 (water crisis), or stage 5 (water emergency) conservation stage as determined by the City and in conformance with Chapter 13.26 Water Conservation of the Folsom Municipal Code (FMC). • The City may prohibit the use of its own potable water for grading and/or construction purposes on the project in its sole discretion regardless of the Water Conservation Stage. • Cover or maintain at least two feet of free board space on haul trucks transporting soil, sand, or other loose material on the site. Any haul trucks that would be traveling along freeways or major roadways shall be covered. 	<p>G, I, B</p>	<p>SMAQMD CD (E)(P)</p>

<p>37. Cont.</p>	<p>3A 2-1a 3A 2-1d 3A 2-1f</p>	<ul style="list-style-type: none"> • Use wet power vacuum street sweepers to remove any visible trackout mud or dirt onto adjacent public roads at least once a day. Use of dry power sweeping is prohibited. • Limit vehicle speeds on unpaved roads to 15 miles per hour (mph). • All roadways, driveways, sidewalks, parking lots to be paved should be completed as soon as possible. In addition, building foundations shall be laid as soon as possible after grading unless seeding or soil binders are used. • Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes (as required by the state airborne toxics control measure [Title 13, Section 2485 of the California Code of Regulations]). Provide clear signage that posts this requirement for workers at the entrances to the site. • Maintain all construction equipment in proper working condition according to manufacturer’s specifications. The equipment shall be checked by a certified mechanic and determine to be running in proper condition before it is operated. <p>Enhanced Fugitive Particulate Matter Dust Control Practices – Soil Disturbance Areas</p> <ul style="list-style-type: none"> • Water exposed soil with adequate frequency for continued moist soil. However, do not overwater to the extent that sediment flows off the site. • Suspend excavation, grading, and/or demolition activity when wind speeds exceed 20 mph. • Install wind breaks (e.g., plant trees, solid fencing) on windward side(s) of construction areas. • Plant vegetative ground cover (fast-germinating native grass seed) in disturbed areas as soon as possible. Water appropriately until vegetation is established. 	<p>G, I, B</p>	<p>SMAQMD CD (E)(P)</p>
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<p>37. Cont.</p>	<p>3A 2-1a 3A 2-1d 3A 2-1f</p>	<p>The owner/applicant shall submit to the City of Folsom Community Development Department and Sacramento Metropolitan Air Quality Management District a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 hp, that would be used an aggregate of 40 or more hours during any portion of the construction project. The inventory shall include the horsepower rating, engine production year, and projected hours of use for each piece of equipment. The inventory shall be updated and submitted monthly throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs. At least 48 hours prior to the use of heavy-duty off-road equipment, the project representative shall provide Sacramento Metropolitan Air Quality Management District with the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreman.</p> <p>Sacramento Metropolitan Air Quality Management District’s Construction Mitigation Calculator can be used to identify an equipment fleet that achieves this reduction (Sacramento Metropolitan Air Quality Management District 2007a). The project shall ensure that emissions from all off-road diesel powered equipment used on the SPA do not exceed 40% opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately, and the City and Sacramento Metropolitan Air Quality Management District shall be notified within 48 hours of identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made at least weekly, and a monthly summary of the visual survey results shall be submitted throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. Sacramento Metropolitan Air Quality Management District staff and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this mitigation measure shall supersede other Sacramento Metropolitan Air Quality Management District or state rules or regulations.</p>	<p>G, I, B</p>	<p>SMAQMD CD (E)(P)</p>
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<p>37. Cont.</p>	<p>3A 2-1a 3A 2-1d 3A 2-1f</p>	<p>Enhanced Fugitive Particulate Matter Dust Control Practices – Unpaved Roads</p> <ul style="list-style-type: none"> • Install wheel washers for all exiting trucks, or wash off all trucks and equipment leaving the site. • Treat site accesses to a distance of 100 feet from the paved road with a 6 to 12-inch layer of wood chips, mulch, or gravel to reduce generation of road dust and road dust carryout onto public roads. • Post a publicly visible sign with the telephone number and person to contact at the construction site regarding dust complaints. This person shall respond and take corrective action within 48 hours. The phone number of Sacramento Metropolitan Air Quality Management District and the City contact person shall also be posted to ensure compliance. <p>Enhanced Exhaust Control Practices The owner/applicant shall provide a plan, for approval by the City of Folsom Community Development Department and Sacramento Metropolitan Air Quality Management District , demonstrating that the heavy-duty (50 horsepower [hp] or more) offroad vehicles to be used in the construction project, including owned, leased, and subcontractor vehicles, will achieve a project wide fleet-average 20% NOX reduction and 45% particulate reduction compared to the most current California Air Resources Board (ARB) fleet average that exists at the time of construction. Acceptable options for reducing emissions may include use of late-model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available.</p>	<p>G, I, B</p>	<p>SMAQMD CD (E)(P)</p>
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37. Cont.	3A 2-1a 3A 2-1d 3A 2-1f	If at the time of grading and/or construction, Sacramento Metropolitan Air Quality Management District has adopted a regulation or new guidance applicable to construction emissions, compliance with the regulation or new guidance may completely or partially replace this mitigation if it is equal to or more effective than the mitigation contained herein, and if Sacramento Metropolitan Air Quality Management District so permits. Such a determination shall be supported by a project-level analysis and be approved by Sacramento Metropolitan Air Quality Management District.	G, I, B	SMAQMD CD (E)(P)
38.	3B.2-1c	<p><i>Implement Fugitive Dust Control Measures and a Particulate Matter Monitoring Program during Construction.</i></p> <p>The owner/applicant shall implement fugitive dust control measures and a particulate matter monitoring program during construction. The owner/applicant shall ensure implementation of dust control measures and a particulate matter monitoring program during each phase of construction. Dust control measures may include, but are not limited to, the following:</p> <ul style="list-style-type: none"> • minimize on-site construction vehicle speeds on unpaved surfaces; • post speed limits; • suspend grading operations when wind is sufficient to generate visible dust clouds; • pave, water, use gravel, cover, or spray a dust-control agent on all haul roads; • prohibit no open burning of vegetation during project construction; • chip or deliver vegetative material to waste-to-energy facilities; • reestablish vegetation as soon as possible after construction and maintain vegetation consistent with the parameters established in Mitigation Measure 3B.2.1a; • clean earthmoving construction equipment with water once daily and clean all haul trucks leaving the site; and • water and keep moist exposed earth surfaces, graded areas, storage piles, and haul roads as needed to prevent fugitive dust. 	G, I, B	SMAQMD CD (E)(P)
39.	3B.11-1a	<p><i>Limit Construction Hours.</i></p> <p>Construction activities shall be limited to daylight hours between 7 a.m. and 7 p.m. Monday through Friday, and 9 a.m. and 5 p.m. on Saturday. No construction shall be allowed on Sundays or holidays.</p>	G, I, B	CD (E)(P)

40.	3B.11-1b	<p>Minimize Noise from Construction Equipment and Staging. Construction equipment noise shall be minimized during project construction by muffling and shielding intakes and exhaust on construction equipment (per the manufacturer's specifications) and by shrouding or shielding impact tools, where used. The City's construction specifications shall also require that the contractor select staging areas as far as feasibly possible from sensitive receptors.</p>	G, I, B	CD (E)(P)
41.	3B.11-1c	<p>Maximize the Use of Noise Barriers. Construction contractors shall locate fixed construction equipment (such as compressors and generators) and construction staging areas as far as possible from nearby residences. If feasible, noise barriers shall be used at the construction site and staging area. Temporary walls, stockpiles of excavated materials, or moveable sound barrier curtains would be appropriate in instances where construction noise would exceed 90 dBA and occur within less than 50 feet from a sensitive receptor. The final selection of noise barriers will be subject to the City's approval and shall provide a minimum 10 dBA reduction in construction noise levels.</p>	G, I, B	CD (E)(P)
42.	3B.11-1d	<p>Prohibit Non-Essential Noise Sources During Construction. No amplified sources (e.g., stereo "boom boxes") shall be used in the vicinity of residences during project construction.</p>	G, I, B	CD (E)(P)
43.	3B.11-1e	<p>Monitor Construction Noise and Provide a Mechanism for Filing Noise Complaints. The owner/applicant shall provide an on-site complaint and enforcement manager that shall track and respond to noise complaints during grading and construction. The City shall also provide a mechanism for residents, businesses, and agencies to register complaints with the City if construction noise levels are overly intrusive or construction occurs outside the required hours.</p>	G, I, B	CD (E)(P)

44.	3A 11-1 3B1-3a	<p><i>Implement Noise-Reducing Construction Practices, Prepare and Implement a Noise Control Plan, and Monitor and Record Construction Noise near Sensitive Receptors.</i> The owner/applicant shall prepare and implement a construction noise management plan. This plan shall identify specific measures to ensure compliance with the noise control measures specified below. The noise control plan shall be submitted to the City of Folsom before any noise-generating construction activity begins and shall be noted on Grading Plans and building construction plans. Grading and construction shall not commence until the construction noise management plan is approved by the City of Folsom.</p> <ul style="list-style-type: none"> • Noise-generating construction operations shall be limited to the hours between 7 a.m. and 7 p.m. Monday through Friday, and between 8 a.m. and 5 p.m. on Saturdays. No construction is allowed on Sundays. These hours may be expanded to include Saturday and Sunday between 8 a.m. and 6 p.m. provided there are no sensitive receptors within 1500 feet, subject to the sole discretion of the city. • All construction equipment and equipment staging areas (including rock crushing operations) shall be located as far as possible from nearby noise-sensitive land uses. • All construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations. Equipment engine shrouds shall be closed during equipment operation. • All motorized construction equipment shall be shut down when not in use to prevent idling. • Individual operations and techniques shall be replaced with quieter procedures (e.g., using welding instead of riveting, mixing concrete off- site instead of on-site). 	G, I, B	CD (P)(E)(B)
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<p>44. Cont.</p>	<p>3A 11-1 3B1-3a</p>	<ul style="list-style-type: none"> • Noise-reducing enclosures shall be used around stationary noise-generating equipment (e.g., compressors and generators) as planned phases are built out and future noise sensitive receptors are located within close proximity to future construction activities. • Written notification of construction activities shall be provided to all noise-sensitive receptors located within 850 feet of construction activities. Notification shall include anticipated dates and hours during which construction activities are anticipated to occur and contact information, including a daytime telephone number, for the project representative to be contacted in the event that noise levels are deemed excessive. Recommendations to assist noise-sensitive land uses in reducing interior noise levels (e.g., closing windows and doors) shall also be included in the notification. • To the extent feasible, acoustic barriers (e.g., lead curtains, sound barriers) shall be constructed to reduce construction-generated noise levels at affected noise-sensitive land uses. The barriers shall be designed to obstruct the line of sight between the noise-sensitive land use and on-site construction equipment. When installed properly, acoustic barriers can reduce construction noise levels by approximately 8–10 dB (EPA 1971). • When future noise sensitive uses are within close proximity to prolonged construction noise, noise-attenuating buffers such as structures, truck trailers, or soil piles shall be located between noise sources and future residences to shield sensitive receptors from construction noise. 	<p>G, I, B</p>	<p>CD (P)(E)(B)</p>
<p>45.</p>	<p>3B.16-3a</p>	<p><i>Minimize Utility Conflicts by Implementing an Underground Services Alert.</i> Underground utilities and service connections shall be identified prior to commencing any excavation work through the implementation of an Underground Services Alert (USA). The exact utility locations will be determined by hand-excavated test pits dug at locations determined and approved by the construction manager (also referred to as “pot-holing”). Temporary disruption of service may be required to allow for construction. No service on such lines would be disrupted until prior approval is received from the construction manager and the service provider.</p>	<p>G</p>	<p>CD (E)</p>

46.	3A-7.3	<p><i>Prepare and Implement the Appropriate Grading and Erosion Control Plan.</i> Prior to issuance of a grading permit, the owner/applicant shall retain a California Registered Civil Engineer to prepare a grading and erosion and sedimentation control plan. The grading and erosion and sedimentation control plan shall be submitted to the Community Development Department prior to issuance of a grading permit. The plan shall be consistent with the Folsom Plan Area Grading Specifications, the City’s Grading Ordinance, the state’s NPDES permit, the FPASP preliminary grading plans and shall include the site-specific grading associated with development for all project phases.</p> <p>The plans referenced above shall include the location, implementation schedule, and maintenance schedule of all erosion and sediment control measures, a description of measures designed to control dust and stabilize the construction-site road and entrance, and a description of the location and methods of storage and disposal of construction materials. Erosion and sediment control measures could include the use of temporary detention basins, berms, swales, wattles, and silt fencing, and covering or watering of stockpiled soils to reduce wind erosion. Stabilization on steep slopes could include construction of retaining walls and reseeded with vegetation after construction. Stabilization of construction entrances to minimize trackout (control dust) is commonly achieved by installing filter fabric and crushed rock to a depth of approximately 1 foot.</p> <p>The owner/applicant(s) shall ensure that the construction contractor is responsible for securing a source for transportation and deposition of excavated materials.</p>	G	CD (E)
47.	3A7-3	<p><i>Erosion Control Plan</i> Prior to the approval of the final facilities design, commencement of grading and/or construction activities, the owner/applicant shall submit an erosion control plan to the City for review and approval. The plan shall identify protective measures to be taken during excavation, temporary stockpiling, any reuse or disposal, and revegetation. Specific techniques may be based upon geotechnical reports, the <u>Erosion and Sediment Control Handbook</u> of the State of California Department of Conservation, and shall comply with all updated City standards.</p>	G	CD (E)

48.	3A7-3	<p><i>Erosion and sedimentation control measures</i> Erosion and sedimentation control measures shall be incorporated into all grading and/or construction plans. These measures shall conform to the City of Folsom requirements and the County of Sacramento <u><i>Erosion and Sedimentation Control Standards and Specifications</i></u>-current edition and as directed by the Community Development Department.</p>	G	CD (E)
49.	3A 9-1	<p><i>Acquire Appropriate Regulatory Permits and Prepare and Implement Stormwater Pollution Prevention Plan (SWPPP) and Best Management Practices (BMPs).</i> The owner/applicant(s) of all projects disturbing one or more acres (including phased construction of smaller areas which are part of a larger project) shall obtain coverage under the State Water Resources Control Board's National Pollution Discharge Elimination System stormwater permit for general construction activity (Order 2009-0009-DWQ), including preparation and submittal of a project-specific Storm Water Pollution Prevention Permit at the time the Notice of Intent is filed. The Storm Water Pollution Prevention Permit and other appropriate plans shall identify and specify:</p> <ul style="list-style-type: none"> • the use of an effective combination of robust erosion and sediment control BMPs and construction techniques accepted by the local jurisdictions for use in the project area at the time of construction, that shall reduce the potential for runoff and the release, mobilization, and exposure of pollutants, including legacy sources of mercury from project-related construction sites. These may include but would not be limited to temporary erosion control and soil stabilization measures, sedimentation ponds, inlet protection, perforated riser pipes, check dams, and silt fences • the implementation of approved local plans, non-stormwater management controls, permanent post-construction BMPs, and inspection and maintenance responsibilities; • the pollutants that are likely to be used during construction that could be present in stormwater drainage and nonstormwater discharges, including fuels, lubricants, and other types of materials used for equipment operation; • spill prevention and contingency measures, including measures to prevent or clean up spills of hazardous waste and of hazardous materials used for equipment operation, and emergency procedures for responding to spills; 	G	CD (E)

<p>49. Cont.</p>	<p>3A 9-1</p>	<ul style="list-style-type: none"> • personnel training requirements and procedures that shall be used to ensure that workers are aware of permit requirements and proper installation methods for BMPs specified in the Storm Water Pollution Prevention Permit; and • the appropriate personnel responsible for supervisory duties related to implementation of the Storm Water Pollution Prevention Permit. <p>Where applicable, Best Management Practices identified in the Storm Water Pollution Prevention Permit shall be in place throughout all site work and construction/demolition activities and shall be used in all subsequent site development activities. Best Management Practices may include, but are not limited to, such measures as those listed below:</p> <ul style="list-style-type: none"> • Implementing temporary erosion and sediment control measures in disturbed areas to minimize discharge of sediment into nearby drainage conveyances, in compliance with state and local standards in effect at the time of construction. These measures may include silt fences, staked straw bales or wattles, sediment/silt basins and traps, geofabric, sandbag dikes, and temporary vegetation. • Establishing permanent vegetative cover to reduce erosion in areas disturbed by construction by slowing runoff velocities, trapping sediment, and enhancing filtration and transpiration. • Using drainage swales, ditches, and earth dikes to control erosion and runoff by conveying surface runoff down sloping land, intercepting and diverting runoff to a watercourse or channel, preventing sheet flow over sloped surfaces, preventing runoff accumulation at the base of a grade, and avoiding flood damage along roadways and facility infrastructure. <p>A copy of the approved Storm Water Pollution Prevention Permit shall be maintained and available at all times on the construction site.</p>	<p>G</p>	<p>CD (E)</p>
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<p>50.</p>	<p>3A-9.2</p>	<p><i>Prepare and Submit Final Drainage Plans and Implement Requirements Contained in Those Plans.</i></p> <p>The owner/applicant(s) shall submit final drainage plans to the City demonstrating that off-site upstream runoff will be appropriately conveyed through the Folsom Plan Area, and that project-related on-site runoff will be appropriately conveyed and contained in detention basins or managed through other improvements (e.g., source controls, biotechnical stream stabilization) to reduce flooding and hydromodification impacts and provide water quality treatment.</p> <p>The plans shall include, but not be limited to, the following items:</p> <ul style="list-style-type: none"> • an accurate calculation of pre-project and post-project runoff scenarios, obtained using appropriate engineering methods, that accurately evaluates potential changes to runoff, including increased surface runoff; • runoff calculations for the 10-year and 100-year (0.01 AEP) storm events (and other, smaller storm events as required) shall be performed and the trunk drainage pipeline sizes confirmed based on alignments and detention facility locations finalized in the design phase; • a description of the proposed maintenance program for the on-site drainage system; • project-specific standards for installing drainage systems; • City flood control design requirements and measures designed to comply with them; Implementation of stormwater management BMPs that avoid increases in the erosive force of flows beyond a specific range of conditions needed to limit hydromodification and maintain current stream geomorphology. These Best Management Practices will be designed and constructed in accordance with the forthcoming Stormwater Quality Partnership Hydromodification Management Plan (to be adopted by the Regional Water Quality Control Board) and may include, but are not limited to, the following: 	<p>G, B</p>	<p>CD (E)</p>
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<p>50. Cont.</p>	<p>3A-9.2</p>	<ul style="list-style-type: none"> • Use of Low Impact Development (LID) techniques to limit increases in stormwater runoff at the point of origination (these may include, but are not limited to: surface swales; replacement of conventional impervious surfaces with pervious surfaces [e.g., porous pavement]; impervious surfaces disconnection; and trees planted to intercept stormwater); • Enlarged detention basins to minimize flow changes and changes to flow duration characteristics; • Bioengineered stream stabilization to minimize bank erosion, utilizing vegetative and rock stabilization, and inset floodplain restoration features that provide for enhancement of riparian habitat and maintenance of natural hydrologic and channel to floodplain interactions; • Minimize slope differences between any stormwater or detention facility outfall channel with the existing receiving channel gradient to reduce flow velocity; and • Minimize to the extent possible detention basin, bridge embankment, and other encroachments into the channel and floodplain corridor, and utilize open bottom box culverts to allow sediment passage on smaller drainage courses. <p>The final drainage plan shall demonstrate to the satisfaction of the City of Folsom Community Development and Public Works Departments that 100-year (0.01 AEP) flood flows would be appropriately channeled and contained, such that the risk to people or damage to structures within or down gradient of the Folsom Plan Area would not occur, and that hydromodification would not be increased from pre-development levels such that existing stream geomorphology would be changed (the range of conditions should be calculated for each receiving water if feasible, or a conservative estimate should be used, e.g., an Ep of 1 ±10% or other as approved by the Sacramento Stormwater Quality Partnership and/or City of Folsom).</p>	<p>G</p>	<p>CD (E), PW</p>
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51.		<p><i>Develop and Implement a BMP and Water Quality Maintenance Plan.</i> A detailed BMP and water quality maintenance plan shall be prepared by a qualified engineer retained by the owner/applicant(s) for the project. The plan shall finalize the water quality improvements and further detail the structural and nonstructural BMPs proposed for the project. The plan shall include the elements described below.</p> <ul style="list-style-type: none"> • A quantitative hydrologic and water quality analysis of proposed conditions incorporating the proposed drainage design features. • Predevelopment and post development calculations demonstrating that the proposed water quality BMPs meet or exceed requirements established by the City of Folsom and including details regarding the size, geometry, and functional timing of storage and release pursuant to the latest edition of the “Stormwater Quality Design Manual for Sacramento and South Placer Regions” (the City’s MS4NPDES permit, page 46) and El Dorado County’s NPDES SWMP (County of El Dorado 2004). • Source control programs to control water quality pollutants on the SPA, which may include but are not limited to recycling, street sweeping, storm drain cleaning, household hazardous waste collection, waste minimization, prevention of spills and illegal dumping, and effective management of public trash collection areas. • A pond management component for the proposed basins that shall include management and maintenance requirements for the design features and BMPs, and responsible parties for maintenance and funding. • LID control measures shall be integrated into the BMP and water quality maintenance plan. These may include, but are not limited to: <ul style="list-style-type: none"> • surface swales; • replacement of conventional impervious surfaces with pervious surfaces (e.g., porous pavement); • impervious surfaces disconnection; and • trees planted to intercept stormwater. 	G	CD (E)
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<p>51. Cont.</p>		<ul style="list-style-type: none">• New stormwater facilities shall be placed along the natural drainage courses within the SPA to the extent practicable so as to mimic the natural drainage patterns. The reduction in runoff as a result of the LID configurations shall be quantified based on the runoff reduction credit system methodology described in “Stormwater Quality Design Manual for the Sacramento and South Placer Regions, Chapter 5 and Appendix D4” (SSQP 2007b) and proposed detention basins and other water quality BMPs shall be sized to handle these runoff volumes. <p>For those areas that would be disturbed as part of the U.S. 50 interchange improvements, it is anticipated that Caltrans would coordinate with the development and implementation of the overall project SWPPP, or develop and implement its own SWPPP specific to the interchange improvements, to ensure that water quality degradation would be avoided or minimized to the maximum extent practicable. Mitigation for the off-site improvements outside of the City of Folsom’s jurisdictional boundaries shall be coordinated by the owner/applicant of each applicable project phase with El Dorado County and Caltrans.</p>	<p>G</p>	<p>CD (E)</p>
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<p>52.</p>	<p><i>Interim Stormwater Detention Basin.</i></p> <p>a. Design. The owner/applicant shall be responsible for the design and construction of the interim stormwater detention basin (Basin No. 11). The detention basin design shall include City approved vehicular access to the entire basin, including but not limited to, the inlets and outfalls for the basin. The improvement plans for the proposed interim basin shall be reviewed and approved by the City prior to approval of any Final Map where the basin is required to be constructed to mitigate impacts to stormwater detention, water quality, and/or hydrdomodification.</p> <p>b. Operation and Maintenance Manual The owner/applicant shall prepare an Operations and Maintenance manual for the interim stormwater detention basin for maintenance by the City. The manual shall be subject to review and approval by the City prior to any Final Map where the basin is required to be constructed to mitigate impacts to stormwater detention, water quality, and/or hydrdomodification.</p> <p>c. Access The owner/applicant shall grant public easements for access to the interim stormwater detention basin prior to approval of the Final Map which requires construction of the interim stormwater detention basin.</p> <p>d. Operation Funding The owner/applicant shall provide a funding mechanism, separate from the funding mechanism for the permanent detention basin, for the operation and maintenance by the City of Folsom of the interim stormwater detention basin. The funding for the operation and maintenance of the basin shall remain in place until such time as the required permanent detention basin(s) are constructed downstream by others and are operational in accordance with the Folsom Plan Area Storm Drainage Master Plan. The funding mechanism shall be in place and funding available to the City prior to approval of any Final Map where the basin is required to be constructed to mitigate impacts to stormwater detention, water quality, and/or hydrdomodification.</p>	<p>M</p>	<p>CD (E)</p>
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53.	3A 8.7	<p><i>Prepare and Implement a Vector Control Plan in Consultation with the Sacramento-Yolo Mosquito and Vector Control District.</i></p> <p>To ensure that the operation and design of the stormwater system, including multiple planned detention basins, is consistent with the recommendations of the Sacramento-Yolo Mosquito and Vector Control District regarding mosquito control, the owner/applicant shall prepare and implement a Vector Control Plan. This plan shall be prepared in coordination with the Sacramento-Yolo Mosquito and Vector Control District and shall be submitted to the City for approval prior to issuance of the grading permit for the proposed detention basins under the City's jurisdiction.</p> <p>The plan shall incorporate specific measures deemed sufficient by the City to minimize public health risks from mosquitoes, and as contained within the Sacramento-Yolo Mosquito and Vector Control District BMP Manual (Sacramento-Yolo Mosquito and Vector Control District 2008). The plan shall include, but is not limited to, the following components:</p> <ul style="list-style-type: none">• Description of the project.• Description of detention basins and all water features and facilities that would control on-site water levels.• Goals of the plan.• Description of the water management elements and features that would be implemented, including:<ul style="list-style-type: none">i. BMPs that would be implemented on-site;ii. public education and awareness;iii. sanitary methods used (e.g., disposal of garbage);iv. mosquito control methods used (e.g., fluctuating water levels, biological agents, pesticides, larvacides, circulating water); andv. stormwater management.	G	CD (E) Sacramento County
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<p>53. Cont.</p>	<p>3A 8.7</p>	<ul style="list-style-type: none"> • Long-term maintenance of the detention basins and all related facilities (e.g., specific ongoing enforceable conditions or maintenance by a homeowner’s association). <p>To reduce the potential for mosquitoes to reproduce in the detention basins, the owner/applicant(s) shall coordinate with the Sacramento-Yolo Mosquito and Vector Control District to identify and implement BMPs based on their potential effectiveness for the site conditions. Potential BMPs could include, but are not limited to, the following:</p> <ul style="list-style-type: none"> • build shoreline perimeters as steep and uniform as practicable to discourage dense plant growth; • perform routine maintenance to reduce emergent plant densities to facilitate the ability of mosquito predators (i.e., fish) to move throughout vegetated area; • design distribution piping and containment basins with adequate slopes to drain fully and prevent standing water. The design slope should take into consideration buildup of sediment between maintenance periods. Compaction during grading may also be needed to avoid slumping and settling; • coordinate cleaning of catch basins, drop inlets, or storm drains with mosquito treatment operations; • enforce the prompt removal of silt screens installed during construction when no longer needed to protect water quality; • if the sump, vault, or basin is sealed against mosquitoes, with the exception of the inlet and outlet, submerge the inlet and outlet completely to reduce the available surface area of water for mosquito egg– laying (female mosquitoes can fly through pipes); and • design structures with the appropriate pumping, piping, valves, or other necessary equipment to allow for easy dewatering of the unit if necessary (Sacramento Yolo Mosquito and Vector Control District 2008). 	<p>G</p>	<p>CD (E) Sacramento County</p>
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54.	3B.9-1b	<p><i>Properly Dispose of Hydrostatic Test Water and Construction Dewatering in Accordance with the Central Valley Regional Water Quality Control Board</i> All hydrostatic test water and construction dewatering shall be discharged to an approved land disposal area or drainage facility in accordance with Central Valley RWCQB requirements. The City or its construction contractor shall provide the Central Valley RWQCB with the location, type of discharge, and methods of treatment and monitoring for all hydrostatic test water discharges. Emphasis shall be placed on those discharges that would occur directly to surface water bodies.</p>	G	CD (E)
55.		<p><i>State and Federal Permits</i> The owner/applicant shall obtain all required State and Federal permits and provide evidence that said permits have been obtained, or that the permit is not required, subject to staff review prior to approval of any grading or improvement plan.</p>	G, I	CD (P)(E)

<p>56.</p>	<p>3A 3-1a 3A 3-1b</p>	<p>Clean Water Act Sections 401 and 404 Permits Prior to the approval of grading and improvement plans and before any groundbreaking activity associated with each distinct project phase, the owner/applicant shall secure all necessary permits obtained under Sections 401 and 404 of the Clean Water Act or the State’s Porter-Cologne Act and implement all permit conditions for the proposed project. All permits, regulatory approvals, and permit conditions for effects on wetland habitats shall be secured and conditions implemented before implementation of any grading activities within 250 feet of Waters of the U.S, or wetland habitats, including Waters of the State, that potentially support federally-listed species, or within 100 feet of any other Waters of the U.S. or wetland habitats, including Waters of the State. The owner/applicant shall adhere to all conditions outlined in the permits. The owner/applicant shall commit to replace, restore, or enhance on a “no net loss” basis (in accordance with United States Army Corps Of Engineers and the Central Valley Regional Water Quality Control Board) the acreage of all wetlands and other Waters of the U.S. that would be removed, lost, and/or degraded with implementation of the project. Wetland habitat shall be restored, enhanced, and/or replaced at an acreage and location and by methods agreeable to United States Army Corps Of Engineers, the Central Valley Regional Water Quality Control Board, and the City, as appropriate, depending on agency jurisdiction, and as determined during the Section 401 and Section 404 permitting processes. The boundaries of the 404 permit, including required buffers shall be shown on the grading plans.</p> <p>All mitigation requirements to satisfy the requirements of the City and the Central Valley Regional Water Quality Control Board, for impacts on the non-jurisdictional wetlands beyond the jurisdiction of United States Army Corps Of Engineers, shall be determined and implemented before grading plans are approved.</p> <p>All wetland mitigation compliance reports submitted to the Army Corps of Engineers shall also be copied concurrently to the City.</p>	<p>G, I</p>	<p>CD(P)(E) United States Army Corps. Of Engineers Central Valley Regional Water Quality Control Board</p>
<p>57.</p>		<p>Water Quality Certification A water quality certification pursuant to Section 401 of the Clean Water Act is required before issuance of the record of decision and before issuance of the Section 404 permit. Before construction in any areas containing wetland features, the owner/applicant shall obtain water quality certification for the project. Any measures required as part of the issuance of water quality certification shall be implemented pursuant to the permit conditions.</p>	<p>G</p>	<p>CD (E)</p>

<p>58.</p>	<p>3A3-4a.</p>	<p><i>Master Streambed Alteration Agreement</i> The owner/applicant shall amend, if necessary, and implement the original Section 1602 Master Streambed Alteration Agreement received from California Department of Fish and Wildlife for all construction activities that would occur in the bed and bank of California Department of Fish and Wildlife jurisdictional features within the project site. As outlined in the Master Streambed Alteration Agreement, the owner/applicant shall submit a Sub-notification Form (SNF) to California Department of Fish and Wildlife 60 days prior to grading and/or the commencement of construction to notify California Department of Fish and Wildlife of the project.</p> <p>Any conditions of issuance of the Master Streambed Alteration Agreement shall be implemented as part of those project construction activities that would adversely affect the bed and bank within on-site drainage channels subject to California Department of Fish and Wildlife jurisdiction. The agreement shall be executed by the owner/applicant and California Department of Fish and Wildlife before the approval of any grading or improvement plans or any construction activities in any project phase that could potentially affect the bed and bank of on-site drainage channels under California Department of Fish and Wildlife jurisdiction.</p>	<p>G</p>	<p>CD(P)(E) California Department of Fish and Wildlife</p>
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59.	3B 3-1c	<p><i>Restore All Waters Impacted by Trenching and Temporary Construction Staging</i> For all crossings of waters of the U.S. or State in which the use of trenchless technologies are not feasible, the City shall ensure that all waters impacted by trenching activities are restored to pre-project conditions. In addition, within 30 days following project construction, the owner/applicant shall ensure that all temporary construction staging areas within waters of the U.S. or State are restored to preproject conditions. At minimum, the City shall ensure that the following measures are implemented during construction:</p> <ul style="list-style-type: none"> • Conduct trenching and construction activities across drainages during low-flow (e.g., <1 to 2 cfs) or dry periods as feasible; • If working in active channels, install cofferdam upstream and downstream of stream crossing to separate construction area from flowing waterway; • Place sediment curtains upstream and downstream of the construction zone to prevent sediment disturbed during trenching activities from being transported and deposited outside of the construction zone; • Locate spoil sites such that they do not drain directly into the drainages or seasonal wetlands; • Store equipment and materials away from the drainages and wetland areas. No debris will be deposited within 250 feet of the drainages and wetland areas; • Prepare and implement a revegetation plan to restore vegetation in all temporarily disturbed wetlands and other waters using native species seed mixes and container plant material that are appropriate for existing hydrological conditions. 	G	CD (E)
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<p>59. Cont.</p>	<p>3B 3-1c</p>	<p>Prior to the approval of grading and improvement plans and before any groundbreaking activity associated with grading and construction requiring fill of wetlands or other waters of the U.S. or waters of the state, the owner/applicant shall submit a wetland mitigation and monitoring plan (MMP) for the restoration of these waters within the selected water alignment to the US Army Corps of Engineers (USACE) and Central Valley Regional Water Quality Control Board (RWQCB) for review and approval of those portions of the plan over which they have jurisdiction. The Mitigation and Monitoring Plan (MMP) would have to be approved prior to issuance of a Section 404 permit. Once the final MMP is approved and implemented, mitigation monitoring shall continue for a minimum of 5 years from completion of restoration activities, or human intervention (including recontouring and grading), or until the performance standards identified in the approved MMP have been met, whichever is longer.</p> <p>At minimum, the MMP shall provide the following information:</p> <ul style="list-style-type: none"> • A description and drawings showing the existing contours (elevation) and existing vegetation of the waters of the U.S. and State that would be impacted through trenching activities. This information shall include site photographs taken at each impacted water. • Methods used to ensure that trenching within waters of the U.S. and State do not adversely alter existing hydrology, including the draining of the waters (e.g., use of cut-off walls). • The methods used to restore the site to the original contour and condition, as well as a plan for the revegetation of the site following installation of the improvements. • Proposed schedule for restoration activities 	<p>G</p>	<p>CD (E)</p>
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60.	3A 3-2a	<p><i>Swainson's Hawk Nesting Habitat</i></p> <p>A qualified biologist shall be retained by the owner/applicant to conduct preconstruction surveys and to identify active Swainson's Hawk nests on and within 0.5-mile of the project area. The surveys shall be conducted before the approval of grading and/or improvement plans (as applicable) and no less than 14 days and no more than 30 days before the beginning of grading and construction. To the extent feasible, guidelines provided in <i>Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in the Central Valley (Swainson's Hawk Technical Advisory Committee 2000)</i> shall be followed for surveys for Swainson's hawk. If no nests are found, no further mitigation is required.</p> <p>If active nests are found, impacts on nesting Swainson's Hawks shall be avoided by establishing appropriate buffers around the nests. No project activity shall commence within the buffer area until the young have fledged, the nest is no longer active, or until a qualified biologist has determined in coordination with California Department of Fish and Wildlife that reducing the buffer would not result in nest abandonment. California Department of Fish and Wildlife guidelines recommend implementation of 0.25- or 0.5-mile-wide buffers, but the size of the buffer may be adjusted if a qualified biologist and the City, in consultation with California Department of Fish and Wildlife, determine that such an adjustment would not be likely to adversely affect the nest. Monitoring of the nest by a qualified biologist during and after construction activities will be required if the activity has potential to adversely affect the nest.</p>	G	CD(P)(E) California Department of Fish and Wildlife
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<p>61.</p>	<p>3A 3-2b</p>	<p>Swainson's Hawk Habitat Prior to the approval of grading and improvement plans, or before any ground-disturbing activities, whichever occurs first, the owner/applicant shall secure suitable Swainson's Hawk foraging habitat to ensure appropriate mitigation of habitat value for Swainson's Hawk foraging habitat that is permanently lost as a result of the project, as determined by the City after consultation with California Department of Fish and Wildlife and a qualified biologist.</p> <p>The habitat value or shall be based on Swainson's Hawk nesting distribution and an assessment of habitat quality, availability, and use within the project area. The mitigation ratio shall be consistent with the 1994 DFG Swainson's Hawk Guidelines included in the Staff Report Regarding Mitigation for Impacts to Swainson's Hawks (<i>Buteo swainsoni</i>) in the Central Valley of California. If such mitigation shall be accomplished through purchase of credits at an approved mitigation bank, the transfer of fee title, or perpetual conservation easement, the ratio for habitat value shall be 0.5:1. If non-bank mitigation is proposed, the mitigation land shall be located within the known foraging area and within Sacramento County and the habitat value shall be 1:1. The City, after consultation with California Department of Fish and Wildlife, will determine the appropriateness of the mitigation land.</p> <p>The owner/applicant shall transfer said Swainson's Hawk mitigation land, through either conservation easement or fee title, to a third-party, nonprofit conservation organization (Conservation Operator), with the City and California Department of Fish and Wildlife named as third-party beneficiaries. The Conservation Operator shall be a qualified conservation easement land manager that manages land as its primary function. Additionally, the Conservation Operator shall be a tax-exempt nonprofit conservation organization that meets the criteria of Civil Code Section 815.3(a) and shall be selected or approved by the City, after consultation with California Department of Fish and Wildlife. After consultation with California Department of Fish and Wildlife and the Conservation Operator, the City shall approve the content and form</p>	<p>G</p>	<p>CD (P) California Department of Fish and Wildlife</p>
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<p>61. Cont.</p>	<p>3A 3-2b</p>	<p>of the conservation easement. The City, California Department of Fish and Wildlife, and the Conservation Operator shall each have the power to enforce the terms of the conservation easement. The Conservation Operator shall monitor the easement in perpetuity to assure compliance with the terms of the easement.</p> <p>After consultation with the City, The owner/applicant, California Department of Fish and Wildlife, and the Conservation Operator, shall establish an endowment or some other financial mechanism that is sufficient to fund in perpetuity the operation, maintenance, management, and enforcement of the conservation easement. If an endowment is used, either the endowment funds shall be submitted to the City for impacts on lands within the City’s jurisdiction to an appropriate third-party nonprofit conservation agency, or they shall be submitted directly to the third-party nonprofit conservation agency in exchange for an agreement to manage and maintain the lands in perpetuity. The Conservation Operator shall not sell, lease, or transfer any interest of any conservation easement or mitigation land it acquires without prior written approval of the City and California Department of Fish and Wildlife.</p> <p>If the Conservation Operator ceases to exist, the duty to hold, administer, manage, maintain, and enforce the interest shall be transferred to another entity acceptable to the City and California Department of Fish and Wildlife. The City Planning Department shall ensure that mitigation habitat established for impacts on habitat within the City’s planning area is properly established and is functioning as habitat by conducting regular monitoring of the mitigation site(s) for the first ten years after establishment of the easement.</p>	<p>G</p>	<p>CD(P)(E) California Department of Fish and Wildlife</p>
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62.	3A 3-2a	<p>Burrowing Owl A qualified biologist shall be retained by the owner/applicant to conduct a preconstruction survey to identify active Burrowing Owl burrows within the project area. The surveys shall be conducted no less than 14 days and no more than 30 days before the beginning of grading and construction activities for each phase of development. The preconstruction survey shall follow the protocols outlined in the Staff Report on Burrowing Owl Mitigation (CDFG 2012).</p> <p>If active burrows are found, a mitigation plan shall be submitted to the City for review and approval before any ground-disturbing activities. The City shall consult with California Department of Fish and Wildlife. The mitigation plan may consist of installation of one-way doors on all burrows to allow owls to exit, but not reenter, and construction of artificial burrows within the project vicinity, as needed; however, burrowing owl exclusions may only be used if a qualified biologist verifies that the burrow does not contain eggs or dependent young. If active burrows contain eggs and/or young, no construction shall occur within 50 feet of the burrow until young have fledged. Once it is confirmed that there are no owls inside burrows, these burrows may be collapsed.</p>	G	CD(P)(E) California Department of Fish and Wildlife
63.		<p>Nesting Raptors To mitigate impacts on nesting raptors, a qualified biologist shall be retained by the owner/applicant to conduct a preconstruction survey to identify active nests on and within 0.5 miles of the project area. The surveys shall be conducted no less than 14 days and no more than 30 days before the beginning of construction activities for each phase of development</p> <p>If active nests are found, impacts on nesting raptors shall be avoided by establishing appropriate buffers around the nests. No project activity shall commence within the buffer area until the young have fledged, the nest is no longer active, or until a qualified biologist has determined in coordination with California Department of Fish and Wildlife that reducing the buffer would not result in nest abandonment. The buffer may be adjusted if a qualified biologist and the City, in consultation with California Department of Fish and Wildlife, determine that such an adjustment would not be likely to adversely affect the nest. Monitoring of the nest by a qualified biologist during and after construction activities will be required if the activity has potential to adversely affect the nest.</p>	G	CD(P)(E) California Department of Fish and Wildlife

64.	3A.3-2c	<p><i>Avoid and Minimize Impacts to Tricolored Blackbird Nesting Colonies.</i> To avoid and minimize impacts to tricolored blackbird, the owner/applicant of all project phases shall conduct a preconstruction survey for any project activity that would occur during the tricolored blackbird's nesting season (March 1–August 31). The preconstruction survey shall be conducted by a qualified biologist before any activity occurring within 500 feet of suitable nesting habitat, including freshwater marsh and areas of riparian scrub vegetation. The survey shall be conducted within 14 days before project activity begins.</p> <p>If no tricolored blackbird colony is present, no further mitigation is required. If a colony is found, the qualified biologist shall establish a buffer around the nesting colony. No project activity shall commence within the buffer area until a qualified biologist confirms that the colony is no longer active. The size of the buffer shall be determined in consultation with DFG. Buffer size is anticipated to range from 100 to 500 feet, depending on the nature of the project activity, the extent of existing disturbance in the area, and other relevant circumstances.</p>	G	CD(P)(E) California Department of Fish and Wildlife
65.		<p><i>Other Nesting Special-Status and Migratory Birds</i> The owner/applicant shall retain a qualified biologist to conduct a preconstruction survey for any project activity that would occur in suitable nesting habitat during the avian nesting season (approximately March 1–August 31). The preconstruction survey shall be conducted within 14 days before any activity occurring within 100 feet of suitable nesting habitat. Suitable habitat includes annual grassland, valley needlegrass grassland, freshwater seep, vernal pool, seasonal wetland, and intermittent drainage habitat within the project site.</p> <p>If no active special-status or other migratory bird nests are present, no further mitigation is required. If an active nest is found, the qualified biologist shall establish a buffer around the nest. No project activity shall commence within the buffer area until a qualified biologist confirms that the nest is no longer active. The size of the buffer shall be determined in consultation with California Department of Fish and Wildlife. Buffer size is anticipated to range from 50 to 100 feet, depending on the nature of the project activity, the extent of existing disturbance in the area, and other relevant circumstances.</p>	G	CD(P)(E) California Department of Fish and Wildlife

<p>66.</p>	<p>3A3-4b</p>	<p>Valley Needlegrass The project shall preserve a total of 1.503 acres of Valley needlegrass grassland within the on-site Open Space areas. This includes 1.164 acres of Valley needlegrass grassland permanently protected in the Conservation Area and 0.339 acre protected in the Passive Recreation Open Space. Both of these types of Open Space will ultimately be managed by the City of Folsom under an approved Operations and Management Plan for the FPASP.</p> <p>Prior to ground-breaking activities including grading or construction, the owner/applicant, shall protect the existing Valley needlegrass grassland populations by a highly visible construction fence for avoidance during grading. Once construction is complete, graded areas within the Passive Recreation Open Space shall be restored to natural grassland conditions. These areas shall be seeded with a native seed mix which includes a majority of needlegrass species to ensure the establishment of additional areas of Valley needlegrass grasslands on site.</p>	<p>G</p>	<p>CD(P)(E) California Department of Fish and Wildlife</p>
<p>67.</p>		<p>Animal Barrier To discourage the migration of undesirable small animals (including snakes) into adjacent developed properties during the development of the project, the owner/applicant shall install a barrier along all areas adjacent to developed residential properties and parks to the satisfaction of the Community Development Department and consistent with a qualified biologist's recommendations. In general, the barrier may consist of wire-mesh fabric with openings not exceeding ½-inch width. The height of the barrier shall be at least 18 inches (above the ground surface), and may be buried into the ground at least twelve inches. The barrier shall be supported with metal stakes at no more than 10-foot spacing. The barrier shall be installed by the owner/applicant, as approved by the Community Development Department and a qualified biologist, prior to any construction disturbance on the site, including clearing and grading operations.</p>	<p>G</p>	<p>CD (E)(P)</p>

68.	3 A 5-1a 3A 5-2 3A 5-3	<p><i>Conduct Construction Worker Awareness Training, Conduct On-Site Monitoring if Required, Stop Work if Cultural Resources are Discovered, Assess the Significance of the Find, and Perform Treatment or Avoidance as Required.</i></p> <p>The owner/applicant(s) shall retain a qualified archaeologist to prepare and disseminate a contractor awareness training program for all construction supervisors. The sensitivity training program will provide information about notification procedures when potential archaeological material is discovered, procedures for coordination between construction personnel and information about other treatment or issues that may arise if cultural resources (including human remains) are discovered during project construction. The training shall be carried out each time a new contractor will begin work in the project area, and a minimum of once at the start of each construction season by that contractor, the qualified archeologist shall submit the completed training attendance roster and a copy of the training materials to the City and the USACE within 48 hours of delivery of the training program.</p>	G	CD (E) USACE
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69.	3A 5-3	<p><i>Suspend Ground-Disturbing Activities if Human Remains are Encountered and Comply with California Health and Safety Code Procedures.</i></p> <p>In the event that human remains are discovered, construction activities within 150 feet of the discovery shall be halted or diverted and the requirements for managing unanticipated discoveries in Mitigation Measure 4.4-2(a) shall be implemented. In addition, the provisions of Section 7050.5 of the California Health and Safety Code, Section 5097.98 of the California Public Resources Code, and Assembly Bill 2641 shall be implemented. When human remains are discovered, state law requires that the discovery be reported to the County Coroner (Section 7050.5 of the Health and Safety Code) and that reasonable protection measures be taken during construction to protect the discovery from disturbance (AB 2641).</p> <p>If the Coroner determines the remains are Native American, the Coroner shall notify the Native American Heritage Commission (NAHC), which then designates a Native American Most Likely Descendant for the project (Section 5097.98 of the Public Resources Code). The designated Native American Most Likely Descendant then has 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains (AB 2641).</p> <p>If the owner/applicant does not agree with the recommendations of the Native American Most Likely Descendant, the NAHC can mediate (Section 5097.94 of the Public Resources Code). If no agreement is reached, the owner/applicant shall rebury the remains where they will not be further disturbed (Section 5097.98 of the Public Resources Code). This will also include either recording the site with the NAHC or the appropriate Information Center; using an open space or conservation zoning designation or easement; or recording a deed restriction with the county in which the property is located (AB 2641).</p>	OG	CD (P)(E) Sacramento County Coroner Native American Heritage Commission
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70.	3A5-2	<p><i>Conduct Construction Worker Awareness Training, Stop Work if Paleontological Resources are Discovered, Assess the Significance of the Find, and Prepare and Implement a Recovery Plan as Required.</i></p> <p>Before the start of any earthmoving activities, the owner/applicant shall retain a qualified professional to train all construction personnel involved with earthmoving activities, including the site superintendent, regarding the possibility of encountering fossils, the appearance and types of fossils likely to be seen during construction, and proper notification procedures should fossils be encountered. The training shall be included in the archaeological contractor awareness training program.</p> <p>If paleontological resources are discovered during earthmoving activities, the construction crew shall immediately cease work in the vicinity of the find and notify the City of Folsom’s Community Development Department. The owner/applicant shall retain a qualified paleontologist to evaluate the resource and prepare a recovery plan in accordance with Society of Vertebrate Paleontology guidelines (1996). The recovery plan may include, but is not limited to, a field survey, construction monitoring, sampling and data recovery procedures, museum storage coordination for any specimen recovered, and a report of findings. Recommendations in the recovery plan that are determined by the lead agency to be necessary and feasible shall be implemented before construction activities can resume at the site where the paleontological resources were discovered.</p>	G	CD (E)(P)
71.	3A 5-1a	<p><i>Geoarcheological Monitoring</i></p> <p>In the event that any grading will occur within areas determined to require geoarcheological monitoring, the owner/applicant shall retain a qualified professional geoarcheologist who has a graduate degree in the specialized discipline, possesses a demonstrated ability to carry research to completion, and has at least 24 months of professional experience and/or specialized training in geoarcheology. The geoarcheologist shall monitor the ground disturbing activities in the affected areas down to 1.5 meters below the surface. The monitoring geoarcheologist shall submit proof of monitoring in the form of daily field monitoring logs to the City and the US Army Corps of Engineers within 48 hours of completion of monitoring activities.</p>	G	CD (E)(P)

72.	3B.8-1a	<p><i>Transport, Store, and Handle Construction-Related Hazardous Materials in Compliance with Relevant Regulations and Guidelines.</i></p> <p>The City shall ensure, through the enforcement of contractual obligations, that all contractors transport, store, and handle construction-related hazardous materials in a manner consistent with relevant regulations and guidelines, including those recommended and enforced by Caltrans, Central Valley RWQCB, local fire departments, and the County environmental health department.</p> <p>Recommendations shall include as appropriate transporting and storing materials in appropriate and approved containers, maintaining required clearances, and handling materials using applicable Federal, state and/or local regulatory agency protocols. In addition, all precautions required by the Central Valley RWQCB-issued NPDES construction activity stormwater permits shall be taken to ensure that no hazardous materials enter any nearby waterways.</p> <p>In the event of a spill, the City shall ensure, through the enforcement of contractual obligations, that all contractors immediately control the source of any leak and immediately contain any spill utilizing appropriate spill containment and countermeasures. If required by the local fire departments, the local environmental health department, or any other regulatory agency, contaminated media shall be collected and disposed of at an off-site facility approved to accept such media.</p> <p>The storage, handling, and use of the construction-related hazardous materials shall be in accordance with applicable Federal, state, and local laws. Construction-related hazardous materials and hazardous wastes (e.g., fuels and waste oils) shall be stored away from stream channels and steep banks to prevent these materials from entering surface waters in the event of an accidental release. These materials shall be kept at sufficient distance (at least 500 feet) from nearby residences or other sensitive land uses. This includes materials stored for expected use, materials in equipment and vehicles, and waste materials.</p>	G	CD (E)(P)
73.		<p><i>Landslide /Slope Failure</i></p> <p>The owner/applicant shall retain an appropriately licensed engineer during the grading activities to identify existing landslides and potential slope failure hazards. The said engineer shall be notified a minimum of two days prior to any site clearing or grading to facilitate meetings with the grading contractor in the field.</p>	G	CD (E) PW

74.	3B.16-3a	<p><i>Minimize Utility Conflicts by Implementing an Underground Services Alert.</i> Underground utilities and service connections shall be identified prior to commencing any excavation work through the implementation of an Underground Services Alert (USA). The exact utility locations will be determined by hand-excavated test pits dug at locations determined and approved by the construction manager (also referred to as “pot-holing”). Temporary disruption of service may be required to allow for construction. No service on such lines would be disrupted until prior approval is received from the construction manager and the service provider.</p>	G	CD (E) PW
75.	3B.16-3b	<p><i>Coordinate with Utility Providers and Implement Appropriate Installation Methods to Minimize Potential Utility Service Disruptions.</i> Prior to installation, the City shall consult with EID, PG&E, etc., to determine proper installation methods and final design criteria to minimize the potential for disruptions to existing and planned utilities.</p>	G	CD (E) PW
IMPROVEMENT PLAN REQUIREMENTS				
76.		<p><i>Improvement Plans</i> The improvement plans for the required public and private subdivision improvements necessary to serve any and all phases of development shall be reviewed and approved by the Community Development Department, El Dorado County if applicable, and the El Dorado Irrigation District (EID) if applicable prior to approval of a Final Map.</p>	M	CD (E)
77.	3A.9-4:	<p><i>Inspect and Evaluate Existing Dams Within and Upstream of the Project Site and Make Improvements if Necessary.</i> Prior to submittal to the City of tentative maps or improvement plans the owner/applicants shall conduct studies to determine the extent of inundation in the case of dam failure. If the studies determine potential exposure of people or structures to a significant risk of flooding as a result of the failure of a dam, the owner/applicants shall implement of any feasible recommendations provided in that study, potentially through drainage improvements, subject to the approval of the City.</p>	I	CD (P)(E)

78.		<p><i>Standard Construction Specifications and Details</i> Public and private improvements, including roadways, curbs, gutters, sidewalks, bicycle lanes and trails, streetlights, underground infrastructure and all other improvements shall be provided in accordance with the latest edition of the City of Folsom <u><i>Standard Construction Specifications and Details</i></u> and the <u><i>Design and Procedures Manual and Improvement Standards</i></u> with the exception of sewer and water, which will be provided by the El Dorado Irrigation District (EID). Sewer and water improvements shall be provided in accordance with the EID Design and Constructions Standards (July-1999). The sewer and water improvements shall also be designed and constructed in accordance with the approved Facilities Plan Report (FPR), and are subject to review and approval by EID.</p>	I	CD (P)(E)
79.		<p><i>Water and Sewer Infrastructure</i> All City-owned water and sewer infrastructure shall be placed within the street right of way. In the event that a City-maintained public water or sewer main needs to be placed in an area other than the public right of way, such as through an open space corridor, landscaped area, etc., the following criteria must be met;</p> <ul style="list-style-type: none"> • The owner/applicant shall provide public sewer and water main easements • An access road shall be designed and constructed to allow for the operations, maintenance and replacement of the public water or sewer line by the City along the entire water and/or sewer line alignment. • In no case shall a City-maintained public water or public sewer line be placed on private residential property. • The domestic water and irrigation system owned and maintained by the City shall be separately metered per City of Folsom <u><i>Standard Construction Specifications and Details</i></u>. • It is possible that sewer service for all or portions of Phase 3A and 3B of the Folsom Heights Subdivision may be provided by the City of Folsom instead of the El Dorado Irrigation District (EID). In such event, the City of Folsom service will be provided, pursuant to a prior written agreement between the City and the EID on terms acceptable to both entities. 	I	CD (E)

80.	3A1-5	<p>Lighting Plan The owner/applicant of all project phases shall submit a lighting plan for the project to the Community Development Department. The lighting plan shall be consistent with the Folsom Heights Subdivision Design Guidelines:</p> <ul style="list-style-type: none"> • shield or screen lighting fixtures to direct the light downward and prevent light spill on adjacent properties; • place and shield or screen flood and area lighting needed for construction activities, nighttime sporting activities, and/or security so as not to disturb adjacent residential areas and passing motorists; • for public lighting in residential neighborhoods, prohibit the use of light fixtures that are of unusually high intensity or that blink or flash; • use appropriate building materials (such as low-glare glass, low-glare building glaze or finish, neutral, earthtoned colored paint and roofing materials), shielded or screened lighting, and appropriate signage in the office/commercial areas to prevent light and glare from adversely affecting motorists on nearby roadways; and • design exterior on-site lighting as an integral part of the building and landscaping design in the Specific Plan Area. Lighting fixtures shall be architecturally consistent with the overall site design. Lights used on signage should be directed to light only the sign face with no off site glare. 	I	CD (P)
81.	3B. 1-2a.	<p>Above Ground Utility Site Design Review Application The owner/applicant shall submit a Site Design Review Application for all above ground utility installations (water tanks, booster pumps stations, life stations, etc.) to the Community Development Department to ensure these facilities are adequately screened. These above ground utility installations shall be designed to be adequately screened and/or blended into the hillsides through use of berming, landscaping or through the use of walls or fences to the satisfaction of the Community Development Department. In addition, the final design, materials, and colors of any structures, walls, fences, and enclosures shall be consistent with the Folsom Plan Area Public Facilities Design Standards Master Building Materials and Colors List and to the satisfaction of the Community Development Department.</p>	G, I	CD (P)(E) EWR
82.		<p>Utility Coordination The owner/applicant shall coordinate the planning, development and completion of this project with the various utility agencies (i.e., SMUD, PG&E, etc.). The owner/applicant shall provide the City with written confirmation of public utility service prior to approval of all final maps.</p>	I	CD (P)(E)

83.	3B.7-4	<p>Implement Corrosion Protection Measures. The owner/applicant shall be required to provide that all underground metallic fittings, appurtenances and piping in the City's water systems include a cathodic protection system to protect these facilities from corrosion. The cathodic protection system shall be prepared by a licensed geotechnical or civil engineer and the system shall be reviewed and approved by the City and the El Dorado Irrigation District (EID) prior to approval of improvement plans.</p>	I	CD(E), EWR
84.	3B.7-1b	<p>Incorporate Pipeline Failure Contingency Measures Into Final Pipeline Design. The owner/applicant shall be required to provide isolation valves or similar devices to be incorporated into all pipeline facilities to prevent substantial losses of surface water in the event of a pipeline failure. The pipeline failure contingency measures shall be incorporated into the final pipeline design and this design shall be prepared by a licensed geotechnical or civil engineer. The specifications for the isolation valves shall conform to the California Building Code (CBC) and American Water Works Association Standards. The final pipeline design shall be reviewed and approved by the City and the El Dorado Irrigation District (EID) prior to approval of improvement plans.</p>	I	CD (E), EWR
85.		<p>Replacing Hazardous Facilities The owner/applicant shall be responsible for replacing any and all damaged or hazardous public sidewalk, curb and gutter, and/or bicycle trail facilities along the site frontage and/or boundaries, including pre-existing conditions and construction damage, to the satisfaction of the Community Development Department.</p>	I, OG	CD (E)
86.		<p>Future Utility Lines All future utility lines lower than 69 KV that are to be built within the project, shall be placed underground within and along the perimeter of the project at the developer's cost. The owner/applicant shall dedicate to SMUD all necessary underground easements for the electrical facilities that will be necessary to service development of the project.</p>	B	CD (E)
87.		<p>Water Meter Fixed Network System The owner owner/applicant shall pay for, furnish and install all infrastructure associated with the water meter fixed network system for any City-owned and maintained water meter within the project.</p>	I	CD (E), EWR
88.		<p>Vertical Curb All curbs located adjacent to landscaping, whether natural or manicured, and where parking is allowed shall be vertical.</p>	I	CD (P)(B)
89.		<p>Class II Bike Lanes All Class II bike lanes shall be striped and painted green. No parking shall be permitted within the Class II bike lanes.</p>	I	CD (E)(P)

90.	3A 11-4	<p>Noise Barriers Based on the Supplemental Environmental Noise Assessment prepared by Bollard Acoustical Consultants on March 10, 2017, the following measures shall be implemented to the satisfaction of the Community Development Department:</p> <ul style="list-style-type: none"> • Traffic noise barriers shall be constructed along selected lots adjacent to White Rock Road (Lots 1-6) and future Empire Ranch Road (Lots 18-23) at the locations indicated on Figures 2 and 3 within the Environment Noise Assessment. The noise barriers shall be six-feet-tall relative to backyard elevation. The final location, design, materials, and colors of the noise barriers shall be to the satisfaction of the Community Development Department. • All second-floor bedroom windows of selected lots adjacent to White Rock Road (Lots 1-3) and future Empire Ranch Road (Lots 20-21) from which the roadway is visible shall be upgraded to a minimum STC rating of 32 (Shown on Figures 2 and 3 within the Environmental Noise Assessment). • Mechanical ventilation (air conditioning) shall be provided for all single-family residences within the Folsom Heights Subdivision to allow the occupants to close doors and windows as desired to achieve compliance with the applicable interior noise level criteria. 	I	CD (E)(P)
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<p>91.</p>		<p>Master Plan Updates</p> <p>The City has approved the Folsom Plan Area Storm Drainage Master Plan, Wastewater Master Plan, and Sewer Master Plan. The owner/applicant shall submit complete updates to the approved master plans, if applicable, for the proposed changes to the master plans as a result of the proposed project. The updates to the master plans for the proposed project shall be reviewed and approved by the City prior to approval of grading and/or improvement plans.</p> <p>The plans shall be accompanied by engineering studies supporting the sizing, location, and timing of the proposed facilities. Improvements shall be constructed in phases as the project develops in accordance with the approved master plans, including any necessary off-site improvements to support development of a particular phase or phases, subject to prior approval by the City. Off-site improvements may include roadways to provide secondary access, water transmission lines or distribution facilities to provide a looped water system, sewer trunk mains and lift stations, water quality facilities, non-potable water pipelines and infrastructure, and drainage facilities including on or off-site detention. No changes in infrastructure from that shown on the approved master plan shall be permitted unless and until the applicable master plan has been revised and approved by the City. Final lot configurations may need to be modified to accommodate the improvements identified in these studies to the satisfaction of the City.</p> <p>The owner/applicant shall provide sanitary sewer, water and storm drainage improvements with corresponding easements, as necessary, in accordance with these studies and the latest edition of the City of Folsom <u>Standard Construction Specifications and Details</u>, and the <u>Design and Procedures Manual and Improvement Standards</u> and in accordance with the El Dorado Irrigation District (EID) Design and Constructions Standards (July-1999) where applicable. The sewer and water improvements shall also be included in the Facilities Plan Report (FPR), which is subject to review and approval by EID.</p> <p>The storm drainage design shall provide for no net increase in run-off under post-development conditions.</p>	<p>G, I</p>	<p>CD(E), EWR, PW</p>
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<p>92.</p>	<p>3A 3-1a</p>	<p><i>Design Stormwater Drainage Plans and Erosion and Sediment Control Plans to Avoid and Minimize Erosion and Runoff to All Wetlands and Other Waters That Are to Remain on the SPA and Use Low Impact Development Features.</i></p> <p>To minimize indirect effects on water quality and wetland hydrology, the owner/applicant shall include stormwater drainage plans and erosion and sediment control plans in their grading and/or improvement plans and shall submit these plans to the City for review and approval. Prior to approval of grading and/or improvement plans, the owner/applicant for any particular discretionary development application shall obtain a NPDES Construction General Permit and Grading Permit, comply with the City’s Grading Ordinance and City drainage and stormwater quality standards, and commit to implementing all measures in their drainage plans and erosion and sediment control plans to avoid and minimize erosion and runoff into Alder Creek and all wetlands and other waters that would remain on-site.</p> <p>The owner/applicant shall implement stormwater quality treatment controls consistent with the Stormwater Quality Design Manual for Sacramento and South Placer Regions in effect at the time the application is submitted. Appropriate runoff controls such as berms, storm gates, off-stream detention basins, overflow collection areas, filtration systems, and sediment traps shall be implemented to control siltation and the potential discharge of pollutants. Development plans shall incorporate Low Impact Development (LID) features, such as pervious strips, permeable pavements, bioretention ponds, vegetated swales, disconnected rain gutter downspouts, and rain gardens, where appropriate. Use of LID features is recommended by the EPA to minimize impacts on water quality, hydrology, and stream geomorphology and is specified as a method for protecting water quality in the proposed specific plan. In addition, free spanning bridge systems shall be used for all roadway crossings over wetlands and other waters that are retained in the on-site open space. These bridge systems would maintain the natural and restored channels of creeks, including the associated wetlands, and would be designed with sufficient span width and depth to provide for wildlife movement along the creek corridors even during high-flow or flood events, as specified in the 404 permit. The owner/applicant shall be responsible for all necessary off-site improvements needed to support the Folsom Heights Subdivision drainage system.</p>	<p>G, I</p>	<p>CD (E), PW PW (Sacto. Co. or El Dorado Co.) CALTRANS USACE CVRWQCB</p>
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<p>93.</p>	<p>Best Management Practices The storm drain improvement plans shall provide for “Best Management Practices” that meet the requirements of the water quality standards of the City’s National Pollutant Discharge Elimination System Permit issued by the State Regional Water Quality Control Board.</p> <p>In addition to compliance with City ordinances, the owner/applicant shall prepare a Stormwater Pollution Prevention Plan (SWPPP), and implement Best Management Practices (BMPs) that comply with the General Construction Stormwater Permit from the Central Valley RWQCB, to reduce water quality effects during construction. Detailed information about the SWPPP and BMPs are provided in Chapter 3A.9, “Hydrology and Water Quality.”</p> <p>Each proposed project development shall result in no net change to peak flows into Alder Creek and associated tributaries, or to Buffalo Creek, Carson Creek, and Coyote Creek. The owner/applicant shall establish a baseline of conditions for drainage on-site. The baseline-flow conditions shall be established for 2-, 5-, and 100-year storm events. These baseline conditions shall be used to develop monitoring standards for the stormwater system on the Specific Plan Area. The baseline conditions, monitoring standards, and a monitoring program shall be submitted to USACE and the City for their approval. Water quality and detention basins shall be designed and constructed to ensure that the performance standards, which are described in Chapter 3A.9, “Hydrology and Water Quality,” are met and shall be designed as off-stream detention basins.</p> <p>Discharge sites into Alder Creek and associated tributaries, as well as tributaries to Carson Creek, Coyote Creek, and Buffalo Creek, shall be monitored to ensure that pre-project conditions are being met. Corrective measures shall be implemented as necessary. The mitigation measures will be satisfied when the monitoring standards are met for 5 consecutive years without undertaking corrective measures to meet the performance standard.</p>	<p>G, I</p>	<p>CD (E)</p>
<p>94.</p>	<p>Litter Control During Construction, the owner/applicant shall be responsible for litter control and sweeping of all paved surfaces in accordance with City standards. All on-site storm drains shall be cleaned immediately before the commencement of the rainy season (October 15).</p>	<p>OG</p>	<p>CD (E)</p>

FIRE DEPT REQUIREMENTS				
95.	3A 14-3	<p><i>Incorporate Fire Flow Requirements into Project Designs.</i> The owner/applicant shall incorporate into their project designs fire flow requirements based on the California Fire Code, Folsom Fire Code and shall verify to the City of Folsom Fire Department and El Dorado Hills Fire Department that adequate water flow is available, prior to approval of improvement plans and issuance of occupancy permits or final inspections for all project phases.</p>	I, B	CD (E), FD
96.		<p><i>Prepare fuel modification plan (FMP).</i> If applicable, the owner/applicant shall submit a Fuel Modification Plan to the City for review and preliminary approval from the Fire Code Official prior to any Final and/or Parcel Map. Final approval of the plan by the Fire Code Official shall occur prior to the issuance of a permit for any new construction. A Fuel Modification Plan shall consist of a set of scaled plans showing fuel modification zones indicated with applicable assessment notes, a detailed landscape plan and an irrigation plan. A fuel modification plan submitted for approval shall be prepared by one of the following: a California state licensed landscape architect, or state licensed landscape contractor, or a landscape designed, or an individual with expertise acceptable to the Fire Code Official. The owner/applicant shall obtain off-site easements for the required for the fuel modification buffer.</p> <p>The owner/applicant agree to be responsible for the long-term maintenance of the Fuel Modification Plan. Notification of fuel modification requirements are to be made upon sale to new property owners. Proposed changes to the approved Fuel Modification Plan shall be submitted to the Fire Code Official for approval prior to implementation.</p>	G, I, M, B	CD (P), FD

<p>97.</p>		<p>All-Weather Access and Fire Hydrants The owner/applicant shall provide all-weather access and fire hydrants before combustible materials are allowed on any project site or other approved alternative method as approved by the Fire Code Official/Fire Chief. All-weather emergency access roads and fire hydrants (tested and flushed) shall be provided before combustible material or vertical construction is allowed on any project site or other approved alternative method as approved by the Fire Code Official/Fire Chief. (All-weather access is defined as six inches of compacted aggregate base from May 1 to September 30 and two inch asphalt concrete over six inch aggregate base from October to April 30). The building shall have illuminated addresses visible from the street or drive fronting the property. Size and location of address identification shall be reviewed and approved by the Fire Marshal.</p> <ul style="list-style-type: none"> • Commercial Fire-Flow with Automatic Fire Sprinkler System: The required fire-flow for the general commercial portion of the project is determined to be 750 GPM for three hours. The reduced fire-flow shall not be less than 1,000 GPM for commercial buildings with automatic sprinkler systems per Section 903.1.1 of the CFC, and shall not be less than 1,500 GPM for commercial buildings with automatic sprinkler systems per Section 903.3.1.2 of the CFC. • Residential Fire-Flow with Automatic Fire Sprinkler System: The required fire-flow for the proposed residential portion of the project is determined to be 875 GPM for one hour. • All public streets shall meet City of Folsom Street Standards unless an alternative is specifically included within this approval. • The maximum length of any dead end street shall not exceed 500 feet in accordance with the Folsom Fire Code (unless approved by the Fire Department). Several streets indicated on the plans are dead ends greater than 500 feet. In such cases, a second emergency access will be required. • All-weather emergency access roads and fire hydrants (tested and flushed) shall be provided before combustible material storage or vertical construction is allowed. All-weather access is defined as 6" of compacted AB from May 1 to September 30 and 2"AC over 6" AB from October 1 to April 30 • The first Fire Station planned for the Folsom Plan Area shall be completed and operational at the time that the threshold of 1,500 occupied homes within the Folsom Plan Area is met. 	<p>G, I, M, B</p>	<p>CD (P), FD</p>
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<p>98.</p>	<p>3A 14-2</p>	<p><i>Incorporate California Fire Code; City of Folsom Fire Code Requirements; and EDHFD Requirements, if Necessary, into Project Design and Submit Project Design to the City of Folsom Fire Department for Review and Approval.</i> To reduce impacts related to the provision of new fire services, the owner/applicant shall do the following, as described below: Incorporate into project designs fire flow requirements based on the California Fire Code, Folsom Fire Code (City of Folsom Municipal Code Title 8, Chapter 8.36), and other applicable requirements based on the City of Folsom Fire Department fire prevention standards. Improvement plans showing the incorporation of automatic sprinkler systems, the availability of adequate fire flow, and the locations of hydrants shall be submitted to the City of Folsom Fire Department for review and approval. In addition, approved plans showing access design shall be provided to the City of Folsom Fire Department as described by Zoning Code Section 17.57.080 (“Vehicular Access Requirements”). These plans shall describe access-road length, dimensions, and finished surfaces for firefighting equipment. The installation of security gates across a fire apparatus access road shall be approved by the City of Folsom Fire Department. The design and operation of gates and barricades shall be in accordance with the Sacramento County Emergency Access Gates and Barriers Standard, as required by the City of Folsom Fire Code.</p>	<p>I, B, O</p>	<p>CD (E), FD, PW</p>
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99.		<p>Landscaping Plans Final landscape plans and specifications shall be prepared by a registered landscape architect and approved by the City Arborist and City staff prior to the approval of improvement plans. Said plans shall include all on-site landscape specifications and details, and shall comply with all State and local rules, regulations, Governor’s declarations and restrictions pertaining to water conservation and outdoor landscaping.</p> <p>Landscaping shall meet shade requirements as outlined in the Folsom Plan Area Specific Plan where applicable. The landscape plans shall comply and implement water efficient requirements as adopted by the State of California (Assembly Bill 1881) (State Model Water Efficient Landscape Ordinance) until such time the City of Folsom adopts its own Water Efficient Landscape Ordinance at which time the owner/applicant shall comply with any new ordinance. Shade and ornamental trees shall be maintained according to the most current American National Standards for Tree Care Operations (ANSI A-300) by qualified tree care professionals. Tree topping for height reduction, view protection, light clearance or any other purpose shall not be allowed. Specialty-style pruning, such as pollarding, shall be specified within the approved landscape plans and shall be implemented during a 5-year establishment and training period. Landscaping installed in open spaces located between tiers of lots shall be chosen for resistance to fire and limited fuel production. Furthermore, the owner/applicant shall comply with city-wide landscape rules or regulations on water usage. Owner/applicant shall comply with any state or local rules and regulations relating to landscape water usage and landscaping requirements necessitated to mitigate for drought conditions on all landscaping in the Folsom Heights Subdivision project.</p>	I, OG	CD(P), PW
100.		<p>Right of Way Landscaping Landscaping along all road rights of way and in public open space lots shall be installed when the adjoining road or lots are constructed.</p>	I, OG	CD (P), PW
101.		<p>Roundabout Design Prior to approval of the Final Map, the design all roundabouts shall be reviewed and approved by the Community Development Department, the Folsom Cordova Unified School District (FCUSD) and the Fire Department. The design shall include proposed lane configurations, proposed driveways, and any proposed landscape/hardscape features.</p>	M	CD (E), FD

MAP REQUIREMENTS				
102.		<p><i>Subdivision Improvement Agreement</i> Prior to the approval of any Final Map, the owner/applicant shall enter into a subdivision improvement agreement with the City, identifying all required improvements, if any, to be constructed with each proposed phase of development. The owner/applicant shall provide security acceptable to the City, guaranteeing construction of the improvements.</p>	M	CD (E)
103.		<p><i>The Final Inclusionary Housing Plan</i> The Final Inclusionary Housing Plan shall be approved by the City Council, and the Inclusionary Housing Agreement approved by the City Attorney shall be executed prior to recordation of the first Final Map for the Folsom Heights Subdivision.</p>	M	CD (P)(E)

104.	3A 2-6	<p>Conditions, Covenants, and Restrictions (CC&Rs) The owner/applicant shall disclose to the homebuyers in the Covenants, Conditions, and Restrictions (CC&Rs) and in the Department of Real Estate Public Report</p> <ol style="list-style-type: none"> 1) Future public parks and public schools are located in relatively close proximity to the proposed subdivision, and that the public parks may include facilities (basketball courts, a baseball field, softball fields, soccer fields, and playground equipment) that may generate noise impacts during various times, including but not limited to evening and nighttime hours. The owner/applicant shall also disclose that the existing public parks include nighttime sports lighting that may generate lighting impacts during evening and nighttime hours. 2) The soil in the subdivision may contain naturally occurring asbestos. 3) The collecting, digging, or removal of any stone, artifact, or other prehistoric or historic object located in public or open space areas, and the disturbance of any archaeological site or historic property, is prohibited. 4) The project site is located within close proximity to the Mather Airport flight path and that overflight noise may be present at various times. 5) That all properties located within one mile of an on- or off-site area zoned or used for agricultural use (including livestock grazing) shall be accompanied by written disclosure from the transferor, in a form approved by the City of Folsom, advising any transferee of the potential adverse odor impacts from surrounding agricultural operations which disclosure shall direct the transferee to contact the County of Sacramento concerning any such property within the County zoned for agricultural uses within one mile of the subject property being transferred. 	M	CD (P) PK
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105.		<p>Financing Districts The owner/applicant shall form a Landscape and Lighting Assessment District, a Community Services District, and/ or a Home Owners Association, which shall be responsible for maintenance of all common areas, maintenance of all on-site landscaping, maintenance of storm drainage facilities, maintenance of storm water detention/detention basins and associated channels, maintenance of water quality ponds, and maintenance of any other site facilities in the subdivision throughout the life of the project to the satisfaction of the Community Development Department.</p>	M	CD (P)(E)
106.		<p>Public Utility Easements The owner/applicant shall dedicate public easements for water, sewer, and sidewalks within the private streets, as well as public utility easements for underground public facilities on properties adjacent to the streets. Twelve and one-half-foot (12.5') wide Public Utility Easements for underground public facilities shall be dedicated adjacent to all private and public streets for other public utilities (i.e., SMUD, Pacific Gas and Electric, cable television, telephone). The width of the public utility easements adjacent to public and private streets may be reduced with prior approval from public utility companies. The owner/applicant shall dedicate additional width to accommodate extraordinary facilities as determined by the City. The width of the public utility easements adjacent to public and private right of way may be reduced with prior approval from public utility companies.</p>	M	CD (E)
107.		<p>Final Map Phasing Should multiple Final Maps be filed by the owner/applicant, the phasing of maps shall be to the satisfaction of the Community Development Department.</p>	M	CD (E)
108.		<p>Backbone Infrastructure As provided for in the ARDA and the Amendment No. 1 thereto, the owner/applicant shall provide fully executed grant deeds, legal descriptions, and plats for all necessary Backbone Infrastructure to serve the project, including but not limited to lands, public rights of way, public utility easements, public water main easements, public sewer easements, irrevocable offers of dedication and temporary construction easements. All required easements as listed necessary for the Backbone Infrastructure shall be reviewed and approved by the City and recorded with the Sacramento County Recorder pursuant to the timing requirements set forth in Section 3.8 of the ARDA, and any amendments thereto.</p>	M	CD (E)

109.		<p><i>New Permanent Benchmarks</i> The owner/applicant shall provide and establish new permanent benchmarks on the (NAVD 88) datum in various locations within the subdivision or at any other locations in the vicinity of the off-site Backbone Infrastructure as directed by the City Engineer. The type and specifications for the permanent benchmarks shall be provided by the City. The new benchmarks shall be placed by the owner/applicant within 6 months from the date of approval of the vesting tentative subdivision map.</p>	M	CD (E)
110.		<p><i>Maintenance Plan Final Approval</i> No Final Map will be accepted by the city for processing and review until such time that the Open Space Management and Financing Plan, the Drainage Facilities Maintenance and Financing Plan and the Parks, Trails, Landscape Corridors, Medians and Open Space Maintenance Community Facilities District is formed and approved by the City Council.</p>	M	CD (E)
111.		<p><i>Community Facilities Districts and Financing Plans</i> Prior to approval of the first small lot final map and in accordance with Amendment No. 1 of the ARDA and any further amendments thereto, the owner/applicant is required to complete the following where applicable:</p> <ul style="list-style-type: none"> • Formation and approval by the City Council of the Aquatic Center CFD, • Formation and approval by the City Council of the Parks, Trails, Landscape Corridors, Medians and Open Space Maintenance CFD, • Formation and approval by the City Council of the Storm Drainage Maintenance CFD (unless such drainage maintenance is included in the Services CFD) , • Formation and approval by the City Council of the Street Maintenance District/Lighting Maintenance District CFD (unless such street maintenance is included in the Services CFD) • Formation and approval by the City Council of the Open Space Management and Financing Plan. • Formation and approval by the City Council of the Drainage Facilities Maintenance and Financing Plan 	M	CD (E)

112.	4.7-1 3A 18-1	<p>Water Supply Availability The owner/applicant shall submit proof of compliance with Government Code Section 66473.7 (SB 221) by demonstrating the availability of a reliable and sufficient water supply from the City of Folsom if applicable for the amount of development that would be authorized by the final subdivision map. Such a demonstration shall consist of information showing that both existing sources are available or needed supplies and improvements will be in place prior to occupancy. The written proof of compliance shall be provided to the City prior to approval of any final map.</p>	M	CD (E), EWR
113.	3A 18-2a	<p>Submit Proof of Adequate Off-Site Water Conveyance Facilities and Implement Off-Site Infrastructure Service System or Ensure That Adequate Financing Is Secured. The owner/applicant shall submit proof to the City of Folsom that an adequate off-site water conveyance system either has been constructed or is ensured to the City's satisfaction. The off-site water conveyance infrastructure sufficient to provide adequate service to the project shall be in place for the amount of development identified in the tentative map before approval of a final subdivision map and issuance of building permits for all project phases, or their financing shall be ensured to the satisfaction of the City. A building permit shall not be issued for any building within the project until the water conveyance infrastructure sufficient to serve such building has been constructed and is in place to the satisfaction of the City and the El Dorado Irrigation District (EID).</p>	M, B, O	CD (E)(B), PW
114.		<p>Centralized Mail Delivery Units All Final Maps shall show easements or other mapped provisions for the placement of centralized mail delivery units. The owner/applicant shall provide a concrete base for the placement of any centralized mail delivery unit. Specifications and location of such base shall be determined pursuant to the applicable requirements of the U. S. Postal Service and the City of Folsom Community Development Department, with due consideration for street light location, traffic safety, security, and consumer convenience.</p>	M	CD (E)

115.	3A.4-2a	<p><i>Implement Additional Measures to Reduce Operational GHG Emissions.</i></p> <p>Energy Efficiency</p> <ul style="list-style-type: none"> • Include clean alternative energy features to promote energy self-sufficiency (e.g., photovoltaic cells, solar thermal electricity systems, small wind turbines). • Design buildings to meet CEC Tier II requirements (e.g., exceeding the requirements of the Title 24 [as of 2007] by 35%). • Site buildings to take advantage of shade and prevailing winds and design landscaping and sun screens to reduce energy use. • Install efficient lighting in all buildings (including residential). Also install lighting control systems, where practical. Use daylight as an integral part of lighting systems in all buildings. • Install light-colored “cool” pavements, and strategically located shade trees along all bicycle and pedestrian routes. <p>Water Conservation and Efficiency</p> <ul style="list-style-type: none"> • With the exception of ornamental shade trees, use water-efficient landscapes with native or drought-resistant species in all public area and commercial landscaping. Use water-efficient turf in parks and other turf-dependent spaces. • Install the infrastructure to use reclaimed water for landscape irrigation and/or washing cars. • Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls. • Design buildings and lots to be water-efficient. Only install water-efficient fixtures and appliances. 	B	CD (E)
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<p>115. Cont.</p>	<p>3A.4-2a</p>	<ul style="list-style-type: none"> • Restrict watering methods (e.g., prohibit systems that apply water to nonvegetated surfaces) and control runoff. Prohibit businesses from using pressure washers for cleaning driveways, parking lots, sidewalks, and street surfaces. These restrictions should be included in the Covenants, Conditions, and Restrictions of the community. • Provide education about water conservation and available programs and incentives. • To reduce stormwater runoff, which typically bogs down wastewater treatment systems and increases their energy consumption, construct driveways to single-family detached residences and parking lots and driveways of multifamily residential uses with pervious surfaces. Possible designs include Hollywood drives (two concrete strips with vegetation or aggregate in between) and/or the use of porous concrete, porous asphalt, turf blocks, or pervious pavers. <p>Solid Waste Measures</p> <ul style="list-style-type: none"> • Reuse and recycle construction and demolition waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard). • Provide interior and exterior storage areas for recyclables and green waste at all buildings. • Provide adequate recycling containers in public areas, including parks, school grounds, golf courses, and pedestrian zones in areas of mixed-use development. • Provide education and publicity about reducing waste and available recycling services. <p>Transportation and Motor Vehicles</p> <ul style="list-style-type: none"> • Promote ride-sharing programs and employment centers (e.g., by designating a certain percentage of parking spaces for ride-sharing vehicles, designating adequate passenger loading and unloading zones and waiting areas for ride-share vehicles, and providing a Web site or message board for coordinating ride-sharing). • Provide the necessary facilities and infrastructure in all land use types to encourage the use of low- or zero-emission vehicles (e.g., electric vehicle charging facilities and conveniently located alternative fueling stations). 	<p>B</p>	<p>CD (E)</p>
<p>116.</p>		<p>Recorded Final Map Prior to the issuance of building permits, the owner/applicant shall provide a digital copy of the recorded Final Map (in AutoCAD format) to the Community Development Department.</p>	<p>B</p>	<p>CD (E)</p>

117.		<p>Recorded Final Map Prior to issuance of building permits, the owner/applicant shall provide the Folsom-Cordova Unified School District with a copy of the recorded Final Map.</p>	B	CD (P), FCUSD
118.	3A.11-5	<p>Implement Measures to Reduce Noise from Project-Generated Stationary Sources. The owner/applicant shall implement the following measures to reduce the effect of noise levels generated by on-site stationary noise sources that would be located within 600 feet of any noise-sensitive receptor:</p> <ul style="list-style-type: none"> • Routine testing and preventive maintenance of emergency electrical generators shall be conducted during the less sensitive daytime hours (i.e., 7:00 a.m. to 6:00 p.m.). All electrical generators shall be equipped with noise control (e.g., muffler) devices in accordance with manufacturers' specifications. • External mechanical equipment associated with buildings shall incorporate features designed to reduce noise emissions below the stationary noise source criteria. These features may include, but are not limited to, locating generators within equipment rooms or enclosures that incorporate noise-reduction features, such as acoustical louvers, and exhaust and intake silencers. Equipment enclosures shall be oriented so that major openings (i.e., intake louvers, exhaust) are directed away from nearby noise-sensitive receptors. • Parking lots shall be located and designed so that noise emissions do not exceed the stationary noise source criteria established in this analysis (i.e., 50 dB for 30 minutes in every hour during the daytime [7 a.m. to 10 p.m.] and less than 45 dB for 30 minutes of every hour during the night time [10 p.m. to 7 a.m.]). Reduction of parking lot noise can be achieved by locating parking lots as far away as feasible from noise sensitive land uses, or using buildings and topographic features to provide acoustic shielding for noise-sensitive land uses. • Loading docks shall be located and designed so that noise emissions do not exceed the stationary noise source criteria established in this analysis (i.e., 50 dB for 30 minutes in every hour during the daytime [7 a.m. to 10 p.m.] and less than 45 dB for 30 minutes of every hour during the night time [10 p.m. to 7 a.m.]). Reduction of loading dock noise can be achieved by locating loading docks as far away as possible from noise sensitive land uses, constructing noise barriers between loading docks and noise-sensitive land uses, or using buildings and topographic features to provide acoustic shielding for noise-sensitive land uses. 	B	CD (E)

119.		<p><i>Design Review Approval</i> Prior to issuance of a building permit for any residential units within the subdivision, the owner/applicant shall obtain Design Review and/or Planned Development approval from the Planning Commission for all residences to be built within the subdivision. If the architecture is not consistent with the Folsom Heights Subdivision Design Guidelines, the owner applicant may modify the plans or apply for a modification to the Design Guidelines to be approved by the Planning Commission.</p>	B	CD (P)
120.	3A.7-5	<p><i>Divert Seasonal Water Flows Away from Building Foundations.</i> The owner/applicant of each project phase shall either install subdrains (which typically consist of perforated pipe and gravel, surrounded by nonwoven geotextile fabric), or take such other actions as recommended by the geotechnical or civil engineer for the project that would serve to divert seasonal flows caused by surface infiltration, water seepage, and perched water during the winter months away from building foundations.</p>	B	CD (B)(P)

TRAFFIC, ACCESS, CIRCULATION, AND PARKING REQUIREMENTS

It should be noted that many of the Transportation, Traffic, and Circulation mitigation measures identified below will be satisfied through the payment of fees. Below is a brief summary of the fee types and their purpose. The acronyms for each fee type noted below are further noted in the Implementation Schedule column of each applicable mitigation measure to clarify how each mitigation measure is anticipated to be satisfied.

Public Facilities Financing Plan (PFFP):

In January of 2014, the City of Folsom adopted the PFFP for the Folsom Plan Area which detailed all the infrastructure components to address full build out of the Plan Area. The PFFP includes various techniques including development fees to fund the necessary infrastructure. The City is currently in the process of preparing and adopting implementing ordinances and a nexus study required by State law to impose the associated development fees.

Included in the PFFP are a number roadway projects including the Highway Interchanges that the Folsom Heights Subdivision project will have cumulative impacts on within the Folsom Plan Area. The PFFP was designed to satisfy the “fair share” financing of all the Plan Area’s backbone roadway system. Participating in this fee program will satisfy numerous roadway mitigation measures as shown in the MMRP table.

Sacramento County Transportation Development Fee (SCTDF) contribution:

The City is establishing a “fair share” fee to mitigate roadway impacts outside the project boundaries and within unincorporated Sacramento County. This fee will be included in the City Facilities portion of the Public Facilities Financing Plan program and will be collected at the time of building permit issuance. The basis for the calculation of the fee is a report entitled, “Fair Share Cost Allocation Sacramento County & City of Folsom” dated January 2, 2014.

Cal Trans/ City Memorandum of Understanding (Cal Trans MOU):

The City of Folsom and Cal Trans entered into an MOU on December 17, 2014 to establish a fee mechanism to address the “fair share” impacts to Highway 50. The MOU identifies all the highway improvements for which there are mitigation measures and potential construction projects to address them. The City will establish a fee in the City Facilities portion of the Public Facilities Financing Plan and it will be collected at the time of building permit issuance.

121.	3A 15-4b,d	<i>East Bidwell/Iron Point</i> Prior to issuance of a building permit, the owner/applicant shall pay a fair share fee to the City of Folsom towards the modification to the westbound approach to the East Bidwell Street/Iron Point Road intersection to include three left-turn lanes, two through lanes, and one right-turn lane.	B	CD (E), PW
122.	3A15-1c	<i>Scott Road (West)/White Rock Road</i> To ensure that the Scott Road (West)/White Rock Road intersection operates at an acceptable LOS, a traffic signal shall be installed.	B (pay SCTDF)	CD (E), PW

123.	3A 15-4f	<p><i>Empire Ranch Road/Iron Point Road Intersection</i> To ensure that the Empire Ranch Road / Iron Point Road intersection operates at a LOS D or better, all of the following improvements are required:</p> <ul style="list-style-type: none"> • The eastbound approach shall be reconfigured to consist of one left-turn lane, two through lanes, and a right-turn lane. • The westbound approach shall be reconfigured to consist of two left-turn lanes, one through lane, and a through-right lane. • The northbound approach shall be reconfigured to consist of two left-turn lanes, three through lanes, and a right-turn lane. • The southbound approach shall be reconfigured to consist of two left-turn lanes, three through lanes, and a right-turn lane. <p>The owner/applicant shall pay its proportionate share of funding of improvements.</p>	B (pay PFFP fee)	CD (E), PW
124.	3A 15-1s	<p><i>US 50 from Sunrise Boulevard to East Bidwell Street/Scott Road</i> Participate in Fair Share Funding of Improvements to Reduce Impacts on Eastbound U.S. 50 between Sunrise Boulevard to East Bidwell Street/Scott Road (Freeway Segment 4). To ensure that Eastbound U.S. 50 operates at an acceptable LOS between Folsom Boulevard and Prairie City Road an auxiliary lane shall be constructed. This improvement was recommended in the Traffic Operations Analysis Report for the U.S. 50 Auxiliary Lane Project. This improvement is included in the proposed 50 Corridor Mobility Fee Program. The owner/applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by the owner/applicant, to reduce the impacts to Eastbound U.S. 50 between Sunrise Boulevard to East Bidwell Street/Scott Road (Freeway Segment 4).</p>	B (Caltrans MOU)	CD (E), PW
125.	3A 15-1u	<p><i>Westbound U.S. 50 between Prairie City Road and Folsom Boulevard</i> To ensure that Westbound U.S. 50 operates at an acceptable LOS between Prairie City Road and Folsom Boulevard, an auxiliary lane shall be constructed. This improvement was recommended in the Traffic Operations Analysis Report for the U.S. 50 Auxiliary Lane Project. This improvement is included in the proposed 50 Corridor Mobility Fee Program. The owner/applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by the owner/applicant, to reduce the impacts to Westbound U.S. 50 between Prairie City Road and Folsom Boulevard.</p>	B (Caltrans MOU)	CD (E), PW

126.	3A 15-1x	<p><i>U.S. 50 Eastbound/Prairie City Road Diverge</i> To ensure that Eastbound U.S. 50 operates at an acceptable LOS at the Prairie City Road off-ramp diverge, an auxiliary lane from the Folsom Boulevard merge shall be constructed. This improvement was recommended in the Traffic Operations Analysis Report for the U.S. 50 Auxiliary Lane Project. This auxiliary lane improvement is included in the proposed 50 Corridor Mobility Fee Program. The owner/applicant shall pay its proportionate share of funding of improvements to reduce the impacts to the U.S. 50 Eastbound/Prairie City Road diverge.</p>	B (Caltrans MOU)	CD (E), PW
127.	3A 15-1y	<p><i>U.S. 50 Eastbound/Prairie City Road Direct Merge</i> To ensure that Eastbound U.S. 50 operates at an acceptable LOS at the Prairie City Road on-ramp direct merge, an auxiliary lane to the East Bidwell Street – Scott Road diverge shall be constructed. This auxiliary lane improvement included in the proposed 50 Corridor Mobility Fee Program. The owner/applicant shall pay its proportionate share of funding of improvements to reduce the impacts to the U.S. 50 Eastbound/Prairie City Road direct merge.</p>	B (Caltrans MOU)	CD (E), PW
128.	3A 15-1z	<p><i>U.S. 50 Eastbound/Prairie City Road Flyover On-Ramp to Oak Avenue Parkway Off-Ramp Weave</i> To ensure that Eastbound U.S. 50 operates at an acceptable LOS at the Prairie City Road flyover on-ramp to Oak Avenue Parkway off-ramp weave, an improvement acceptable to Caltrans shall be implemented to eliminate the unacceptable weaving conditions. Such an improvement may involve a “braided ramp”. The owner/applicant shall pay its proportionate share of funding of improvements to reduce the impacts to the U.S. 50 Eastbound / Prairie City Road flyover on-ramp to Oak Avenue Parkway off-ramp weave.</p>	B (PFFP)	CD (E), PW
129.	3A 15-1aa	<p><i>U.S. 50 Eastbound/Oak Avenue Parkway Loop Merge</i> To ensure that Eastbound U.S. 50 operates at an acceptable LOS at the Oak Avenue Parkway loop merge, an auxiliary lane to the East Bidwell Street – Scott Road diverge shall be constructed. This auxiliary lane improvement is included in the proposed 50 Corridor Mobility Fee Program. The owner/applicant shall pay its proportionate share of funding of improvements to reduce the impacts to the U.S. 50 Eastbound/ Oak Avenue Parkway loop merge (Freeway Merge 9).</p>	B (Caltrans MOU)	CD (E), PW

130.	3A 15-1dd	<p><i>U.S. 50 Westbound/Empire Ranch Road Loop Ramp Merge</i> To ensure that Westbound U.S. 50 operates at an acceptable LOS, the northbound Empire Ranch Road loop on-ramp should start the westbound auxiliary lane that ends at the East Bidwell Street – Scott Road off ramp. The slip on-ramp from southbound Empire Ranch Road would merge into this extended auxiliary lane. Improvements to this freeway segment shall be implemented by Caltrans. The owner/applicant shall pay its proportionate share of funding of improvements to reduce the impacts to the U.S. 50 Westbound/Empire Ranch Road loop ramp merge.</p>	B (Caltrans MOU)	CD (E), PW
131.	3A 15-1ee	<p><i>U.S. 50 Westbound/Oak Avenue Parkway Loop Ramp Merge</i> To ensure that Westbound U.S. 50 operates at an acceptable LOS, the northbound Oak Avenue Parkway loop on-ramp should start the westbound auxiliary lane that ends at the Prairie City Road off-ramp. The slip on-ramp from southbound Oak Avenue Parkway would merge into this extended auxiliary lane. Improvements to this freeway segment shall be implemented by Caltrans. The owner/applicant shall pay its proportionate share of funding of improvements to reduce the impacts to the U.S. 50 Westbound/Oak Avenue Parkway loop ramp merge.</p>	B (Caltrans MOU)	CD (E), PW
132.	3A 15-1ff	<p><i>U.S. 50 Westbound/Prairie City Road Loop Ramp Merge</i> To ensure that Westbound U.S. 50 operates at an acceptable LOS at the Prairie City Road loop ramp merge, an auxiliary lane to the Folsom Boulevard off ramp diverge shall be constructed. This auxiliary lane improvement is included in the proposed 50 Corridor Mobility Fee Program. The owner/applicant shall pay its proportionate share of funding of improvements to reduce the impacts to the U.S. 50 Westbound/Prairie City Road Loop Ramp Merge.</p>	B (Caltrans MOU)	CD (E), PW
133.	3A-15-1gg	<p><i>U.S. 50 Westbound/Prairie City Road Direct Ramp Merge</i> To ensure that Westbound U.S. 50 operates at an acceptable LOS at the Prairie City Road direct ramp merge, an auxiliary lane to the Folsom Boulevard off ramp diverge shall be constructed. This auxiliary lane improvement is included in the proposed 50 Corridor Mobility Fee Program. The owner/applicant shall pay its proportionate share of funding of improvements, to reduce the impacts to the U.S. 50 Westbound/Prairie City Road direct ramp merge.</p>	B (Caltrans MOU)	CD (E), PW

134.	3A 15-4t	<p><i>Eastbound US 50 between Prairie City Road and Oak Avenue Parkway</i> To ensure that Eastbound US 50 operates at an acceptable LOS between Prairie City Road and Oak Avenue Parkway, the northbound Prairie City Road slip on-ramp should merge with the eastbound auxiliary lane that extends to and drops at the Oak Avenue Parkway off ramp and the southbound Prairie City Road flyover on-ramp should be braided over the Oak Avenue Parkway off ramp and start an extended full auxiliary lane to the East Bidwell Street – Scott Road off ramp. Improvements to this freeway segment shall be implemented by Caltrans. The owner/applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by owner/applicant, to reduce the impacts to Eastbound U.S. 50 between Prairie City Road and Oak Avenue Parkway.</p>	B (pay PFFP/ Interchange fee)	CD (E), PW
135.	3A 15-4u	<p><i>U.S. 50 Eastbound / Prairie City Road Slip Ramp Merge.</i> To ensure that Eastbound US 50 operates at an acceptable LOS, the northbound Prairie City Road slip on-ramp should start the eastbound auxiliary lane that extends to and drops at the Oak Avenue Parkway off ramp (see mitigation measure 3A.15-4u, w and x), and the southbound Prairie City Road flyover on-ramp should be braided over the Oak Avenue Parkway off ramp and start an extended full auxiliary lane to the East Bidwell Street – Scott Road off ramp. Improvements to this freeway segment shall be implemented by Caltrans. The owner/applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by owner/applicant, to reduce the impacts to the U.S. 50 Eastbound / Prairie City Road slip ramp merge.</p>	B (pay PFFP fee)	CD (E), PW
136.	3A 15-4v	<p><i>U.S. 50 Eastbound / Prairie City Road Flyover On-ramp to Oak Avenue Parkway Off Ramp Weave</i> To ensure that Eastbound US 50 operates at an acceptable LOS, the northbound Prairie City Road slip on-ramp should start the eastbound auxiliary lane that extends to and drops at the Oak Avenue Parkway off ramp (see mitigation measure 3A.15-4u, v and x), and the southbound Prairie City Road flyover on-ramp should be braided over the Oak Avenue Parkway off ramp and start an extended full auxiliary lane to the East Bidwell Street – Scott Road off ramp. Improvements to this freeway segment shall be implemented by Caltrans. The owner/applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by the owner/applicant, to reduce the impacts to the U.S. 50 Eastbound / Prairie City Road Flyover On-ramp to Oak Avenue Parkway Off Ramp Weave.</p>	B (pay PFFP fee)	CD (E), PW

137.	3A 15-4w	<p><i>U.S. 50 Eastbound / Oak Avenue Parkway Loop Ramp Merge</i> To ensure that Eastbound US 50 operates at an acceptable LOS, the southbound Oak Avenue Parkway loop on-ramp should merge with the eastbound auxiliary lane that starts at the southbound Prairie City Road braided flyover on-ramp and ends at the East Bidwell Street – Scott Road off ramp (see mitigation measure 3A.15-4u, v and w). Improvements to this freeway segment shall be implemented by Caltrans. The owner/applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by the owner/applicant, to reduce the impacts to U.S. 50 Eastbound / Oak Avenue Parkway Loop Ramp Merge.</p>	B (pay PFFP fee)	CD (E), PW
138.	3A 15-4x	<p><i>U.S. 50 Westbound / Empire Ranch Road Loop Ramp Merge</i> To ensure that Westbound US 50 operates at an acceptable LOS, the northbound Empire Ranch Road loop on-ramp should start the westbound auxiliary lane that ends at the East Bidwell Street – Scott Road off ramp. The slip on-ramp from southbound Empire Ranch Road slip ramp would merge into this extended auxiliary lane. Improvements to this freeway segment shall be implemented by Caltrans. The owner/applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by owner/applicant, to reduce the impacts to the U.S. 50 Westbound / Empire Ranch Road loop ramp merge.</p>	B (pay PFFP fee)	CD (E), PW
139.	3A 15-4y	<p><i>U.S. 50 Westbound / Prairie City Road Loop Ramp Merge.</i> To ensure that Westbound US 50 operates at an acceptable LOS, the northbound Prairie City Road loop on-ramp should start the westbound auxiliary lane that continues beyond the Folsom Boulevard off ramp. The slip on-ramp from southbound Prairie City Road slip ramp would merge into this extended auxiliary lane. Improvements to this freeway segment shall be implemented by Caltrans. The owner/applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by owner/applicant, to reduce the impacts to the U.S. 50 Westbound / Prairie City Road Loop Ramp Merge.</p>	B (pay PFFP fee)	CD (E), PW
140.	3A 15-2a	<p><i>Provide Options for Alternative Transportation Modes.</i> The owner/applicant for any particular discretionary development application shall participate in capital improvements and operating funds for transit service to increase the percent of travel by transit. The project's fair-share participation and the associated timing of the improvements and service shall be identified in the project conditions of approval and/or the project's development agreement. Improvements and service shall be coordinated, as necessary, with Folsom Stage Lines and Sacramento RT.</p>	B (pay PFFP fee and Transit fee)	CD (E), PW

141.	3A 15-1a	<p><i>Folsom Boulevard/Blue Ravine Road Intersection</i> To ensure that the Folsom Boulevard/Blue Ravine Road intersection operates at an acceptable LOS, the eastbound approach shall be reconfigured to consist of two left-turn lanes, one through lane, and one right-turn lane. The owner/applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by owner/applicant, to reduce the impacts to the Folsom Boulevard/Blue Ravine Road intersection</p>	B (pay PFFP fee)	CD (E), PW
142.	3A 15-1b	<p><i>Sibley Street/ Blue Ravine Road Intersection</i> To ensure that the Sibley Street/Blue Ravine Road intersection operates at an acceptable LOS, the northbound approach shall be reconfigured to consist of two left-turn lanes, two through lanes, and one right-turn lane. The owner/applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by the owner/applicant, to reduce the impacts to the Sibley Street/Blue Ravine Road intersection</p>	B (pay PFFP fee)	CD (E), PW
143.	3A.15-1i	<p><i>Grant Line Road/White Rock Road Intersection and to White Rock Road widening between the Rancho Cordova City limit to Prairie City Road</i> Improvements shall be made to ensure that the Grant Line Road/White Rock Road intersection operates at an acceptable LOS. The currently County proposed White Rock Road widening project will widen and realign White Rock Road from the Rancho Cordova City limit to the El Dorado County line (this analysis assumes that the Proposed Project and build alternatives will widen White Rock Road to five lanes from Prairie City Road to the El Dorado County Line). This widening includes improvements to the Grant Line Road intersection and realigning White Rock Road to be the through movement. The improvements include two eastbound through lanes, one eastbound right turn lane, two northbound left turn lanes, two northbound right turn lanes, two westbound left turn lanes and two westbound through lanes. This improvement also includes the signalization of the White Rock Road and Grant Line Road intersection. With implementation of this improvement, the intersection would operate at an acceptable LOS A. The owner/applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the Grant Line Road/White Rock Road intersection</p>	B (pay SCTDF)	CD (E), PW

144.	3A.15-1o	<p><i>Eastbound U.S. 50 as an alternative to improvements at the Folsom Boulevard/U.S. 50 Eastbound Ramps Intersection</i> The owner/applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the Folsom Boulevard/U.S. 50 Eastbound Ramps intersection (Caltrans Intersection 4). To ensure that the Folsom Boulevard/U.S. 50 eastbound ramps intersection operates at an acceptable LOS, auxiliary lanes should be added to eastbound U.S. 50 from Hazel Avenue to east of Folsom Boulevard. This was recommended in the Traffic Operations Analysis Report for the U.S. 50 Auxiliary Lane Project.</p>	B (Caltrans MOU)	CD (E), PW
145.	3A.15-1p	<p><i>Grant Line Road/ State Route 16 Intersection</i> To ensure that the Grant Line Road/State Route 16 intersection operates at an acceptable LOS, the northbound and southbound approaches shall be reconfigured to consist of one left-turn lane and one shared through/right-turn lane. Protected left-turn signal phasing shall be provided on the northbound and southbound approaches. Improvements to the Grant Line Road/State Route 16 intersection are contained within the County Development Fee Program, and are scheduled for Measure A funding. Improvements to this intersection shall be implemented by Caltrans, Sacramento County, and the City of Rancho Cordova. The owner/applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the Grant Line Road/State Route 16 intersection.</p>	B (Caltrans MOU/ SCTDF)	CD (E), PW
146.	3A.15-1q	<p><i>Eastbound U.S. 50 between Zinfandel Drive and Sunrise Boulevard</i> To ensure that Eastbound U.S. 50 operates at an acceptable LOS between Zinfandel Drive and Sunrise Boulevard, a bus/carpool (HOV) lane shall be constructed. This improvement is currently planned as part of the Sacramento 50 Bus-Carpool Lane and Community Enhancements Project. The owner/applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to Eastbound U.S. 50 between Zinfandel Drive and Sunrise Boulevard</p>	B (Caltrans MOU)	CD (E), PW

147.	3A.15-1r	<p><i>Eastbound U.S. 50 between Hazel Avenue and Folsom Boulevard</i> To ensure that Eastbound U.S. 50 operates at an acceptable LOS between Hazel Avenue and Folsom Boulevard, an auxiliary lane shall be constructed. This improvement was recommended in the Traffic Operations Analysis Report for the U.S. 50 Auxiliary Lane Project. This improvement is included in the proposed 50 Corridor Mobility Fee Program. The owner/applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to Eastbound U.S. 50 between Hazel Avenue and Folsom Boulevard</p>	B (Caltrans MOU)	CD (E), PW
148.	3A.15-1v	<p><i>Westbound U.S. 50 between Hazel Avenue and Sunrise Boulevard</i> To ensure that Westbound U.S. 50 operates at an acceptable LOS between Hazel Avenue and Sunrise Boulevard, an auxiliary lane shall be constructed. This improvement was recommended in the Traffic Operations Analysis Report for the U.S. 50 Auxiliary Lane Project, and included in the proposed Rancho Cordova Parkway interchange project. Improvements to this freeway segment shall be implemented by Caltrans. The owner/applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to Westbound U.S. 50 between Hazel Avenue and Sunrise Boulevard</p>	B (Caltrans MOU)	CD (E), PW
149.	3A.15-1w	<p><i>U.S. 50 Eastbound/Folsom Boulevard Ramp Merge</i> To ensure that Eastbound U.S. 50 operates at an acceptable LOS at the Folsom Boulevard merge, an auxiliary lane from the Folsom Boulevard merge to the Prairie City Road diverge shall be constructed. This improvement was recommended in the Traffic Operations Analysis Report for the U.S. 50 Auxiliary Lane Project. This improvement is included in the proposed 50 Corridor Mobility Fee Program. The owner/applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the U.S. 50 Eastbound/Folsom Boulevard Ramp Merge</p>	B (Caltrans MOU)	CD (E), PW
150.	3A.15-1hh	<p><i>U.S. 50 Eastbound/Folsom Boulevard</i> To ensure that Westbound U.S. 50 operates at an acceptable LOS at the Folsom Boulevard Diverge, an auxiliary lane from the Prairie City Road loop ramp merge shall be constructed. Improvements to this freeway segment shall be implemented by Caltrans. This auxiliary lane improvement is included in the proposed 50 Corridor Mobility Fee Program. The owner/applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by the owner/applicant, to reduce the impacts to the U.S. 50 Eastbound / Folsom Boulevard diverge</p>	B (Caltrans MOU)	CD (E), PW

151.	3A.15-1ii	<p><i>U.S. 50 Westbound/Hazel Avenue Direct Ramp Merge</i> To ensure that Westbound U.S. 50 operates at an acceptable LOS at the Hazel Avenue direct ramp merge, an auxiliary lane to the Sunrise Boulevard off ramp diverge shall be constructed. This auxiliary lane improvement is included in the proposed 50 Corridor Mobility Fee Program. The owner/applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the U.S. 50 Westbound/Hazel Avenue direct ramp merge.</p>	B (Caltrans MOU)	CD (E), PW
152.	3A.15-2b	<p><i>Participate in the City's Transportation System Management Fee Program</i> The owner/applicant for any particular discretionary development application shall pay an appropriate amount into the City's existing Transportation System Management Fee Program to reduce the number of single-occupant automobile travel on area roadways and intersections.</p>	B	CD (E), PW
153.	3A.15-3	<p><i>Pay Full Cost of Identified Improvements that Are Not Funded by the City's Fee Program.</i> In accordance with Measure W, the owner/applicant for any particular discretionary development application shall provide fair-share contributions to the City's transportation impact fee program to fully fund improvements only required because of the Specific Plan.</p>	B (Caltrans MOU, PFFP fee, SCTDF)	CD (E), PW
154.	3A.15-4a	<p><i>Sibley Street/Blue Ravine Road Intersection</i> To ensure that the Sibley Street/Blue Ravine Road intersection operates at a LOS D with less than the Cumulative No Project delay, the northbound approach shall be reconfigured to consist of two left-turn lanes, two through lanes, and one dedicated right-turn lane. The owner/applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by owner/applicant, to reduce the impacts to the Sibley Street/Blue Ravine Road intersection</p>	B Pay PFFP fee	CD (E), PW
155.	3A.15-4c	<p><i>East Bidwell Street/College Street</i> To ensure that the East Bidwell Street/College Street intersection operates at acceptable LOS C or better, the westbound approach shall be reconfigured to consist of one left-turn lane, one left / through lane, and two dedicated right-turn lanes. The owner/applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by owner/applicant, to reduce the impacts to the East Bidwell Street/College Street intersection</p>	B Pay PFFP fee	CD (E), PW

156.	3A.15-4g	<p><i>Oak Avenue Parkway/Easton Valley Parkway</i> To ensure that the Oak Avenue Parkway/Easton Valley Parkway intersection operates at an acceptable LOS the southbound approach shall be reconfigured to consist of two left-turn lanes, two through lanes, and two right-turn lanes.</p>	B Pay SCTDF	CD (E), PW
157.	3A.15-1f	<p><i>Oak Avenue Parkway/Middle Road Intersection</i> To ensure that the Oak Avenue Parkway/Middle Road intersection (as shown in the FPA) operates at an acceptable LOS, control all movements with a stop sign.</p>	B Pay PFFP fee	CD (E), PW
158.	3A.15-1j	<p><i>Hazel Avenue between Madison Avenue and Curragh Downs Drive</i> To ensure that Hazel Avenue operates at an acceptable LOS between Curragh Downs Drive and Gold Country Boulevard, Hazel Avenue must be widened to six lanes. This improvement is part of the County adopted Hazel Avenue widening project.</p>	B Pay SCTDF	CD (E), PW
159.	3A.15-1i:	<p><i>White Rock Road/Windfield Way Intersection</i> To ensure that the White Rock Road/Windfield Way intersection operates at an acceptable LOS, the intersection must be signalized and separate northbound left and right turn lanes must be striped. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the White Rock Road/Windfield Way intersection.</p>	B Pay SCTDF	PW
160.	3A.15-4i	<p><i>Grant Line Road/White Rock Road Intersection</i> To ensure that the Grant Line Road/White Rock Road intersection operates at an acceptable LOS E or better this intersection should be replaced by some type of grade separated intersection or interchange.</p> <p>Improvements to this intersection are identified in the Sacramento County's Proposed General Plan. Implementation of these improvements would assist in reducing traffic impacts on this intersection by providing acceptable operation. Intersection improvements must be implemented by Sacramento County. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the Grant Line Road/White Rock Road intersection.</p>	B Pay SCTDF	PW

161.	3A.15-4j	<p>Grant Line Road between White Rock Road and Kiefer Boulevard To improve operation on Grant Line Road between White Rock Road and Kiefer Boulevard, this roadway segment must be widened to six lanes. This improvement is proposed in the Sacramento County and the City of Rancho Cordova General Plans; however, it is not in the 2035 MTP. Improvements to this roadway segment must be implemented by Sacramento County and the City of Rancho Cordova.</p> <p>The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to Grant Line Road between White Rock Road and Kiefer Boulevard.</p> <p>The identified improvement would more than offset the impacts specifically related to the Folsom South of U.S. 50 project on this roadway segment.</p>	B Pay SCTDF	Sacramento County City of Rancho Cordova
162.	3A.15-4k	<p>Grant Line Road between Kiefer Boulevard and Jackson Highway To improve operation on Grant Line Road between Kiefer Boulevard Jackson Highway, this roadway segment could be widened to six lanes. This improvement is proposed in the Sacramento County and the City of Rancho Cordova General Plans; however, it is not in the 2035 MTP. Improvements to this roadway segment must be implemented by Sacramento County and the City of Rancho Cordova.</p> <p>The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to Grant Line Road between Kiefer Boulevard and Jackson Highway.</p> <p>The identified improvement would more than offset the impacts specifically related to the Folsom South of U.S. 50 project on this roadway segment.</p>	B Pay SCTDF	Sacramento County City of Rancho Cordova
163.	3A.15-4l	<p>Hazel Avenue between Curragh Downs Drive and U.S. 50 Westbound Ramps The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements on Hazel Avenue, based on a program established by that agency to reduce the impacts to Hazel Avenue between Curragh Downs Drive and U.S. 50 Westbound Ramps.</p>	B Pay SCTDF	Sacramento County City of Rancho Cordova

164.	3A.15-4m	<p>White Rock Road between Grant Line Road and Prairie City Road To improve operation on White Rock Road between Grant Line Road and Prairie City Road, this roadway segment shall be widened to six lanes. This improvement is included in the 2035 MTP but is not included in the Sacramento County General Plan. Improvements to this roadway segment must be implemented by Sacramento County.</p> <p>The identified improvement would more than offset the impacts specifically related to the Folsom South of U.S. 50 project on this roadway segment. However, because of other development in the region that would substantially increase traffic levels, this roadway segment would continue to operate at an unacceptable LOS F even with the capacity improvements identified to mitigate Folsom Plan Area impacts.</p> <p>The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to White Rock Road between Grant Line Road and Prairie City Road.</p>	B Pay SCTDF	Sacramento County
165.	3A.15-4n	<p>White Rock Road between Empire Ranch Road and Carson Crossing Road To improve operation on White Rock Road between Empire Ranch Road and Carson Crossing Road, this roadway segment shall be widened to six lanes. Improvements to this roadway segment shall be implemented by Sacramento County.</p> <p>The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to White Rock Road between Empire Ranch Road and Carson Crossing Road.</p>	B Pay SCTDF	Sacramento County
166.	3A.15-4o	<p>White Rock Road/Carson Crossing Road Intersection To ensure that the White Rock Road/Carson Crossing Road intersection operates at an acceptable LOS, the eastbound right turn lane shall be converted into a separate free right turn lane, or double right. Improvements to this intersection must be implemented by El Dorado County. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the White Rock Road/Carson Crossing Road Intersection</p>	B Pay SCTDF	CD (E), PW

167.	3A.15-4p	<p><i>Hazel Avenue/U.S. 50 Westbound Ramps Intersection</i> To ensure that the Hazel Avenue/U.S. 50 westbound ramps intersection operates at an acceptable LOS, the westbound approach shall be reconfigured to consist of one dedicated left turn lane, one shared left- through lane and three dedicated right-turn lanes. Improvements to this intersection shall be implemented by Caltrans and Sacramento County. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the Hazel Avenue/U.S. 50 Westbound Ramps Intersection.</p>	B Pay SCTDF	CD (E), PW
168.	3A.15-4q	<p><i>Eastbound US 50 between Zinfandel Drive and Sunrise Boulevard</i> To ensure that Eastbound US 50 operates at an acceptable LOS between Zinfandel Drive and Sunrise Boulevard, an additional eastbound lane could be constructed. This improvement is not consistent with the Concept Facility in Caltrans State Route 50 Corridor System Management Plan; therefore, it is not likely to be implemented by Caltrans by 2030.</p> <p>Construction of the Capitol South East Connector, including widening White Rock Road and Grant Line Road to six lanes with limited access, could divert some traffic from U.S. 50 and partially mitigate the project's impact. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to Eastbound U.S. 50 between Zinfandel Drive and Sunrise Boulevard.</p>	B Pay SCTDF	CD (E), PW
169.	3A.15-4r	<p><i>Eastbound US 50 between Rancho Cordova Parkway and Hazel Avenue</i> To ensure that Eastbound US 50 operates at an acceptable LOS between Rancho Cordova Parkway and Hazel Avenue, an additional eastbound lane could be constructed. This improvement is not consistent with the Concept Facility in Caltrans State Route 50 Corridor System Management Plan; therefore, it is not likely to be implemented by Caltrans by 2030.</p> <p>Construction of the Capitol South East Connector, including widening White Rock Road and Grant Line Road to six lanes with limited access, could divert some traffic off of U.S. 50 and partially mitigate the project's impact. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to Eastbound U.S. 50 between Rancho Cordova Parkway and Hazel Avenue.</p>	B Pay SCTDF	CD (E), PW

170.	3A.15-4s	<p><i>Eastbound US 50 between Folsom Boulevard and Prairie City Road</i> To ensure that Eastbound US 50 operates at an acceptable LOS between Folsom Boulevard and Prairie City Road, the eastbound auxiliary lane should be converted to a mixed flow lane that extends to and drops at the Oak Avenue Parkway off ramp (see mitigation measure 3A.15-4t). Improvements to this freeway segment must be implemented by Caltrans. This improvement is not consistent with the Concept Facility in Caltrans State Route 50 Corridor System Management Plan; therefore, it is not likely to be implemented by Caltrans by 2030.</p> <p>Construction of the Capitol South East Connector, including widening White Rock Road and Grant Line Road to six lanes with limited access, could divert some traffic off of U.S. 50 and partially mitigate the project’s impact.</p> <p>The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to Eastbound U.S. 50 between Folsom Boulevard and Prairie City Road</p>	B Pay SCTDF	CD (E), PW
171.		<p><i>Credit Reimbursement Agreement</i> Prior to the recordation of the first Final Map, the owner/applicant and City shall enter into a credit and reimbursement agreement for constructed improvements that are included in the Folsom Plan Area’s Public Facilities Financing Plan.</p>	M	CD (E)
172.		<p>The owner/applicant shall construct the portion of Empire Ranch Road from the southern project boundary to the intersection of Empire Ranch Road and Alder Creek Parkway to its ultimate horizontal and vertical alignment with the Phase 3A portion of the Folsom Heights Subdivision project. The owner/applicant shall construct the portion of Empire Ranch Road from Alder Creek Parkway to the border of Large Lot 11/Large Lot 25 to its ultimate horizontal and vertical alignment with the Phase 1 portion of the Folsom Heights Subdivision project. In addition, the owner/applicant shall construct Prima Drive and the “D” Drive Temporary Emergency Turnaround to their ultimate horizontal and vertical alignment with the Phase 1 portion of the Folsom Heights Subdivision project. The aforementioned roadway improvements shall be constructed as shown on the Vesting Small-Lot Tentative Subdivision Map and in accordance with the phasing plan. In addition, all required utility and roadway improvements shall be constructed in coordination with the phasing of the construction of the Empire Ranch Road street segments as shown on the Small-Lot Vesting Tentative Subdivision Map to the satisfaction of the City.</p>	M	CD (P)(E)

173.		<p><i>Alder Creek Parkway Improvements</i> The owner/applicant shall construct Alder Creek Parkway from the intersection of Empire Ranch Road to the intersection of Alder Creek Parkway and “N” Drive as shown on the updated Phasing Exhibit (dated September 19, 2016), the approved Small-Lot Vesting Tentative Subdivision Map, and the approved Off-Site Improvements Exhibit. The aforementioned improvements shall be constructed with the Phase 1 portion of the Folsom Heights Subdivision project to the satisfaction of the Community Development Department.</p>	M	CD (P)(E)
174.		<p><i>Prima Drive Improvements</i> The owner/applicant shall construct Prima Drive to its ultimate horizontal and vertical alignment from the project site to the intersection of Stonebriar Drive and Prima Drive as shown on the approved Small-Lot Vesting Tentative Subdivision Map. The aforementioned improvements shall be constructed with the Phase 1 portion of the Folsom Heights Subdivision project to the satisfaction of the Community Development Department and through coordination with El Dorado County. The owner/applicant shall screen Prima Drive to minimize potential lighting impacts to nearby residences to the satisfaction of the Community Development Department. Prima Drive Roadway shall be limited to 27 feet in width. In addition, no construction-related traffic shall be permitted to utilize Prima Drive to access the project site.</p>	M	CD (P)(E)
ARCHITECTURE/SITE DESIGN REQUIREMENTS				
175.		<p><i>Landscaping Plan</i> Owner/applicant shall submit a landscape plan for all areas (by phase or subdivision) of the project where owner/applicant proposes to install landscaping on residential lots. The landscape plan shall take into account the then existing state or local rules and regulations related to landscape water usage and water wise landscape principles. The landscape plans shall be submitted and approved by the Community Development Director prior to the issuance of a building permit in the phase or subdivision. The owner/applicant shall comply with any state or local rules and regulations relating to landscape water usage and landscaping requirements necessitated to mitigate for drought conditions.</p>	B	CD (P) (E)
176.		<p><i>Walls/Fences/Gates</i> The final location, design, height, materials, and colors of the walls, fences, and gates shall be subject to review and approval by the Community Development Department to ensure consistency with the Folsom Heights Subdivision Design Guidelines.</p>	B	CD (P) (E)

177.		<p><i>Mechanical Equipment Screening</i> All mechanical equipment shall be concealed from view of public streets, neighboring properties and nearby higher buildings where practicable to the satisfaction of the Community Development Department.</p>	B	CD (P) (E)
178.		<p><i>El Dorado Irrigation District Facilities Plan Report</i> The Facilities Plan Report (FPR) shall be approved by the El Dorado Irrigation District (EID) prior to approval of any Improvement Plan for the Folsom Heights Subdivision project. In addition, the FPR shall be implemented to the satisfaction of the El Dorado Irrigation District (EID) for the Folsom Heights Subdivision project. The owner/applicant shall obtain approval from the El Dorado Irrigation District (EID) and El Dorado County where applicable, prior to approval of any improvement plan for the project which includes water and sanitary sewer mains prior to approval of the plans by the City.</p>	I	CD (E)
179.		<p><i>Bicycle Trail System Modifications</i> The owner/applicant shall incorporate the design and grading for the proposed Class I bike trails and Class II on-street bike lanes into the improvement plans consistent with the Folsom Heights Proposed Trail System Modification Exhibit dated December 14, 2016.</p>	I	CD (E)
180.		<p><i>White Rock Road Frontage Improvements</i> The owner/applicant shall construct shoulder improvements along the project's entire frontage of westbound White Rock Road to the satisfaction of the City prior to approval of the Phase 1 Final Map or upon the construction of the future Empire Ranch Road connection to White Rock Road, whichever occurs first. In lieu of constructing the aforementioned interim shoulder improvements, the owner/applicant may enter into a Subdivision Improvement Agreement with the City and post adequate security to the City's satisfaction to ensure construction of said improvements; the security shall be for a minimum period of 10 years. If construction of the Capital Southeast Connector Project between Scott Road and the El Dorado County line has commenced during the term of the Subdivision Improvement Agreement, then the shoulder improvement condition will be deemed satisfied and the security shall be released to the owner/applicant.</p>	M	CD (E)

<p>181.</p>		<p><i>Empire Ranch Road Irrigation</i> The owner/applicant shall coordinate with the El Dorado Irrigation District (EID) to provide potable water for irrigation to the proposed landscape corridors on Empire Ranch Road. If EID is acceptable to allowing the City to provide the potable water for irrigation to the landscape corridors on Empire Ranch Road, the owner/applicant will prepare an inter-local agreement and coordinate with both the City and EID to execute and finalize the agreement. The agreement shall include the approval to allow the City the ability to provide water services and potable water for the irrigation within the boundaries of the EID and shall establish the boundary to separate each agencies area of responsibility along Empire Ranch Road. The City is acceptable to maintaining the landscape corridors on either the east or west side of Empire Ranch Road within the boundaries of the project provided the landscape corridors are along the street frontage of future residential uses or open space lots. The City will not provide maintenance of landscape corridors that will have street frontage for future commercial development on Empire Ranch Road. The inter-local agreement shall be executed and finalized between the City and EID prior to approval of the first Small Lot Final Map for the Folsom Heights Subdivision.</p>	<p>M</p>	<p>CD (E)</p>
<p>182.</p>		<p>Per direction provided by the City Council at its October 24, 2017 meeting, the owner/applicant shall construct the Prima Drive Extension as a paved and gated/bollard-controlled Emergency Vehicle Access (EVA) Route only, consistent with the requirements stated in Condition of Approval No. 174. The owner/applicant shall also work with the City of Folsom Fire Chief and the El Dorado Hills Fire Chief to establish the appropriate location(s) for the gates/bollards associated with the EVA. The final design, installation, and operation of the gates/bollards shall be in accordance with the Sacramento County Emergency Access Gates and Barriers Standard, as required by the City of Folsom Fire Code. The final design and location of the gates/bollards shall be subject to review and approval by the City of Folsom. In addition, the EVA shall accommodate pedestrian and bicycle access to the satisfaction of the City of Folsom.</p>	<p>I</p>	<p>CD (E)</p>

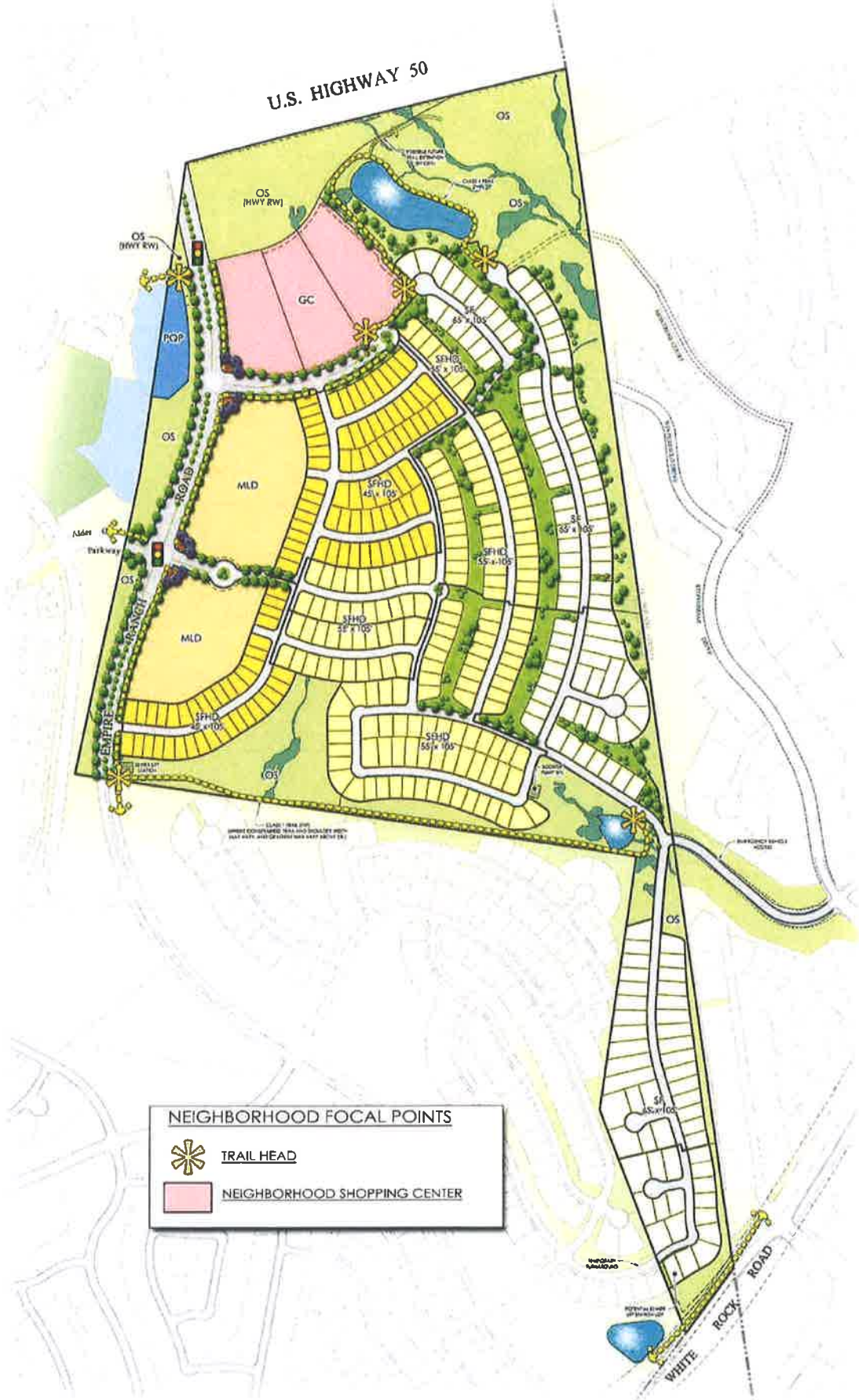
CONDITIONS

See attached tables of conditions for which the following legend applies.

RESPONSIBLE DEPARTMENT		WHEN REQUIRED	
CD	Community Development Department	I	Prior to approval of Improvement Plans
(P)	Planning Division	M	Prior to approval of Final Map
(E)	Engineering Division	B	Prior to issuance of first Building Permit
(B)	Building Division	O	Prior to approval of Occupancy Permit
(F)	Fire Division	G	Prior to issuance of Grading Permit
PW	Public Works Department	DC	During construction
PR	Park and Recreation Department	OG	On-going requirement
PD	Police Department		

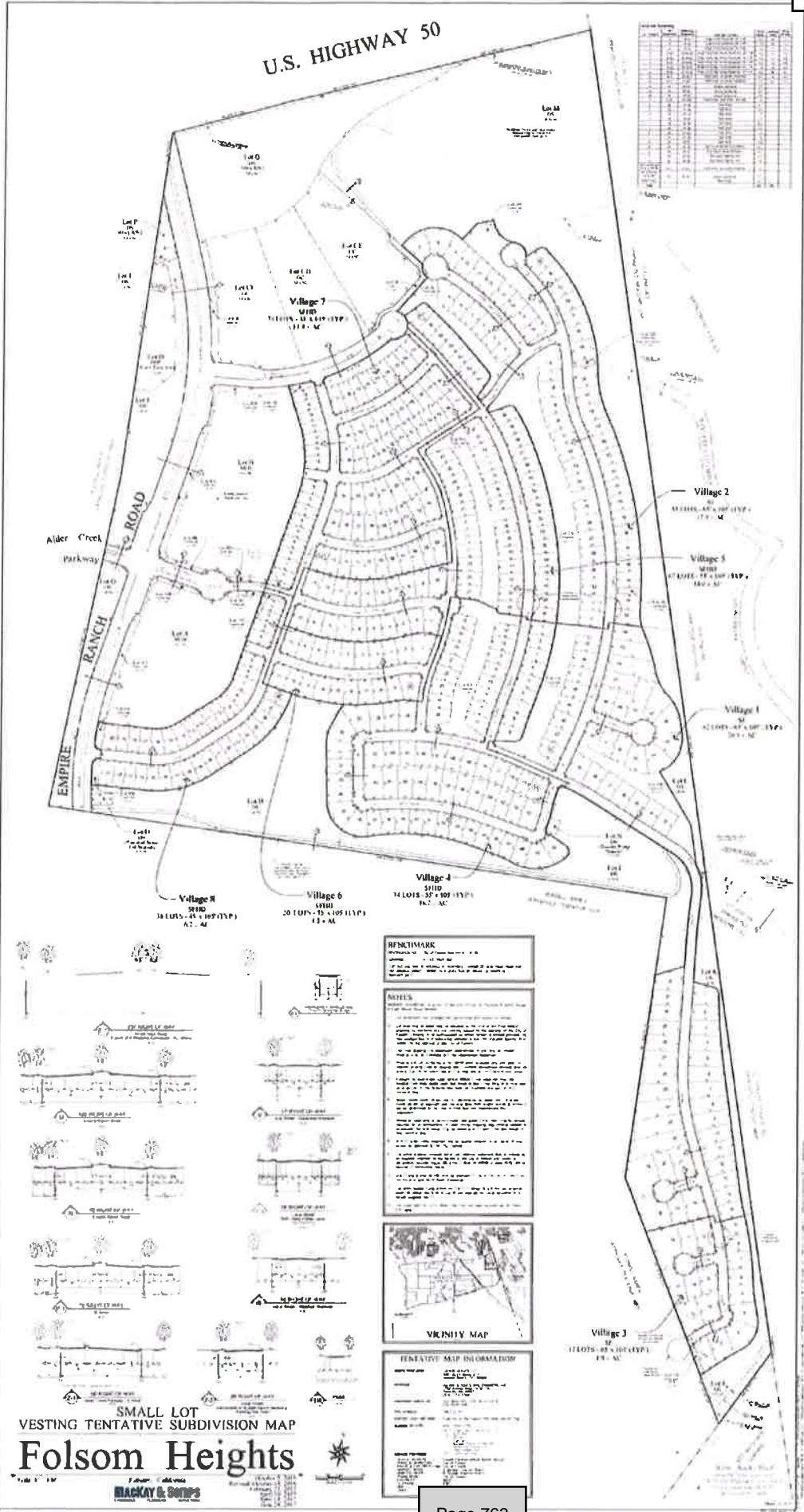
Attachment 4

Folsom Heights Subdivision Master Plan Exhibit, Dated February 27, 2017



Attachment 5

Small-Lot Vesting Tentative Subdivision Map Dated October 14, 2016



Attachment 6

Letter from Applicant, dated August 11, 2021

340 Palladio Parkway, Suite 521
Folsom, California 95630-8775
(916) 984-1300 FAX (916) 984-1322



August 11, 2021

Ms. Pam Johns
Community Development Director
CITY OF FOLSOM
50 Natoma Street
Folsom, California 95630
pjohns@folsom.ca.us

Via USPS and Email

Re: Three-Year Extension Request for Folsom Heights
Vesting Tentative Subdivision Map

Dear Ms. Johns:

Elliott Homes, Inc., hereby formally requests a three-year extension of time for the Folsom Heights Vesting Tentative Map. The current map is expected to expire on July 11, 2022. Elliott Homes purchased this property on April 5, 2021. We are actively designing the improvements, with the plan to begin grading the overall site in the summer of 2022. An extension will allow Elliott Homes to complete the improvements and file Final Maps in an orderly and timely manner.

Thank you for your consideration of this request. Elliott Homes looks forward to your response and to scheduling the matter before the appropriate hearing bodies.

Yours truly,

ELLIOTT HOMES, INC.

A handwritten signature in blue ink, appearing to read "Price Walker", is written over the typed name.

Price Walker
VICE PRESIDENT, PROJECT DEVELOPMENT

PW:tmg

cc: Mr. Steven Wang, City Attorney, swang@folsom.ca.us
Mr. Steven Krahn, City Engineer, skrahn@folsom.ca.us
Mr. Chad Roberts, Attorney, Hefner, Stark & Marois, LLP, croberts@hsmilaw.com

Attachment 7

Planning Commission Staff Report Dated November 3, 2021



FOLSOM
DISTINCTIVE BY NATURE

AGENDA ITEM NO. 2
Type: Public Hearing
Date: November 3, 2021

Planning Commission Staff Report

50 Natoma Street, Council Chambers
Folsom, CA 95630

Project: Folsom Heights Subdivision Small-Lot Vesting Tentative Subdivision Map Extension

File #: PN 21-233

Request: Small-Lot Vesting Tentative Subdivision Map Extension

Location: Northeastern Corner of the Folsom Plan Area

Staff Contact: Steve Banks, Principal Planner, 916-461-6207
sbanks@folsom.ca.us

Property Owner/Applicant

Name: Elliott Homes, Inc.
Address: 340 Palladio Parkway, Suite 521
Folsom, CA 95630

Recommendation: Conduct a public hearing and upon conclusion recommend approval of a three-year extension in time for the Folsom Heights Subdivision Small-Lot Vesting Tentative Subdivision Map as illustrated on Attachment 6 for the Folsom Heights Subdivision project (PN 21-233) subject to the findings (Findings A-O) and conditions of approval (Conditions 1-182) attached to this report.

Project Summary: The proposed project involves a request for approval of a three-year extension in time for the previously approved Small-Lot Vesting Tentative Subdivision Map associated with the Folsom Heights Subdivision project. The Folsom Heights Subdivision project includes development of a 530-unit residential and commercial community on a 189.7-acre site located within the northeastern corner of the Folsom Plan Area. The Planning Commission will be making a recommendation to the City Council regarding the project.

Table of Contents:

- 1 - Background and Setting
- 2 - Project Description/Analysis
- 3 - Conditions of Approval
- 4 - Vicinity Map



CITY OF FOLSOM
DISTINCTIVE BY NATURE

AGENDA ITEM NO. 2
Type: Public Hearing
Date: November 3, 2021

- 5 - Folsom Heights Subdivision Master Plan Exhibit, dated February 27, 2017
- 6 - Small-Lot Vesting Tentative Subdivision Map, dated October 14, 2016
- 7 - Letter from Applicant, dated August 11, 2021

Submitted,

PAM JOHNS
Community Development Director

ATTACHMENT 2 BACKGROUND AND SETTING

BACKGROUND

On June 28, 2016, the City Council approved a General Plan Amendment and Specific Plan Amendment for development of the Folsom Heights Subdivision project. The approved General Plan Amendment and Specific Plan Amendment resulted in an increase in the amount of land designated for single-family development, a decrease in the amount of land designated for multi-family development, a reduction in the amount of land designated for commercial development, and an increase in the amount of open space within the 189.7-acre Folsom Heights Subdivision project area.

On July 11, 2017, the City Council approved a Large-Lot Vesting Tentative Subdivision Map, Small-Lot Vesting Tentative Subdivision Map, Project Design Guidelines, and an Inclusionary Housing Plan for the development of a 530-unit residential and commercial development (Folsom Heights Subdivision) on a 189.7-acre site located in the northeast corner of the Folsom Plan Area. On August 27, 2019, the City Council approved a three-year extension in time for the previously approved Small-Lot Vesting Tentative Subdivision Map associated with the Folsom Heights Subdivision project. On August 11, 2021, Elliott Homes submitted a timely letter to the City requesting a three-year extension in time for the Small-Lot Vesting Tentative Subdivision Map associated with the Folsom Heights Subdivision project.

On August 27, 2021, Elliott Homes submitted an application to the City for approval of a code amendment to modify Section 16.16.120(D) of the Folsom Municipal Code to make it consistent with State law relative to map extensions. State law allows local jurisdictions to extend subdivision maps up to six years from the date of approval, while the Folsom Municipal Code limits the extension to three years. On September 28, 2021, the City Council approved Ordinance No. 1317, an Ordinance of the City of Folsom Amending Section 16.16.120(D) of the Folsom Municipal Code Pertaining to Extension of Tentative Subdivision Maps.

GENERAL PLAN DESIGNATIONS

SF (Single Family)
 SFHD (Single Family High Density)
 MLD (Multifamily Low Density)
 GC (General Commercial)
 P-QP (Public /Quasi Public)
 OS (Open Space)

SPECIFIC PLAN DESIGNATIONS

SP-SF (Single Family)
 SP-SFHD (Single Family High Density)
 SP-MLD (Multifamily Low Density)
 SP-GC (General Commercial)
 SP-P/QP (Public /Quasi Public)
 SP-OS1 (Preserve Open Space)

SP-OS2 (Passive Open Space)

ADJACENT LAND USES/ZONING

North: U.S. Highway 50 with undeveloped Commercial Property (SP 92-3) Beyond

South: Undeveloped Single-Family Residential Property (SP-SF PD) with White Rock Road Beyond

East: El Dorado County Line with Single-Family Residential Development Beyond

West: Empire Ranch Road with Undeveloped Single-Family Residential (SP-SF PD) and Commercial Property (SP-GC PD) Beyond

SITE CHARACTERISTICS

The project site is situated near the base of the Sierra Nevada foothills. The topography is characterized by gently rolling hills covered in non-native and naturalized grasslands

APPLICABLE CODES

FPASP (Folsom Plan Area Specific Plan)
FMC 16.16, Tentative Subdivision Maps

ATTACHMENT 1 PROJECT DESCRIPTION/ANALYSIS

APPLICANT'S PROPOSAL

The applicant, Elliott Homes, Inc., is requesting approval of a three-year extension in time for the previously approved Small-Lot Vesting Tentative Subdivision Map associated with the Folsom Heights Subdivision project. As referenced previously within this report, the Folsom Heights Subdivision project features development of a 530-unit residential and commercial development on a 189.7-acre site located within northeast corner of the Folsom Plan Area.

POLICY/RULE

The Folsom Municipal Code (FMC) requires that applications for Tentative Subdivision Maps be forwarded to the City Council for final action. City Council actions regarding extension of Tentative Subdivision Maps are covered under Section 16.16.120 of the Folsom Municipal Code.

ANALYSIS

Small-Lot Vesting Tentative Subdivision Map Extension

As described in the background section of this report, the City Council approved a Large-Lot Vesting Tentative Subdivision Map, Small-Lot Vesting Tentative Subdivision Map, Development Agreement Amendment, Project Design Guidelines, and Inclusionary Housing Plan for development of the 530-unit Folsom Heights Subdivision project on July 11, 2017. The City Council granted a three-year extension in time for Folsom Heights Small-Lot Vesting Tentative Subdivision Map on August 27, 2019. The Small-Lot Vesting Tentative Subdivision Map for the project is valid until July 22, 2022. The life of the Project Design Guidelines track with the validity of the Small-Lot Vesting Tentative Subdivision Map. The Inclusionary Housing Plan is a requirement of the project and does not require an extension in time.

On August 27, 2021, Elliott Homes submitted an application to the City for approval of a code amendment to modify Section 16.16.120(D) of the Folsom Municipal Code to make it consistent with State law relative to map extensions. State law allows local jurisdictions to extend subdivision maps up to six years from the date of approval, while the Folsom Municipal Code limits the extension to three years. On September 28, 2021, the City Council approved Ordinance No. 1317, an Ordinance of the City of Folsom Amending Section 16.16.120(D) of the Folsom Municipal Code Pertaining to Extension of Tentative Subdivision Maps to allow for tentative maps to be extended for a period not exceeding a total of six years.

Planning Commission
 Folsom Heights Subdivision Small-Lot Vesting Tentative Subdivision Map Extension (PN 21-233)
 November 3, 2021

On August 11, 2021, the project applicant (Elliott Homes, Inc.) submitted a timely letter to the City requesting a three-year extension in time for the Small-Lot Vesting Tentative Subdivision Map associated with the Folsom Heights Subdivision project. The applicant indicates in their extension letter that they recently purchased the subject property from Folsom Heights, LLC. on April 5, 2021. The applicant also states that they are actively designing the civil site improvements with the goal of beginning grading activities in the summer of 2022. In addition, the applicant comments that the extension in time will allow them to complete other required site improvements and to file the Final Map in a timely manner. The applicant has not proposed any changes to the previously approved project.

The Folsom Municipal Code (FMC, Section 16.16.120 D. Time Limit Extensions) states that the time at which a Tentative Subdivision Map expires may be extended by the Planning Commission for a period not exceeding a total of six years. As noted previously in the background section of this staff report, the City Council previously approved a three-year extension for the Folsom Heights Small-Lot Vesting Tentative Subdivision Map, thus the applicant is limited to one more three-year extension. As stated in the submitted extension request letter, the applicant has been actively engaged in designing the civil site improvements associated with the subdivision with the goal of conducting grading activities in the summer of 2022. In addition, the applicant states that the extension in time will allow them to complete other required site improvements and to file the Final Map in a timely manner. As a result, staff recommends approval of a three-year extension in time for the Small-Lot Vesting Tentative Subdivision Map associated with the Folsom Heights Subdivision project.

ENVIRONMENTAL REVIEW

An Addendum to the Folsom Plan Area Environmental Impact Report was previously approved for the Folsom Heights Subdivision project (PN 15-303) on July 11, 2017 in accordance with the California Environmental Quality Act (CEQA). The proposed Small-Lot Vesting Tentative Subdivision Map extension is consistent with the Folsom Heights Subdivision Addendum to the Folsom Plan Area Specific Plan EIR/EIS, and all mitigation measures have been applied as conditions of approval for this project. In addition, none of the conditions described in Section 21166 of the Public Resources Code or Section 15162 of the CEQA Guidelines calling for the preparation of a subsequent EIR have occurred. Therefore, no additional environmental review is required under CEQA.

RECOMMENDATION/PLANNING COMMISSION ACTION

Move to recommend to the City Council approval of a three-year extension in time for the Folsom Heights Subdivision Small-Lot Vesting Tentative Subdivision Map as illustrated on Attachment 6 for the Folsom Heights Subdivision project (PN 21-233) subject to the findings (Findings A-O) and conditions of approval (Conditions 1-182) attached to this report.

GENERAL FINDINGS

- A. NOTICE OF HEARING HAS BEEN GIVEN AT THE TIME AND IN THE MANNER REQUIRED BY STATE LAW AND CITY CODE.
- B. THE PROJECT IS CONSISTENT WITH THE GENERAL PLAN AND THE FOLSOM HEIGHTS SPECIFIC PLAN AMENDMENT.

CEQA FINDINGS

- C. THE CITY, AS LEAD AGENCY, PREVIOUSLY CERTIFIED AN ENVIRONMENTAL IMPACT REPORT/ENVIRONMENTAL IMPACT STATEMENT FOR THE FOLSOM PLAN AREA SPECIFIC PLAN AND ALSO APPROVED AN ADDENDUM FOR THE FOLSOM HEIGHTS SUBDIVISION PROJECT.
- D. THE PROPOSED PROJECT IS CONSISTENT WITH THE FOLSOM PLAN AREA SPECIFIC PLAN.
- E. THE FEASIBLE MITIGATION MEASURES SPECIFIED IN THE FOLSOM PLAN AREA SPECIFIC PLAN ENVIRONMENTAL IMPACT REPORT AND FOLSOM HEIGHTS SUBDIVISION CERTIFIED ADDENDUM WILL BE IMPLEMENTED FOR THE PROPOSED SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP, CONSISTENT WITH CEQA GUIDELINES SECTION 15183(e).
- F. NONE OF THE EVENTS SPECIFIED IN SECTION 21166 OF THE PUBLIC RESOURCES CODE OR SECTION 15162 OF THE CEQA GUIDELINES REQUIRING SUBSEQUENT ENVIRONMENTAL REVIEW HAVE OCCURRED.

VESTING TENTATIVE SUBDIVISION MAP AND MAP EXTENSION FINDINGS

- G. THE PROPOSED SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP IS CONSISTENT WITH THE CITY'S SUBDIVISION ORDINANCE AND THE SUBDIVISION MAP ACT IN THAT THE PROJECT IS SUBJECT TO CONDITIONS OF APPROVAL THAT WILL ENSURE THAT THE PROJECT IS DEVELOPED IN COMPLIANCE WITH CITY STANDARDS.
- H. THE PROPOSED SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP, TOGETHER WITH THE PROVISIONS FOR ITS DESIGN AND IMPROVEMENT, IS CONSISTENT WITH THE GENERAL PLAN, THE FOLSOM PLAN AREA SPECIFIC PLAN, AND ALL APPLICABLE PROVISIONS OF THE FOLSOM MUNICIPAL CODE.
- I. THE PROJECT SITE IS PHYSICALLY SUITABLE FOR THE TYPE OF DEVELOPMENT PROPOSED.

- J. THE PROJECT SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED DENSITY OF DEVELOPMENT.
- K. AS CONDITIONED, THE DESIGN OF THE SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE ENVIRONMENTAL DAMAGE OR SUBSTANTIALLY AND AVOIDABLY INJURE FISH OR WILDLIFE OR THEIR HABITAT.
- L. THE DESIGN OF THE SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SERIOUS PUBLIC HEALTH OR SAFETY PROBLEMS.
- M. THE DESIGN OF THE SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP AND THE TYPE OF IMPROVEMENTS WILL NOT CONFLICT WITH EASEMENTS FOR ACCESS THROUGH OR USE OF PROPERTY WITHIN THE PROPOSED SUBDIVISION.
- N. SUBJECT TO SECTION 66474.4 OF THE SUBDIVISION MAP ACT, THE LAND IS NOT SUBJECT TO A CONTRACT ENTERED INTO PURSUANT TO THE CALIFORNIA LAND CONSERVATION ACT OF 1965 (COMMENCING WITH SECTION 51200 OF THE GOVERNMENT CODE).
- O. APPLICABLE DEVELOPMENT FEES HAVE INCREASED SINCE INITIAL APPROVAL OF THE SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP ON JUNE 11, 2017. THE PROJECT IS SUBJECT TO APPLICABLE DEVELOPMENT FEES IN PLACE AT TIME OF ISSUANCE OF PERMITS.

Attachment 8

Minutes from November 3, 2021 Planning Commission Meeting



CITY OF
FOLSOM
DISTINCTIVE BY NATURE

PLANNING COMMISSION MINUTES
November 3, 2021
CITY COUNCIL CHAMBERS
6:30 P.M.
50 Natoma Street
Folsom, CA 95630

CALL TO ORDER PLANNING COMMISSION: Vice Chair Eileen Reynolds, Daniel West, Kevin Duewel, Bill Miklos, Ralph Peña, Barbara Leary, Chair Justin Raithe

ABSENT: Peña

CITIZEN COMMUNICATION: None

MINUTES: The minutes of October 6, 2021 were approved as submitted.

PUBLIC HEARING

1. PN 21-142, 7635 Baldwin Dam Road Tentative Parcel Map and Determination that the Project is Exempt from CEQA

A Public Hearing to consider a request from Craig Whelan for approval of a Tentative Parcel Map to subdivide two existing parcels totaling 4.48-acres into four individual parcels for future sale and development. The zoning classification for the site is R-1-L A, while the General Plan land-use designation is SF. The project is exempt from environmental review under section 15315 (Minor Land Divisions) of the California Environmental Quality Act (CEQA) Guidelines. **(Project Planner: Steve Banks/Applicant: Craig Whelan)**

1. Eric Forrest addressed the Planning Commission with concerns regarding sewer connection and EVA access on parcel 4.
2. Ryan Rawles addressed the Planning Commission with questions regarding the sewer connection, LLA's, and bridge weight.
3. Brian Martell addressed the Planning Commission in support of the project.
4. Jerome Merchant addressed the Planning Commission with questions regarding the permanency of the building envelopes.

COMMISSIONER DUEWEL MOVED TO APPROVE THE 7635 BALDWIN DAM ROAD TENTATIVE PARCEL MAP PROJECT, SUBJECT TO THE FINDINGS (FINDINGS A-K) AND CONDITIONS OF APPROVAL (CONDITIONS 1-28) WITH ADDITION OF CONDITION NO. 29 TO STATE:

"29. If the owner/applicant decides to construct the improvements associated with the Tentative Parcel Map prior to the City completing the Capital Improvement Project (approximately Spring/Summer 2022) in the Baldwin Dam area, the owner/applicant shall be required to install a cut-in tee with a valve on each leg of the existing 14-inch watermain (3 Valves in total) located in Baldwin Dam Road and install approximately 23 feet of 8-inch Ductile Iron Pipe across Baldwin Dam in order to provide water services to the future parcels. If the City

completes the improvements to Baldwin Dam Road prior to improvements associated with this Tentative Parcel Map, the owner/applicant shall connect to the newly installed 8-inch blind flange that shall be extended to private road."

COMMISSIONER MIKLOS SECONDED THE MOTION.

COMMISSIONER LEARY MADE A FRIENDLY AMENDMENT TO THE MOTION TO ADD A BULLET POINT TO CONDITION NO. 25 TO STATE:

"25.

- Future homebuilders shall consult with the City Arborist on the location of building footprints prior to the submittal of Design Review application."

COMMISSIONER DUEWEL DENIED THE FRIENDLY AMENDMENT.

COMMISSIONER LEARY THEN MOVED TO AMEND THE PENDING MOTION. SHE MOVED TO APPROVE THE 7635 BALDWIN DAM ROAD TENTATIVE PARCEL MAP PROJECT, SUBJECT TO THE FINDINGS (FINDINGS A-K) AND CONDITIONS OF APPROVAL (CONDITIONS 1-28) WITH ADDITION OF CONDITION NO. 29 TO STATE:

"29. If the owner/applicant decides to construct the improvements associated with the Tentative Parcel Map prior to the City completing the Capital Improvement Project (approximately Spring/Summer 2022) in the Baldwin Dam area, the owner/applicant shall be required to install a cut-in tee with a valve on each leg of the existing 14-inch watermain (3 Valves in total) located in Baldwin Dam Road and install approximately 23 feet of 8-inch Ductile Iron Pipe across Baldwin Dam in order to provide water services to the future parcels. If the City completes the improvements to Baldwin Dam Road prior to improvements associated with this Tentative Parcel Map, the owner/applicant shall connect to the newly installed 8-Inch blind flange that shall be extended to private road."

AND THE ADDITION OF A BULLET POINT TO CONDITION NO. 25 TO STATE:

"25.

- Future homebuilders shall consult with the City Arborist on the location of building footprints prior to the submittal of Design Review application."

COMMISSIONER REYNOLDS SECONDED THE MOTION TO AMEND.

THE COMMISSION VOTED TO AMEND COMMISSIONER DUEWEL'S MOTION WITH COMMISSIONER LEARY'S MOTION WHICH CARRIED THE FOLLOWING VOTE:

AYES: REYNOLDS, WEST, LEARY, RAITHEL
NOES: DUEWEL, MIKLOS
ABSTAINED: NONE
ABSENT: PENA

THE COMMISSION VOTED ON COMMISSIONER LEARY'S MOTION WHICH CARRIED THE FOLLOWING VOTE:

AYES: REYNOLDS, WEST, DUEWEL, LEARY, RAITHEL
NOES: MIKLOS
ABSTAINED: NONE
ABSENT: PENA

2. PN 21-233, Folsom Heights Vesting Tentative Subdivision Map Extension

A Public Hearing to consider a request from Elliott Homes, Inc. for approval of a three-year extension in time for the previously approved Small-Lot Vesting Tentative Subdivision Map associated with the Folsom Heights

Subdivision project. The specific plan classifications for the site are SP-SF, SP-SFHD, SP-MLD, SP-GC, SP-P/QP, SP-OS1, and SP-OS2, while the General Plan land-use designations are SF, SFHD, MLD, GC, P-QP, and OS. An Addendum to the Folsom Plan Area Environmental Impact Report was previously approved for the Folsom Heights Subdivision project (PN 15-303) on July 11, 2017 in accordance with the California Environmental Quality Act (CEQA). **(Project Planner: Steve Banks/Applicant: Elliott Homes, Inc.)**

1. Ellen Post addressed the Planning Commission regarding the EVA access on the trail behind her home.

COMMISSIONER REYNOLDS MOVED TO RECOMMEND THE CITY COUNCIL APPROVAL OF A THREE-YEAR EXTENSION IN TIME FOR THE FOLSOM HEIGHTS SUBDIVISION SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP AS ILLUSTRATED ON ATTACHMENT 6 FOR THE FOLSOM HEIGHTS SUBDIVISION PROJECT (PN 21-233) SUBJECT TO THE FINDINGS (FINDINGS A-O) AND CONDITIONS OF APPROVAL (CONDITIONS 1-182) ATTACHED TO THIS REPORT.

COMMISSIONER LEARY SECONDED THE MOTION WHICH CARRIED THE FOLLOWING VOTE:

AYES: REYNOLDS, WEST, DUEWEL, MIKLOS, LEARY, RAITHEL
 NOES: NONE
 ABSTAINED: NONE
 ABSENT: PENA

3. PN 21-234, Broadstone Estates Vesting Tentative Subdivision Map Extension

A Public Hearing to consider a request from Elliott Homes, Inc. for approval of a three-year extension in time for the previously approved Small-Lot Vesting Tentative Subdivision Map associated with the Broadstone Estates Subdivision project. The specific plan classifications for the site are SP-SF PD and SP-OS2, while the General Plan land-use designations are SF and OS. An Addendum to the Folsom Plan Area Environmental Impact Report was previously approved for the Broadstone Estates Subdivision project (PN 15-308) on June 28, 2016 in accordance with the California Environmental Quality Act (CEQA). **(Project Planner: Steve Banks/Applicant: Elliott Homes, Inc.)**

COMMISSIONER LEARY MOVED TO RECOMMEND THE CITY COUNCIL APPROVAL OF A THREE-YEAR EXTENSION IN TIME FOR THE BROADSTONE ESTATES SUBDIVISION SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP AS ILLUSTRATED ON ATTACHMENT 6 FOR THE BROADSTONE ESTATES SUBDIVISION PROJECT (PN 21-234) SUBJECT TO THE FINDINGS (FINDINGS A-O) AND CONDITIONS OF APPROVAL (CONDITIONS 1-189) ATTACHED TO THIS REPORT.

COMMISSIONER REYNOLDS SECONDED THE MOTION WHICH CARRIED THE FOLLOWING VOTE:

AYES: REYNOLDS, WEST, DUEWEL, MIKLOS, LEARY, RAITHEL
 NOES: NONE
 ABSTAINED: NONE
 ABSENT: PENA

NEW BUSINESS

4. PN 21-204, Mangini Ranch Phase 2 Village 1 Subdivision Residential Design Review

A Public Meeting to consider a request from Tri-Pointe Homes for approval of a Design Review application for 88 single-family residential units for the Mangini Ranch Phase 2 Village 1 Subdivision. The zoning classification for the site is SP-SFHD (PD), while the General Plan land-use designation is SFHD. The project was previously determined to be exempt from the California Environmental Quality Act in accordance with Government Code section 65457 and section 15182 of the CEQA Guidelines. **(Project Planner: Josh Kinkade/Applicant: Tri-Pointe Homes)**

COMMISSIONER WEST MOVED TO APPROVE A RESIDENTIAL DESIGN REVIEW APPLICATION FOR 88 SINGLE-FAMILY RESIDENTIAL HOMES AS ILLUSTRATED ON ATTACHMENTS 6 THROUGH 10 FOR THE MANGINI RANCH PHASE 2 VILLAGE 1 PROJECT (PN 21-204) SUBJECT TO THE FINDINGS (FINDINGS A-J) AND CONDITIONS OF APPROVAL (CONDITIONS 1-15) WITH MODIFICATION TO CONDITION NO. 13 TO STATE:

"13. The building shall have illuminated addresses visible from the street or drive fronting the property. Size and location of address identification shall be reviewed and ~~improved~~ approved by the Fire Marshal.

COMMISSIONER REYNOLDS SECONDED THE MOTION WHICH CARRIED THE FOLLOWING VOTE:

AYES: REYNOLDS, WEST, DUEWEL, MIKLOS, LEARY, RAITHEL
NOES: NONE
ABSTAINED: NONE
ABSENT: PENA

5. PN 21-205. Mangini Ranch Phase 2 Village 2 Subdivision Residential Design Review

A Public Meeting to consider a request from Tri-Pointe Homes for approval of a Design Review application for 74 single-family residential units for the Mangini Ranch Phase 2 Village 2 Subdivision. The zoning classification for the site is SP-SFHD (PD), while the General Plan land-use designation is SFHD. The project was previously determined to be exempt from the California Environmental Quality Act in accordance with Government Code section 65457 and section 15182 of the CEQA Guidelines. (Project Planner: Josh Kinkade/Applicant: Tri-Pointe Homes)

COMMISSIONER WEST MOVED TO APPROVE A RESIDENTIAL DESIGN REVIEW APPLICATION FOR 74 SINGLE-FAMILY RESIDENTIAL HOMES AS ILLUSTRATED ON ATTACHMENTS 6 THROUGH 10 FOR THE MANGINI RANCH PHASE 2 VILLAGE 2 PROJECT (PN 21-205) SUBJECT TO THE FINDINGS (FINDINGS A-J) AND CONDITIONS OF APPROVAL (CONDITIONS 1-15) WITH MODIFICATION TO CONDITION NO. 13 TO STATE:

"13. The building shall have illuminated addresses visible from the street or drive fronting the property. Size and location of address identification shall be reviewed and ~~improved~~ approved by the Fire Marshal.

COMMISSIONER LEARY SECONDED THE MOTION WHICH CARRIED THE FOLLOWING VOTE:

AYES: REYNOLDS, WEST, DUEWEL, MIKLOS, LEARY, RAITHEL
NOES: NONE
ABSTAINED: NONE
ABSENT: PENA

PLANNING COMMISSION / PLANNING MANAGER REPORT

The next regularly scheduled Planning Commission meeting is tentatively scheduled for November 17, 2021.

RESPECTFULLY SUBMITTED,



Kelly Mullett, ADMINISTRATIVE ASSISTANT

APPROVED:



Justin Raitel, CHAIR

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Folsom City Council Staff Report

MEETING DATE:	12/14/2021
AGENDA SECTION:	Public Hearing
SUBJECT:	Resolution No. 10777 - A Resolution of the City Council Approving the Sale of Surplus Land Located at 300 Persifer Street to Habitat for Humanity of Greater Sacramento, Inc. for Purpose of Developing Affordable Housing
FROM:	Community Development Department

RECOMMENDATION / CITY COUNCIL ACTION

Staff recommends that the City Council approve Resolution No. 10777 - A Resolution of the City Council Approving the Sale of Surplus Land Located at 300 Persifer Street to Habitat for Humanity of Greater Sacramento, Inc. for Purpose of Developing Affordable Housing.

BACKGROUND / ISSUE

The City of Folsom purchased the property located at 300 Persifer Street (Property) in 1961. The 0.91-acre site is located on the northeast corner of Persifer Street and Coloma Street as shown on the exhibit below.



Since 1961, the property was developed and used as a Fire Station, City Hall Annex, City Library, then offices for the Army Corps of Engineers during construction of Folsom Lake Crossing. The building on the property was vacant between 2009 and 2017.

In January 2017, City Council approved the demolition of the building, along with land use changes (General Plan Amendment and Rezone) from Commercial to Single Family High Density for the 300 Persifer Street site. That action also modified the Historic District Subarea boundaries so that the entire site is now located in the Persifer-Dean Subarea. City Council action on the land use changes for the property in 2017 also included direction to subdivide the property into five single-family residential parcels in keeping with the previous Theodore Judah historic lotting pattern.

On January 1, 2020, the Surplus Land Act was amended to address California's shortage of affordable housing by requiring local agency prioritization of affordable housing development when selling or leasing public lands no longer necessary for agency use. The Surplus Land Act requires agencies to take formal action in a regular public meeting to declare land surplus. Furthermore, local agencies are now required to notify housing sponsors registered with the State Department of Housing and Community Development (HCD) of the surplus land availability once the surplus declaration is made. Local agencies are also required to follow specific guidelines that ensure good faith negotiations occur with interested parties and that proposals with the greatest affordability targets are given priority for land disposition. Following the 90-day negotiation period, the agency must provide HCD with materials and process to ensure compliance with written findings and noticing requirements before the agency can sell or otherwise dispose of the property.

On September 22, 2020, City Council adopted Resolution No. 10531 declaring 300 Persifer Street (APN 070-0172-048-000) as surplus land with the specific purpose of creating at least five for sale affordable housing units. Specific findings and reference to Surplus Land Act requirements are listed below:

1. The land will be subdivided into five individual residential lots in keeping with the historic Theodore Judah lotting pattern each with 7,000 square foot lot size, 50-foot lot width, and 140-foot lot depth; and
2. The land will be transferred for the purpose of creating at least one for sale affordable housing unit on each of the five lots with consideration for a smaller secondary or accessory dwelling unit along the adjoining alley consistent with local zoning and State housing laws; and
3. Consistent with the Surplus Land Act, the City will notify housing sponsors registered with the State Department of Housing and Community Development of the surplus land availability; and
4. The City will submit relevant materials and process to the State Department of Housing and Community Development to determine compliance with the requirements of the Surplus Land Act.

On September 24, 2020, a Notice of Availability (NOA) was sent to all required entities. During the mandatory 60-day noticing period, two housing providers (Habitat for Humanity of Greater Sacramento and Retraining the Village) expressed interest in purchasing the property for the purposes of subdividing the property into five individual lots and developing affordable, for-sale housing. City staff met with each of the interested housing providers during the 90-day negotiation period, and proposals from Habitat for Humanity of Greater Sacramento (Habitat) and Retraining the Village were provided to the City.

On April 7, 2021 the City provided HCD with a summary of the City's Surplus Land process for disposition of surplus property at 300 Persifer Street. The City also provided HCD with the two proposals from Habitat and Retraining the Village. The State's Surplus Land Team reviewed the documentation and confirmed compliance with required process. Furthermore, HCD informed the City that priority preference should be given to the Habitat proposal given that it included the deepest average level of affordability. City staff thereafter moved forward with negotiations with Habitat with respect to its project proposal and purchase offer. Through the good faith negotiation process, the following terms were settled upon:

1. The vacant surplus property will be subdivided by the City into five individual residential lots in keeping with the historic Theodore Judah lotting pattern each with 7,000 square foot lot size, 50-foot lot width, and 140-foot lot depth.
2. The vacant surplus property will be sold to Habitat for a total sum of \$10,000 for the purpose of creating at least one for-sale affordable housing unit on each of the five lots, with an additional smaller secondary or accessory dwelling unit on each lot along the adjoining alley consistent with local zoning and State housing law.
3. Transfer of ownership of the Property to Habitat is subject to Habitat entering into a Regulatory Agreement and Declaration of Restrictive Covenants to ensure affordability of the units for 55 years as required by law.
4. The City will support Habitat's efforts to secure future grant funding and/or fee reductions for off-site infrastructure improvements, design and permitting.

POLICY / RULE

The City Council has the authority to approve the sale of surplus City-owned property (FMC Section 2.36.270). Surplus City-owned land is subject to the requirements set forth in the Surplus Land Act (Government Code sections 54220-54234)) and in the event that more than one entity proposes the same number of housing units that meet the requirements of Government Code Section 54222.5, priority shall be given to the entity that proposes the deepest average level of affordability for the affordable units. Government Code section 54227(a).

ANALYSIS

Surplus Land Act

Assembly Bill 1486, which took effect on January 1, 2021, made several changes to the Surplus Land Act. Generally, the purpose of the amendments is to promote affordable housing development on unused or underutilized public land throughout the state to respond to the affordable housing crisis in California. As a result, once a local agency has declared a property surplus land, the local agencies must now notify public entities, as well as housing sponsors registered with HCD of the surplus land availability. An entity or housing sponsor interested in developing the land for affordable housing must notify the agency of its desire to lease or purchase the land within 60 days after the agency's notice of availability is sent. Once the agency receives a notice of interest, a 90-day good faith negotiation period begins with all qualifying responsive parties. Prior to finalizing any agreements or disposing of surplus land, the resulting proposal(s) must be documented and sent to HCD for 30-day review and determination of compliance prior to land disposition. An overview of the Surplus Land Act Disposition Process is provided in Attachment 3.

As previously indicated in the background section of this report, two housing providers, Habitat for Humanity of Greater Sacramento and Retraining the Village, expressed interest in purchasing and developing the property at 300 Persifer Street. City staff met with each of the interested housing providers during the 90-day negotiation period, and formal proposals from Habitat for Humanity of Greater Sacramento (Habitat) and Retraining the Village were submitted to the City. Each proposal included developing affordable, for-sale housing on five individual lots.

As required by the Surplus Land Act, the City provided the State all documentation regarding 300 Persifer Street surplus land disposition process, including notice, letters of interest, negotiation process, and the final proposals submitted by Habitat and Retraining the Village. The State's Surplus Land Team reviewed the documentation, confirmed compliance with required process, and provided the following Surplus Land Act requirements regarding required action in the event that there is more than one proposal with affordable housing:

The Surplus Land Act provides that if the City receives a Notice of Interest to purchase or lease the land from more than one housing sponsor, the City must give first priority to the entity or entities that agree to use the site to provide for the most affordable housing units that meets the requirements of Government Code Section 54222.5 described as follows:

1. *Not less than 25 percent of the total number of units developed (which number includes density bonus units) shall be affordable housing.*
2. *If more than one entity proposes the same number of units that meet the requirements of Government Code Section 54222.5, priority shall be given to the entity that proposes the deepest average level of affordability for the affordable units. In the event that more than one entity proposes the same number of units that meet the requirements of Section*

54222.5, priority shall be given to the entity that proposes the deepest average level of affordability for the affordable units.

Given that the Habitat proposal included the greatest number of for-sale affordable units (10 total) and the deepest level of affordability, the Habitat proposal was given priority for land disposition consistent with the Surplus Land Act.

Habitat's Proposal

Habitat is proposing to partner with the City of Folsom for the purpose of developing affordable homeownership housing units upon the parcel of identified surplus land located at 300 Persifer Street in the City of Folsom. Habitat has a long history and exceptional track record of partnering with local cities and the Counties of Sacramento and Yolo to produce housing that meets the community's vision and becomes an integral part of the neighborhood fabric. Since 1985, in Sacramento and Yolo counties, Habitat has provided new homeowner opportunities for over 150 families, and since the inception of their Home Preservation program in 2017, completed over 100 home repairs for low-income seniors, veterans and families.

The City-owned property at 300 Persifer Street provides a unique opportunity to partner with Habitat to create five for sale single-family units affordable to low- and lower-income households, with an additional five affordable for sale accessory dwelling unit or second dwelling on each lot. Proposed development is consistent with all relevant zoning and land use laws, including second dwelling unit law.

Habitat's proposal assumes that the property will be subdivided by the City into five individual residential lots consistent with the historic Theodore Judah lotting pattern. Once the lots are subdivided, Habitat will purchase all subdivided properties from the City for a total sum of \$10,000. Habitat's land acquisition model relies on obtaining land for its projects at little to no cost in order to produce affordable homeownership opportunities for low-income families. Furthermore, the Surplus Land Act (Government Code Section 54226) clarifies that a local agency may sell or lease surplus land at or less than fair market value as a way of providing additional subsidy to build more deeply income-targeted projects. Refer to proposal in Attachment 4.

Habitat for Humanity Key Project Details

- Development of ten for-sale single-family homes; five primary dwellings and five accessory dwelling units on each lot, which can be sold separately as tenants in common consistent with State law.
- Each unit will have its own metered gas, water, sewer, and electric utilities.
- Design of the homes will complement what already exists in the surrounding neighborhood, adhere to Historic District Design Guidelines, and be subject to Design Review approval by the Historic District Commission.

- All units will be affordable for-sale units for low and lower-income families within the 30% to 80% of Sacramento County Area Median Income (AMI). The current AMI in Sacramento County for a family of four is \$91,100.
- It is projected that six homes will be purchased by families under the 60% of Area Median Income level, while the remaining four will be purchased by families from 60% to 80% of AMI.
- Private capital in the form of corporate and other home sponsorship donations will provide the majority of funding for the construction of these proposed homes.
- Habitat will engage the community residents, neighborhood, and business associations by recruiting volunteers for construction as well as the neighborhood revitalization efforts.

While the homes will be “affordable” they will be constructed with attention to detail and quality and will complement the existing feel of the surrounding neighborhood. The homes will be constructed as “sweat equity” projects with each purchasing partner family required to contribute 500 hours of sweat equity building their home and the homes of other partner families. Upon completion, each of the homes will be purchased by the partner family qualified by Habitat with a zero-interest equivalent 30-year mortgage with a monthly payment that is structured at no more than 30% of their monthly income. Under Habitat’s model, the sales price of each home is based on the appraised value of the home at the time of sale, and “the gap” between the sales price of the home and the homeowner’s “affordable” first mortgage is made up from a combination of grant funding and a forgivable affordability subsidy. Under this model, Habitat provides an equity share provision that allows the homeowners to build and capture equity over time. Sample plans for the 300 Persifer Street project are provided below.



Housing Element Implementation

The City’s recently adopted (August 24, 2021) Housing Element, which implements the City’s “fair share” of the regional affordable housing needs allocated to the City by SACOG, calls for 2,226 very low-income units and 1,341 low-income units over the eight-year period from 2021 to 2029. This Project proposes to provide 10 units toward meeting that goal. Furthermore,

partnership in the development of affordable housing on this site is consistent with Housing Element Goal **H-3: Facilitating Affordable Housing** and Housing Element Policies **H-2.4 Accessory Dwelling Units and Multi-Generational Housing** and **H-3.4 Surplus Public Land** and will implement the following Housing Element Implementation Program:

H.16 Facilitate Affordable Housing Development on City-Owned Land

The City shall facilitate the construction of affordable housing, including possible accessory dwelling units, on the City-owned sites located at 300 Persifer Street (APN 070-0172-048) and on Riley Street near Comstock Drive (APN 071-0190-076). The City shall collaborate with an interested affordable housing developer to construct deed-restricted affordable housing.

FINANCIAL IMPACT

Proceeds from the sale of the City property will be deposited into the General Fund (Fund 010). Costs associated with preparing and recording the parcel map will be paid from the City's Housing Fund (Fund 238).

ENVIRONMENTAL REVIEW

The sale of surplus city-owned property is categorically exempt from environmental review under Section 15312 (Surplus Government Property Sales) of the CEQA Guidelines.

ATTACHMENTS

1. Resolution No. 10777 - A Resolution of the City Council Approving the Sale of Surplus Land Located at 300 Persifer Street to Habitat for Humanity of Greater Sacramento, Inc. for Purpose of Developing Affordable Housing
2. Regulatory Agreement and Declaration of Restrictive Covenants
3. Surplus Land Act Summary Sheet
4. Habitat for Humanity of Greater Sacramento Proposal

Submitted,



Pam Johns, Community Development Director

Attachment 1

Resolution No. 10777 - A Resolution of the City Council Approving the Sale of Surplus Land Located at 300 Persifer Street to Habitat for Humanity of Greater Sacramento, Inc. for Purpose of Developing Affordable Housing

RESOLUTION NO. 10777**A RESOLUTION OF THE CITY COUNCIL APPROVING THE SALE OF SURPLUS LAND LOCATED AT 300 PERSIFER STREET TO HABITAT FOR HUMANITY OF GREATER SACRAMENTO, INC. FOR PURPOSE OF DEVELOPING AFFORDABLE HOUSING**

WHEREAS, City owns that certain real property in the City of Folsom, County of Sacramento, State of California commonly known as 300 Persifer Street in Folsom (Property); and

WHEREAS, the City Council of the City of Folsom found that the Property is in excess of the foreseeable needs of the City pursuant to Section 50570 of the Government Code; and

WHEREAS, on September 22, 2020, pursuant to the requirements of the Surplus Land Act, City Council adopted Resolution No. 10531 declaring the Property as surplus land and a Notice of Availability (NOA) was sent to all required entities on September 24, 2020; and

WHEREAS, the Property creates a unique opportunity to partner with an affordable housing builder or non-profit to provide for-sale housing affordable to low- and lower-income households; and

WHEREAS, Habitat for Humanity of Greater Sacramento, Inc. (Habitat) desires to purchase the Property from City in an amount of \$10,000 for development of housing available to persons and families of low and lower income at affordable housing cost, as defined by Section 50052.5 of the Health and Safety Code and as amended from time to time; and

WHEREAS, pursuant to the Surplus Land Act Guidelines, cities may sell property at less than fair market value if the city determines that the property can be used to provide housing to low- and moderate- income households and,

WHEREAS, the sale of the Property for an affordable housing project is consistent with the City's Housing Element Goal H-3: Facilitating Affordable Housing and Housing Element Implementation Program H-16: Facilitating Affordable Housing Development on City-owned Land; and

WHEREAS, the City desires to sell the surplus Property to Habitat for the development of affordable housing.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Folsom hereby finds that the sale of vacant City property located at 300 Persifer Street to Habitat for Humanity of Greater Sacramento, Inc. for purpose of developing affordable housing is categorically exempt from environmental review under Section 15312 (Surplus Government Property Sales) of the CEQA Guidelines.

BE IT FURTHER RESOLVED that the sale of vacant City property located at 300 Persifer Street to Habitat for Humanity of Greater Sacramento, Inc. for purpose of developing

affordable housing is hereby approved, subject to the following conditions:

1. The Property will be subdivided by the City into five individual residential lots in keeping with the historic Theodore Judah lotting pattern each with 7,000 square foot lot size, 50-foot lot width, and 140-foot lot depth.
2. The Property is being sold to Habitat for a total sum of \$10,000 for the purpose of creating at least one for-sale affordable housing unit on each of the five lots, with an additional smaller secondary or accessory dwelling unit on each lot along the adjoining alley consistent with local zoning and State housing law.
3. The City Manager or designee is hereby directed to take all steps necessary to transfer ownership of the Property to Habitat for purpose of developing affordable housing, subject to Habitat entering into a Regulatory Agreement and Declaration of Restrictive Covenants in a form acceptable to the City Attorney.
4. The City will submit relevant documents to the State Department of Housing and Community Development in compliance with the requirements of the Surplus Land Act once disposition of the Property is complete.

PASSED AND ADOPTED this 14th day of December 2021, by the following vote:

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

Michael D. Kozlowski, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

Attachment 2

Regulatory Agreement and Declaration of Restrictive Covenants

<p>No fee for recording pursuant to Government Code Section 27383</p> <p>RECORDING REQUESTED BY AND WHEN RECORDED</p> <p>MAIL TO:</p> <p>The City of Folsom 50 Natoma Street Folsom, California 95630 Attention: Community Development Director</p>	
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Space above this line for recorder's use

**REGULATORY AGREEMENT AND
DECLARATION OF RESTRICTIVE COVENANTS**

300 Persifer Street Affordable Housing Development

This Regulatory Agreement and Declaration of Restrictive Covenants (the "Agreement") is made and entered into as of this ____ day of _____, 2021 ("Effective Date"), by and between the **City of Folsom**, a California Charter Municipal Corporation ("City"), and **Habitat for Humanity of Greater Sacramento, Inc.** ("Developer").

RECITALS

A. WHEREAS, City owns that certain real property in the City of Folsom, County of Sacramento, State of California commonly known as 300 Persifer Street in Folsom, described in more detail in Exhibit A attached hereto and incorporated herein by reference (the "Property"); and

B. WHEREAS, the City Council of the City of Folsom found that the Property is in excess of the foreseeable needs of the City pursuant to Section 50570 of the Government Code; and

C. WHEREAS, Developer desires to purchase the Property from City for development of housing available to persons and families of low or moderate income at affordable housing cost, as defined by Section 50052.5 of the Health and Safety Code and as amended from time to time, subject to the specific requirements of this Agreement; and

D. WHEREAS, the City requires that the Property be developed with affordable housing in conformance with the terms of this Agreement.

NOW, THEREFORE, City and Developer hereby agree as follows:

1. Definitions. The following terms have the respective meanings assigned to them in this Agreement.

1.1 “Affordable Unit” shall mean affordable to persons earning less than 80% Area Median Family Income (AMFI) as defined by U.S. Department of Housing and Urban Development (HUD).

1.2 “Agreement” shall mean this Regulatory Agreement and Declaration of Restrictive Covenants.

1.3 “City” shall mean the City of Folsom.

1.4 “Code” shall mean the municipal code of the City of Folsom.

1.5 “Developer” shall mean, Habitat for Humanity of Greater Sacramento, Inc., a qualified nonprofit housing corporation under Government Code Section 65915(c)(2)(B).

1.6 “Extremely Low-Income Tenant” means a tenant whose income does not exceed thirty (30) percent of the Median Income applicable to Sacramento County, adjusted for family size as published and annually updated by the United States Department of Housing and Urban Development.

1.7 “Lower Income Tenant” means a tenant whose income does not exceed eighty (80) percent of the Median Income applicable to Sacramento County, adjusted for family size as published and annually updated by the United States Department of Housing and Urban Development.

1.8 “Median Income” shall mean the median income adjusted for household size applicable to Sacramento County as determined annually by the United States Department of Housing and Urban Development.

1.09 “Owner” shall mean an individual or entity who purchases and acquires one or more Units in the Project in fee simple.

1.10 “Property” shall mean the real property described in Exhibit A attached hereto.

1.11 “Project” shall mean the 10-unit affordable residential housing development located at 300 Persifer Street in the City of Folsom, Sacramento County, California available to persons and families of low or moderate income at affordable housing cost, as defined by Section 50052.5 of the Health and Safety Code, as amended from time to time, subject to the more specific terms in this Agreement.

1.12 “Rent” shall mean the monthly total of payments by the tenants of a Unit for the following: use and occupancy of the Unit and associated facilities, including parking; the separately charged fees or service charges assessed by Owner which are required of all tenants, other than security deposits; the cost of an adequate level of service for utilities paid by the tenant, including garbage collection, sewer, water, electricity, gas and other heating, cooking and refrigeration fuel, but not telephone service; any other interest, taxes, fees or charges for use of

the land or associated facilities and assessed by a public or private entity other than Owner, and paid by the Tenant.

1.13 “Tenant” shall mean an occupant or occupants of the Units.

1.14 “Term” shall mean the period of time beginning on the date of the issuance of the first certificate of occupancy for the Units and ending 55 years thereafter.

1.15 “Unit” shall mean each of the 10 residential units to be constructed on the Property as a part of the Project, all shall be Affordable Units and deed-restricted under this Agreement.

1.16 “Very Low-Income Tenant” shall mean a tenant whose income does not exceed fifty (50) percent of the Median Income applicable to Sacramento County, adjusted for family size, as published and annually updated by the United States Department of Housing and Urban Development.

2. Affordability Covenants.

2.1 Applicability: The affordability covenant under this Agreement shall apply throughout the Term of this Agreement, subject to the specific requirements in this Section.

2.2 Tenant Occupancy Requirement: All Units developed on the Property shall be made available for sale or rent to Extremely Low-Income Tenants, Very-Low-Income Tenants, or Lower Income Tenants at affordable housing prices. If rented to Tenants, monthly Rent for the Units shall be affordable and occupied by individuals and families based on their income in Section 2.3 below throughout the Term of this Agreement.

2.3 Allowable Rent.

2.3.1 The monthly Rent charged for the Extremely Low Income Tenants shall not exceed one-twelfth of 30% of 30% of the Median Income applicable to Sacramento County, adjusted for assumed household size. As used herein, “assumed household size” shall have the meaning set forth in the Low Income Housing Tax Credit Program.

2.3.2 The monthly Rent charged for the Very Low Income Tenants shall not exceed one-twelfth of 30% of 50% of the Median Income applicable to Sacramento County, adjusted for assumed household size. As used herein, “assumed household size” shall have the meaning set forth in the Low Income Housing Tax Credit Program.

2.3.3 The monthly Rent charged for the Lower Income Tenants shall not exceed one-twelfth of 30% of 80% of the Median Income applicable to Sacramento County, adjusted for assumed household size. As used in herein, “assumed household size” shall have the meaning set forth in the Low Income Housing Tax Credit Program.

2.3.4 Lease Provisions. The lease for all Lower Income Tenants, Very Low Income Tenants and Extremely Low Income Tenants shall include provisions which authorize the owner of the Unit to immediately terminate the tenancy if any applicant misrepresented any

fact material to their qualification as Lower Income, Very Low Income, or Extremely Low Income. Each lease or rental agreement of a Lower Income, Very Low Income or Extremely Low Income Unit shall also provide that the Tenant household is subject to annual certification in accordance with Section 4, below.

2.4 Equity Sharing Requirement for Ownership Units. The Developer acknowledges and agrees that Government Code Section 54222.5 requires the initial occupants of all ownership Units shall be lower income households, and that the Units shall be subject to an equity sharing requirement consistent with Government Code Section 65915(c)(2)(C)(i) and (v):

(a) Upon resale, the seller of the Unit shall retain the value of any improvements, the down payment, and the seller's proportionate share of appreciation.

(b) Pursuant to Government Code Section 65915(c)(2)(C)(v), since the Unit is developed by a qualified nonprofit housing corporation pursuant to Government Code Section 65915(c)(2)(A)(ii) and 65915(c)(2)(B), the Developer is permitted to recapture any initial subsidy and its proportionate share of appreciation if the Developer is required to use 100% of the proceeds to promote home ownership for lower income households as defined by Health and Safety Code Section 50079.5 within the City's jurisdiction.

3. Operation and Maintenance of The Project.

3.1 Residential Use. The Project shall be operated for residential use, either for-sale or rental under at least a month-to-month tenancy. No part of the Project shall be operated as transient housing or short-term rental for less than 30 days.

3.2 Taxes and Assessments. Owner of the Unit shall pay all real and personal property taxes, assessments and charges, and all franchise, income, employment, old age benefit, withholding, sales, and other taxes assessed against it, or payable by it, at such times and in such manner as to prevent any penalty from accruing, or any lien or charge from attaching to the Property; provided, however, Owner shall have the right to contest, in good faith, any such taxes, assessments, or charges. In the event that the owner exercises his or her right to contest any tax, assessment or charge, Owner, upon final determination of the preceding, shall immediately pay or discharge any judgment rendered against it, together with all costs, charges and interest. Nothing herein shall preclude Owner from applying for any property tax exemptions for which it may qualify.

3.3 Management and Maintenance. Owner shall maintain the Unit in good repair and condition, and in a neat, clean and orderly condition, including exterior walkways, driveways, alley ways and landscaping, and, from time to time, make all necessary and proper repairs, renewals, and replacements to all improvements associated with the Unit.

3.4 Nondiscrimination. Owner shall not give preference to any particular class or group of persons and renting the Units, except to the extent that the Lower Income Units, Very Low Income Units and Extremely Low Income Units are required to be leased to Lower Income Households, Very Low Income Households and Extremely Low Income Households, respectively. There shall be no discrimination against or segregation of any person or group of

persons on account of race, color, creed, religion, sex, sexual orientation or preference, gender identity, marital status, familial status, national origin, source of income (e.g., AFDC or SSI) ancestry, or handicap, in the leasing, subleasing, transferring, use, occupancy, tenure, or enjoyment of any Unit, nor shall Owner or any person claiming under or through Owner, establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use, or occupancy, of tenants, lessees, sub lessees, subtenants, or vendees of any Unit or in connection with the employment of persons for the construction, operation and management of any Unit. All deeds, leases or contracts made or entered into by Owner as to the Units over the Property, or portion thereof, shall contain the following covenants concerning discrimination:

In Deeds:

“The grantee herein covenants by and for itself or himself, his heirs, executors, administrators and assigns, and all persons claiming under or through him, that there shall be no discrimination against or segregation of any person or group of persons on account of race, color, creed, religion, sex, sexual orientation or preference, gender identity, marital status, familial status, national origin or ancestry, or source of income in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of the land herein conveyed, nor shall the grantee himself or any person claiming under or through it or him establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of tenants, lessees, sub lessees, subtenants or vendees in the land herein conveyed. The foregoing covenants shall run with the land.”

In Leases:

“The lessee herein covenants by and for itself or himself, his heirs, executors, administrators and assigns, and all persons claiming under or through him, and this lease is made and accepted upon and subject to the following conditions:

That there shall be no discrimination against or segregation of any person or group of persons on account of race, color, creed, religion, sex, sexual orientation or preference, gender identity, marital status, familial status, national origin or ancestry, or source of income in the leasing, subleasing, transferring, use, occupancy, tenure or enjoyment of the land herein leased, nor shall the lessee himself or any person claiming under or through him establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of tenants, lessees, sub lessees, subtenants or vendees in the land herein leased. The foregoing covenants shall run with the land.”

In Contracts:

“There shall be no discrimination against or segregation of any person or group of persons on account of race, color, creed, religion, sex, sexual orientation or

preference, gender identity, marital status, familial status, national origin or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of the land herein leased, nor shall the transferee itself or himself or any person claiming under or through him establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of tenants, lessees, sub lessees, subtenants or vendees in the land. The foregoing covenants shall run with the land.”

3.5 Section 8 Certificate Holders. Owner will accept as tenants, on the same basis as all other prospective tenants, persons who are recipients of federal certificates for rent subsidies, pursuant to the existing housing program under Section 8 of the United States Housing Act, as amended. Owner shall not apply selection criteria to Section 8 certificate or voucher holders that are more burdensome than criteria applied to all other prospective tenants, nor shall Owner apply or permit the application of management policies or lease provisions with respect to the Project that have the effect of precluding occupancy of the Units by such prospective tenants.

3.6 Preference to Displaced Households in City. To the extent permitted by law, including Tax Credit rules and regulations, Developer shall give a preference in the sale of any Units to eligible households already living and residing in the City. Similarly, Owner shall give a preference in the rental of any Units to eligible households already living and residing in the City.

4. Reporting.

4.1 Income Certification and Reporting for Rental Housing.

4.1.1 If renting to Tenants, Owner will obtain, complete and maintain on file, immediately prior to initial occupancy, and annually thereafter, complete certifications from each Extremely Low Income Household renting any of the Extremely Low Income Units, each Very Low Income Household renting any of the Very Low Income Units and each Lower Income Household renting any of the Lower Income Units. Owner shall make a good-faith effort to verify that the income certification provided by an applicant or occupying household member(s) is accurate by taking one or more of the following steps as part of the verification process: (1) obtain a pay stub for the most recent pay period, (2) obtain an income tax return for the most recent tax year (3) conduct an income inquiry through a credit reporting agency, (4) obtain an income verification form from the applicant's and occupying household members' current employer, (5) obtain an income verification form from the Social Security Administration or the California Department of Social Services, if the applicant or occupying household member receives assistance from either of such agencies, (6) if the applicant or occupying household member is unemployed and has no such tax return, obtain another form of independent verification. Copies of Tenant income certifications shall be made available to City upon request. If, and for so long as, the Project is subject to the Low-Income Housing Tax Credit Program Regulatory Agreement with the California Tax Credit Allocation Committee “CTCAC”), income certifications which comply with CTCAC requirements shall be deemed to comply with the requirements of this Section 4.1.1.

If the income of the Tenant, upon recertification, exceeds the upper limit for Lower Income Households, and there are no other requirements statutorily or contractually imposed by another federal or state funding source, such Tenant shall be allowed to remain in occupancy provided, however that that if the income of such household exceeds 80% of the Median Income, Owner may terminate such occupancy.

4.2 Annual Report to City for Rental Housing. If renting to Tenants, Owner shall submit to City (i) not later than 45 days after the close of each calendar year, a report to City setting forth the status of Owner's compliance with the requirements of this Agreement, and (ii) within 15 days after receipt of a written request, any other information or completed forms requested by City in order to comply with reporting requirements of the State of California.

4.3 Additional Information. Owner shall provide any additional information reasonably requested by the City. Upon reasonable prior notice, City shall have the right to examine all books, records or other documents of owner, which pertain to any Unit.

4.4 Records. Owner shall maintain complete, accurate and current records pertaining to the Units, and shall permit any duly authorized representative of City, during normal business hours and with reasonable prior written notice, to inspect records, including records pertaining to income and household size of tenant households. All tenant lists, applications and waiting lists relating to the Project shall, at all times, be kept separate and identifiable from any other business records of Owner and shall be maintained as required by City, and in reasonable condition for proper audit and subject to examination during normal business hours by representatives of City.

5. Miscellaneous.

5.1 Covenants. The provisions contained in this Agreement are covenants which subject and burden the Property, as covenants running with the land. It is intended and agreed that the agreements and covenants provided in the Agreement shall be covenants running with the land and equitable servitudes on the land and that they shall, in any event, and without regard to technical classifications or designation, be binding to the fullest extent permitted by law and equity, for the benefit and in favor of, and enforceable by, the City, the City's successors and assigns, any other governmental entity acting within its authority and any successor in interest to all or any part of the Property against Owner, its successors and assigns and every successor in interest to all or any part of the Property. References in this Agreement to Owner shall include all such successors, assigns, occupants, transferees and any other party over which Owner can enforce its rights concerning such covenants.

5.2 Existing Covenants, Conditions & Restrictions. This Agreement shall supersede any covenants, conditions and restrictions that have been previously recorded by, or on behalf of, the City for the parcels comprising the Property. If there are other covenants, conditions or restrictions that are superseded, they are hereby terminated when this Regulatory Agreement is recorded.

5.3 Rights of Mortgagee. The provisions of this Agreement do not limit the right of any obligee to exercise any of its remedies for the enforcement of any pledge or lien upon the Property.

5.4 Covenants Run with Land. The covenants contained herein shall run with the land in favor of the City and its successors and assigns without regard to whether the City has been, remains, or is an owner of any land or interest therein, and shall bind the Owner, its successors and assigns. Such beneficiaries shall have the right to exercise all rights and remedies and to maintain any actions or suits at law or in equity or other property proceedings to enforce the curing of any breach, to which it or any other beneficiaries of such covenants are entitled.

In the event the City shall be abolished or its designation changed by or pursuant to law, its powers, rights and functions under this Agreement may be transferred to any other designated governmental office or agency.

5.5 City Codes. Nothing contained in this Agreement shall be construed as permitting the violation of any requirement of the ordinances or other laws or rules of the City of Folsom, it being the intent of this Agreement to impose additional restrictions over and above the requirements of any such ordinances.

5.6 Modifications. City and its successors and assigns, and Owner and its successors and assigns, shall have the right to consent and agree to changes in, or to eliminate in whole or in part any of the covenants or restrictions contained in this Agreement without the consent of any tenant, lessee, easement holder, licensee, trustee, or any other person or entity having any interest less than a fee in the Property.

5.7 Attorneys' Fees. If either Owner or City files any lawsuit against the other predicated on this Agreement, the prevailing party in such action shall be entitled to recover, from the non-prevailing party, its attorneys' fees, and all fees, costs, and expenses incurred in any post-judgment proceedings to collect or enforce any judgment and in any appeal. This provision for the recovery of fees, costs, and expenses is separate and several and shall survive the merger of this Agreement into any judgment on this Agreement. This section shall be interpreted in accordance with California Civil Code section 1717 and judicial decisions interpreting that statute.

5.8 Enforcement by the City. If the Owner fails to perform its obligations under this Agreement the City shall have the right to enforce this Agreement by any or all of the following actions, or any other remedy provided by law:

5.8.1 Action to Compel Performance or for Damages. The City may bring an action at law or in equity to compel the Owner's performance of their obligations under this Agreement, and/or for damages.

5.8.2 City agrees to accept a cure made by Owner's limited partners on the same basis as if such cure was tendered by Owner.

5.8.3 City Authority. Nothing in this Agreement is intended to prevent the City from enforcing this Agreement or City Codes in law or at equity, or from pursuing any other remedy available to the City. Prior to initiating any of the actions described above the City shall provide to Owner notice of the City's determination that a violation of this Agreement has or is occurring and provide Owner thirty (30) days to cure any such violation. City agrees that if the default cannot be cured within thirty (30) days and Owner commences the cure within thirty (30)

days and thereafter diligently pursues such cure and completes such cure within ninety (90) days, or such longer period as the City may approve, that the City shall not initiate any of the actions described above until the City-approved cure period has expired without the violation and/or default being cured.

5.8.4 Others May Enforce. The enforcement provision in this Agreement runs with the land and shall be enforceable against any Owner who violates a covenant or restriction and each successor in interest who continues the violation, by any of the following:

- (a) The local agency that disposed of the Property.
- (b) A resident of a Unit.
- (c) A residents' association with members who reside in Units subject to this Agreement.
- (d) A former resident of a Unit subject to this Agreement who last resided in that Unit.
- (e) An applicant seeking to enforce the covenants or restrictions for a particular Unit that is subject to this Agreement, if the applicant conforms to all of the following:
 - (1) Is of low or moderate income, as defined in Section 50093 of the Health and Safety Code.
 - (2) Is able and willing to occupy that particular unit.
 - (3) Was denied occupancy of that particular unit due to an alleged breach of a covenant or restriction implementing this section.
- (f) A person on an affordable housing waiting list who is of low or moderate income, as defined in Section 50093 of the Health and Safety Code, and who is able and willing to occupy a Unit subject to this Agreement.

5.9 Recording and Filing. Owner shall cause this Agreement, and all amendments and supplements to it, to be recorded against the Property in the Official Records of the County of Sacramento.

5.10 Governing Law and Venue. This Agreement shall be governed by the laws of the State of California, and any action brought relating to this Agreement shall be held exclusively in a state court in the County of Sacramento.

5.11 Waiver of Requirements. Any of the requirements of this Agreement may be expressly waived by the City in writing, but no waiver by the City of any requirement of this Agreement shall, or shall be deemed to, extend to or affect any other provision of this Agreement.

5.12 Amendments. This Agreement may be amended only by a written instrument executed by the City and the Developer or their successors in title, and duly recorded in the real property records of the County of Sacramento. After sale of a Unit by the Developer, this Agreement may be amended to affect that particular Unit only by a written instrument executed by the City and the Owner or their successors in title, and duly recorded in the real property records of the County of Sacramento.

5.13 Notices. All notices, requests, demands, payments, or other communication hereunder shall be in writing and shall be deemed to be duly given upon receipt and refusal, if delivered: (i) by registered or certified mail, postage prepaid, return receipt requested, (ii) deposited with any nationally-recognized overnight carrier that routinely issues receipts, or (iii) delivered personally, to the following addresses:

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

Developer: _____

Such written notices, demands and communications may be sent in the same manner to such other addresses as the affected party may from time to time designate by mail as provided in this section. Notices shall be deemed delivered upon receipt or refusal thereof. Such addresses may be changed by notice to the other party given in the same manner as provided above.

5.14 Severability. If any provision of this Agreement shall be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining portions of this Agreement shall not in any way be affected or impaired thereby.

5.15 Multiple Originals; Counterparts. This Agreement may be executed in multiple originals, each of which is deemed to be an original, and may be signed in counterparts.

6. Prevailing Wage. Since public funds will be used for the Project, Developer acknowledges and agrees that the Project is subject to the prevailing wage requirement.

7. Reversion Provision. Title to the Property shall revert to the City if the Developer of the Project is a housing corporation, limited dividend corporation, or nonprofit corporation, whenever the ownership of the Property is no longer composed of a majority of the nonprofit or limited dividend sponsors. This provision shall terminate after sale of each Unit with respect to that Unit.

[Signatures appear on the following pages]

IN WITNESS WHEREOF, City and Developer have executed this Agreement on the dates set forth below to be effective on the Effective Date.

CITY:

DEVELOPER:

The City of Folsom,
a California municipal corporation

By:

By:

Elaine Andersen, City Manager

President

Date: _____

Date: _____

APPROVED AS TO CONTENT:

Pam Johns, Director
Community Development Department

Date: _____

APPROVED AS TO FORM:

Steven Wang, City Attorney

Date: _____

ATTEST:

FUNDING AVAILABLE:

Christa Freemantle, City Clerk

Stacey Tamagni, Finance Director/CFO

Date: _____

Date: _____

NOTICE: SIGNATURE(S) MUST BE NOTARIZED.

EXHIBIT A
(Legal Description of Property)
[Attached]

Attachment 3

Surplus Land Act Summary Sheet

CITY PROCESS TO DISPOSE OF SURPLUS PROPERTY PURSUANT TO STATE SURPLUS LAND ACT

- 1. Surplus Property Identified**
The City Council deems land surplus in a public hearing.

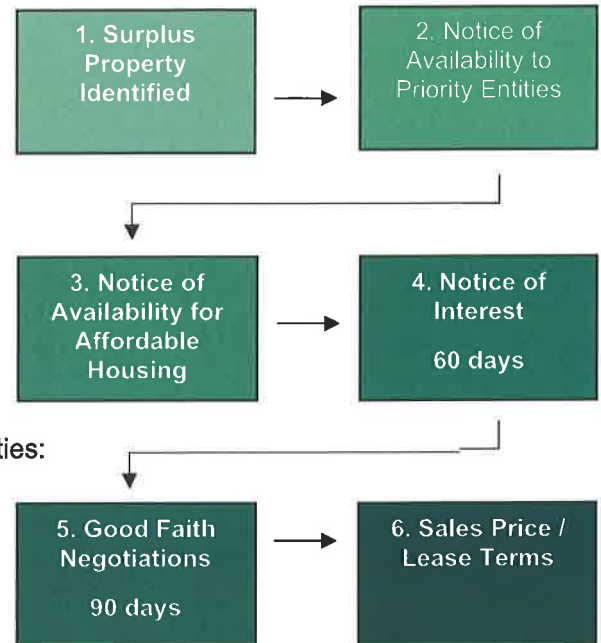
- 2. Notice of Availability to Public Entities**
The City sends notices to priority entities:
- Public agencies and affordable housing developers
 - Local school districts
 - Parks and recreational districts and State Resources Agency
 - Public entities in infill opportunity zones

- 3. Notice of Availability for Affordable Housing**
A Notice of Availability is also sent to affordable housing entities:
- Public entities within the City
 - Housing sponsors/developers listed with California Dept of Housing and Community Development (HCD)

- 4. Notice of Interest**
Interested qualified entities must notify the City of the desire to purchase or lease the land within 60 days of the release of the Notice of Availability.

- 5. Good Faith Negotiation**
Once the City receives a notice of interest, a 90-day good faith negotiation period begins. The City can negotiate with multiple entities simultaneously and uses the following criteria to prioritize the offers:
- Greatest number of affordable units
 - Deepest level of affordability (average affordability)

- 6. Sale Price/Lease Terms**
When negotiating the sale or lease, the City may sell or lease the property at full market value. The City may also sell or lease at less than full market value.



No Offers or Agreement on Terms

If there are no agreement on terms or no offers on the surplus property, the City may sell the property without further obligations, except:

If the site is later developed as residential with 10 or more units, at least 15% of the units must be affordable to lower income and must have recorded the following affordability restrictions.

Rental Restrictions:

- Rent not to exceed 30% of 60% of "area median income" (AMI)
- 55-year rental restrictions

Ownership Restrictions:

- Housing cost (mortgage, taxes, insurance, utilities, HOA fees) not to exceed 30% of 70% of AMI
- Requires an equity sharing agreement

Attachment 4

Habitat for Humanity of Greater Sacramento Proposal



Proposed Development of 300 Persifer Street, Folsom, California
APN#070-0172-048

March 22, 2021

Habitat for Humanity of Greater Sacramento
Proposed Development of 300 Persifer Street, Folsom, CA
APN#070-0172-048

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Habitat for Humanity of Greater Sacramento
Statement of Qualifications

Background

A. Developer Information

Habitat for Humanity of Greater Sacramento's (Habitat) administration and construction office is located at 819 North 10th Street, CA, 95811. Our office number is 916-440-1215 and fax number is 916-440-1218. All staff members work from this office/warehouse facility located off of Richards Blvd. close to downtown Sacramento. Website address is HabitatGreaterSac.org and social media handles include: Facebook [/HabitatGreaterSac](https://www.facebook.com/HabitatGreaterSac) Twitter: [@SacHabitat](https://twitter.com/SacHabitat) Instagram: [@SacHabitat](https://www.instagram.com/SacHabitat) and [LinkedIn/company/sachabitat](https://www.linkedin.com/company/sachabitat)

Habitat Greater Sacramento has a California General Contractor's License in good standing. The license number is #922515.

B. Legal Entity

Habitat is an independent affiliate of Habitat for Humanity International serving Sacramento and Yolo Counties. Habitat for Humanity of Greater Sacramento, Inc. is the affiliate's legal name. The affiliate is a California non-profit public benefit corporation with the Federal EIN 68-0085804, which is the group EIN number issued to Habitat for Humanity International and its subordinate affiliates. Habitat has subordinate status under this group EIN number with the 501(c)(3) Designation Number 8545. This is the group exemption number issued to Habitat for Humanity International and its subordinate affiliates.

Habitat's mission is to bring people together to build homes, community and hope. Habitat works to create successful homeownership opportunities for families with limited incomes by building sustainable housing and revitalizing neighborhoods. The nonprofit organization is a developer, contractor, mortgage lender, mortgage servicer, retail outlet, volunteer manager and fundraiser.

Habitat is presenting this overview and proposal in response to the notification of surplus land with interest to pursue a partnership with the City of Folsom in developing the .91 acre parcel located at 300 Persifer Street in Folsom, CA APN#070-0172-048.

C. Relevant Developer Experience

Habitat has a long history and exceptional track record of partnering with local cities and the Counties of Sacramento and Yolo to produce housing that meets the community’s vision and becomes an integral part of the neighborhood fabric. Since 1985, in Sacramento and Yolo counties Habitat has provided new homeownership opportunities for over 150 families, and since the inception of our Home Preservation program in 2017, completed over 100 home repairs for low-income seniors, veterans and families.

Specifically in working with the Sacramento Housing & Redevelopment Agency (SHRA), Habitat Greater Sacramento has built 11 new homes on underutilized lots provided by SHRA to revitalize Oak Park and Del Paso Heights areas and has rehabbed 9 homes as a Mission-Driven Development Partner of SHRA’s Neighborhood Property (NSP) Recycling Program. Most recently we were the selected developer of property provided by SHRA in South Sacramento known as “The Avenues.” This 5-home, single family development was completed in fall 2019. See pictures to the right of homes at “The Avenues.”



“The Avenues” Habitat Homes at 43rd & MLK

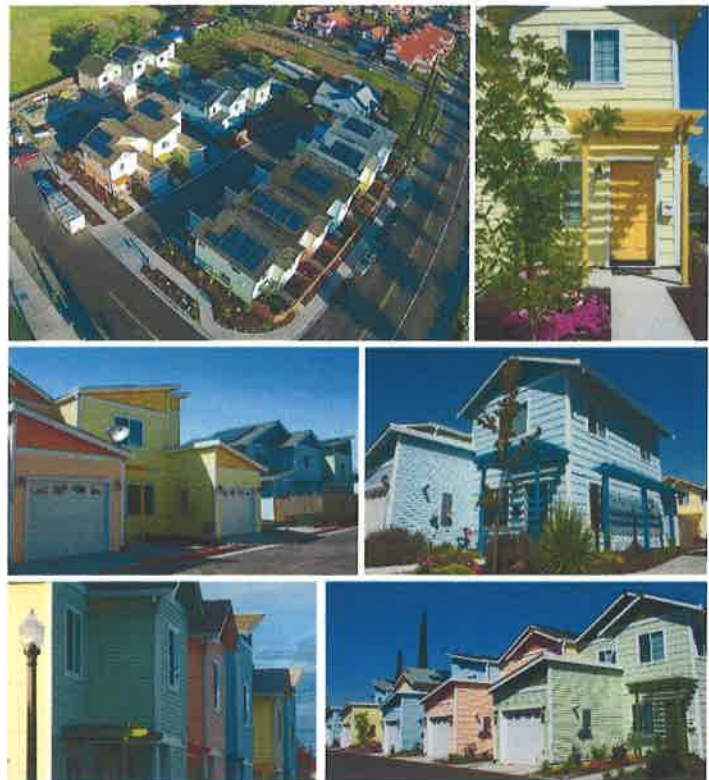
Our experience with planning, entitlements and the City of Sacramento’s Design Review process, the financing and construction of single family homes, and the sale of these homes in the communities of Oak Park, South Oak Park, Del Paso Heights, and South Sacramento is clearly demonstrated by the homes we have completed.

Our Indian Lane 14-unit development in South Sacramento is a prime example which brings all of these aspects into focus. The site for this 14-home development was acquired through the County of Sacramento’s Tax Defaulted Land Sale Program. Once acquired Habitat Greater Sacramento had 3 years to go through the entitlement process to split the property into 14 parcels, get the site plan approved by the City of Sacramento’s Planning Division and Council, get the home plans approved by the City of Sacramento’s Design Review and Permitting process, develop the bids, and choose and supervise the subcontractor for the project’s infrastructure work. In addition to this project-specific planning, a financing plan to pay for the almost \$1 million in infrastructure costs was developed and executed. Financing for this infrastructure included grant funding from Housing and Community Development’s CalHome Project Development Program, a structured New Market Tax Credit transaction and HUD’s Self-Help Homeownership Opportunity Program. The infrastructure for this development was completed by subcontractor Doug VeerKamp Engineering in June 2013.

In addition to these financing mechanisms, we also entered into a Zero Interest Equivalent Mortgage (ZEM) Agreement with two (2) local banks. Because the infrastructure expenses for the Indian Lane development were primarily funded by a CalHome Project Development Program grant, this precluded our ability to receive CalHome First Time Homebuyer's Assistance grant funding for the Indian Lane units. As a result, the up to \$60,000 per unit that we typically receive after closing from this homebuyer's assistance funding was not available, causing a significant funding gap that we were able to fill with the ZEM transaction financing.

The construction of the 14 Indian Lane homes was divided into three (3) phases.

- PHASE I - four (4) homes (two 3-bedroom/2-bath homes and two 4-bedroom/2-bath homes) started in August 2013 and completed in February 2014. Private financing from a capital campaign during the 2006 – 2011 period served as home sponsorship funding for these homes.
- PHASE II - five (5) homes (three 3-bedroom/2-bath and two 4-bedroom/2-bath homes) started in December 2013 and completed in May 2014. Home sponsorships of \$75,000 for each unit were raised from a number of foundations, corporations, and legacy gifts.
- PHASE III- five (5) homes started in April 2014 and completed in September 2015. Home sponsorships of \$75,000 for each unit were raised from a number of foundations, corporations, and legacy gifts.

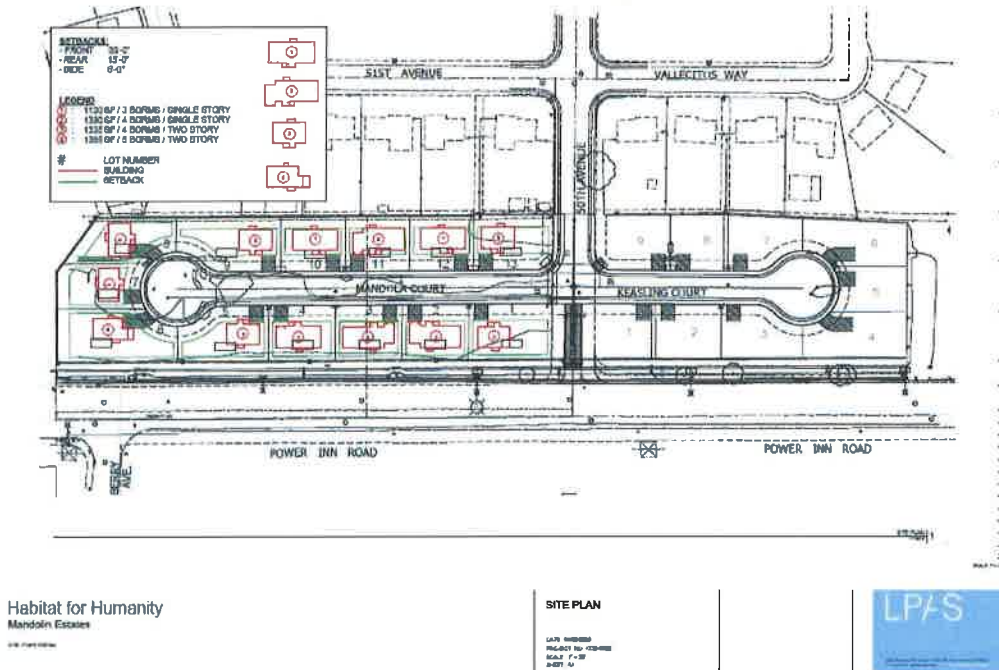


14-home Indian Lane Development

The families recruited and approved to become the homeowners of these 14 homes were all families whose incomes fall within the 30% - 60% of local AMI. Each of these families completed the required 500 hours of sweat equity before purchasing their Habitat home with a zero interest, 30-year mortgage with a monthly payment that is structured at no more than 30% of their monthly income.

o Relevant Projects Currently in Progress:

Mandolin Estates – this 13-single family home development comprised of 4, 5 and 5 bedroom homes is located near Power Inn Rd and 52nd Ave in the 95828 zip code. See Mandolin Estates Site Map Below:



Site Plan for Habitat’s Mandolin Estates Development

In-fill projects - We currently have two in-fill new homeownership projects underway.

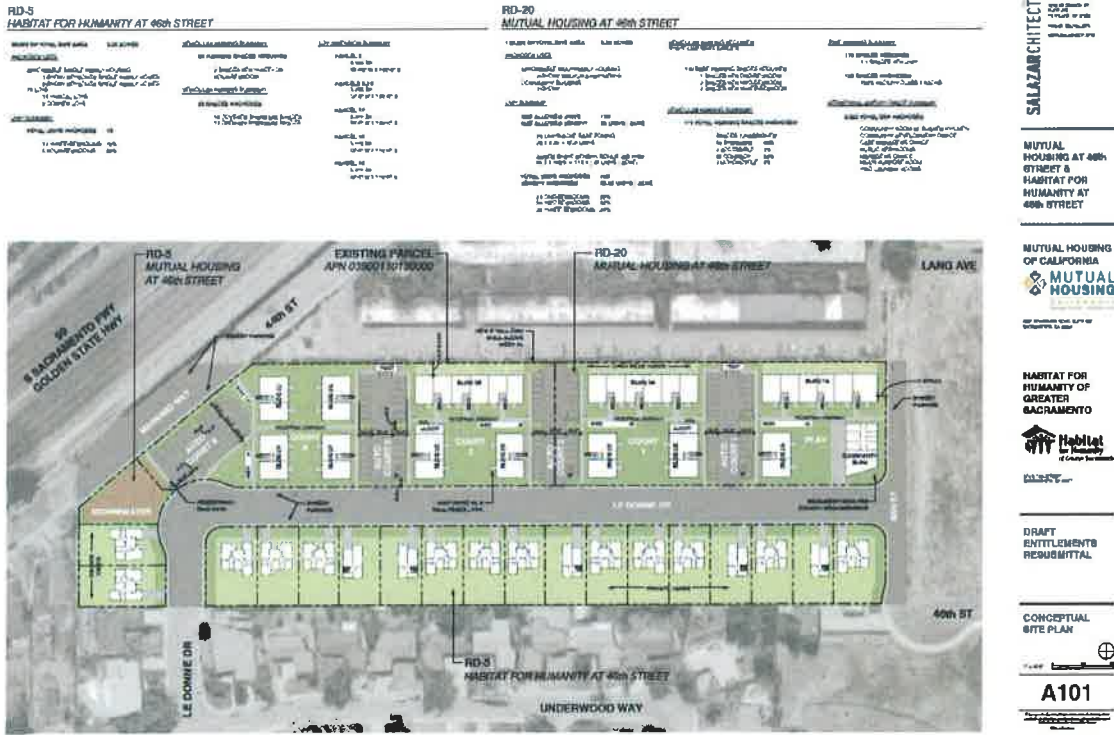
- 7901 34th Avenue – located in South Sacramento this property was acquired by Habitat via a program facilitated by the City of Sacramento which has enabled Habitat to receive the donation of a former illegal cannabis grow property that our organization has completely remediated and remodeled to turn in to a homeownership opportunity.
- 3250 34th Ave – located in Oak Park this property was acquired through the County of Sacramento Default Tax Lien sales and is a new build.

Home Repairs - Additionally underway we have several dozen home repair projects in various stages throughout Sacramento and Yolo counties.



○ Relevant Upcoming Projects:

46th Street - Currently in the entitlement phase, this project is a collaborative affordable housing development involving Habitat Greater Sacramento, Mutual Housing of California and SHRA to develop 7.5 acres in South Sacramento. This community will house over 600 individuals with 108 multi-family units developed by Mutual Housing and 18 single family homes developed by Habitat for Humanity. This development, projected to start in mid to late 2022 will be Habitat for Humanity of Greater Sacramento's largest development to date. *See site plan for the 46th Ave development below.*



46th Street Site Plan – Community Partnership Between Habitat for Humanity of Greater Sacramento & Mutual Housing



46th Street Site Plan – Streetscape of Habitat Homes



D. Proposed Development Team

Our affiliate currently has a full-time staff of 21 people. Of that, 12 of which are professional roles, including: CEO, COO, Director of Construction, Director of Development, Controller, Manager of Homeowner Services, Development Officers, Procurement Manager, 4 Site Superintendents, Construction Administrator and Construction Procurement Coordinator and Development Lead. Each one of these employees plays an integral role in the building or rehabilitation, and ultimate selling of our homes to our qualified first-time homebuyers. Our senior management team is comprised of:

- **Leah Miller, CEO** 916-440-1215, ext. 1131 or LMiller@HabitatGreaterSac.org
- **Shannin Stein, COO** 916-440-1215, ext. 114 or SStein@HabitatGreaterSac.org
- **Laine Himmelmann, Director of Development** 916-440-1215, ext. 1108 or LHimmelmann@HabitatGreaterSac.org
- **Farrah Shields, Controller** 916-440-1215, ext. 1113 or FShields@HabitatGreaterSac.org
- **Michael Gordon, Director of Construction** 916-440-1215, ext. 1119 or Mgordon@HabitatGreaterSac.org
- **Corey Stevenson, Homeowner Services Manager** 916-440-1215, ext. 1101 or CStevenson@HabitatGreaterSac.org
- **Anne Gambino, Forward Planning** 916-440-1215 or AGambino@HabitatGreaterSac.org

This team plus our 4 Site Superintendents, our Construction Administrator and Construction Procurement Coordinator and Department Lead in partnership with our team of fundraising professionals bring well over 300 years of combined experience in their relevant professional fields.

The proposed development team that would be responsible for the development:

Leah Miller- President & CEO



Leah brings over 20 years of combined non-profit fund raising, real estate, and leadership experience to her role as CEO. She attended California State University, Chico, where she graduated with a degree in Journalism and Public Relations. She is responsible for the overall strategic vision of the affiliate and is the staff member primarily responsible for developing the affiliate's relationship with collaborative entities and other developers, non-profit and for-profit, in the greater Sacramento area.

Shannin Stein – COO



Shannin has over 25 years' experience in non-profit and for-profit business operations and human resources management. Shannin is a certified Qualified Loan Originator and oversees the affiliate ReStore, Construction, and Homeowner Services Departments as well as our affiliate health and safety programs. While mostly focused on internal affiliate operations, Shannin is also instrumental in developing and maintaining our community partnerships and neighborhood NPO relationships.

Laine Himmelmann- Director of Development

Laine Himmelmann is a graduate from Gonzaga University with a degree in English and Public Relations. With over 10 years of non-profit fundraising, community organizing, volunteer recruitment and management, and public relations experience, she oversees the development and implementation of a strategic fundraising plan and directs the affiliate's fundraising efforts, as well as the affiliate's volunteer program and public relations efforts.

Farrah Shields- Controller

Farrah is a graduate from the University of the Pacific with a Bachelor's of Science in Accounting. She has over 10 years of accounting and finance experience, and serves as a certified Qualified Loan Originator. In addition to managing the affiliate's financial integrity, she oversees grant compliance and manages the affiliate's mortgage portfolio.

Michael Gordon- Director of Construction

Michael is a California-licensed general contractor with over 42 years of experience in the construction field. He has worked on and managed new construction houses, rehabs, condo conversions, and commercial remodel projects. He currently manages a team of six on the construction side of the habitat operation. He also manages forward planning, new land acquisitions and land inventory.

Cory Stevenson, Homeowner Services Manager

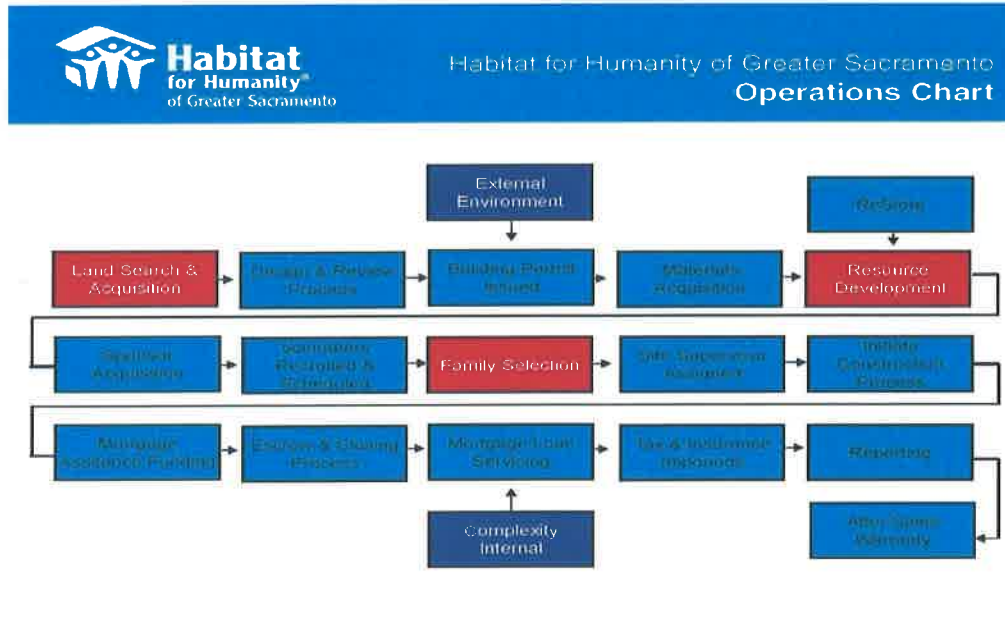
Cory is a graduate from the University of California, Riverside with a Master's in Anthropology and Case Western Reserve University School of Law. With over 10 years of combined work for non-profits, educational institutions, and public defense offices, he brings his experience working with diverse populations to his role as Homeowner Services Manager. In addition to coordinating outreach and recruitment of new homeowners, he will also serve as a Qualified Loan Originator.

Anne Gambino – Forward Planning Manager

Anne is a graduate of Columbia University with an MBA in Finance. From 2005 until 2016 she was the Chief Financial Officer for HFHGS, overseeing Finance and Accounting, Human Resources, Family Services and Fund Development. After a brief break, Anne returned to HFHGS in 2017 to work on a part-time basis, consulting on various projects including mortgage portfolio issues, the annual audit, property acquisitions, permits and forward planning for the affiliate's 43rd Avenue project. Now a part-time employee, Anne continues to work on mortgage portfolio issues and forward planning.

E. Management and Organizational Approach

Unlike many homebuilders and developers, we are responsible for all phases of the development process. We are the developer, the builder and the bank:



From land acquisition through entitlements and construction, to resource development and fundraising as well as family selection, volunteer management, closing the home purchase, initiating the mortgage, servicing the mortgage and reporting – our team works together to manage the entire process.

The staff members pictured above as our Development team will play a direct role in implementing Habitat Greater Sacramento’s responsibilities as it related to this project.

Michael Gordon would assess the project and oversee the construction team who manage the day-to-day construction. Farrah Shields and Laine Himmelmann will work with Leah Miller to develop a viable financial model for the overall project and the fund development team would raise the funds needed to cover the expenses. It would be Farrah’s responsibility to track the actual expenditures as compared to budgeted expenditures and work with Michael to bring the project to completion on time and within budget. Laine and her team would be responsible for recruiting, screening, and scheduling the volunteers contributing labor to the project. Shannin Stein and Cory Stevenson would be responsible for working with the affiliate’s Homeowner Services Department and Homeowner Selection Committee to identify and qualify homeowner partners for the project. Upon completion of the home, our Finance Manager Farrah Shields would then be responsible for the closing process and repayment for each homeowner partner.

We have a select few 3rd party professionals that we consider part of our team who assist in the development process, primarily our engineers, architects and specialists. During the construction process, there are also a handful of subcontractors that we engage to provide plumbing, mechanical and drywall.

3. Development Proposal

Habitat Greater Sacramento is proposing to partner with the City of Folsom for the purpose of developing affordable homeownership housing units upon the parcel of identified surplus land located at 300 Persifer Street in Folsom, CA APN#070-0172-048.

A. *Project Description:*

- 5 for-sale, 2-story, single-family, 3 bedroom 2 bath/4 bedroom 2 bath, units with the potential to develop 5 additional accessory dwelling units or second dwelling units on each lot to be consistent with land use and zoning requirements of the site.
- All units would be affordable for-sale homeownership opportunities for low-income families. Upon completion, the homes would be purchased by partner families qualified by Habitat for Humanity with a zero-interest equivalent 30-year mortgage.
- Habitat has always adhered to specific area design review requirements and strives to complement the existing feel of the surrounding neighborhood. While our homes are “affordable” they are constructed with attention to these details and with quality. Please refer to Attachment A which detail Habitat’s Standard Features.
 - Design of the homes will complement what already exists in the surrounding neighborhood and adhere to Historic District and County Design Guidelines.
- The homes we will build will be affordable to families within the 30% - 80% of Sacramento County AMI. It is projected that 6 homes will be purchased by families under the 60% of AMI level, while the remaining 4 will be purchased by families from 60% - 80% of AMI.
 - In total there is the potential to build 10 affordable units on this underutilized parcel including 5 single family homes and 5 ADU or second dwelling units (depending upon lot size and fire department access requirements).
 - Land will be held as Tennant in Common. Each unit will need to have its own metered gas, water, sewer and electric utilities.
- These homes will increase the supply of affordable home ownership in the community.
- Private capital in the form of corporate and other home sponsorship donations will provide the majority of funding for the construction of these proposed homes.
- Habitat will engage the community residents, neighborhood and business associations by recruiting volunteers for construction as well as the Neighborhood Revitalization which always happens in conjunction with home construction in the areas where we build as described more fully above.

B. *Project Design* - Habitat plans for the single-family homes will be similar to the 2-story homes already built our 43rd Avenue project and projected for our 46th Street development. The 2-story plans have been reviewed and approved both by SHRA and the Sacramento County Building Department. Sample plans are presented in Attachment B, floor plans and elevations.

- C. *Proposed Development Schedule* - Presented below is a preliminary schedule for the development of Parcel at 300 Persifer. Once Habitat is delivered the parcel in its fully entitled condition (split and infrastructure work complete), Habitat construction will be done in phases.
- Phase I – 2 single-family homes, 2 ADU’s, One site supervisor, one apprentice
 - Phase II – 3 single-family homes, 3 ADU’s, One site supervisor, one apprentice

In total, it is estimated to take two years to complete the development. With additional resources such as a Blitz Build utilizing area residential developers, the time line could be shortened exponentially.

4. Financing Plan – please refer to Attachment C, Persifer Street Development Line Item Budget and Sources and Uses

A. *Budget*

There are three distinct phases to the Persifer Street project, Offsite Infrastructure, Design and Permitting and Construction. The total project is estimated to cost \$2.825 million, of which \$751K will be needed for Offsite Infrastructure, \$425K for Design and Permitting and \$1.649 million for Construction.

B. *Construction Financing*

Habitat is confident it will be able to raise the \$1.649 million needed for the construction of the 5 single family homes and 5 ADUs via traditional sources, including a combination of Home Sponsorships and 3rd Party Loans. We typically start the funding raising process for home construction at least one year prior to the planned start of construction.

C. *Potential Offsite Infrastructure Sources of Funding*

For Habitat's larger development projects (Indian Lane which was 14 single family homes, Mandolin Estates which is 13 single family homes, and 46th Street which is being done in partnership with Mutual Housing who is building 108 multi-family units and Habitat is building 18 single family homes) we have utilized a combination of the following funding sources for offsite infrastructure expenses:

1. State of California Housing and Community Development department's CalHome Project Development grant, which if approved could provide up to \$100K per unit to reimburse the affiliate for eligible infrastructure expenses as incurred
2. Department of Housing and Urban Development SHOP grant, which if approved provides an average \$15K per single family home to reimburse the affiliate for eligible expenses as incurred
3. New Market Tax Credit (NMTC) structured financing. These programs are continually in development by various "sponsors" and HFHI, and leverage the developed land value to raise funds prior to actual construction
4. Mortgage Sale structured financing. This type of financing leverages loans from the affiliates existing mortgage portfolio to provide lump sum funds prior to actual construction.

The key to offsite infrastructure funding is making sure that the monies are available prior to the start of infrastructure work – either in lump sum amounts as provided by NMTC and Mortgage Sale transactions, or provided as incurred by reimbursement as with the CalHome or SHOP programs.

D. *Planned Offsite Infrastructure Funding Sources*

As of the writing of this presentation, the only source of funding currently available to Habitat for the Persifer Development is SHOP grant funding, which we are projecting would only provide would only provide \$15K per single family home as we are assuming SHOP funding would not be available for the ADU units.

The CalHome Project Development program is a competitive program which awards points for projects located in designated Opportunity or Promise Zones. Unfortunately the Persifer parcels are not currently located in either designation, and as a result Habitat's application would not receive the number of points for it to be competitive.

Also at this time there are currently no NMTC programs related to credits for affordable home builders, so this source of funding is not included in our budget. Finally, Mortgage Sale structured financing is not available as Habitat's mortgage portfolio is already leveraged to the maximum level allowable by HFHI.

As a result, Habitat will need support from the City of Folsom for the \$1.176 million needed for Offsite Infrastructure and Design and Permitting expenses. The other funding sources that Habitat would need the City of Folsom to assist in the application process include SACOG, CDBG grants, HOME grants, various Housing Trust Funds and Sacramento County's Affordable Housing Program.

In addition, to the extent possible, Habitat asks that the City of Folsom consider waiving or subsidizing Building Permit and Impact Fees. The combination of these two fee categories are considerably more costly than similar costs incurred in the City of Sacramento, which either waives completely or subsidizes. See Attachment D –comparative table which helps illustrates this point.

With help from the City of Folsom and the prospective funding sources listed above which Habitat intends to apply, Habitat is confident in its ability to bring the development of the 10 units on the subject parcel of land to fruition.

5. Community Outreach

Once the project commences the marketing strategy and community outreach would include postcards, mailers, flyers and homeownership information on our website available to the surrounding area. Efforts would be open to the general public; however, additionally we will focus on the immediate areas surrounding the build site location. Partnerships with various organizations including neighborhood and community associations, churches, the surrounding rental communities and apartments would also be targeted to further outreach efforts in the community. Outreach information would outline specific criteria and requirements for homeownership opportunities including attendance at an orientation, how to apply for homeownership and the open application period timeline.

Outreach for neighborhood revitalization efforts would include postcards, mailers, distribution of flyers by mail and walking door to door, through partnerships with organizations including neighborhood and community associations, churches, schools, parks districts, etc. Marketing information would include application information, necessary steps for program participation and the application period timeline.

Habitat for Humanity of Greater Sacramento
Proposed Development of 300 Persifer Street, Folsom, CA
APN#070-0172-048

Attachment A
2020 Standard Features

Concrete

Footings with slab-on-grade per structural plan & code requirement, with concrete mixes as determined by Habitat Greater Sac & NSSE to meet Concrete Institute design standards.

Frame

Structure to be wood frame (per plans). Lumber used and all engineered joist and with no headers to provide upgrade framing packages with limited waste. Pre-cut lumber package from local manufacturer. Walls to be stood on site.

Trusses

Designed with energy heel to maximize energy efficiency that allows for increases in insulation and ventilation.

Siding

Hardi-plank horizontal cement-based siding or equal. No wood or vinyl siding.

Plumbing

All materials and installation to be per code CPC. All supply lines to be copper, or pex (pending jurisdictional approval), with 2 hose bibs per unit (1 front /1 rear). 1" copper "T" at front hose bib for sprinkler system. Icemaker line is standard. All plumbing to go overhead, with PVC or PEX product (or equal), and steel gas pipe for quality control reasons. Separate valves for house and irrigation.

Water heater	Rinnai V65IN 5.3 GPM indoor low NOx tankless natural gas water heater, perTitle-24 or equivalent
Water closets	GERBER DF 21-918 or equivalent
Lavatories	Bath 1 – 1-Bootz 011-2445 Top Mount or equivalent Bath 2 –1 Bootz 021-2445 Top Mount or equivalent
Lav. Faucets	Bath 1 – Moen 66410EP Ch Chrome finish or equivalent Bath 2 – Moen 66410EP Ch Chrome finish or equivalent
Tub / Shower	Bath 1 – Sterling 72230100 Shower Kit or equivalent Bath 2 – Sterling 71220110 Tub with wall set or equivalent
Tub/Shower Fixtures	Bath tubs Moen #62320 w/TL183 Posi temp pressure balanced valve and trim single lever tub/shower – brushed nickel or equal. Low-flow shower heads (1.75 gpm) or equivalent
Kitchen Sink	Top mount, stainless. 32" x 21", 4 holes, 1 bowl or equivalent
Kitchen Faucet	Moen pullout faucet #7385 C, 67315C – b or equivalent
Gas Stub	Water heater, 30" range, gas dryer and furnace or equivalent
Garbage Disposal	Include at 1/3 hp or equivalent
Tub Faucet	Bath 1 – Moen 62320+ TL 182 Ch or equivalent Bath 2 – Moen 62320+ TL 183 CH or equivalent

Electrical

Wiring to be done minimum per code requirements, per plans. Panel size to be 200 amps, per electrical load calculations, or per plan. G.F.C.I. breakers per code. Arc Fault per code. Hood (30") outlet standard above range. Pre-wire for one-car garage is standard. LED light cans. Décor switches and plates (White). Telephone pre-wire: two outlets including trim per house standard, one in kitchen, and one in master bedroom, or as determined by HFHGS. Pre-wire for future fans, ceiling mount light fixtures in all bedrooms and living room (to have a fanlight combo). T.V./Cable: pre-wire two outlets including trim per house, one in living room and one in master bedroom, or as determined by HFHGS. Energy Star-rated exhaust fans CFM minimum per Title 24 standard in all bathrooms. Energy Star-rated LED lighting standard throughout the house. Smoke & carbon monoxide detector standard installed per room for indoor environment and health controls.

Security Pre-Wire

Security alarm is standard with alarm panel. SimpliSafe system or equivalent

Interior Doors & Trim

Front door to be 6-panel, paint grade, fiberglass, or as selected by HFHGS. Interior doors to be 6-panel Colonial doors, hollow core, Shaker style 3 ½ base/casing 2 ¼ Shaker style. Bypass doors to be Colonial with fascia and bump jambs – no trims. Any wall cap to be MDF. Window stool and apron are included. Solid core fire door per plan with self-closing hinges. Closet shelving to be one particleboard shelf with pole per plan.

Windows

Meet HGC and U-Factor per Title-24 – Energy Star 3 Rated. All single hung, fixed, and sliders to have white finished frames with mullions on all front elevations and in areas exposed to front windows. All movable windows to include bug screens. Sliding glass doors to be white finish, size per plans. Safety glass per code requirements. Egress per code requirements. Dual-pane, low-E (or equal) windows are standard. See Title 24 for confirmed U-values. Milgard, Style Line or PlyGem, or equal. Windows are NFRC—certified and Energy Star-rated for all regions in California. Frosted glass on the bathroom windows.

Paint

Interior paint to be (two-tone) Valspar or equal. All walls and ceilings to be satin (or as approved by HFHGS). All doors, jambs, base, and casings to be primed first and then painted with latex semi-gloss SW—Pure White or equal. Cabinets are pre-finished. Garage interior paint is standard. Paint to be low/no volatile organic compound (VOC), and formaldehyde-free interior paint. Exterior paint to be Valspar or approved equal, exterior paint to be all satin. Exterior trim and eaves to have prime coat. Paint to be back rolled.

Pest Control

No wood-to-dirt, no untreated wood-to-concrete, Borate treated plate material with barrier to concrete (Dow foam sealer), metal flashing as applicable. Concrete or plate 8" minimum to finish grade. Spread diatomaceous earth (DE), a natural pesticide, around the perimeter.

Air Conditioning

Per Title - 24 for energy requirements. Per Title-24 and Energy Star 3. Two thermostats and two air returns for two-story house. HERS testing required. Include fresh air fan.

Sheet metal

Full fascia gutter. Bathroom fans are standard per plan (See Electric specifications). Eave vents, gable end vents, wall to roof flashing, foundation vents, Z Bar flashing, connecting all fans. Final connection to condensate lines.

Insulation

Ceiling insulation (attic portions R-38), wall insulation R-21, wall insulation w/cement siding, wall insulation at garage wall. All exterior penetrations sealed, that includes house wrap. Air-sealing at all penetrations and plate levels required. Insulation inspection required.

Roofing

30-year dimensional comp. or equal. Color TBD by HFHGS. Ridge vents, additional eave vents, interior radiant barrier. Cool roof colors per Title-24.

Drywall

Ceiling 5/8" and walls to be 1/2" drywall, taped and textured, contemporary knock-down, and nailed per code. Garage to be dry walled. Complete per plans and code requirements. Texture to be knocked down, or equal. Bullnose corners per plan. Garage texture is denshield. Sheet rock used in bathrooms (wet areas). Prep coat if needed.

Garage Doors (single family homes only)

Overhead doors will be non-insulated unit, single car should be 8'x7'. Verify all measurements prior to order and installation (embossed, 4-sectional/8 long panel) with windows.

Cabinets

Cabinets to be pre-finished natural beech, or maple back panel doors, or equal. Color TBD by HFHGS. Drawers and throughout are standard. All cabinets scribed to wall, with minimum of 3/4" toe kick, and with all upper cabinets receiving crown molding minimum of 2 1/4". Shaker style. Uppers to be 42". 32" high bath vanities.

Countertops

All countertops Formica

Mirrors and Shower Doors

Shower rod and all accessories in both bathrooms to be brushed nickel. Towel bars, paper holders, and shower curtain rods per plan. Mirrors to be 36" high and the length of vanity.

Light fixtures

Per code, meet Title 24 requirements and all LED lighting.

Hardware

Door lock set to be Copper Creek or equal, in brushed nickel with privacy locks at Master bedroom and all bathrooms. Exterior entry doors to be brushed nickel with dead bolt. All bathroom hardware to be brushed nickel or equal.

Appliances

30" gas range	Whirlpool slide in, white top, 4 burners (30")
30" microwave	30" white on white mounted and vented above range, Energy Star-rated.
Dishwasher	Not provided, prewired and pre-plumbed only
Refrigerator	Whirlpool free-standing slide-in, or TBD by HFHGS, Energy Star-rated.

Fire Suppression – Per plan**Floor coverings**

Bedrooms, stairs and stair landing to be carpet. Vinyl throughout remainder of home.

Fencing

Full rear yard fencing. Fences to be 1"x4"x6' or 1"x6"x6' D.E. redwood or cedar (2 rail system) with steel posts set in wet concrete. No wood post or dimensional wood columns.

Landscape

Front yard landscape package to include irrigation; drip for planter areas, bark, no lawn, xeriscape, drought tolerant Native plants as applicable. Properly designed drainage per landscape plan.

Photovoltaics—Solar system:

Per plans. Orient and plot all roofs to mostly or directly southern exposure.

EV Plug

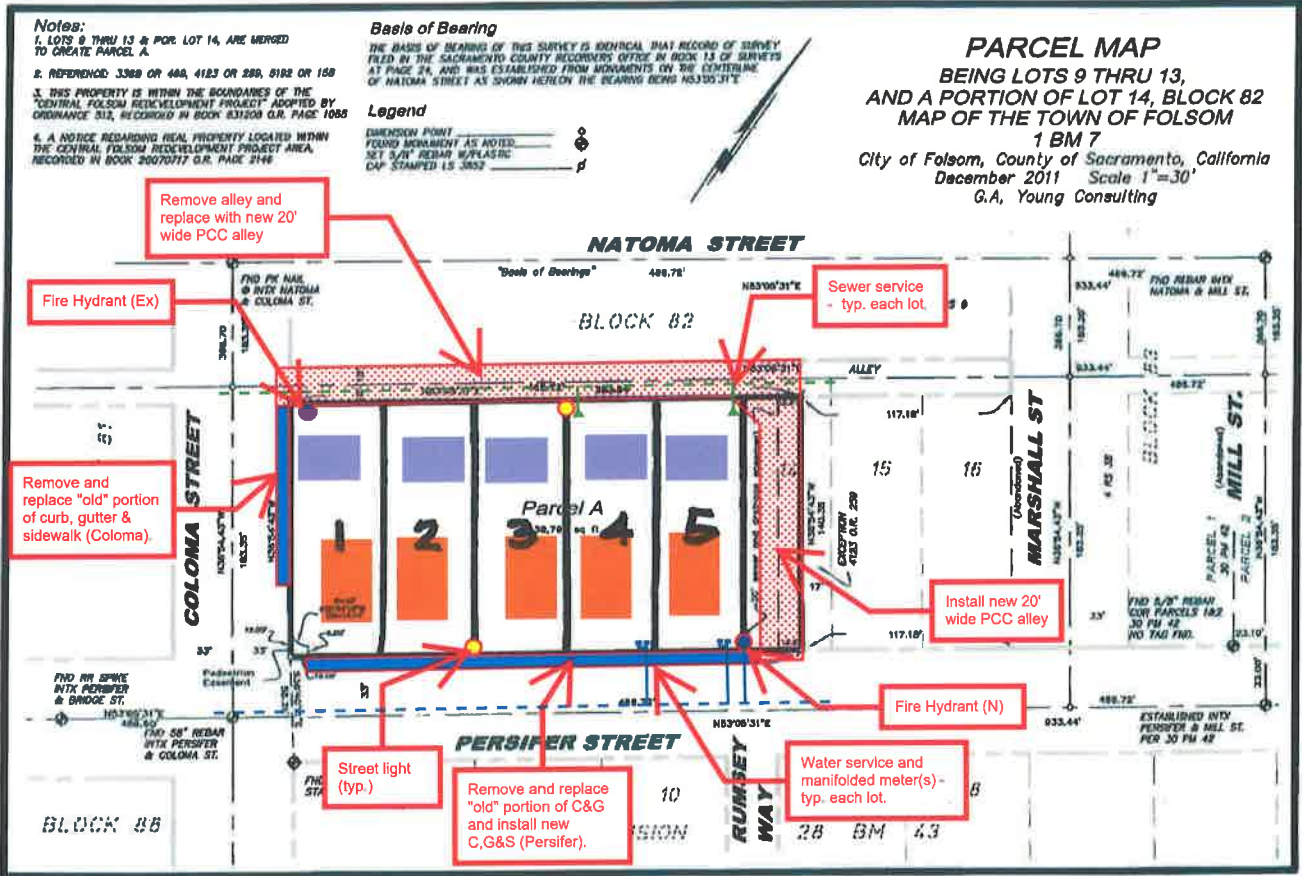
Wired per current building code requirements.

Habitat for Humanity of Greater Sacramento
Proposed Development of 300 Persifer Street, Folsom, CA
APN#070-0172-048

Attachment B

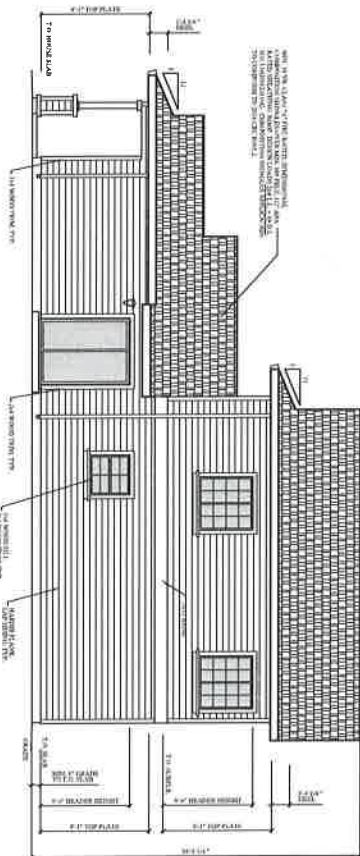
- Draft Offsite Improvement Plan
- Sample plans for 2-story, 3 /4-bedroom 2-bath homes
 - Preliminary schematic building plans
 - Preliminary elevation drawings
- Sample Accessory Dwelling Units or Second Dwelling Units
 - Samples from sister Habitat for Humanity affiliates that have been constructed with a Single-family home in front and an ADU behind – both homeownership
 - ADU Floorplan samples
 - Site Plan – Butte County Affiliate

Offsite improvement plan
300 Persifer

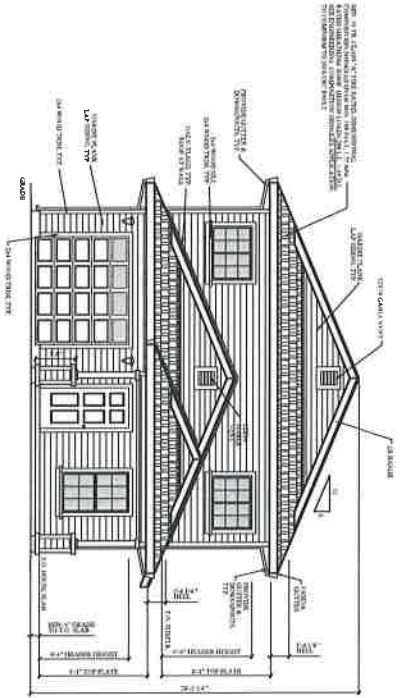


Conceptual Drawings of Proposed Single Family Floor Plans





RIGHT ELEVATION
SCALE 1/4"=1'-0"



FRONT ELEVATION
SCALE 1/4"=1'-0"

NOTES:
1. ALL DIMENSIONS TO FACE UNLESS OTHERWISE NOTED.
2. FINISHES TO BE SHOWN ON DRAWINGS.
3. MATERIALS TO BE SHOWN ON DRAWINGS.
4. ALL WORK TO BE DONE IN ACCORDANCE WITH THE CITY OF SACRAMENTO SPECIFICATIONS.
5. ALL WORK TO BE DONE IN ACCORDANCE WITH THE CALIFORNIA BUILDING CODE.

LOCATION	VENTILATION REQUIRED	VENT TIERS	ACTUAL TIER
1ST FLOOR	400 CFM	1	1
2ND FLOOR	400 CFM	1	1
TOTAL ROOM VENT PROVIDED	800 CFM	2	2
TOTAL LOW VENT PROVIDED	400 CFM	1	1

MECHANICAL VENTILATION
MECHANICAL VENTILATION SHALL BE PROVIDED FOR ALL ROOMS AS SHOWN ON THESE DRAWINGS. MECHANICAL VENTILATION SHALL BE PROVIDED FOR ALL ROOMS AS SHOWN ON THESE DRAWINGS. MECHANICAL VENTILATION SHALL BE PROVIDED FOR ALL ROOMS AS SHOWN ON THESE DRAWINGS.

Proposed Single Family 2 story elevation



NOTES:
1. ALL DIMENSIONS TO FACE UNLESS OTHERWISE NOTED.
2. FINISHES TO BE SHOWN ON DRAWINGS.
3. MATERIALS TO BE SHOWN ON DRAWINGS.
4. ALL WORK TO BE DONE IN ACCORDANCE WITH THE CITY OF SACRAMENTO SPECIFICATIONS.
5. ALL WORK TO BE DONE IN ACCORDANCE WITH THE CALIFORNIA BUILDING CODE.

46th STREET SINGLE FAMILY HOMES
SACRAMENTO, CA
LOT 2 thru 18

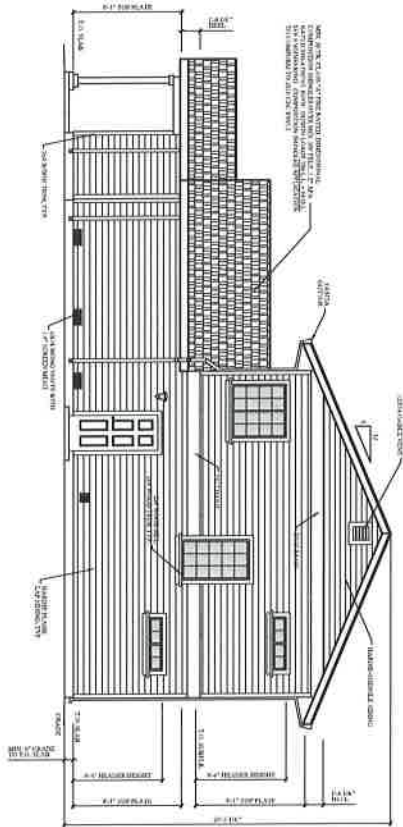
SACRAMENTO HABITAT FOR HUMANITY
819 NORTH 10TH STREET
SACRAMENTO, CA 95811
916-441-3100

3022 Sunnys Blvd.
Fair Oaks, CA 95628
(916) 536-9585
(916) 536-0260 (tax)

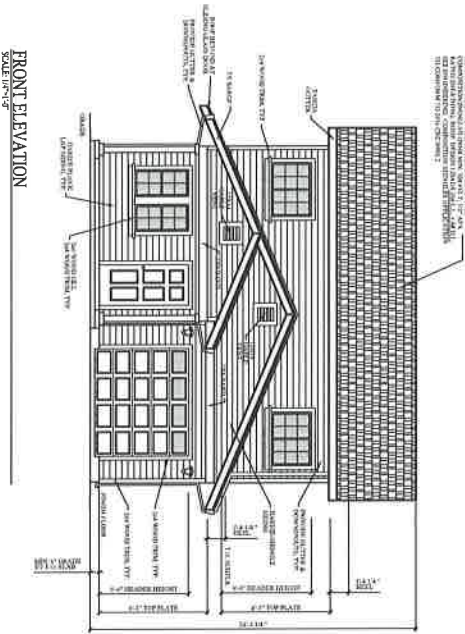
NSSE
National Structural Steel Erection

DATE: 12/14/21
SHEET: 04
SCALE: 1/4"=1'-0"

Page 828



RIGHT ELEVATION



FRONT ELEVATION

SCALE 1/4"=1'-0"

NOTES: 1. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2019 CALIFORNIA BUILDING CODE AND ALL APPLICABLE LOCAL ORDINANCES. 2. THE CONTRACTOR SHALL VERIFY THE EXISTING CONDITIONS AND REPORT ANY DISCREPANCIES TO THE ARCHITECT IMMEDIATELY UPON DISCOVERY.

PROVIDE THE FOLLOWING INFORMATION TO THE ARCHITECT: 1. THE EXISTING CONDITIONS OF THE PROJECT. 2. THE RESULTS OF ALL FIELD SURVEYS AND TESTS. 3. THE RESULTS OF ALL MATERIAL TESTS AND ANALYSES. 4. THE RESULTS OF ALL STRUCTURAL ANALYSES AND CALCULATIONS. 5. THE RESULTS OF ALL GEOTECHNICAL INVESTIGATIONS AND TESTS. 6. THE RESULTS OF ALL ENVIRONMENTAL ASSESSMENTS AND TESTS. 7. THE RESULTS OF ALL HISTORIC PRESERVATION INVESTIGATIONS AND TESTS. 8. THE RESULTS OF ALL ARCHITECTURAL RECORDINGS AND TESTS. 9. THE RESULTS OF ALL ARCHITECTURAL RESEARCH AND TESTS. 10. THE RESULTS OF ALL ARCHITECTURAL CONSULTATIONS AND TESTS.

NOTES:
 1. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2019 CALIFORNIA BUILDING CODE AND ALL APPLICABLE LOCAL ORDINANCES.
 2. THE CONTRACTOR SHALL VERIFY THE EXISTING CONDITIONS AND REPORT ANY DISCREPANCIES TO THE ARCHITECT IMMEDIATELY UPON DISCOVERY.
 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AGENCIES.
 4. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
 5. THE CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES AND STRUCTURES.
 6. THE CONTRACTOR SHALL MAINTAIN THE SITE IN A SAFE AND SOUND CONDITION AT ALL TIMES.
 7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL NEIGHBORHOODS AND THE ENVIRONMENT.
 8. THE CONTRACTOR SHALL MAINTAIN THE SITE AT ALL TIMES.
 9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL NEIGHBORHOODS AND THE ENVIRONMENT.
 10. THE CONTRACTOR SHALL MAINTAIN THE SITE AT ALL TIMES.

VENTILATION SCHEDULE - GARAGE FLOOR

1. ALL VENTILATION SHALL BE PROVIDED BY MEANS OF MECHANICAL MEANS.
 2. THE MECHANICAL VENTILATION SHALL BE PROVIDED BY MEANS OF MECHANICAL EXHAUST FANS.
 3. THE MECHANICAL VENTILATION SHALL BE PROVIDED BY MEANS OF MECHANICAL EXHAUST FANS.
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LOCATION	VENTILATION REQUIRED	VENT TYPES	ACTUAL VENT
Garage	1.0 CFM per sq. ft. of floor area	1.0 CFM per sq. ft. of floor area	1.0 CFM per sq. ft. of floor area
Living Room	1.0 CFM per sq. ft. of floor area	1.0 CFM per sq. ft. of floor area	1.0 CFM per sq. ft. of floor area
Bedroom	1.0 CFM per sq. ft. of floor area	1.0 CFM per sq. ft. of floor area	1.0 CFM per sq. ft. of floor area
Bathroom	1.0 CFM per sq. ft. of floor area	1.0 CFM per sq. ft. of floor area	1.0 CFM per sq. ft. of floor area
Kitchen	1.0 CFM per sq. ft. of floor area	1.0 CFM per sq. ft. of floor area	1.0 CFM per sq. ft. of floor area
Hall	1.0 CFM per sq. ft. of floor area	1.0 CFM per sq. ft. of floor area	1.0 CFM per sq. ft. of floor area
Staircase	1.0 CFM per sq. ft. of floor area	1.0 CFM per sq. ft. of floor area	1.0 CFM per sq. ft. of floor area
Attic	1.0 CFM per sq. ft. of floor area	1.0 CFM per sq. ft. of floor area	1.0 CFM per sq. ft. of floor area
Roof	1.0 CFM per sq. ft. of floor area	1.0 CFM per sq. ft. of floor area	1.0 CFM per sq. ft. of floor area
Basement	1.0 CFM per sq. ft. of floor area	1.0 CFM per sq. ft. of floor area	1.0 CFM per sq. ft. of floor area
Overall	1.0 CFM per sq. ft. of floor area	1.0 CFM per sq. ft. of floor area	1.0 CFM per sq. ft. of floor area

Proposed Single Family 2 story elevation

46th STREET SINGLE FAMILY HOMES
 SACRAMENTO, CA
 LOT 2 thru 18

SACRAMENTO HABITAT FOR HUMANITY
 819 NORTH 10TH STREET
 SACRAMENTO, CA 95811
 916-440-3333

6022 Sunrise Blvd
 Fair Oaks, CA 95628
 (916) 536-9685
 (916) 536-0260 (fax)

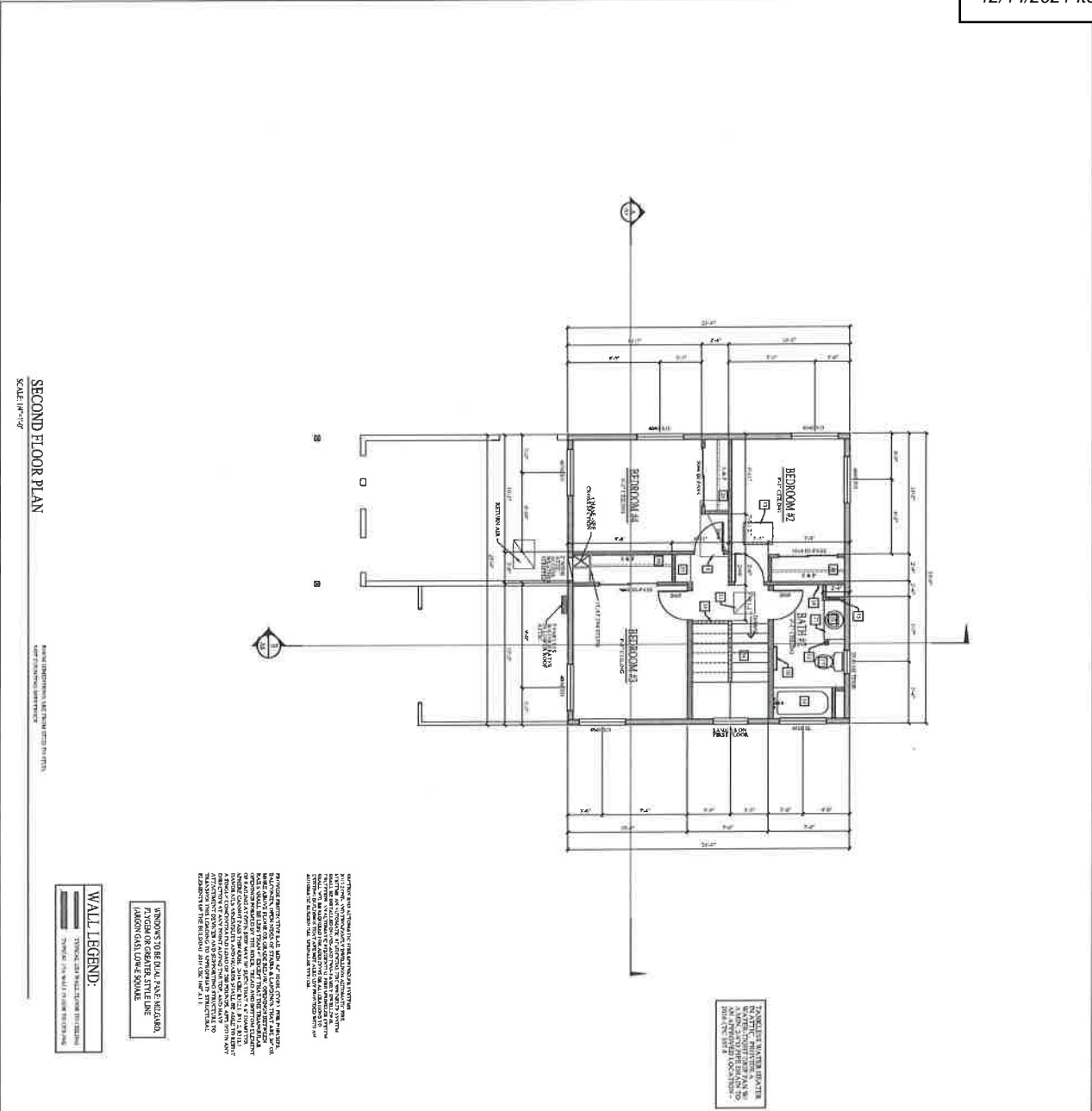
Habitat for Humanity of Greater Sacramento
 www.habitatofsacramento.org

NSSE
 National Society of Specialty Estimators

30
 Years of Service

REQUIREMENTS FOR CONTRACTORS
 2019 CALIFORNIA BUILDING CODE
 2019 CALIFORNIA ELECTRICAL CODE
 2019 CALIFORNIA MECHANICAL CODE
 2019 CALIFORNIA PLUMBING CODE
 2019 CALIFORNIA FIRE CODE
 2019 CALIFORNIA GEOTECHNICAL CODE
 2019 CALIFORNIA ENVIRONMENTAL CODE
 2019 CALIFORNIA HISTORIC PRESERVATION CODE
 2019 CALIFORNIA ARCHITECTURAL RECORDING CODE
 2019 CALIFORNIA ARCHITECTURAL RESEARCH CODE
 2019 CALIFORNIA ARCHITECTURAL CONSULTATIONS CODE
 2019 CALIFORNIA ARCHITECTURAL TESTS CODE

SOLES
 SHEETS
A4



- GENERAL NOTES:**
1. ALL DIMENSIONS UNLESS OTHERWISE NOTED ARE IN FEET AND INCHES.
 2. FINISHES ARE TO BE AS SHOWN ON THE FINISH SCHEDULE.
 3. ALL WORK IS TO BE ACCORDING TO THE 2018 CALIFORNIA BUILDING CODE AND ALL APPLICABLE LOCAL ORDINANCES.
 4. ALL WORK IS TO BE ACCORDING TO THE 2018 CALIFORNIA MECHANICAL CODE AND ALL APPLICABLE LOCAL ORDINANCES.
 5. ALL WORK IS TO BE ACCORDING TO THE 2018 CALIFORNIA ELECTRICAL CODE AND ALL APPLICABLE LOCAL ORDINANCES.
 6. ALL WORK IS TO BE ACCORDING TO THE 2018 CALIFORNIA PLUMBING CODE AND ALL APPLICABLE LOCAL ORDINANCES.
 7. ALL WORK IS TO BE ACCORDING TO THE 2018 CALIFORNIA FIRE CODE AND ALL APPLICABLE LOCAL ORDINANCES.
 8. ALL WORK IS TO BE ACCORDING TO THE 2018 CALIFORNIA SAFETY CODE AND ALL APPLICABLE LOCAL ORDINANCES.
 9. ALL WORK IS TO BE ACCORDING TO THE 2018 CALIFORNIA ENVIRONMENTAL CODE AND ALL APPLICABLE LOCAL ORDINANCES.
 10. ALL WORK IS TO BE ACCORDING TO THE 2018 CALIFORNIA HEALTH CARE CODE AND ALL APPLICABLE LOCAL ORDINANCES.
 11. ALL WORK IS TO BE ACCORDING TO THE 2018 CALIFORNIA PROFESSIONAL ENGINEERING AND ARCHITECTURE ACT AND ALL APPLICABLE LOCAL ORDINANCES.
 12. ALL WORK IS TO BE ACCORDING TO THE 2018 CALIFORNIA LAND USE ACT AND ALL APPLICABLE LOCAL ORDINANCES.
 13. ALL WORK IS TO BE ACCORDING TO THE 2018 CALIFORNIA HISTORIC PRESERVATION ACT AND ALL APPLICABLE LOCAL ORDINANCES.
 14. ALL WORK IS TO BE ACCORDING TO THE 2018 CALIFORNIA CULTURAL HERITAGE ACT AND ALL APPLICABLE LOCAL ORDINANCES.
 15. ALL WORK IS TO BE ACCORDING TO THE 2018 CALIFORNIA ANTI-DISCRIMINATION ACT AND ALL APPLICABLE LOCAL ORDINANCES.
 16. ALL WORK IS TO BE ACCORDING TO THE 2018 CALIFORNIA EMPLOYMENT RELATIONS ACT AND ALL APPLICABLE LOCAL ORDINANCES.
 17. ALL WORK IS TO BE ACCORDING TO THE 2018 CALIFORNIA LABOR RELATIONS ACT AND ALL APPLICABLE LOCAL ORDINANCES.
 18. ALL WORK IS TO BE ACCORDING TO THE 2018 CALIFORNIA UNEMPLOYMENT INSURANCE ACT AND ALL APPLICABLE LOCAL ORDINANCES.
 19. ALL WORK IS TO BE ACCORDING TO THE 2018 CALIFORNIA SOCIAL SECURITY ACT AND ALL APPLICABLE LOCAL ORDINANCES.
 20. ALL WORK IS TO BE ACCORDING TO THE 2018 CALIFORNIA RETIREMENT ACT AND ALL APPLICABLE LOCAL ORDINANCES.
 21. ALL WORK IS TO BE ACCORDING TO THE 2018 CALIFORNIA PENSION ACT AND ALL APPLICABLE LOCAL ORDINANCES.
 22. ALL WORK IS TO BE ACCORDING TO THE 2018 CALIFORNIA LABORERS' ORGANIZATION ACT AND ALL APPLICABLE LOCAL ORDINANCES.
 23. ALL WORK IS TO BE ACCORDING TO THE 2018 CALIFORNIA TRADE UNIONS ACT AND ALL APPLICABLE LOCAL ORDINANCES.
 24. ALL WORK IS TO BE ACCORDING TO THE 2018 CALIFORNIA LABOR RELATIONS BOARD ACT AND ALL APPLICABLE LOCAL ORDINANCES.
 25. ALL WORK IS TO BE ACCORDING TO THE 2018 CALIFORNIA NATIONAL LABOR RELATIONS BOARD ACT AND ALL APPLICABLE LOCAL ORDINANCES.

46th STREET SINGLE FAMILY HOMES
SACRAMENTO, CA
LOT 2 thru 18

SACRAMENTO HABITAT FOR HUMANITY
819 NORTH 10TH STREET
SACRAMENTO, CA 95811

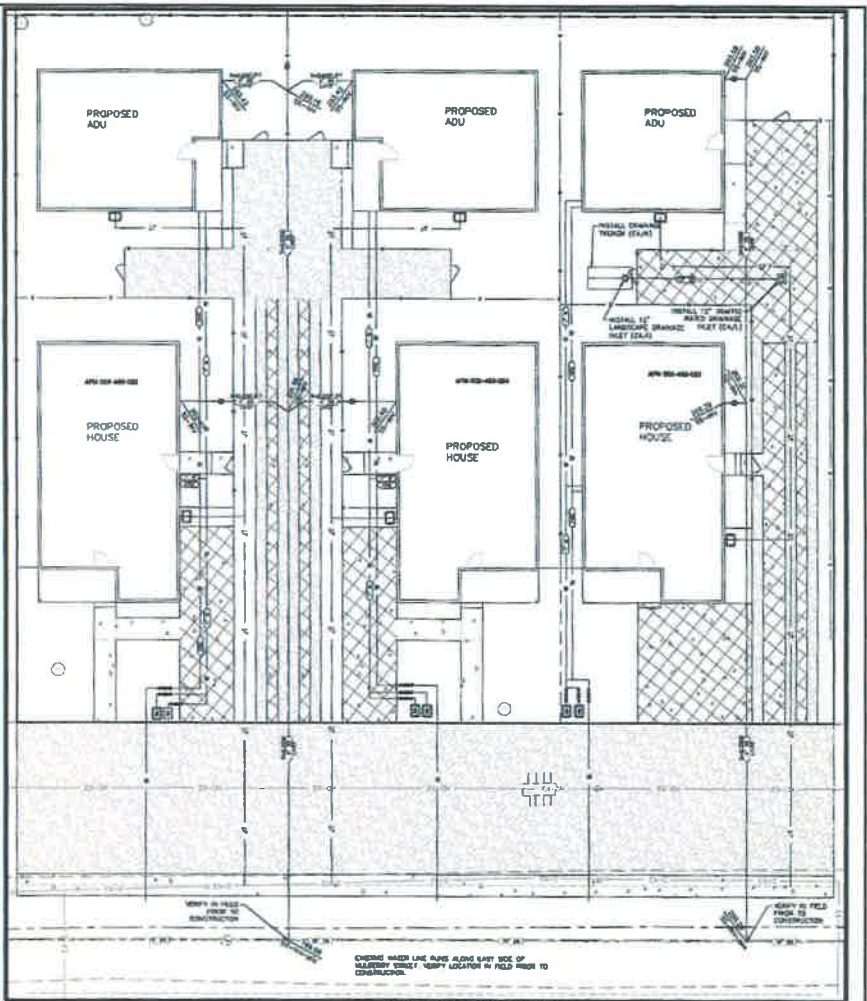
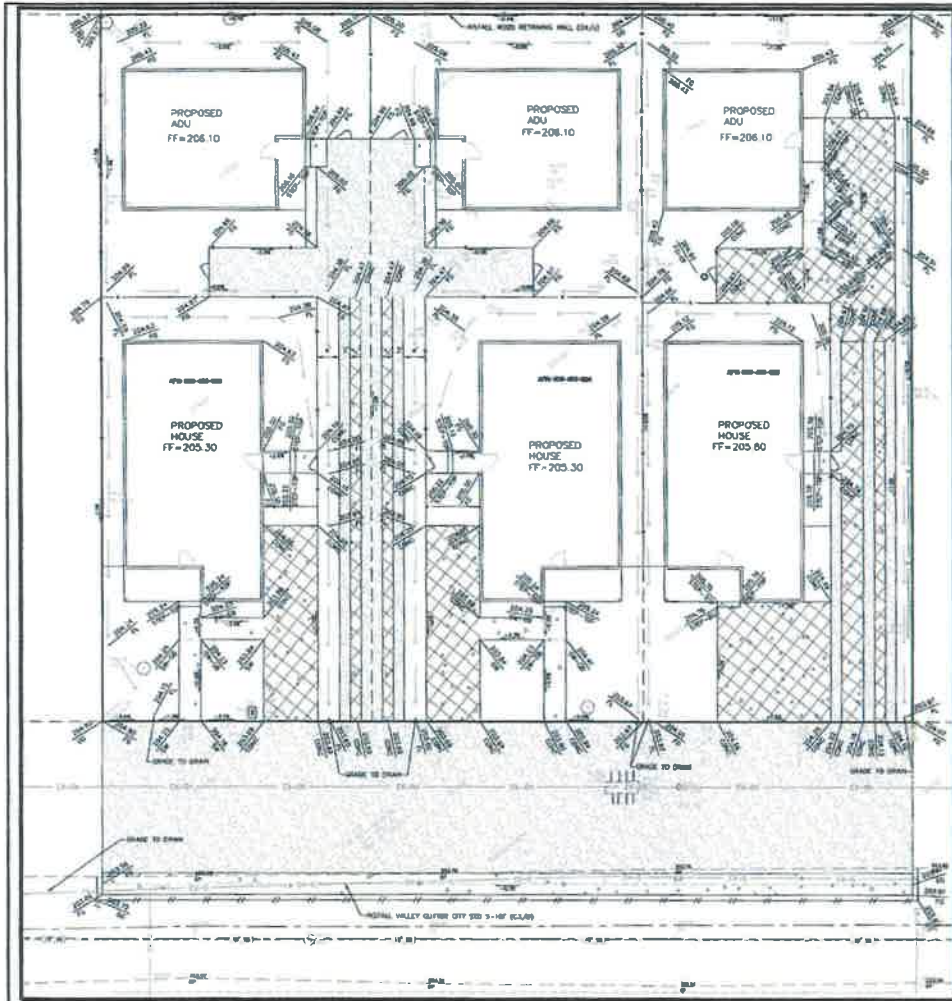
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www.habitatforhumanity.org

NSSE
National Society of Specialty Estimators

30

Professional Engineer
No. 526
Exp. 12/31/24
A3
SACRAMENTO, CA



LEGEND

<p>PROPOSED SHIELD</p> <p>EXTENSIVE SHADE</p> <p>PROPOSED TYPED</p>	<p>PROPOSED SANDLOT</p> <p>PROPOSED 100' x 100' BARED CONCRETE (C/LA)</p> <p>PROPOSED 100' x 100' BARED CONCRETE (C/LA)</p> <p>PROPOSED LANDSCAPE SICK</p>	<p>PROPOSED 1" WOOD PLUMBING HILL (SCALE)</p> <p>PROPOSED FENCE</p> <p>PROPOSED FLOORING</p> <p>PROPOSED 1" WOOD PLUMBING HILL (SCALE)</p>	<p>PROPOSED 8" OF CLAYE & AGGREGATE OR HIGH-HIGH CONCRETE / 8" OR 12" SCHEDULED SURFACE COMPANIES TO OUR ISLANDS DENSITY</p>
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LEGEND

<p>PROPOSED UNDERGROUND WATER LINE (SCALE)</p> <p>PROPOSED UNDERGROUND SANITARY SEWER LINE</p> <p>PROPOSED UNDERGROUND JOINT BRANCH BOX POSE PLAN FOR BRANCH RETAIL</p> <p>PROPOSED SANITARY SERVICE (SCALE) CITY STD 5'-10"</p> <p>PROPOSED GAS AND ELECTRIC SERVICE</p> <p>PROPOSED SCHEDULED FLOORING</p>	<p>PROPOSED 12" STAFF RATED DRAINAGE HOLE (SCALE)</p> <p>PROPOSED 12" LANDSCAPE DRAINAGE HOLE (SCALE)</p> <p>PROPOSED 10" HOLE</p> <p>EXISTING EXTERIOR FINISHING LINE</p> <p>EXISTING UNDERGROUND SANITARY SEWER LINE</p> <p>EXISTING UNDERGROUND GAS LINE</p> <p>EXISTING WATER MAIN</p>	<p>Scale: 1" = 10'</p> <p>Sheet 22 of 24</p>
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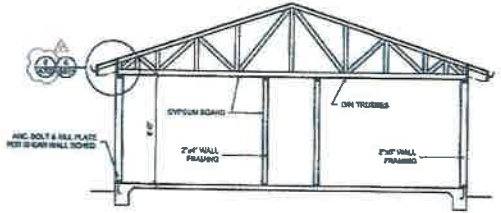


Designated	Revision	Date	By
LOL			
HEK			

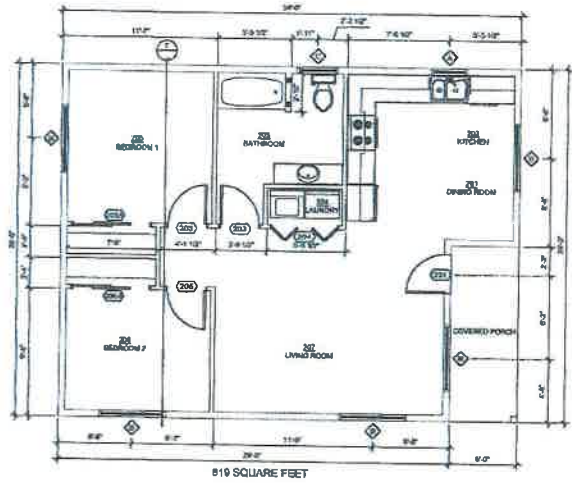


HABITAT FOR HUMANITY
MULBERRY STREET
CHICO, CALIFORNIA

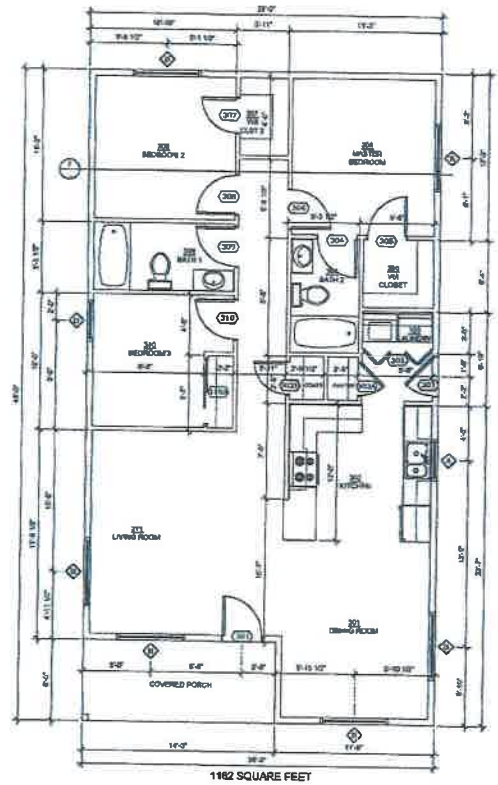
GRADING AND UNDERGROUND PLAN			
MULBERRY ST - HABITAT HOMES			
AFN Number	Job Number	Scale	Sheet
100-000-0810000000	18-070	1" = 10'	22 of 24



10 TYPICAL BUILDING SECTION



12 OVERALL FLOOR PLAN (2 BEDROOM ADU)



6 OVERALL FLOOR PLAN (3 BEDROOM)

- FINISHING AREA AND SPECIFICATIONS**
- SINGLE FAMILY RESIDENCE
 - INTERIOR CONDITIONED LIVING AREAS BEDROOM: 1162 SQ. FT.
 - INTERIOR CONDITIONED LIVING AREAS P. BEDROOM: 878 SQ. FT.
- DOOR SCHEDULE, SEE SCHEDULE A100
 - WINDOW SCHEDULE, SEE SCHEDULE A100
 - EXTERIOR WOOD FINISHED INSULATED WALL. USE 2x4 @ 16" O.C. STUDS AT 16" O.C. WITH 1/2" GYPSUM BOARD ON INTERIOR AND OSB/EXTERIOR SHEATHING. REFER TO EXTERIOR ELEVATIONS FOR EXTERIOR FINISH. WALLS TO BE HALF" FACED 3/4" BATT INSULATION & RIGID INSULATION ON EXTERIOR SIDE.
 - INTERIOR WOOD FINISHED WALL. USE 2x4 @ 16" O.C. STUDS AT 16" O.C. FROM BOTH SIDES WITH GYPSUM BOARD. FINISH WITH HALF" FACED 3/4" BATT.
 - INTERIOR WOOD FINISHED FLOORING WALL. USE 2x4 @ 16" O.C. STUDS AT 16" O.C. FROM BOTH SIDES WITH GYPSUM BOARD.
- ALL DOORS SHALL BE LOCATED 4" AWAY FROM EXTERIOR PERPENDICULAR WALL. SEE PLAN FOR TYPICAL CABING INSTALLATION TO ABOVE 3/4" AND THRESHOLD FINISHED CONDITION. TYPICAL UNLESS OTHERWISE SPECIFIED ON THIS DRAWING.

3 NOTES & LEGEND

NORTHSTAR
... Designing Solutions

111 MADISON HUNCHILL RD. SUITE 100, CERRITOS, CA 94508
PHONE: (925) 865-1600 www.northstarinc.com

HABITAT FOR HUMANITY
MULBERRY HOUSE
MULBERRY STREET
CHICO, CA 95928
APN: 005-465-023

OVERALL FLOOR PLANS

AS NOTED

CONSTRUCTION DOCUMENTS

18-073

A200

Habitat for Humanity of Greater Sacramento
Proposed Development of 300 Persifer Street Folsom,
CA APN#070-0172-048

Attachment C

Persifer Street Development Financing

- Budget Line Items and Assumptions
- Baseline "Wishlist" Sources & Uses

Humanity for Humanity of Greater Sacramento
 Persifer Street Development
 Line Item Budget
 5 Single Family Homes and 5 ADUs

Project Expenses	Assumptions	
Entitlement Expenses		
Parcel Acquisition	-	assumes the City of Folsom will donate the 5 parcels
300 Persifer Street parcel split	-	assumes the City of Folsom will split the 300 Percifer parcel into 5 fully entitled parcels
Subtotal Entitlement Expenses		
Infrastructure Expenses		
Engineering and Management	110,000.00	
SWPPP	10,000.00	
Clearing	25,000.00	
Grading	70,000.00	
Wet Utility Subcontractor	68,000.00	water, sewer and storm drainage
Dry Utility Subcontractor	159,750.00	gas, electric, cable, etc.
Streets, Curbs, Gutters	221,250.00	includes all of the items discussed and shown on the diagram provided last time
Street Lighting	20,000.00	2 new lights
Contingency	62,000.00	
Miscellaneous	5,000.00	toilet rental, temp fencing, miscellaneous materials and supplies
Subtotal Infrastructure	751,000.00	
Design and Permit Expenses		
Architectural	25,000.00	cost to revise plans for 5 homes and design 5 ADUs
Civil	25,000.00	cost to create plans for drainage and retention
Structural	25,000.00	
Title 24	10,000.00	
Truss	10,000.00	
Landscape	10,000.00	
City of Folsom Building Permits	13,963.12	assumes \$2,461.75 per single family homes, \$1,649.37 per AUD (67% of 1,200s ² single family cost)
Impact Fees	152,830.00	assumes \$30,566 for 5 single family homes only, ADUs do not generate impact fees
Folsom Cordova USD Fees	75,495.00	assumes \$7.19/sf cost, \$9,347 per single family home and \$5,752 per ADU
Subtotal Permitting Expenses	347,288.12	

Humanity for Humanity of Greater Sacramento
 Persifer Street Development
 Line Item Budget
 5 Single Family Homes and 5 ADUs

Project Expenses	Assumptions	
Construction Expenses		
SWPPP	13,500.00	
Foundation and Flatwork	150,000.00	
Framing	220,000.00	includes trusses
Siding	50,000.00	
Finish Carpentry	29,500.00	
Cabinets and Counters	52,500.00	
Insulation	35,000.00	
Roofing and Gutters	87,000.00	
Doors	32,000.00	interior and exterior
Garage Doors	3,975.00	
Windows	42,500.00	
Drywall	79,000.00	
Flooring	27,500.00	includes laminate/vinyl and carpet
Paint	10,000.00	interior and exterior
Appliances	24,200.00	assumes homes will be gas and electric
Blinds	5,000.00	
Solar	122,500.00	
Plumbing	95,000.00	rough and finish
HVAC	100,000.00	
Electrical	32,500.00	rough, finish and lighting
Fencing	37,000.00	
Landscaping	30,000.00	
Miscellaneous	20,000.00	toilet rental, temp fencing, bin rental, trash out, etc.
Contingency (5%)	75,000.00	
Overhead	275,000.00	assumes 1 site supervisor and 1 asst site supervisor for 24 month construction period
Subtotal Construction Expenses	1,648,675.00	
TOTAL PROJECT EXPENSE	<u>2,746,963.12</u>	

Habitat for Humanity of Greater Sacramento
 Persifer Street Development
 Sources & Uses
 5 Single Family Homes and 5 ADUs

Uses of Funds				Sources of Funds				
	Total Amount for 5 Single Family Homes & 5 ADUs	Single Family Home*	ADU	Folsom Waiver, Grant or Deliverable	SHOP** approx \$15K per Persifer house	Home Sponsors \$100K/single family & \$85K/ADU	GAP Funds Needed	Total
Pre-Construction Expenses								
Parcel Acquisition				X				
Parcel Lot Split Fees				X				
Infrastructure (Site) Expenses								
Engineering and Management	110,000.00	11,000.00	11,000.00				110,000.00	110,000.00
SWPPP	10,000.00	1,000.00	1,000.00				10,000.00	10,000.00
Clearing	25,000.00	2,500.00	2,500.00		12,500.00		12,500.00	25,000.00
Grading & Excavation	70,000.00	7,000.00	7,000.00		35,000.00		35,000.00	70,000.00
Wet Utility Subcontractors	68,000.00	6,800.00	6,800.00		27,500.00		40,500.00	68,000.00
Dry Utility Subcontractors	159,750.00	15,975.00	15,975.00				159,750.00	159,750.00
Streets, Curbs, Gutters	221,250.00	22,125.00	22,125.00				221,250.00	221,250.00
Street Lighting	20,000.00	2,000.00	2,000.00				20,000.00	20,000.00
Contingency	62,000.00	6,200.00	6,200.00				62,000.00	62,000.00
Miscellaneous	5,000.00	500.00	500.00				5,000.00	5,000.00
Subtotal Infrastructure Expenses	751,000.00	75,100.00	75,100.00		75,000.00	-	676,000.00	751,000.00
Design and Permit Expenses								
Architectural	25,000.00	2,500.00	2,500.00				25,000.00	25,000.00
Civil	25,000.00	2,500.00	2,500.00				25,000.00	25,000.00
Structural	25,000.00	2,500.00	2,500.00				25,000.00	25,000.00
Title 24	10,000.00	1,000.00	1,000.00				10,000.00	10,000.00
Truss	10,000.00	1,000.00	1,000.00				10,000.00	10,000.00
Landscape	10,000.00	1,000.00	1,000.00				10,000.00	10,000.00
City of Folsom Building Permits	13,963.12	2,461.75	1,649.37	13,963.12			-	13,963.12
Impact Fees	152,830.00	30,566.00	20,479.00				152,830.00	152,830.00
Folsom Cordova USD Fees	75,495.00	7,549.50	7,549.50				75,495.00	75,495.00
Subtotal Design & Permit Expenses	347,288.12	51,077.25	40,177.87	13,963.12	-	-	333,325.00	347,288.12

Habitat for Humanity of Greater Sacramento
 Persifer Street Development
 Sources & Uses
 5 Single Family Homes and 5 ADUs

12/14/2021 Item No.30.

Uses of Funds				Sources of Funds				
	Total Amount for 5 Single Family Homes & 5 ADUs	Single Family Home	ADU	Folsom Waiver, Grant or Deliverable	SHOP \$15K/single family unit	Home Sponsors	HFHGS Funds	Total
SWPPP	13,500.00	1,350.00	1,350.00				13,500.00	13,500.00
Foundation and Flatwork	150,000.00	16,000.00	14,000.00			150,000.00		150,000.00
Framing	220,000.00	25,000.00	19,000.00			220,000.00		220,000.00
Siding	50,000.00	5,500.00	4,500.00			50,000.00		50,000.00
Finish Carpentry	29,500.00	3,300.00	2,600.00			29,500.00		29,500.00
Cabinets and Counters	52,500.00	6,500.00	4,000.00			52,500.00		52,500.00
Insulation	35,000.00	3,700.00	3,300.00			35,000.00		35,000.00
Roofing and Gutters	87,000.00	10,005.00	7,395.00			87,000.00		87,000.00
Doors	32,000.00	3,500.00	2,900.00			32,000.00		32,000.00
Garage Doors	3,975.00	795.00	-			3,975.00		3,975.00
Windows	42,500.00	5,000.00	3,500.00			42,500.00		42,500.00
Drywall	79,000.00	8,800.00	7,000.00			79,000.00		79,000.00
Flooring	27,500.00	3,000.00	2,500.00			27,500.00		27,500.00
Paint	10,000.00	1,100.00	900.00			10,000.00		10,000.00
Appliances***	24,200.00	2,420.00	2,420.00			24,200.00		24,200.00
Blinds	5,000.00	550.00	450.00			5,000.00		5,000.00
Solar	122,500.00	13,500.00	11,000.00			76,825.00	45,675.00	122,500.00
Plumbing	95,000.00	10,500.00	8,500.00				95,000.00	95,000.00
HVAC	100,000.00	11,000.00	9,000.00				100,000.00	100,000.00
Electrical	32,500.00	3,500.00	3,000.00				32,500.00	32,500.00
Fencing	37,000.00	4,255.00	3,145.00				37,000.00	37,000.00
Landscaping	30,000.00	3,300.00	2,700.00				30,000.00	30,000.00
Miscellaneous	20,000.00	2,300.00	1,700.00				20,000.00	20,000.00
Contingency (5%)	75,000.00	8,000.00	7,000.00				75,000.00	75,000.00
Overhead	275,000.00	29,000.00	26,000.00				275,000.00	275,000.00
Subtotal Construction Expenses	1,648,675.00	181,875.00	147,860.00	-	-	925,000.00	723,675.00	1,648,675.00
Total Uses and Sources	2,746,963.12	308,052.25	263,137.87	13,963.12	75,000.00	925,000.00	1,733,000.00	2,746,963.12

NOTES:

- * for the purpose of this presentation, ADU cost of construction is assumed to be approximately 85% of the cost of single family homes
- ** for the purpose of this presentation, we assume that SHOP funds will only be available for single family home eligible expenses
- *** if the house is all electric, the appliance cost will increase to \$3,975 per unit

Habitat for Humanity of Greater Sacramento
Proposed Development of 300 Persifer Street, Folsom, CA
APN#070-0172-048

Attachment D

Permit Cost Comparison

City of Folsom Fee Items

Comparable City of Sacramento Fees

Plan Check Fee	\$ 1,049.60
Permit Fee	\$ 1,312.00
State Revolving Fee	\$ 7.00
S.M.I. Fee	\$ 22.30
General Plan Update	\$ 70.85
Sewer Connection Fees:	
County Portion	\$ 3,602.00
City Portion	\$ 1,073.00
Major Road Fee \$ 8,168.00	
County Transp. Mit. Fee	\$ 1,329.00
Water District Fees:	
Water Use	\$ -
Buy-In-Equity	\$ 335.00
Connection Fee	\$ 1,850.00
Meter Fee	\$ 301.00
Water Impact Fee	\$ 985.00
Drainage Fee	\$ 1,037.00
General Capital	\$ 1,596.00
Fire Capital	\$ 1,086.00
Fire Plan Check	\$ -
Police Capital	\$ 601.00
Solid Waste Capital	\$ 363.00
Quimby Park	\$ -
Transportation Management	\$ 35.00
City Wide Park Fee	\$ 7,037.00
Park Equipment	\$ 94.00
Light Rail	\$ 724.00
Business License Fee	\$ 29.00
School Mitigation Fee	\$ 45.00
Humbug/Willow Creek Mit.	\$ 276.00
Inclusionary Housing	\$ -
Housing In-Lieu	\$ -

Plan Check Fee	\$ 1,045.27
Permit Fee	\$ 1,824.57
General Plan Fee	\$ 504.00
Sewer Dev Fee - County	\$ 4,200.23 pd to County
Sewer Dev Fee - City	exempt
Citywide Transp. Dev.	exempt \$ 1,424.00
Sac. Trans. Auth. Mit.	exempt \$ 1,355.58
Residential Water Meter	\$ 562.00
Water Dev Fee	exempt \$ 3,134.23
Water Svc Killtap	\$ 490.00
Fire Dept Plan Review	\$ 303.25
Park Dev Citywide Fee	exempt \$ 795.00
Park Dev Impact Fee	exempt \$ 1,322.10
City Business Oper Tax	\$ 84.00

Other Sacramento Fees

C&D Recycling Fee	\$ 84.00
Construction Excise Tax	\$ 987.60
Green Building Fee	\$ 9.00
Public Works Deposit	\$ 152.00
Public Works Fee	\$ 304.00
Residential Constr Tax	\$ 385.00
SAFCA Fee	\$ 567.00
Strong Motion Fee	\$ 27.30
Technology Fee	\$ 207.27
Utilities Fee	\$ 228.00

reduced from \$4,347

Total \$ 33,027.75

Total \$ 11,964.49

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CITY OF
FOLSOM
HERITAGE • INFLUENCE

Folsom City Council Staff Report

MEETING DATE:	12/14/2021
AGENDA SECTION:	Old Business
SUBJECT:	Resolution No. 10744 - A Resolution Authorizing the City Manager to Execute a Fiber Network Installation Agreement with SiFi Networks Folsom LLC for the Installation of a Fiber Optic Network in the City of Folsom
FROM:	Public Works Department

RECOMMENDATION / CITY COUNCIL ACTION

The Public Works Department recommends that the City Council pass and adopt Resolution No. 10744 - A Resolution Authorizing the City Manager to Execute a Fiber Network Installation Agreement with SiFi Networks Folsom LLC for the Installation of a Fiber Optic Network in the City of Folsom.

BACKGROUND / ISSUE

This item was originally discussed at the November 9, 2021 City Council meeting but was continued to the December 14, 2021 meeting in order for staff to contact cities that are under contract with SiFi Networks and are currently at some phase of construction.

SiFi Networks Folsom LLC (SiFi) is a private developer who specializes in Open Access fiber optic networks. SiFi approached City staff earlier this year to propose the installation of a citywide Open Access fiber optic network that they will privately finance and construct. SiFi will wholesale network access to Internet Service Providers (ISPs) who will compete to provide gigabit speed internet services to residents, businesses, institutions, and municipal facilities. The Open Access network is intended to encourage market competition, enable Smart City technological advancements, support healthcare, education, transportation agencies, government organizations, local businesses and residential neighborhoods, including disadvantaged communities. This will enhance Folsom's competitive advantage when trying to retain or attract new businesses.

The SiFi network will not replace existing ISPs that currently provide service in Folsom (most notably Xfinity and AT&T); however, those existing ISPs may not currently provide all homes and businesses with access to a fiber optic network that allows for symmetrical high-speed internet access. Upon the Fiber Network Installation Agreement being approved by Council, SiFi will be allowed access to the public right-of-way for the purpose of installing a fiber optic network past every premise in the City. The fiber optic network would be constructed using micro-trenching construction and blown micro-duct techniques and would include 35 above-ground cabinets which would be sited in such a way as to minimize the visual impacts to the community.

If approved, SiFi and the City will enter into a Fiber Networks Installation Agreement, in a form acceptable to the City Attorney. Per the terms of the agreement, SiFi is expected to initiate fiber network installation with the next 24 months and complete the project within 48 months.

POLICY / RULE

The City Council is the sole authority for entering into agreements between the City and any other party.

ANALYSIS

The Public Works Department reached out to the three cities that are currently in the construction phase of their agreement with SiFi Networks:

1. City of Fullerton, CA. Fullerton was the first City to execute an agreement with SiFi (2014) and is roughly one-third of the way to completion. As the first partner in such a new construction technique and technology, they have had numerous issues and have had to make several adjustments along the way. Most of the issues identified by staff were tied to the performance of the contractor, not SiFi, including the behavior of some of the contractor's personnel and the subsequent, negative public reaction. The current contract is being terminated and a new contractor will come in early next year to finish the project. The poor performance of the first contractor required that SiFi improve their Quality Assurance/Quality Control (QA/QC) methods, and Fullerton requires monthly coordination meetings.
2. City of Salem, MA. Salem initiated their agreement with SiFi in 2018 and were held up to some degree by the Covid-related shutdowns. They are currently wrapping up a small pilot program wherein they are having SiFi's contractor perform the microtrench/conduit install in a short (2,000 lineal foot) section to see what issues they will encounter. Given that Salem is a 500-year old community, with some roads that were constructed and re-constructed over that span of time using a variety of materials, they are encountering unexpected conditions. It has been a learning experience for both Salem staff and SiFi; in some cases, the contractor was making field deviations without

notifying the City, as with the Fullerton experience, SiFi was required to improve their QA/QC methods.

3. City of Placentia, CA. Placentia learned some lessons from Fullerton's experience; nevertheless they are only 20 percent complete after starting construction in July 2021, and have had to amend their agreement with SiFi to reflect lessons learned. They have required that SiFi provide a full-time customer service representative who can be contacted by the community regarding any complaints. Placentia has also required that SiFi reimburse the City for the cost of an independent construction inspector.

All three staff contacts acknowledge that it has been a difficult process and that there have been challenges and frustrations, but in all three cases they felt that the potential benefit to the community is worth it. Covid-related shutdowns and the current supply chain disruptions have also impacted their schedules, but these are issues outside of the control of SiFi, their contractors, or City staff.

Staff also reached out to major employers/technical partners in Folsom to gauge the value to their companies of a citywide broadband fiber network and their thoughts on the project in general. The firms contacted by staff were:

- Intel Corporation
- Powerschool
- Safe Credit Union
- Micron (pending)
- AT&T (pending)

The general consensus of these stakeholders is that the addition of a citywide fiber network may not create new, technological opportunities that they are currently aware of. Safe Credit Union did however note that it could serve as a redundancy/diverse path in case their current fiber services are disrupted.

Most of the stakeholders concurred that access to broadband internet would be a valuable asset for their employees working remotely from home, and a good investment by the City for the general public's benefit. Powerschool also noted that for smaller employers using shared internet connectivity, the addition of fiber-based broadband could improve latency.

Scott Bradshaw, President of SiFi, will participate by phone and will be available to respond to any questions regarding this item. John Marchuk, SiFi's local Project Manager, will be in attendance as well.

FINANCIAL IMPACT

Per the agreement, SiFi will install the fiber optic network at no cost to the City. SiFi also agrees to pay all City plan check fees, permit fees, inspection fees and any other applicable fees.

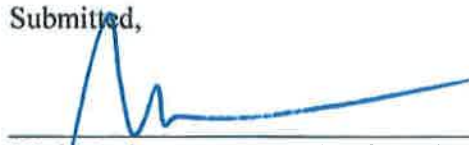
ENVIRONMENTAL REVIEW

This program is exempt from the requirements of the California Environmental Quality Act per Section 15303, New Construction of Small Structures, and Section 15304, Minor Alterations to Land.

ATTACHMENTS

1. Resolution No. 10744 - A Resolution Authorizing the City Manager to Execute a Fiber Network Installation Agreement with SiFi Networks Folsom LLC for the Installation of a Fiber Optic Network in the City of Folsom
2. Fiber Networks Installation Agreement between SiFi Networks Folsom LLC and City of Folsom

Submitted,



Mark Rackovan, PUBLIC WORKS DIRECTOR

Attachment 1

RESOLUTION NO. 10744

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A FIBER NETWORK INSTALLATION AGREEMENT WITH SIFI NETWORKS FOLSOM LLC FOR THE INSTALLATION OF A FIBER OPTIC NETWORK IN THE CITY OF FOLSOM

WHEREAS, SiFi Networks Folsom LLC desires to install a fully privately funded fiber optic network in the City of Folsom; and

WHEREAS, the City of Folsom seeks, without City or public funds, to enable the deployment of fiber optic infrastructure for broadband for the City’s residents and businesses; and

WHEREAS, the provision of broadband to the City’s residents and businesses will stimulate economic development, encourage market competition, enable Smart City technological advancements, and support healthcare, education, transportation, and government; and

WHEREAS, the fiber optic network will also provide opportunities for additional Smart City services, including connected buildings, traffic signals and other City facilities; and

WHEREAS, if approved, the City would grant SiFi Networks Folsom LLC a license and encroachment permit to access the public right-of-way for the purpose of installing the fiber optic network; and

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

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Folsom hereby authorizes the City Manager to execute a Fiber Network Installation Agreement with SiFi Networks Folsom LLC for the installation of a fiber optic network in the City of Folsom.

PASSED AND ADOPTED this 14th day of December, 2021, by the following roll-call vote:

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

Michael D. Kozlowski, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

Attachment 2

FIBER NETWORKS INSTALLATION AGREEMENT

This Fiber Networks Installation Agreement is made this __ day of November, 2021 (“**Effective Date**”) as it may be extended or amended, the “**Agreement**”), between the City of Folsom, California, a municipal corporation (the “**City**”) and SiFi Networks Folsom LLC, a Delaware limited liability company (“**SiFi Networks**” or “**SiFi**”) (each sometimes referred to as a “**Party**” and collectively referred to as the “**Parties**”).

RECITALS

WHEREAS, SiFi Networks owns the rights to the FOCUS (as defined below) proprietary fiber optic cable system technology; and

WHEREAS, SiFi Networks desires to install a fully privately funded fiber optic network utilizing FOCUS in the City; and

WHEREAS, SiFi Networks has requested that the City grant a license and an encroachment permit to access and use the City’s Public Right-of-Way (“**Public Way**”, as defined below) for purposes of installing the FON (as defined below) in the City; and

WHEREAS, City seeks, without City or public funds, to enable the deployment of fiber optic infrastructure for broadband for the City’s residents and businesses, in order to stimulate economic development, to encourage market competition, to enable Smart City technological advancements, and to support healthcare, education, transportation agencies, government organizations, local business, and residential neighborhoods;

WHEREAS, the City is agreeable, without City or public funding, to grant to SiFi Networks a license and an encroachment permit to access and use the Public Way for SiFi Networks in order to install and operate the FON including a point of presence and/or a series of distributive cabinets and other equipment and materials in connection with the installation of the FON, pursuant to the terms and conditions set forth herein;

WHEREAS, the FON will provide opportunities for Smart City additional services, including but not limited to connecting buildings, traffic lights, and other City owned locations, to the City subject to a separate written mutual agreement between the Parties; and

NOW, THEREFORE, in consideration of the mutual obligations of the Parties, and other good and valuable consideration, the receipt and sufficiency of which are acknowledged, the Parties covenant and agree as follows:

SECTION 1

1. **Definition of Terms.**

1.1 **Terms.** For the purpose of this Agreement, the following terms, phrases, words, and abbreviations shall have the meanings ascribed to them below.

“**Access**” means facilitation of City permitted encroachments for specified areas within the Public Way.

“**Boundary**” means the legal boundaries of the City as of the Effective Date, and any additions or subtractions to the City legal boundaries, by annexation or other legal means.

“**Cabinets**” means above ground enclosures placed within the Public Way for the protection of active and passive equipment for the provision of Service throughout the System and as further described in Exhibit A.

“**Chambers**” means underground enclosures placed within the Public Way facilitating access to the active and passive equipment for the provision of Service throughout the System.

“**Commencement Date**” means the date that Substantial Completion, as that term is defined herein, of the System has been achieved.

“**Construction**” means breaking ground for the installation of the System.

“**Construction Contractor**” or “**Contractor**” means the construction company(ies) performing the physical work for or on behalf of SiFi Networks.

“**Drop**” means the fiber optic cable run from the edge of the Public Way to the Premises Wall.

“**Facility**” means the secure space/s that the City agrees to make available to SiFi Networks during the Term for the installation of Shelters and Cabinets.

“**FOCUS**” means SiFi Networks’ trademarked FOCUS™ system including the patented Wastewater Fiber Technology, know-how and other proprietary rights, comprising, among other things a combination of blown fiber, aerial, wastewater and other conventional techniques to enable multi gigabit technologies.

“**FON**” means SiFi Networks’ fiber optic network built by utilizing a combination of blown fiber, aerial, wastewater and/or other conventional techniques and may also include using the FOCUS™ design, as well as electronics to enable multi gigabit technologies.

“**Hazardous Materials**” means (i) any hazardous or toxic wastes, substances, or materials, and any other pollutants or contaminants, which are regulated by any applicable local, state or federal laws, including, but not limited to 33 U.S.C. Section 1251 et seq., 42 U.S.C. Section 6901 et seq., 42 U.S.C. Section 9601 et seq., 42 U.S.C. Section 7401 et seq., 42 U.S.C. 960 et seq., and the California Health and Safety Code Section 25100 et seq., and 25300 et seq., the California Water Code, Section 13020 et seq., or any successor(s) thereto: (ii)

petroleum; (iii) asbestos; (iv) flammable explosives; (v) polychlorinated biphenyls; and (radioactive materials).

“Home” means a residential single-family dwelling, or a residential single dwelling unit located within a Multiple Dwelling Unit, located within the Boundary.

“Multiple Dwelling Unit” means an apartment building or other building containing more than one dwelling unit located within the Boundary.

“Microtrenching” means the process of cutting a trench with a dry cut machine and reinstated with cementitious slurry fill as specified in Exhibit A.

“Pass” or **“Passes”** means the duct or Chamber as parts of the System has reached to the curbside of a residential Premises, or the engineered point at or near a commercial Premises from which a Drop can be connected.

“Person” means any natural person or any association, firm, partnership, joint venture, corporation, limited liability company, or other legally recognized entity, whether for profit or not for profit, but shall not mean the City or SiFi Networks.

“Premises” means a Home, Multiple Dwelling Unit, office or other building located within the Boundary.

“Premises Wall” means the exterior of an outside wall of a Premises to which the fiber optic cable can be terminated.

“Primary Premises” means the Premises within the Boundary as of the Effective Date but excluding any Premises which SiFi cannot connect (i) because of a lack of a right to access and use the Public Way due to the City not possessing the right, title, interest or authority to permit SiFi to use and occupy the Public Way in order for SiFi to access such Premises, or (ii) because SiFi lack of a right to access any non-City owned property within the Boundary in order to access such Premises, or (iii) if there would be an incremental material cost to connect such Premises would be at least ten percent (10%) higher than the average cost to connect accessible by SiFi Primary Premises within the Boundary; provided that, (1) at least ninety-five percent (95%) of Premises within the Boundary are Passed, and (2) no Premises are excluded for any other reasons other than technical or cost reasons as described herein, or (iv) where such Premises already have a pre-existing fiber service available to them and do not desire SiFi to connect such Premises. SiFi shall not be required or obligated to make the System available to such Primary Premises described in (i) through (iv) in this definition and Substantial Completion determination shall not be impacted as a result. If any Premises are excluded under subsection (iii) above, City will have the option to request SiFi meet and confer regarding potential solutions, including the use of any City owned or controlled conduit, duct or other similar

facility, to Pass such Premises, which solutions would have to be mutually agreed in good faith and in writing between the Parties. **“Public Way”** shall mean City-owned public right-of-way, including the surface of, and the space above and below, existing now or in the future City owned land. Public Way includes City-owned public street, road, highway, parkway, driveway, freeway, lane, path, court, sidewalk, bridge, alley, boulevard, traffic signals, lamp post, public way, or other public right of way or easement including public utility easements dedicated utility strips, located thereon now or hereafter held by, granted or dedicated to or under the jurisdiction of the City within the Boundary. For the avoidance of doubt, the term **“Public Way”** shall also mean any easement now or hereafter held by the City within the Boundary for the purpose of public travel, or for utility service use.

“Release” when used with respect to Hazardous Material means any actual or imminent spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into or inside any existing improvements or any improvements constructed hereunder, including the System.

“Service” means internet, voice, data, and video service or any combination thereof, provided by the City or another Service Provider over the System.

“Service Providers” means any entity, which enters into a contract with SiFi Networks to provide Services over the System.

“Shelter” means the above ground facility housing System equipment as further described in Section 4.2 and in Exhibit A hereto.

“Subscribe” means an agreement to receive from a Service Provider.

“Subscriber” means any Person (which for purposes of this definition shall include the City) that has entered into an agreement to receive or otherwise lawfully receives Service.

“Substantial Completion” means the date on which, the System has been installed such that it Passes the addresses of each of the Primary Premises and the System is capable of providing Service to each such Primary Premises (but for the lack of a Drop) or four (4) years post Construction being commenced, whichever event occurs first; provided, however, in the event that Substantial Completion is deemed to have occurred due to the expiration of four (4) years post Construction being commenced, SiFi shall use commercially reasonable efforts to complete, subject to the conditions in the proviso above, such construction as is necessary to provide service to all Primary Premises within a commercially reasonable time.

“System” means all parts of the FON system under and above ground in the City that is designed to support the delivery of Service to Subscribers,

including the fiber optic cable and its component parts and appurtenances, and the other cables, wires, components, facilities, cabinets, ducts, conduits, connectors, vaults, Chambers, telecom manholes, telecom manhole covers, pedestals, appliances, splitters, attachments, and other property, equipment, components, materials, apparatus and appurtenances to the FON system.

SECTION 2

2. Grant of License.

2.1 Grant of Temporary and Non-Exclusive License.

2.1.1 License to Use City Public Way. This Agreement sets forth the basic terms and conditions upon which SiFi is hereby granted a non-exclusive no cost, except for payment of applicable City fees, license, during the Term, to install, operate and maintain the System in the Public Way. The particular terms and location of each portion of the System shall be specified in the applicable permit approved by the City as described in Section 3.2 Permits and General Obligations. Provided SiFi Networks' is not in breach of this Agreement and the applicable permits, City grants to SiFi Networks a non-exclusive no cost license, during the Term, to erect, install, construct, repair, replace, reconstruct, maintain, operate or retain in, on, over, under, upon, across, or along any Public Way, the System, within the Boundary, and all extensions and additions thereto. SiFi Networks shall have the right to determine the final engineering design and location of all equipment and other parts of the System, subject to the City's prior written approval for their placement. Both Parties agree to cooperate during the design and permitting process and SiFi Networks must first disclose all engineering designs to the City for permit approval. Notwithstanding the foregoing, installation of the System and access to and use of the Public Way is subject to the applicable permit for a specific location. It is understood that SiFi's license to place the System is non-exclusive, except for the Facilities, but that upon issuance of the applicable permit, SiFi's use of the area specified therein shall not be unreasonably interfered by the City or its contractors. Further, in the event of a material breach of this Agreement by SiFi, SiFi's license granted under this Agreement and the particular permit are revocable only if SiFi Networks fails to cure any alleged breach as described in Section 8.1, prior to the expiration or earlier termination of this Agreement.

2.1.2 Abandonment of the System upon Termination of Agreement. Upon the expiration or termination of this Agreement, SiFi Networks shall have the right, but not the obligation, to remove from or abandon in place all or any part of the System in the Public Way. Any part of the System abandoned by SiFi Networks as described in this Agreement shall become the property of the City. Within ninety (90) days prior to the expiration or termination of this Agreement, SiFi must notify the City in writing of its intent not to abandon the System. Failure to provide such written notice within the time specified shall be deemed abandonment upon the expiration or termination of the Agreement.

2.2 **Term of Agreement.** This Agreement shall become effective upon the execution and delivery of this Agreement by the Parties (the “**Effective Date**”). The term of this Agreement shall commence on the Effective Date and run until midnight on the date that is thirty (30) years after the Commencement Date (the “**Initial Term**”). No later than one year prior to the expiration of the Term, SiFi may submit a request in writing that the City approve renewing this Agreement for an additional term of fifteen (15) years, commencing on the thirtieth (30th) anniversary of the Commencement Date (“**Renewal Terms,**” and, collectively with the Initial Term, the “**Term**”), which approval shall not be unreasonably withheld. If SiFi Networks elects to not renew this Agreement the System will be deemed abandoned and shall become the property of the City.

2.3 **License to City-owned property.**

(i) City hereby grants, at no additional charge, to SiFi, and its licensees, successors, lessees, transferees, and assigns, a revocable non-exclusive license during the Term of the Agreement (“License”) to enter and occupy portions of the City-owned property in or outside of the Public Way for up to two (2) specific locations as further described in Section 4.2 and from the System in the Public Way to each of the Facilities, which locations will be mutually agreed upon in writing and in good faith between the City and Licensee (the “License Area”), for the purposes of erecting, installing, constructing, operating, repairing, replacing, reconstructing, removing, maintaining, using and retaining said System, including, without limitation, wires, cables, ducts, conduits, connectors, vaults, manholes, manhole covers, fencing, pedestals, appliances, splitters, attachments, and other property, equipment, components, materials, apparatus and appurtenances to the System and the Facilities (the “Improvements”). This License is subject to easements, covenants, conditions, and regulations in existence as of the date hereof.

(ii) Subject to easements, covenants, conditions, and regulations in existence as of the date hereof, SiFi shall be permitted to use microtrenching for fiber optic cables and make such alterations to the License Area as approved, which approval shall not be unreasonably withheld, delayed, or conditioned, by the City to erect, install, construct, repair, replace, reconstruct, remove, maintain, operate, and use, the System including, without limitation, the Improvements, and adding and moving electrical lines and other utilities and apparatus. SiFi shall be responsible for all costs incurred in the alterations. All construction, installation, maintenance and repair of the License Area shall be conducted so as to interfere as little as practicable with City’s use and operation of the Public Way. The installation of the System and alterations by SiFi in the License Area shall be done in a good and workmanlike manner by competent personnel or contractors, and except for the specifications and construction techniques approved in this Agreement, in conformity with all applicable permits, licenses, ordinances, laws and regulations, free from any liens for labor or materials, and subject to final inspection and approval by the City. Any damage to the License Area caused by reason of the

exercise of SiFi's rights hereunder shall be corrected within a reasonable time by SiFi at its sole cost and expense.

(iii) SiFi will maintain the Improvements in accordance with this Agreement.

(iv) SiFi shall not install or construct any other structures or improvements other than the Improvements and associated appurtenances described herein.

(v) The Improvements installed within the License Area by SiFi shall be made at no expense to City. SiFi shall be responsible, and assume all costs, for any relocation or protection of any part of the System in the event the relocation or protection of the System is necessary due to changes in any Public Way at any time during the term of this Agreement.

(vi) Other than SiFi's obligation to repair any damage SiFi or SiFi's contractors cause to the City's Public Way at its sole cost and expense, City, at its sole cost, shall operate, maintain and repair the Public Way so as to avoid damage or minimize adversely affecting the System and the License Area. City shall not make any modifications to, or alter, the License Area without prior written notice to SiFi.

(vii) City, its agents, or assigns, or any utility company or City franchisee may at any time, enter upon the areas covered by this Agreement for the purpose of installing, maintaining, relocating, altering, enlarging, repairing, or inspecting any utility, facility, or public work thereon. City will not be liable to SiFi for any damages to the System, Improvements and Facilities.

(viii) SiFi shall restore damaged or disturbed surfaces or underground utilities at or adjacent to the License Area to substantially the same as the original condition. Restoration shall be carried out immediately after construction. Any damage not repaired to the satisfaction of the City shall be a cause to suspend any operations within the City's limits by the party causing the damage until the repairs are satisfactory to the City.

(ix) The System and all of its parts and components which are installed and constructed by SiFi in the License Area shall at all times be and remain the property of SiFi.

(x) Except for the Facilities, City shall not unreasonably impede, disturb, interfere with, or restrict, SiFi's access to, use and possession of, the License Area.

(xi) Notwithstanding any provision to the contrary, whenever possible SiFi shall not install any Improvement, when running parallel, within 3 feet from existing underground utilities, and further shall not install any Improvement above or on top of water of sewer pipelines except with express written authorization by the Environmental and Water Resources Department of the City.

(xii) Notwithstanding any provision to the contrary, in the event SiFi or its contractor damages water or sewer infrastructure, SiFi shall immediately notify the City and shall further make the repair, or cause to be repaired, the damaged infrastructure within 4 hours. At the City's sole and completion discretion, City may permit SiFi to pay City to make the necessary repairs at SiFi's sole cost and expense.

2.4 (xi) The terms, conditions and rights contained herein shall be covenants running with the land and shall remain in effect for as long as the Agreement remains in effect. Within thirty days after termination of this Agreement, SiFi shall remove any abandoned or unused Improvements from the Public Way. The terms and conditions contained herein shall bind, inure to the benefit of, and be enforceable by, City and SiFi, and their respective successors and assigns (including, without limitation, any and all successors to City in title to all or any portion of the Public Way).

2.4 City Accommodation. SiFi Networks acknowledges that this Agreement is entered into by the City to accommodate SiFi Network's request, that the City would not have entered into this Agreement had it been exposed to liability for damages from SiFi Networks, and that therefore and notwithstanding any provision to the contrary, SiFi Networks hereby waives any and all claims for damages against the City and its officers, agents and employees for breach of this Agreement. SiFi Networks further acknowledges that damages are not a remedy under this Agreement, and therefore and notwithstanding any provision to the contrary, SiFi Networks waives all claims for damages against the City and its officers, agents and employees in the event that this Agreement or any other permit or land use entitlement is: (1) not approved by the City or (2) is approved by the City but with new changes, amendments, conditions or deletions to which SiFi Networks is opposed.

2.5 Exclusivity. Until after the first anniversary of the Effective Date, the City shall not solicit any third party regarding any competing fiber optic cable system within the City's Boundary, subject to any obligation or requirements imposed upon the City in its capacity as a land use authority under federal or state law or regulation.

2.6 Efficient Permitting Process.

2.6.1 During the Term, the City shall endeavor to provide expedited, diligent review of all applications for permits by SiFi and/or its contractors, to the extent reasonably possible and to the extent permits are necessary, including permits or other necessary items for construction work on the System within the Public Way. The City acknowledges and agrees that expeditiousness in connection with permitting, licensing, and approval of the System is important to SiFi Networks' performance under this Agreement. Accordingly, the City agrees to endeavor to the process and

timeframes below in connection with all applications for permits by SiFi Networks and/or its contractors in connection with this Agreement:

(i) If possible, the City shall within two (2) business days of submittal by SiFi Networks and/or its contractors of an application or other request for a permit in connection with this Agreement provide written acknowledgment to SiFi Networks and/or its contractor confirming receipt of such submittal; and

(ii) If possible, the City shall within seven (7) business days of submittal by SiFi Networks and/or its contractors of an application or other request for a permit in connection with this Agreement acknowledge in writing that such application is properly submitted and complete, or in the event such application is not properly submitted and complete, provide SiFi Networks and/or its contractors with a detailed written explanation of any deficiencies. Upon curing any such deficiencies, the City shall undertake an expedited review of the application or other request for permit by SiFi Networks and/or its contractors in order to comply with this Section.

(iii) If possible, the City shall within fifteen (15) calendar days of submittal by SiFi Networks and/or its contractors of an application or other request for a permit in connection with this Agreement provide written notification of initial review and provide in writing to SiFi Networks and/or its contractors a detailed explanation of any additional information needed for the City to complete its review process. In the event no additional information is needed, the City shall so notify SiFi Networks and/or its contractors in writing.

(iv) If possible, the City shall within twenty-one (21) calendar days of submittal by SiFi Networks and/or its contractors of an application or other request for a permit in connection with this Agreement provide final approval and issue any necessary approval or permits to SiFi Networks and/or its contractors.

(v) The aforementioned timelines are subject to extension by City in the event information or document reasonably necessary or required to process the requested permit is not submitted by SiFi Networks or its contractors in a timely manner.

2.6.2 **Invoices and Payments.** SiFi agrees to pay all City permit review and processing fees (as set and adjusted by the City from time to time) associated with SiFi's work under and subject to this Agreement, including but are not limited to plan check fees, encroachment permit fees, inspection fees, and any other applicable fees for SiFi's work.

2.6.3 Permit applications shall be submitted by SiFi Networks in substantially the form required by the City. The engineering details provided in Exhibit A are a sample of typical details that may or may not change during the final engineering design process.

2.6.4 No permit, license, or other land use approval of any other approval requested by or required from SiFi Networks shall be unreasonably withheld, conditioned or delayed by the City. Furthermore, SiFi Networks shall have no liability for any of its obligations hereunder (except for payment of City fees), if the necessary permits, licenses or approvals are not issued by the City. City retains all rights to deny applications not meeting applicable laws, rules and regulations.

2.7 **Other City charges.** In recognition of the public benefit being served in encouraging and facilitating the construction of the fully privately funded SiFi's System and other valuable consideration and benefits to City and the public gained from and due to the System, City agrees that SiFi shall not have to pay for use of the Public Way. Except as expressly set forth herein, each Party shall bear and be responsible for all of its own costs, fees and expenses incurred in executing and performing this Agreement. The City agrees that this Agreement shall not require SiFi Networks to comply with or otherwise be subject to any obligations or liabilities as a grantee of a franchise under the City's municipal code, ordinances or similar laws. The City agrees that City bonding and insurance requirements will be satisfied by bonds and insurance coverage provided as part of the encroachment permit application and supplied by the Construction Contractor (as principal) performing the construction of the System. Such bonds and insurance documentation to be supplied prior to the start of Construction. Notwithstanding anything to the contrary contained in this Agreement, the provisions of this Section 2.6 will survive expiration or termination of this Agreement.

2.7 **Relocation, Modification, or Alternations.** Excluding relocations requested by the City pursuant to this Agreement and repairs or maintenance to the System, SiFi may not relocate, materially modify, or materially alter the System components any time after issuance of the permit(s) for the System, except upon City's written approval which approval will not be unreasonably withheld, delayed, or conditioned.

SECTION 3

3. **The System.**

3.1 **System Description.** SiFi Networks agrees to install the System within the Boundary using the Public Way, and further agrees to install, subject to a separate written agreement, the System to link at substantially below market rates City buildings and facilities including but not limited to traffic signals and municipal buildings within 4 years of commencement of Construction. The City will provide SiFi Networks a comprehensive list of locations and prioritization.

The System shall use fiber optic cable emanating from the Shelter to the applicable Cabinet in the Public Way and then to the private Premises Wall for each applicable Primary Premise. The City acknowledges and agrees that SiFi Networks has the right to install the System within the Boundary using the Public Way in order to make the delivery of Service over the System available to all Premises within the Boundary. The Parties acknowledge and agree that there is no agreed design or configuration of the actual location of the System within the Public Way at this time and that SiFi Networks shall submit such designs specification, plan and associated details to the City for approval when ready. The City will work with SiFi Networks to approve the physical location of the fiber optic cable and other equipment and components of the System in, on, over, under, upon, across, or along the Public Way and from the Public Way to the Premises Wall.

3.2 **Permits and General Obligations.** SiFi is deemed to have approval to locate the System within the Boundary, subject to applicable permits including but not limited to encroachments, licenses, or other forms of plan review and approval or authorization necessary to construct, install, operate, maintain, replace, reconstruct, or repair the System, or any part thereof, during the term of this Agreement and any extensions. Nothing herein entitles SiFi Networks to access or encroach upon private property without permission of the property owners. SiFi Networks shall provide plans to the City for City approval for the issuance of permits to construct the System. Construction and installation of the System shall be performed in a safe manner using materials of good and durable quality. Other than for the construction techniques agreed in Section 4.1 and described in Exhibit A, all permits shall be subject to the provisions set forth in the City's latest Encroachment Permit and Construction Specifications listed at <https://www.folsom.ca.us/community/engineering/specs.asp> and unless otherwise stated in this document. Subject to compliance with the City's Noise Control Ordinance listed at <https://www.codepublishing.com/CA/Folsom/html/Folsom08/Folsom0842.html>, standard work hours will be daily from 7am to 7pm local time unless City has different requirements which must be provided to SiFi Networks in advance. All transmission and distribution structures and equipment installed by SiFi Networks for use in the System in accordance with the terms and conditions of this Agreement shall be located so as to minimize interference with the proper use of the Public Way and the rights of property owners who own property that adjoin any such Public Way. SiFi Networks shall provide, or cause to be provided by its contractors, all necessary traffic control measures and warning signage for the protection of pedestrian and vehicular traffic. No installation in the City's Sewer and storm drainage system will be permitted. SiFi Networks will adhere to all City building code requirements; provided, however in the event of an inconsistency or conflict between the permits granted to SiFi Networks pursuant to this Agreement and the most current City building code provision, the City building code provision shall control other than for (i) the construction techniques agreed in Section 4.1 and described in Exhibit A, and (ii) previously constructed portions of the System.

SECTION 4

4. Construction and Facilities.

4.1 **Construction of the System.** SiFi Networks will use commercially reasonable efforts to commence Construction on or before a date that is twenty-four (24) months after the Effective Date (the “**Construction Commencement Deadline**”); provided however, in the event of a Force Majeure Event, the Construction Commencement Deadline shall be extended by the time impact resulting from the Force Majeure Event. In addition, SiFi Networks will use commercially reasonable efforts to complete construction of the System on or before a date that is forty eight (48) months after the Construction Commencement Deadline (the “**Construction Completion Deadline**”); provided however, in the event of a Force Majeure Event, the Construction Completion Deadline shall be extended by the time impact resulting from the Force Majeure Event. The timeline shall also be extended due to and for the length of any delay by the City in performing its obligations hereunder or issuing the permits, licenses and approvals to SiFi or its contractors. Both Parties recognize and agree that SiFi Networks cannot guarantee the Construction Commencement Deadline or the Construction Completion Deadline as many elements are outside of its control. SiFi Networks will keep the City informed of the progress of its schedule at reasonable intervals.

SiFi agrees it shall make reasonable efforts to collaborate and coordinate with City in the installation of the System ahead of planned asphalt overlay projects by City. Notwithstanding any provision to the contrary, SiFi Networks agrees that it will only use slot cut micro-trenching as set forth in the specifications set forth in Exhibit A to this Agreement for all work in the City’s Public Way. City approves only the above referenced construction method and agrees to work cooperatively with SiFi Networks in reviewing all other potential construction methods; however, the City retains all rights to disapprove at the City’s sole and complete discretion any other construction method it does not approve.

4.1.2 SiFi shall be solely responsible for all repairs, maintenance, and adjustments, and damages, caused by SiFi or its contractors, to the System and City-owned property used by SiFi Networks under this Agreement and not caused by City’s sole negligence or willful misconduct. The City shall be liable to the extent any loss or damages to the System or other SiFi property and equipment results from the sole negligence or willful misconduct of acts or omissions the City or its employees or contractors.

4.2 Location of Equipment/Facilities.

4.2.1 **Facilities.** During the Term and if approved by the City in accordance with this Agreement, the City shall permit SiFi Networks access and grant a License to and use of the Facilities on City-owned property, at market rate to SiFi Networks for the installation and operation of SiFi Networks’ Shelters (approximately 1,000 square feet per location), distributed cabinets and other

System equipment, components, parts, and other appurtenances for the System and related facilities, and from which the fiber optic cables will be deployed, and SiFi Networks shall pay all costs of electricity required for such Shelters.

4.2.2 **Shelters and Cabinets Location.** SiFi Networks agrees to provide engineering designs including intended locations of Shelters and Cabinets required for the System to the City prior to Construction in accordance with City's permitting process. The City and SiFi Networks agree to cooperate in the selection of suitable sites for the Shelters and Cabinets. However, City has sole and absolute discretion to reject a proposed location; provided that, the City will use reasonable efforts to consider suitable alternative locations.

4.3 **Subscriber Connections.**

4.3.1 **Fiber to the Premises Wall.** SiFi Networks will provide a terminated fiber to each Subscriber's Premises receiving a Drop in a manner to be determined by SiFi Networks. The location and the method of the Drop will vary depending on the circumstances of the location of the Subscriber's Premises.

4.3.2 **System Connection to the Premises Wall.** The following will apply to the connection to each Premises receiving a Drop:

(i) SiFi Networks or its designee shall be solely responsible for securing private property easement access rights necessary, advisable or appropriate to connect the System from the Subscriber property boundary to the Premises Wall. For the avoidance of doubt, in the event SiFi Networks cannot install fiber optic cable or other necessary equipment on private property because of a lack of a right to access the property, SiFi Networks shall not be required to make the System available to such Premises.

(ii) SiFi Networks shall have no duty to provide any additional connection after the terminated fiber has been taken to the ONT on the Premises Wall.

SECTION 5

5. **Oversight and Regulation by City.**

5.1 **Oversight of Construction.** In accordance with applicable law, the City shall have the right to oversee and inspect the Construction of the System in the Public Way.

5.2 **Compliance with Applicable Laws.** SiFi Networks shall, at all times during the Term, be subject to and comply with all applicable federal, state laws and local laws regarding the Construction of the System in the Public Way.

5.3 **Treatment of SiFi Provided Information.** The City agrees to notify SiFi Networks if the City receives a California Public Records Act request relating to SiFi Networks provided information and documents or the System.

SECTION 6

6. **Insurance.**

SiFi shall procure at its sole expense and maintain from the Effective Date and for the duration of the Term of the Agreement, insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the SiFi, its agents, representatives, employees, or subcontractors.

6.1 **Minimum Scope and Limit of Coverage.**

Coverage shall be at least as broad as:

A. Commercial General Liability (CGL): Insurance Services Office (ISO) Form CG 00 01 covering CGL on an “occurrence” basis, including products and completed operations, property damage, bodily injury and personal & advertising injury with limits no less than \$1,000,000 per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location (ISO CG 25 03 or 25 04) or the general aggregate limit shall be twice the required occurrence limit. Coverage shall include blanket contractual liability and broad form property damage, premises, operations, explosion, collapse, underground hazard (commonly referred to as “X”, “C” and “U” coverages

B. Automobile Liability: Insurance Services Office Form CA 0001 covering Code 1 (any auto), with limits no less than \$1,000,000 per accident for bodily injury and property damage.

C. Workers’ Compensation insurance as required by the State of California, with Statutory Limits, and Employers’ Liability insurance with a limit of no less than \$1,000,000 per accident for bodily injury or disease.

D. Builder’s Risk (Course of Construction) insurance utilizing an “All Risk” (Special Perils) coverage form, with limits equal to the completed value of the project and no coinsurance penalty provisions.

E. Professional Liability with limits no less than \$1,000,000 per occurrence or claim, and \$2,000,000 policy aggregate. The retroactive date must be shown, and this date must be before the execution date of the contract or the beginning of contract work. Insurance must be maintained, and evidence of insurance must be provided for at least five (5) years after completion of contract work. If coverage is canceled or non-renewed, and

not replaced with another claims-made policy form with a retroactive date prior to the contract effective, or start of work date, the SiFi must purchase extended reporting period coverage for a minimum of five (5) years after completion of contract work. A copy of the claims reporting requirements must be submitted to the City for review.

F. Pollution Legal Liability and/or Asbestos Legal Liability and/or Errors and Omissions (if project involves environmental hazards) with limits no less than \$1,000,000 per occurrence or claim, and \$2,000,000 policy aggregate. If the services involve lead-based paint or asbestos identification/remediation, the Pollution Liability policy shall not contain lead-based paint or asbestos exclusions. If the services involve mold identification/remediation, the Contractors Pollution Liability policy shall not contain a mold exclusion, and the definition of Pollution shall include microbial matter, including mold.

If the Contractor or SiFi maintains broader coverage and/or higher limits than the minimums shown above for all policies, the City requires and shall be entitled to the broader coverage and/or higher limits maintained by the Contractor or SiFi. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the City to the extent necessary to cover any actual damages suffered by the City.

6.2 Self-Insured Retentions

Self-insured retentions must be declared to and approved by the City. At the option of the City, SiFi shall cause the insurer to reduce or eliminate such self-insured retentions as respects the City, its officers, officials, employees, and volunteers; or SiFi shall provide a financial guarantee satisfactory to the City guaranteeing payment of losses and related investigations, claim administration, and defense expenses. The policy language shall provide, or be endorsed to provide, that the self-insured retention may be satisfied by either the named insured or City.

6.3 Other Insurance Provisions:

A. Additional Insured. The City, its officers, officials, employees, and volunteers are to be covered as additional insureds on the CGL and automobile policy with respect to liability arising out of work or operations performed by or on behalf of SiFi including materials, parts, or equipment furnished in connection with such work or operations and automobiles owned, leased, hired, or borrowed by or on behalf of SiFi. General liability coverage can be provided in the form of an endorsement to the Sifi's insurance (at least as broad as ISO Form CG 20 10 11 85 or both CG 20 10, CG 20 26, CG 20 33; or CG 20 38; and CG 20 37 forms if later revisions used).

B. Primary and Non-Contributory Insurance. For any claims related to this project, SiFi's CGL and automobile insurance coverage shall be primary insurance coverage at least as broad as ISO CG 20 01 04 13 as respects the City, its officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by the City, its officers, officials, employees, or volunteers shall be excess of the SiFi's insurance and shall not contribute with it.

C. Notice of Cancellation. SiFi shall provide immediate written notice if (1) any of the required insurance policies is terminated; (2) the limits of any of the required policies are reduced; (3) or the deductible or self-insured retention is increased. In the event of any cancellation or reduction in coverage or limits of any insurance, Sifi shall forthwith obtain and submit proof of substitute insurance.

D. Builder's Risk (Course of Construction) Insurance. SiFi may, if requested by the City, submit evidence of Builder's Risk insurance in the form of Course of Construction coverage. Such coverage shall name the City as a loss payee as their interest may appear.

If the project does not involve new or major reconstruction, at the option of the City, an Installation Floater may be acceptable. For such projects, a Property Installation Floater shall be obtained that provides for the improvement, remodel, modification, alteration, conversion or adjustment to existing buildings, structures, processes, machinery and equipment. The Property Installation Floater shall provide property damage coverage for any building, structure, machinery or equipment damaged, impaired, broken, or destroyed during the performance of the Work, including during transit, installation, and testing at the City's site.

E. Acceptability of Insurers. Insurance is to be placed with insurers authorized to conduct business in the state with a current A.M. Best rating of no less than A: VII, unless otherwise acceptable to the City.

F. Waiver of Subrogation. SiFi hereby agrees to waive rights of subrogation which any insurer of SiFi may acquire from Contractor by virtue of the payment of any loss. Contractor agrees to obtain any endorsement that may be necessary to affect this waiver of subrogation, but this provision applies regardless of whether or not the City has received a waiver of subrogation endorsement from the insurer. However, the Workers' Compensation policy shall be endorsed with a waiver of subrogation in favor of the City for all work performed by the Contractor, its employees, agents and subcontractors.

G. Verification of Coverage. SiFi shall furnish City with Certificates of Insurance including all required amendatory endorsements (or copies of the applicable policy language effecting coverage required by this clause) and a copy of the Declarations and Endorsement Page of the CGL policy listing all policy endorsements to City before the date of the start of Construction. However, failure to obtain the required documents prior to the work beginning

shall not waive the SiFi's obligation to provide them. The City reserves the right to require complete, certified copies of all required insurance policies, including endorsements, required by these specifications, at any time.

H. Contractor/Subcontractors. SiFi shall require and verify that its Contractor and all subcontractors maintain insurance meeting all the requirements stated herein, and SiFi shall require its Contractor and all the subcontractors to list City is an additional insured on insurance required from subcontractors. For CGL coverage subcontractors shall provide coverage with a form at least as broad as CG 20 38 04 13.

I. Special Risks or Circumstances. City reserves the right to modify, at any time, these requirements, including limits, based on the nature of the risk, prior experience, insurer, coverage, or other circumstances.

SECTION 7

7. Parties' Obligations.

7.1 City Cooperation. City agrees to work in good faith with SiFi Networks as it applies to City for permits that may be required by City and in the event state or federal law or regulations prevents or precludes compliance with one or more provisions of this Agreement, or requires material modification of the Agreement, SiFi Networks shall promptly notify the City in writing of the anticipated duration of any delay caused thereby, and provided any such delay is not the fault of SiFi Networks, the parties agree SiFi Networks may seek an extension of this Agreement as approved by the City as may be reasonably necessary to comply with such new state and federal laws or regulations or the regulations of other governmental jurisdictions.

When reasonably able, City will provide SiFi Networks with a least thirty (30) days advance notice of any work in the Public Way that requires the relocation of the System. In addition, where necessary, the City will provide SiFi Networks with an opportunity to access the System at the time of the excavation in the Public Way by others.

7.2 Obligations of SiFi Networks. In addition to all other duties and obligations contained elsewhere in this Agreement, SiFi Networks has the following duties and obligations:

- (i) Work closely with the SPOC of the City and relevant City departments with respect to the construction of the System.
- (ii) Comply with all requirements of City for permit and Public Way use applications, to the extent they may be required.
- (iii) Provide or arrange for the maintenance of the System and its functionality and operation.

(iv) SiFi Networks and its contractors shall register with California DigAlert; and

(v) SiFi Networks to relocate its facilities as needed for City capital improvement projects provided however that such City capital improvements project shall be limited to only those projects impacting, directly or indirectly, more than three hundred (300) contiguous feet of the System in the Public Way or the Sewer System (“Major Public Works Project”). Such Major Public Works Project(s) shall not include routine maintenance and repair that does not impact the System, including without limitation repair of pot holes, milling and repaving of roadways, and repair and replacement of sewer pipes and/or other aspects of the Sewer System. The City shall provide SiFi Networks with not less than sixty (60) days written notice of such Major Public Works Project, and SiFi shall temporarily relocate or cause to be relocated any of its impacted System within one hundred eighty (180) days of notification by the City at its sole cost and expense. In the event SiFi Networks determines in its sole discretion that such Major Public Works Project will have a material impact on the System such that it would be in the best interests of the Parties to temporarily or permanently relocate some or all of the System, the City agrees to provide all reasonable accommodations as reasonably requested by SiFi Networks and with no cost or charge by the City to SiFi Networks other than standard encroachment permit application and inspection fees, to allow and facilitate SiFi Networks the ability to temporarily or permanently relocate such portion of the System in or around the Public Way or Sewer System in a manner sufficient to maintain the operation of the System pursuant to the terms of the Agreement. SiFi Networks shall be responsible for the cost of any such temporary or permanent relocation of any portion of the System in connection with a Major Public Works Project.

(vi) SiFi Networks will endeavor to facilitate an introductory meeting between the City and Service Provider(s) who use the Network to provide services to residential and business, and further will advise any such Service Provider(s) that the City may require fees as required by law or regulation.

(vii) Provide response times in connection with repairs to be undertaken by SiFi Networks and/or contractors retained by SiFi Networks (as opposed to repairs to be undertaken by the City) and to establish the necessary personnel levels for required dispatch, repair, inventory, maintenance, and service of the System commencing no earlier than Substantial Completion as follows:

(i) Depending upon the type of fault or the method of identification, the City shall notify SiFi of a suspected fault and the

generation of a service ticket. The City shall issue to SiFi one of the following service ticket(s), for which SiFi shall provide the corresponding response time:

(1) Standard Response (“STANDARD”)

a) Description: Construction in progress, capital improvement and other such projects impacting or potentially impacting the SiFi System and/or may impact the SiFi System, about which the City is aware of in advance. Examples of such projects include mill and fill projects, side relocations, road reclamation projects, and other similar projects, provided that any such STANDARD repair is subject to the then current California Dig Safe laws and regulations, and all other applicable laws and regulations.

b) SiFi’s contractor response time: On-site within forty-five (45) business days

(2) Non life threatening Emergency Response (“NON-LTER”)

a) Description: Curb and gutter projects, and utility (including telecommunications) projects requiring relocation, repair, or replacement that are impacted by the SiFi System and/or may impact the SiFi System, provided that any such NON-LTER repair is subject to the then current California Dig Safe laws and regulations, and all other applicable laws and regulations.

b) SiFi response time: On-site within seventy-two (72) hours

(3) Life Threatening Emergency Response (“LTER”)

a) Description: Break or hit in the main gas, main electric, main water, or main sewer line in the Public Way that has an immediate and direct impact to the traveling safety of the public in or around the Public Way, and wherein the City’s ability to implement repairs are impacted by the SiFi System and/or City repairs may impact the SiFi System.

b) SiFi's contractor response time: On-site within four (4) hours

(ii) Upon receipt of a service ticket as set forth herein, SiFi will use reasonable efforts to dispatch a technician to the specified fault location as identified by the City. SiFi, working with the City, will then make the determination as to whether the technician will proceed with the repair(s) if possible, wait for arrival of a City contractor if necessary for investigation and/or repair of work, or leave the site.

SECTION 8

8. **Breach; Rights and Remedies; Termination; Indemnification.**

8.1. **SiFi Networks Breach or Default.** In the event the City believes that SiFi Networks has not complied with or is otherwise in default with regard to any term of this Agreement, the City shall promptly notify SiFi Networks in writing with specific details regarding the exact nature of the alleged noncompliance or default (a "**City Breach Notice**").

8.1.1 **SiFi Networks' Right to Cure or Respond.** SiFi Networks shall have thirty (30) calendar days from its receipt of a City Breach Notice (the "**Initial SiFi Cure Period**") to:

(i) respond to the City, contesting the assertion of noncompliance or default and in such event the Parties shall use commercially reasonable efforts to promptly resolve such contest and to the extent the Parties are unable to resolve such contest within thirty (30) calendar days of SiFi Networks' response, each Party shall be entitled to seek any and all rights and remedies available to it at law or in equity to resolve such contest; or

(ii) cure an actual default or noncompliance; provided, however, in the event that the default is curable but due to the nature of the default or noncompliance, such default or noncompliance cannot be cured within the Initial SiFi Cure Period, so long as SiFi Networks initiates reasonable steps to remedy and continuously and diligently uses all reasonable efforts to cure such default or noncompliance promptly and notifies the City of the steps being taken and the projected date that they will be completed, the Initial SiFi Cure Period shall be extended for a reasonable amount of time to permit such cure but not to exceed sixty (60) calendar days from SiFi Networks' receipt of a City Breach Notice (the "**Extended SiFi Cure Period**") and together with the Initial SiFi Cure Period, the "**SiFi Cure Period**").

8.1.2 **City Rights and Remedies.**

(i) Except as provided in Sections 8.1.2(ii), (iii) and (iv) below which shall control in connection with the events described therein, if SiFi Networks fails to cure any actual noncompliance or default as provided in Section 8.1.1(ii) above within the SiFi Networks' Cure Period, the City may:

(a) seek specific performance of any provision of this Agreement which lends itself to such remedy as an alternative to money damages; or

(b) seek money damages from SiFi Networks; or

(c) in the event of the breach of, noncompliance with or default under any material term of this Agreement, terminate this Agreement and seek any and all rights and remedies available to it at law or in equity.

(ii) Subject to Section 10.2 below and provided that all applicable permits have been issued by the City, in the event SiFi Networks fails to commence Construction on or before the Construction Commencement Deadline in accordance with Section 4.1 above and subsequently fails to commence Construction within the SiFi Cure Period, the City may provide written notice to SiFi Networks of the City's intent to terminate this Agreement for such failure. SiFi Networks shall have an additional thirty (30) calendar day period after the SiFi Cure Period to commence Construction (the "**Additional SiFi Cure Period**"). If SiFi Networks fails to commence Construction by the last day of the Additional SiFi Cure Period, the City may terminate this Agreement by written notice to SiFi Networks and seek appropriate damages under this Agreement.

(iii) Subject to Section 10.2 below and provided that all applicable permits have been issued by the City, in the event SiFi Networks fails to complete construction of the System by the Construction Completion Deadline in accordance with Section 4.1 above and subsequently fails to complete said construction within the SiFi Cure Period, the City may provide written notice to SiFi Networks of the City's intent to terminate this Agreement for such failure. SiFi Networks shall have an additional thirty (30) calendar day period after the SiFi Cure Period to complete construction (the "**Additional SiFi Completion Cure Period**"). If SiFi Networks fails to complete said construction by the last day of the Additional SiFi Completion Cure Period, then SiFi Networks shall cease further construction but shall be allowed to operate the partially completed System.

(iv) Subject to Section 10.2 below and provided that all applicable permits have been issued by the City, at any time after

Substantial Completion is achieved, in the event no internet, voice, data, or video service of any kind is capable of being provided over the System due solely to the acts or omissions of SiFi Networks for a period in excess of thirty (30) consecutive calendar days and SiFi Networks fails to restore such capability within the SiFi Cure Period, the City may provide written notice to SiFi Networks of the City's intent to terminate this Agreement. SiFi Networks shall have an additional thirty (30) calendar day period after the SiFi Cure Period to restore the capability of the System to provide Service (the “**Additional SiFi Service Cure Period**”). If SiFi Networks fails to restore the capability of the System to provide Service by the last day of the Additional SiFi Service Cure Period, then SiFi Networks shall cease further construction but shall be allowed to operate the partially completed System.

(v) Notwithstanding anything to the contrary in this Agreement, in no event shall the City be permitted to terminate this Agreement if the City is in breach of or default under this Agreement.

8.2 **City Breach or Default.** In the event SiFi Networks believes that the City has not complied with or is otherwise in default with regard to any term of this Agreement, SiFi Networks shall promptly notify the City in writing with specific details regarding the exact nature of the alleged noncompliance or default (a “**SiFi Breach Notice**”). The failure to promptly provide such notice, however, shall not act as a waiver of any rights and remedies of SiFi Networks hereunder unless and only to the extent that the City is materially prejudiced by such failure.

8.2.1 **City's Right to Cure or Respond.** The City shall have thirty (30) calendar days from its receipt of a SiFi Breach Notice (the “**City Cure Period**”); provided that the City Cure Period for a failure of the City to review permit applications and issue a permit(s) necessary to construct the System as required under Sections 3.2 and 7.2.1(iv) (a “**Permit Issuance Breach**”) shall be seven (7) business days from its receipt of a SiFi Breach Notice) to:

(i) respond to SiFi Networks, contesting the assertion of noncompliance or default and in such event the Parties shall use commercially reasonable efforts to promptly resolve such contest and to the extent the Parties are unable to resolve such contest within thirty (30) calendar days of the City’s response, each Party shall be entitled to seek any and all rights and remedies available to it at law or in equity to resolve such contest; or

(ii) cure an actual default or noncompliance; provided, however, in the event that the default is curable but due to the nature of the default or noncompliance, such default or noncompliance cannot be cured within the City Cure Period, so long as the City initiates reasonable steps to remedy and continuously and diligently uses all reasonable efforts to cure such default or noncompliance promptly and notifies SiFi Networks of the steps being taken and the projected date that they will be completed,

the City Cure Period shall be extended for a reasonable amount of time to permit such cure but not to exceed ninety (90) calendar days from the City's receipt of a SiFi Breach Notice (the "**Extended City Cure Period**"); provided further, however, no Extended City Cure Period shall apply to a Permit Issuance Breach.

8.2.2 **SiFi Networks Rights and Remedies.** If the City fails to cure any actual noncompliance or default as provided in Section 8.2.1(ii) above within the applicable City Cure Period, SiFi Networks may:

- (i) seek specific performance of any provision of this Agreement which lends itself to such remedy as an alternative to money damages; or
- (ii) in the event of the breach of, noncompliance with or default under any material term of this Agreement, terminate this Agreement.

8.3 **Additional Rights to Terminate.**

8.3.1 At any time prior to commencing Construction or in the event the City fails to comply with the requirements of the Agreement, SiFi Networks shall have the immediate right, at its option, upon notice to the City to terminate this Agreement and shall be entitled to any and all other rights and remedies available to it at law or in equity, subject to the specific legal limitations SiFi Networks agreed to in this Agreement.

8.3.2 A Party shall have the right, at its option, upon notice to the other Party to terminate this Agreement if the other Party becomes (i) insolvent, admits in writing its inability to pay its debts as they mature, makes an assignment for the benefit of creditors, or becomes subject to direct control of a trustee, receiver or similar authority, or (ii) subject to any bankruptcy or insolvency proceeding under federal, state or foreign statutes which is not rescinded or dismissed within thirty (30) calendar days.

8.4 **Indemnification.**

SiFi Networks shall defend, indemnify and hold the City, its officials, officers, employees, volunteers and agents free and harmless from any and all claims, demands, causes of action, costs, expenses, liability, loss, damage or injury, in law or equity, to property or persons, including wrongful death, in any manner which actually or allegedly arise out of or are incident to any alleged intentional or negligent acts, errors, omissions, or willful misconduct of SiFi Networks, its officials, officers, employees, agents, contractors and subcontractors arising out of or in connection with the performance of the Services, the Project or this Agreement, including without limitation the payment of all attorney's fees and other related costs and expenses except

where caused by the sole negligence, or willful misconduct of the City its officers, officials, employees and volunteers. SiFi Networks shall defend, at its own cost, expense and risk, any and all such aforesaid suits, actions or other legal proceedings of every kind that may be brought or instituted against the City, its directors, officials, officers, employees, agents or volunteers. SiFi Networks shall pay and satisfy any judgment, award or decree that may be rendered against the City or its directors, officials, officers, employees, agents or volunteers, in any such suit, action or other legal proceeding. SiFi Networks shall reimburse the City, its officials, officers, employees, agents and/or volunteers, for any and all legal expenses and costs incurred by each of them in connection therewith or in enforcing the indemnity herein provided. SiFi Networks' obligation to indemnify shall not be restricted to insurance proceeds, if any, received by the City its officials, officers, employees, agents or volunteers. It is understood that the duty of SiFi Networks to indemnify and hold harmless includes the duty to defend as set forth in Section 2778 of the California Civil Code. Acceptance by City of insurance certificates and endorsements required under this Agreement does not relieve SiFi Networks from liability under this indemnification and hold harmless clause. This indemnification and hold harmless clause shall apply to any damages or claims for damages whether or not such insurance policies shall have been determined to apply, and shall further survive the expiration or termination of this Agreement. By execution of this Agreement, SiFi Networks acknowledges and agrees to the provisions of this Section and that it is a material element of consideration.

8.5 Limitation of Liability. IN NO EVENT WILL EITHER PARTY BE LIABLE TO THE OTHER PARTY FOR ANY INDIRECT, CONSEQUENTIAL, SPECIAL, INCIDENTAL, RELIANCE, OR PUNITIVE DAMAGES OF ANY KIND OR NATURE WHATSOEVER, INCLUDING ANY LOST SAVINGS OR HARM TO BUSINESS. EACH PARTY HEREBY RELEASES THE OTHER PARTY AND ITS AFFILIATES AND THEIR RESPECTIVE DIRECTORS, OFFICERS, MANAGERS, MEMBERS, EQUITY AND DEBT HOLDERS, PARTNERS, EMPLOYEES, CONTRACTORS AND REPRESENTATIVES AND THEIR HEIRS, SUCCESSORS AND ASSIGNS, FROM CLAIMS FOR ANY SUCH DAMAGES. Notwithstanding anything to the contrary contained in this Agreement, the provisions of this Section 8.5 will survive expiration or termination of this Agreement.

SECTION 9

9. Disputes.

9.1 For all claims, disputes or controversies arising out of, or in connection with, the breach, interpretation, application, or enforcement of this Agreement, or arising out of, or in connection with, the System which cannot be settled through negotiation, the Parties agree first to try in good faith to settle the matter by mediation in Sacramento County, California, prior to commencing litigation.

9.2 All claims, disputes or controversies arising out of, or in connection with, the breach, interpretation, application, or enforcement of this Agreement, or arising out of, or in connection with, the System, shall be decided in a court of law. The sole and exclusive venue for all claims, disputes or controversies arising out of, or in connection with the breach, interpretation, application, or enforcement of this Agreement, or arising out of, or in connection with, the System, shall be in a state court in Sacramento County, California.

SECTION 10

10. Miscellaneous Provisions

10.1 **Assignment.** The provisions of this Agreement shall be binding upon and shall inure to the benefit of the Parties hereto and each of their respective successors and assigns as provided herein. The City shall not be permitted to assign, sell or transfer this Agreement, or its rights and duties under this Agreement, without the prior written consent of SiFi Networks, which consent shall not be unreasonably withheld, conditioned, or delayed. SiFi Networks shall have the right to assign, novate, sell, encumber, or transfer this Agreement and the System or any part thereof, without the consent of the City to Sifi's principal, affiliates, subsidiaries, subsidiaries of its principal or to any entity which acquires all or substantially all of the SiFi's assets in the market by reason of a merger, acquisition, or other business reorganization, provided such assignee, purchaser, or transferee has all appropriate licenses, to the extent SiFi's licenses, permits and approvals cannot be assigned or transferred, for the operation, management, and maintenance of the facilities contemplated herein and sufficient financial resources to fulfill all applicable terms and obligations under this Agreement. All other assignment, sale, or transfer by SiFi Networks of this Agreement shall require prior written consent of the City, which shall not be unreasonably withheld, delayed or conditioned. At least thirty (30) calendar days prior to the effective date, or as soon as practicable, of any such assignment, sale or transfer, SiFi shall provide City with a fully executed copy of the assignment, sale or transfer document, signed by both Sifi and assignee/purchaser/transferee, indicating the assignee's/purchaser's/ transferee's assumption of all of SiFi's performance duties, liabilities and obligations under this Agreement. SiFi shall not be relieved of its performance duties, liabilities or obligations under this Agreement until City is in receipt, of a fully executed copy of the document evidencing such assignment of the obligations herein and the assignee's/purchaser's/transferee's assumption of SiFi's performance duties, liabilities, and obligations under this Agreement. Sifi may not otherwise assign this Agreement or the System without City's consent, City's consent not to be unreasonably withheld, conditioned, or delayed. Upon any such assignment, sale, transfer, or novation, SiFi Networks shall be released from all obligations and liabilities under this Agreement from and after the date of such assignment. SiFi Networks shall give the City thirty (30) days' advance notice of such assignment, sale, transfer or novation disclosing the identity of the Person to whom it has been assigned, transferred, sold or novated. The City agrees from time to time to promptly deliver (and in no event later than ten (10) days after request by SiFi Networks) to SiFi Networks an estoppel certificate addressed to the assignee, buyer

or transferee designated by SiFi Networks, affirming for the benefit of such buyer, assignee or transferee the following (to the extent that the following are then true): the Agreement is in full force and effect; SiFi Networks is not in default thereunder; and such other matters as such assignee, buyer or transferee may reasonably request.

10.2 **Force Majeure.** Except as otherwise expressly set forth in this Agreement, SiFi Networks will not be held in default under, or in breach or noncompliance with, the provisions of this Agreement, nor suffer any enforcement or penalty relating to noncompliance or default (including termination, cancellation or revocation of this Agreement), where such noncompliance or alleged defaults occurred or were caused by any of the following events (each a “**Force Majeure Event**”): failure by the City to issue permit(s) required to construct the System or any part thereof to SiFi Networks or its contractor(s), failure by the City to comply with this Agreement, conduct by the City that materially interferes with SiFi Networks’ ability to perform, labor strike, riot, war, earthquake, flood, hurricane, drought, tornado, unusually severe weather conditions, or other act of nature, labor disputes, failure of utility service necessary to construct the System, governmental, administrative or judicial order, or other event that is beyond SiFi Networks’ reasonable control. Force Majeure Events also include work delays caused by waiting for utility providers to service or monitor their own utility infrastructure on which SiFi Networks’ fiber optic cable and/or equipment may be deployed, as well as unavailability of materials and/or reasonably qualified labor to perform the work.

10.3 **Notice.** All notices and communications hereunder shall be in writing and shall be served upon the other party by hand delivery, nationally recognized overnight delivery service, United States certified mail, return receipt requested, electronic mail, or by facsimile with confirmed transmission and addressed as follows:

IF TO THE CITY:
 City of Folsom
 50 Natoma Street
 Folsom, CA 95630
 Attn: City Attorney

IF TO SIFI NETWORKS:
 SiFi Networks
 841 Apollo Street, Suite 470
 El Segundo, CA 90245
Email: NOTICES@SiFiNetworks.com

or to such other address as such Party may hereafter specify for the purpose by notice to the other Party in the manner provided in this Section 10.3. All such notices, requests and other communications will be deemed received on the date of receipt if received prior to 5 p.m. on any business day in the place of receipt. Otherwise, any such notice, request or communication will be deemed not to have been received until the next succeeding

business day in the place of receipt. Rejection or other refusal to accept or inability to deliver because of change of address of which no notice was given shall be deemed to be receipt of the notice.

10.4 **Entire Agreement.** This Agreement, including all Exhibits, embodies the entire understanding and agreement of the City and SiFi Networks with respect to the subject matter hereof. This Agreement supersedes all other agreements whether written, verbal, or otherwise between SiFi Networks and the City with respect to the subject of this Agreement.

10.5 **Severability.** If any term or provision of this Agreement is invalid, illegal or unenforceable in any jurisdiction, such invalidity, illegality or unenforceability shall not affect any other term or provision of this Agreement (which other terms and provisions shall remain in full force and effect) or invalidate or render unenforceable such term or provision in any other jurisdiction. Upon such determination that any term or other provision is invalid, illegal or unenforceable, the Parties hereto shall negotiate in good faith to modify this Agreement so as to effect the original intent of the Parties as closely as possible in a mutually acceptable manner in order that the transactions contemplated hereby be consummated as originally contemplated to the greatest extent possible.

10.6 **Governing Law.** This Agreement shall be deemed to be executed in the State of California and shall be governed in all respects, including validity, interpretation and effect, and construed in accordance with, the laws of the State of California as applicable to contracts entered into and performed entirely within the State, irrespective of conflict of laws principles.

10.7 **Modification.** This Agreement shall not be amended or otherwise modified, in whole or in part, except by an instrument, in writing, duly executed by the City and SiFi Networks. For the avoidance of doubt, this Agreement cannot be amended or modified orally or by course of conduct, and no executory agreement, oral agreement or course of conduct shall be effective to amend or modify this Agreement in whole or in part.

10.8 **No Third Party Beneficiaries.** Nothing in this Agreement or in any prior agreement is or was intended to confer third party beneficiary status on any party or Person not a party to this Agreement including a member of the public.

10.9 **No Waiver of Rights.** Nothing in this Agreement shall be construed as a waiver of any rights, substantive or procedural that SiFi Networks or the City may have under federal or state law unless such waiver is expressly stated herein.

10.10 **No Rights to the System.** The City expressly agrees that, except as expressly set forth in this Agreement, it does not and shall not claim at any time any interest or estate of any kind or extent whatsoever in the System, throughout the term of this Agreement. Except as provided in Section 8.1.2 (iii) and Section 8.1.2 (iv) above, SiFi Networks shall, at all times, retain title to and ownership of the System and all future

extensions of the System, and shall have the right to lease the System or parts thereof to a provider of internet, data, voice, video and other services.

10.11 Representations and Warranties.

10.11.1 The City represents and warrants to SiFi Networks that: (a) it has full authority (including the authority required by any applicable law, ordinance, rule or regulation) to enter into and perform this Agreement and the execution, delivery and performance of this Agreement and the consummation of the transactions contemplated hereby and thereby are within the right, power and authority of the City and have been duly authorized by all necessary action on the part of City, (b) this Agreement has been duly executed and delivered by the City and it constitutes a legal, valid and binding agreement of the City enforceable against the City in accordance with its terms (except as enforcement may be limited by applicable bankruptcy, insolvency, reorganization, moratorium or similar laws affecting creditors' rights generally and by general principles of equity) and (c) the execution and delivery of this Agreement by the City and its performance hereunder and thereunder will not violate any law, ordinance, rule, or regulation applicable to the City.

10.11.2 SiFi Networks represents and warrants to the City that: (a) it has full authority to enter into and perform this Agreement and the execution, delivery and performance of this Agreement and the consummation of the transactions contemplated hereby and thereby are within the power and authority of SiFi Networks and have been duly authorized by all necessary action on the part of SiFi Networks, (b) this Agreement has been duly executed and delivered by SiFi Networks and it constitutes a legal, valid and binding agreement of SiFi Networks enforceable against SiFi Networks in accordance with its terms (except as enforcement may be limited by applicable bankruptcy, insolvency, reorganization, moratorium or similar laws affecting creditors' rights generally and by general principles of equity) and (c) the execution and delivery of this Agreement by SiFi Networks and its performance hereunder and thereunder will not violate any law, rule, or regulation applicable to SiFi Networks.

10.11.3 OTHER THAN EXPLICIT REPRESENTATIONS AND WARRANTIES MADE BY SIFI TO CITY, SIFI NETWORKS MAKES NO REPRESENTATIONS OR WARRANTIES TO THE CITY OR ANY PERSON WITH RESPECT TO THE SYSTEM (OR THE COMPONENTS THEREOF) AND HEREBY DISCLAIMS ANY AND ALL EXPRESS, IMPLIED, OR STATUTORY WARRANTIES, INCLUDING, WITHOUT LIMITATION, ANY WARRANTIES OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, AVAILABILITY, ERROR-FREE OR UNINTERRUPTED OPERATION, AND ANY WARRANTIES ARISING FROM A COURSE OF DEALING, COURSE OF PERFORMANCE, OR USAGE OF TRADE. TO THE EXTENT THAT SIFI NETWORKS MAY NOT AS A MATTER OF APPLICABLE LAW DISCLAIM ANY IMPLIED WARRANTY, THE SCOPE

AND DURATION OF SUCH WARRANTY WILL BE THE MINIMUM PERMITTED UNDER SUCH LAW.

10.12 **Third Parties.** Nothing contained in this Agreement shall create a contractual relationship with, or a cause of action in favor of, a third party against either SiFi Networks or the City.

10.13 **No Partnership.** Nothing in this Agreement shall be construed to create a partnership, joint venture or agency relationship between the City and SiFi Networks or any other relationship other than a contractual relationship as expressly set forth in this Agreement. Neither Party shall in any manner act or indicate to any third party that is acting as the agent of the other Party. SiFi Networks shall at all times remain an independent contractor. Neither Party shall control or direct the day-to-day affairs of the other Party, or their mode or method of performing their respective obligations hereunder.

10.14 **Headings.** The headings and captions of this Agreement are solely for the convenience of the Parties and shall not be deemed to modify or vary any of the substantive terms thereof.

10.15 **Construction.** Each of the Parties acknowledge that each Party to this Agreement has been represented by counsel in connection with this Agreement. Legal or equitable principles that might require the construction of this Agreement or any provision hereof against the party drafting this Agreement shall not apply in any construction or interpretation of this Agreement and is expressly waived. In the event an ambiguity or question of intent or interpretation arises, this Agreement shall be construed as if drafted jointly by the parties and no presumption or burden of proof shall arise favoring or disfavoring any party by virtue of the authorship of any of the provisions of this Agreement. The words "hereof", "herein" and "hereunder" and words of like import used in this Agreement will refer to this Agreement as a whole and not to any particular provision of this Agreement. References to Articles, Sections, and clauses are to Articles, Sections and clauses of this Agreement unless otherwise specified. Any singular term in this Agreement will be deemed to include the plural, and any plural term the singular. Whenever the words "include", "includes" or "including" are used in this Agreement, they will be deemed to be followed by the words "without limitation", whether or not they are in fact followed by those words or words of like import. "Writing", "written" and comparable terms refer to printing, typing and other means of reproducing words (including electronic media) in a visible form. References to any agreement or contract are to that agreement or contract as amended, modified or supplemented from time to time in accordance with the terms hereof and thereof. References to any Person include the successors and permitted assigns of that Person. References from or through any date mean, unless otherwise specified, from and including or through and including, respectively.

10.16 **Counterparts.** This Agreement may be signed in any number of counterparts, each of which will be deemed an original, with the same effect as if the signatures were upon the same instrument. A signed copy of this Agreement delivered

by facsimile, e-mail or other means of electronic transmission (including PDF) shall be deemed to have the same legal effect as delivery of an original signed copy of this Agreement.

10.17 **Further Assurances**. Each Party agrees that it will execute and deliver such other documents and take such other action as may be reasonably requested by the other Party to effectuate the purposes and intention of this Agreement.

10.18 **No Waiver**. No provision of this Agreement may be waived unless such waiver is in writing and signed by the Party against whom the waiver is to be effective. No failure or delay by a Party in exercising any right, power or privilege hereunder shall operate as a waiver thereof, nor shall any single or partial exercise thereof preclude any other or further exercise thereof or the exercise of any right, power or privilege hereunder. No waiver of any breach of this Agreement shall be held to constitute a waiver of any other or subsequent breach.

[Signature page follows]

IN WITNESS WHEREOF, the Parties have caused this Fiber Networks Installation Agreement to be executed as of the day and year stated above.

CITY OF FOLSOM,
a municipal corporation

City Manager

Dated: _____, 2020

Approved as to form:

City Attorney

SIFI NETWORKS FOLSOM LLC,
a Delaware limited liability company

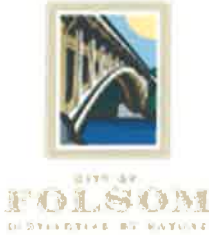
By: _____

Its: _____

Dated: _____, 2020

EXHIBIT A
SPECIFICATIONS, SHELTERS, CABINETS

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Folsom City Council Staff Report

MEETING DATE:	December 14, 2021
AGENDA SECTION:	New Business
SUBJECT:	Resolution No.10776 - A Resolution of the City of Folsom Approving an Affordable Housing Loan in the Amount of \$6,860,000 from the City’s Housing Funds to Mangini Place Affordable, LP, Authorizing the City Manager to Execute Loan Agreement and Related Documents for the Construction of 152 Affordable Housing Units at the Mangini Place Multifamily Affordable Housing Development, and Appropriation of Funds
FROM:	Community Development Department

RECOMMENDATION / CITY COUNCIL ACTION

Move to Adopt Resolution No. 10776 - A Resolution of the City of Folsom Approving an Affordable Housing Loan in the Amount of \$6,860,000 from the City’s Housing Funds to Mangini Place Affordable, LP, Authorizing the City Manager to Execute Loan Agreement and Related Documents for the Construction of 152 Affordable Housing Units at the Mangini Place Multifamily Affordable Housing Development, and Appropriation of Funds.

BACKGROUND / ISSUE

Mangini Place Apartments project is a highly amenitized master planned community comprised of 152 income restricted family rental housing residences. The project site is located on the 6.07-acre site at the northwest corner of Savannah Parkway and Mangini Parkway (14776 Mangini Parkway) within the Folsom Plan Area. Mangini Place Apartments will have access to a master planned system of trails, parks and bicycle paths and will be within walking proximity to Mangini Ranch Elementary school, Mangini Park (a planned and funded public park) and a master planned Transit Corridor with a fully planned dedicated Bus Rapid Transit System.

FIGURE 1: MANGINI PLACE PROJECT SITE



On January 26, 2021, staff requested City Council direction regarding affordable housing loan funding requests for two separate projects: the USA Properties, Inc. (USA) Sage at Folsom multifamily senior apartment project and the St. Anton Communities, LLC (St. Anton) Mangini Place affordable apartment project. Historically, the City had received affordable housing fund requests sequentially and thus had analyzed and brought those individual requests forward for City Council consideration. In each previous circumstance, the City's available housing funds exceeded the individual requests. In 2020, the City had two requests for affordable housing funds, which collectively exceeded the available housing fund balance at the time of approximately \$7,437,000. As such, staff provided project information, analysis by TDA Consulting, Inc. (a national provider of affordable housing consulting services), and a preliminary recommendation to the City Council regarding the two affordable housing projects' funding requests for consideration and direction. Given that USA had entitlements in place and was further along in the process, the City Council reviewed and preliminarily approved the funding request for USA's Sage project. In addition, City Council supported a future affordable housing loan for the Mangini Place project and directed staff to come back with a specific funding plan for Mangini Place once the project was further along in the process and additional housing funds became available.

On August 11, 2021, the Mangini Place project received "private activity bond" allocation from the California Debt Limit Allocation Committee ("CDLAC").

On August 18, 2021, the project, which includes development of six three-story apartment buildings, featuring 90 one-bedroom, 22 two-bedroom, and 40 three-bedroom units was approved by the Planning Commission. With more than 25 percent of the units designated as three-bedroom, this project is categorized as “Large Family” and targets family households. Two of the 152 units will be manager units and the remaining 150 units are to be income and rent restricted to households with incomes between 30 percent and 70 percent of the Area Median Income for Sacramento County.

POLICY / RULE

Financial support of affordable housing projects is consistent with the City’s Housing Element Goal of facilitating affordable housing.

ANALYSIS

Affordable Housing Needs Analysis

The Mangini Place project is a 152-unit 100 percent affordable multifamily, The development includes one, two, and three-bedroom floor plans, with a density of approximately 33.3 dwelling units per acre and will serve low and very-low-income households. The City’s recently adopted (August 24, 2021) Housing Element, which implements the City's "fair share" of the regional affordable housing needs allocated to the City by SACOG, calls for 2,226 very low-income units and 1,341 low-income units over the eight-year period from 2021 to 2029. This Project will provide 150 units toward meeting that goal. In addition, the project furthers Housing Element Goal H-5 which calls for the City *to provide a range of housing services for Folsom residents with special needs, including seniors, persons with disabilities, single parents, large families, the homeless, and residents with extremely low incomes.* Not only does the project provide housing for 40 three-bedroom units for large family households, 15 of the total units will be for households with extremely low incomes.

City Housing Funds

As of November 2021, the City’s total unencumbered housing fund balance available for affordable housing projects is \$9.97 million and is comprised of four separate funds, as summarized in Table 1 below:

Table 1 – Folsom Housing Funds		
Housing Fund Name	Source	Fund Balance
Housing Trust Fund (Fund 221)	Commercial Fees	\$1,265,283
Folsom Housing Fund (Fund 238)	Inclusionary In-lieu Fees	\$8,538,583
Oaks at Willow Springs (Fund 274)	Willow Springs Inclusionary Fee	\$24,059
Bonds Fund (Fund 280)	Former Redevelopment Bonds	\$140,293
Total		\$9,968,218*

*In addition to providing affordable housing financial subsidies, Total includes funds utilized for consulting services, special reports, and other housing related activities.

It is important to note, of the four types of housing funds, only the Folsom Housing Fund (Fund 238) and the Housing Trust Fund (Fund 221) are expected to generate future City housing funds. During the past year, the City collected over \$5.6 million in inclusionary in-lieu fees as a result of the thriving new single-family housing development (primarily in the Folsom Plan Area) and approximately \$6,857.00 in housing trust fund fees associated with new commercial development. In addition to providing affordable housing loans, these funds are used for other housing related activities such as the Housing Element Update and housing financing consulting services.

Over the last 18 years the City has utilized housing funds to provide affordable housing loans to support multiple affordable housing projects. A summary of projects and funding amounts is included as Attachment 4.

Funding Analysis

In evaluating the applicant's request for an affordable housing loan in the amount of \$6.86 million to facilitate the development of a 152-unit affordable multifamily housing project, the City's affordable housing loan consultant, TDA conducted a detailed review of the developer's updated financial proforma projections and project funding information. The project's assumptions, methodologies, and calculations were reviewed and evaluated for reasonableness and accuracy. In addition, secondary sources of information were consulted to confirm or validate the project pro forma and additional information was requested of the developer to clarify or support specific items in the pro forma. Based on TDA's analysis and recommendations, the loan amount of \$6.86 million was supported as a reasonable amount to support the project; however, a couple of modifications to the specific terms of the City's affordable housing loan were recommended by TDA. Most notably was the addition of a net cost savings/increased sources provision that allows the City to reduce the City's loan amount in the event that that total project sources are in excess of project costs.

The total project development costs are estimated to be approximately \$63.1 million with the majority of the funding assumed to come from a noncompetitive four percent Tax Credit Equity program and a permanent loan. The City loan will carry a three percent simple interest rate for a 35-year term. Furthermore, as is common practice for repaying affordable housing loans, payments on the City's loan equal to 50 percent of residual cash flow will be deferred as indicated in the summary below.

Loan Terms

A term sheet outlining the conditions of the loan has been prepared and is included in the staff report (Attachment 3). Key specifics of this term sheet include:

1. Loan amount of \$6,860,000
2. 3% simple interest
3. 35-year repayment term

4. Repayment equal to 50% of residual cash flow.
5. City's loan will be deferred until the earlier of i) 15 years following Permanent Loan Conversion or ii) repayment of the Deferred Developer Fee, provided further that the Deferred Developer Fee note shall carry no interest.
6. At expiration of the loan term, 100% of the principal balance of the loan and all accrued interest will be due and payable.
7. Net cost savings provision in the event project sources are in excess of uses for the project.

The City loan will be in second place, behind the permanent construction loan. Staff recommends that the first commitment of dollars be tied to the developer receiving approval of the other sources of funding.

Overall, TDA's in-depth analysis of the Mangini Place project financial proformas and project details indicates that the requested \$6.86 million dollar loan is reasonable. In addition, it is important to note that the per-unit cost for the City loan is approximately \$45,733 per affordable unit, which (as shown in Table 2 below) is less than other affordable housing projects that have received financial assistance from the City. The primary reason for the lower per unit cost is a result of the COVID-19 relief package passed by Congress in December 2020 that included a permanent 4% floor for of Low-Income Housing Tax Credits (LIHTC) projects' tax credit rate. This is a significant change to affordable housing underwriting and serves to increase the amount of equity that a given affordable housing development project can generate from the syndication of Low-Income Housing Tax Credits. As such, the Mangini Place project has a reduced City subsidy request.

Table 2 - Affordable Housing Per Unit Cost Comparison

Project Name	Number of Affordable Units	Price per Affordable Unit
Mangini Place	150	\$45,733
Bidwell Place	75	\$55,333
Bidwell Pointe	100	\$53,000
Parkway Apartments	71	\$65,915
Forestwood Apartment	55	\$54,545
Granite City	80	\$51,000

Development Impact Fee Deferral

The developer has also requested deferral of City-imposed development impact fees (development impact fees from non-City agencies remain payable unless deferred by the imposing agency). Staff supports the developer's request to defer the Project's development impact fees under Chapter 16.60 of the Folsom Municipal Code, which allows the City Council to approve deferral of City-imposed development impacts fees not to exceed 75 percent of the total amount of the impact fees applicable to low income and/or very low-income units in a

“qualified residential project”. In order to be a “qualified residential project” under Chapter 16.60, the residential development project must have all required discretionary development approvals and entitlements and include at least 10 percent of its total units affordable to very low-income households, and at least 30 percent of its units affordable to low-income households. The entire Mangini Place project is a “qualified residential project”.

The estimated total amount of City-imposed development impact fees applicable to the Mangini Place project is approximately \$8,366,223.00 and 75 percent of that amount (\$6,274,667.25) is eligible for deferral. Pursuant to Section 16.60.030 and 16.60.040(F), the maximum fee deferral period is 15 months from the date of building permit issuance, and the deferred fees are due and payable upon the close of permanent loan financing or upon the expiration of the maximum fee deferral period, whichever is earlier. The processing and the deferral of development impact fees will comply with the requirements of Chapter 16.60 of the Folsom Municipal Code, and a development impact fee deferral agreement satisfactory to the City Attorney will be required in order to secure repayment of the deferred fees.

FINANCIAL IMPACT

Funding for the requested affordable housing loan for this project is available from the City’s housing funds. The majority of funding, \$5,860,000, will come from the Folsom Housing Fund (Fund 238), with the remaining \$1,000,000 from the Housing Trust Fund (Fund 221). An appropriation will be required in the amount of \$6,860,000. Funding for the project does not impact the City’s General Fund.

The above-identified funding will only be provided upon proof, satisfactory to the City, that St. Anton has financing commitments from all other sources of project financing necessary to fund the project.

ENVIRONMENTAL REVIEW

The Mangini Place Apartments project is exempt from environmental review under Government Code Section 65457 and Section 15182 of the California Environmental Quality Act Guidelines.

ATTACHMENTS

1. Resolution No. 10776 - A Resolution of the City of Folsom Approving an Affordable Housing Loan in the Amount of \$6,860,000 from the City’s Housing Fund to Mangini Place Affordable, LP, Authorizing the City Manager to Execute Loan Agreement and Related Documents for the Construction of 152 Affordable Housing Units at the Mangini Place Multifamily Affordable Housing Development, and Appropriation of Funds
2. Loan Term Sheet
3. Site Plan and Project Rendering
4. Summary of City of Folsom Affordable Housing Loans

Submitted,

A handwritten signature in blue ink, appearing to be 'Pam Johns', with a long horizontal line extending to the right.

Pam Johns, Community Development Director

Attachment 1

Resolution No. 10776 - A Resolution of the City of Folsom Approving an Affordable Housing Loan in the Amount of \$6,860,000 from the City's Housing Fund to Mangini Place Affordable, LP, Authorizing the City Manager to Execute Loan Agreement and Related Documents for the Construction of 152 Affordable Housing Units at the Mangini Place Multifamily Affordable Housing Development, and Appropriation of Funds

RESOLUTION NO. 10776

A RESOLUTION OF THE CITY OF FOLSOM APPROVING AN AFFORDABLE HOUSING LOAN IN THE AMOUNT OF \$6,860,000 FROM THE CITY'S HOUSING FUND TO MANGINI PLACE AFFORDABLE, LP, AUTHORIZING THE CITY MANAGER TO EXECUTE LOAN AGREEMENT AND RELATED DOCUMENTS FOR THE CONSTRUCTION OF 152 AFFORDABLE HOUSING UNITS AT THE MANGINI PLACE MULTIFAMILY AFFORDABLE HOUSING DEVELOPMENT PROJECT, AND APPROPRIATION OF FUNDS

WHEREAS, St. Anton Communities, LLC (St. Anton) is the developer of the proposed Mangini Place project, located at the northwest corner of the intersection of Savannah Parkway and Mangini Parkway in the Folsom Plan Area, is in the process of securing funding necessary to build the 152-unit multifamily 100% affordable housing affordable to extremely low-, very low- and low-income households ("Project"); and

WHEREAS, the Project received "private activity bond" allocation from the California Debt Limit Allocation Committee ("CDLAC") on August 11, 2021; and

WHEREAS, St. Anton has requested an affordable housing loan from the City of Folsom in the amount of \$6,860,000 in order to assist with Project financing; and

WHEREAS, providing financial assistance to affordable housing projects is consistent with the Goal H-3: Facilitating Affordable Housing in the City's Housing Element; and

WHEREAS, the request for an affordable housing loan of \$6,860,000 is appropriate given the Project's costs and development expenses; and

WHEREAS, funding for the requested affordable housing loan is available from the City's housing funds, with \$5,860,000 coming from the Folsom Housing Fund (Fund 238) and \$1,000,000 from the Housing Trust Fund (Fund 221); however, an appropriation will be required; and

WHEREAS, the primary term of the affordable housing loan will be 35 years at three percent simple annual interest, to be repaid with a share of residual cash flow to be generated from the Project with repayment terms subject to approval by the Finance Director; and

WHEREAS, receipt of all loan repayments will be deposited into the City's Housing Fund (Fund 238) and the Housing Trust Fund (Fund 221) will be used to provide future assistance for affordable housing.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Folsom hereby approve an affordable housing loan, in the amount of \$6,860,000, to Mangini Place Affordable, LP, a California limited partnership, to construct the 152-unit affordable multifamily project known as the Mangini Place, located at the northwest corner of the intersection of

Savannah Parkway and Mangini Parkway in the Folsom Plan Area (14776 Mangini Parkway), subject to the borrower entering into an affordable housing loan agreement in a form acceptable to the City Attorney.

BE IT FURTHER RESOLVED that deferral of up to 75% of City-imposed development impact fee applicable to the Mangini Place project for up to 15 months from the date of building permit issuance is hereby approved, subject to the developer entering into a development impact fee deferral agreement acceptable to the City Attorney.

BE IT FURTHER RESOLVED that the City Manager is authorized to execute an affordable housing loan agreement, and other related documents, consistent with and in furtherance of this Resolution.

BE IT FURTHER RESOLVED that the Finance Director is directed to appropriate \$5,860,000 from the City's Housing Fund (Fund 238) and \$1,000,000 from the Housing Trust Fund (Fund 221) to provide an affordable housing loan for the construction of the Mangini Place project.

PASSED AND ADOPTED this 14th day of December 2021 by the following vote:

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

Michael D. Kozlowski, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

Attachment 2

Loan Term Sheet

**Loan Term Sheet
Mangini Place Apartments
City of Folsom
November 23, 2021**

1. Lender: City of Folsom, a municipal corporation
2. Borrower: Mangini Place Affordable, LP, a California limited partnership, composed of
 - i. General Partners
 1. St. Anton Mangini Place Affordable, LLC (Co-GP)
 2. PacH Anton South Holdings, LLC (Managing GP) (Parent Company: Pacific Housing, Inc.)
 - ii. Limited Partners
 1. Bank of America, N.A. or its affiliate – Investor Limited Partner
 2. Bank of America CDC Special Holding Company, Inc. -Special Limited Partner
3. Loan Amount: \$6,860,000
3. Purpose: Construction and operation of a 152-unit 100% rent- and income-restricted property. The planned affordability mix is 15 extremely low-income (30% AMI), 15 very low-income (50% AMI), 84 low-income (60% AMI), 36 low-income (70% AMI), and two (2) exempt manager's units.
4. Timing of Funding: The City's loan will be funded upon closing of the primary construction loan closing.
5. Interest Rate: 3% simple per annum
 - a. Annual Payments: Repayment of the principal amount of the loan together with accrued interest will be to the extent "Residual Cash Flow" exists. Principal and interest payments equal to fifty percent (50%) of "Residual Cash Flow" are due beginning on May 1st of each year until the loan is fully repaid. Notwithstanding, annual payments on the City's loan will be deferred until the earlier of i) 15 years following Permanent Loan Conversion or ii) repayment of the Deferred Developer Fee, provided further that the Deferred Developer Fee note shall carry no interest.
6. Residual Cash Flow: Residual Cash Flow is identified as all income generated by the project after:
 - a. Payment of typical operating expenses for the project, including:
 - i. Property management fee not to exceed 3%
 - ii. Advertising, legal, accounting, security, and other general office administration expenses
 - iii. Payroll, benefits, and payroll taxes
 - iv. All utilities
 - v. All repair and maintenance costs
 - vi. Property insurance
 - vii. Property taxes, business licenses, and permits
 - b. Replacement reserve replenishment: cash deposited into a reserve for capital replacements of project improvements in such reasonable amounts as are required by the project lenders, including the City, and/or tax credit investor

- c. Senior amortizing debt service agreed to by the City as of initial closing.

For purposes of the Borrower's accounting and tax records, distributions of Residual Cash Flow may be characterized pursuant to the Amended and Restated Limited Partnership Agreement as may be amended on project financing.

Notwithstanding, for the purpose of determining the deferral of annual payments on the City's loan, Residual Cash Flow shall be characterized as follows:

- a. First, for payment of an Asset Management Fee to the Limited Partner in the amount of no more than \$10,000 for the first year and escalating at no more than 3% per year thereafter;
- b. Second, for payment of a Partnership Management Fee to the non-profit Managing General Partner (MGP) for their management duties in an amount equal to 1.00% of the project's gross annual income for the previous calendar year. MGP fee is capped at \$32,000 per year, but eligible for up to a 2% annual increase based on the Consumer Price Index. The annual adjustment shall never exceed 2%;
- c. With all remaining Residual Cash Flow used as payment toward any outstanding Deferred Developer Fee.

Upon distribution of \$3,372,813 (or such deferred developer fee evidenced by the final cost certification prepared by an independent CPA and implementation of the net cost savings/increased sources provision herein) in excess of any amounts related to items (a) and (b) above, the deferral period shall end, and annual payments shall begin. For the sake of clarity, the City will accept submission of the cost certification prepared for and submitted to the California Tax Credit Allocation Committee (TCAC) as part of the Borrower's Form 8609 Request.

These categories as listed above shall not materially change without written approval of the City for the purposes of calculating the annual payment.

7. Term: 35 years from Permanent Loan Conversion. Balance of loan will be due on sale.
8. Balloon Payment: At the expiration of the loan term, 100% of the principal balance of the loan and all accrued interest will be due.
9. Refinancing: In the event of refinancing, the City will subordinate to the new senior loan on substantially similar terms as the original financing.
10. Conditions: The funding of the City loan is conditioned on the following:
 - a. The project has secured the unconditional commitment of all funding sources necessary to develop the project pursuant to the pro forma, including the construction loan, the permanent loan, and 4% tax credit equity
 - b. The Borrower has fee ownership of the land (the developer currently holds fee simple title of the land)
 - c. The project has secured all building permits or permit-ready letters and is ready to begin construction
 - d. In the event of cost overruns in development of the project, the Developer will defer as much of its estimated developer fee as IRS requirements permit prior to requesting any

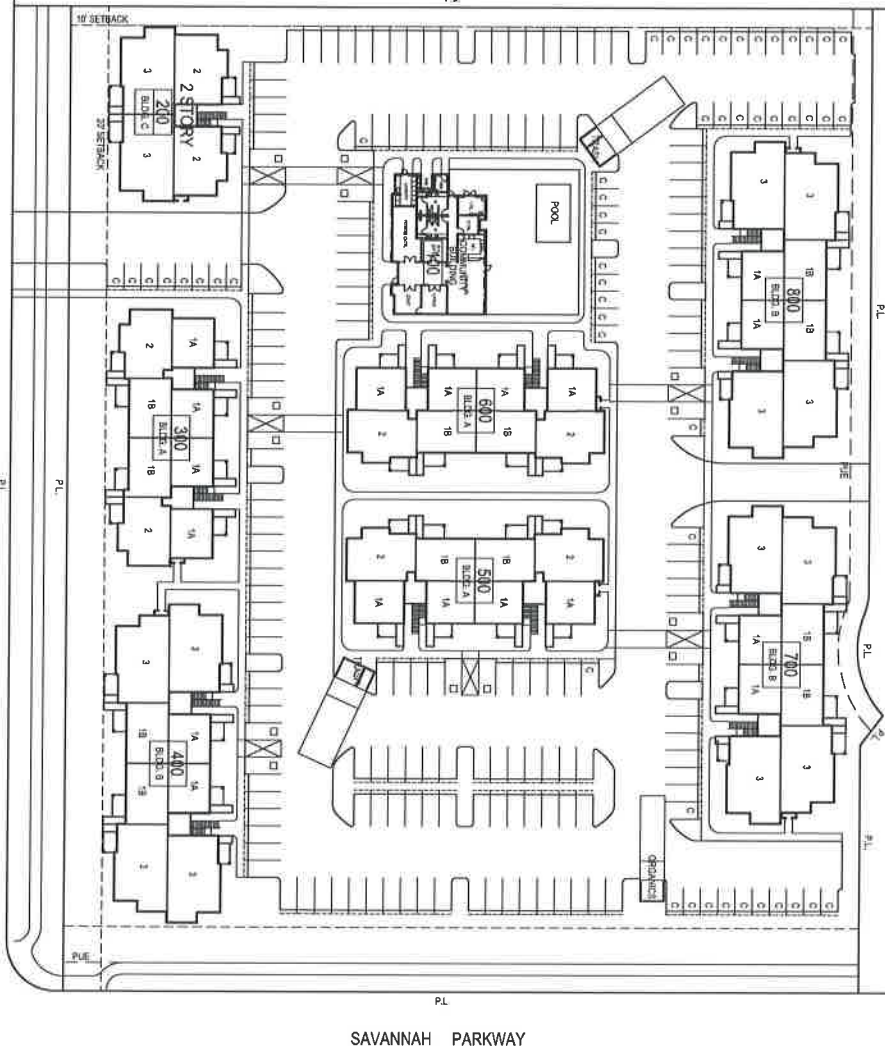
additional funding from the City.

11. Net Cost Savings/Increased Sources: Following completion of construction Borrower shall submit to City a cost certification prepared by a qualified independent CPA acceptable to City setting forth the total sources and uses for the Project. To the extent the Cost Certification shows that project sources are in excess of project costs (assuming a deferred developer fee of \$3,372,813), 50% of such an amount shall be used to reduce the City's loan and 50% to reduce deferred developer fee. Further, for purposes of this evaluation and notwithstanding the manner in which the Borrower characterizes such receipts for tax or accounting purposes, "net operating income" collected by the Borrower prior to the date of permanent loan conversion shall be treated as a project source.
12. Reporting: Developer will provide the City with annual audited financial statements for the project demonstrating compliance with the formula for the distribution of cash flow.
13. Security: City's loan will be secured by a deed of trust junior to construction and permanent financing sources set forth.

Attachment 3

Site Plan and Project Rendering

- 90 1 BR. UNITS
- 22 2 BR. UNITS
- 40 3 BR. UNITS
- 152 TOTAL UNITS
- 168 STD. PARKING
- 13 ACCESSIBLE
- 53 COMP. PARKING
(25%, 30% ALLOW.)
- 214 TOTAL PARKING
- 214 REQUIRED




SITE PLAN
1" = 32' 0"



MANGINI PARKWAY

SAVANNAH PARKWAY


 PROJECT TITLE: _____ DATE OF REVISION: _____
A 1
 SITE PLAN

PROJECT TITLE: _____
 DATE OF REVISION: _____
 DRAWN BY: _____
 CHECKED BY: _____
 APPROVED BY: _____

MANGINI PLACE AFFORDABLE
 152 UNIT APARTMENT PROJECT
 WAY ORNIA
 Page 900


 GRABER - RASMUSSEN
 ARCHITECTS
 1000 ...
 ...



A6
ARTISTIC
RENDERING

DATE: 12/14/2021
BY: [illegible]

[illegible text]

[illegible text]

MANGINI PLACE AFFORDABLE
152 UNIT APARTMENT PROJECT
Page 901

GROBER - RASMUSSEN
ARCHITECTS
1000 S. GARDEN AVENUE
SUITE 100
GARDEN GROVE, CA 92640
TEL: 714.646.1000
WWW.GROBER-RASMUSSEN.COM

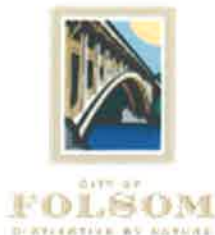
Attachment 4

Summary of City of Folsom Affordable Housing Loans

AFFORDABLE HOUSING LOAN SUMMARY- December 2021

		Folsom		Housing Trust	Oaks at	Totals
		Folsom Housing	Successor Agency	Housing Trust	Willow Springs	
		Fund 238	Fund 279	Fund 221	Fund 274	
Vintage Willow Creek	2003	\$ 861,875	\$ 1,175,625			\$ 2,037,500
Creekview Manor	2007	1,400,000				1,400,000
Forestwood	2011	2,500,000		500,000		3,000,000
Mercy Village (remodel)	2009	1,215,000				1,215,000
Granite City	2012	555,000		582,000	2,529,055	4,066,055
Bidwell Pointe	2019	5,300,000				5,300,000
Bidwell Place	2021	4,150,000				4,150,000
Parkway (Petersen Place)	2019	4,680,000				4,680,000
Scholar Way (Sage)	2021	2,750,000				2,750,000
		\$ 23,711,875	\$ 1,175,625	\$ 882,000	\$ 2,529,055	\$ 28,598,555

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Folsom City Council Staff Report

MEETING DATE:	12/14/2021
AGENDA SECTION:	New Business
SUBJECT:	Appointment of At-Large Member to the Folsom Planning Commission
FROM:	City Clerk's Department

RECOMMENDATION / CITY COUNCIL ACTION

Staff recommends that the City Council appoint an at-large member to the Planning Commission for the remainder of the term ending in December 2022.

BACKGROUND / ISSUE

There is currently an at-large vacancy with the term ending in December 2022. The vacancy was created as a result of the relocation of one of the current at-large Planning Commissioners outside of Folsom. A Notice of Vacancy was published in the Folsom Telegraph, posted on the City of Folsom's web page, and on the bulletin boards located at City Hall.

POLICY / RULE

Folsom's Charter, approved by the voters of Folsom in 1990, establishes the Planning Commission. Section 4.05 of the Charter specifies the appointment process; namely that each member of the Council shall appoint one member whose terms shall run concurrent with that of the Councilmember so appointing and that two members shall be appointed by the City Council for two-year terms.

Folsom Municipal Code Section 2.35.030 states, in part, that an "at-large appointment" is an appointment made by a majority vote of the city council or an appointment made by the mayor with the approval of the city council.

ANALYSIS

Among other duties set forth within the Folsom Municipal Code, the Planning Commission shall act as a board of zoning adjustment within the meaning of Article 2, Chapter 4, Title 7 of the Government Code, and shall have the powers, duties, and responsibilities vested therein; issue permits for conditional uses of property within the city; grant applications for variances, review all applications for building or other permits required by the city which directly affect master or general plans, precise plans, zoning ordinances, or subdivision restrictions.

ATTACHMENTS

Applications received from the following individuals:

1. George Condon
2. Bob Delp
3. William Romanelli
4. Dianne Smith

Respectfully submitted,

Christa Freemantle, CMC
City Clerk

ATTACHMENT 1

Thank you for your interest in serving on a Folsom commission or committee.

Before You Begin:

- Please read this form and instructions carefully.
- Complete all pages and sign the application.
- Applications remain active for six months after submittal.

Return completed applications to:

City Clerk's Department, Folsom City Hall, 50 Natoma Street, Folsom, CA 95630

Applicant Information: (All information is required)

Name: George Condon

Residence Address: _____

Email: jllmmm6@comcast.net

Phone: _____

Employer and Occupation: _____

Currently Serving on a Commission/Committee? If yes, please specify:
No

Folsom Residency / Registered Voter Verification: Commission and Committee members must be residents and registered voters of Folsom.

Registered to vote? Indicate Yes / No Yes

Financial Disclosure / Ethics Training:

I understand that commission and committee members must file statements disclosing financial information. Indicate Yes / N
Yes

I understand that commission and committee members must complete ethics and harassment training. Indicate Yes / N
Yes

Truth and Accuracy: I certify that the information contained on this form is true and accurate:

Signature:  Date: November 1, 2021

Important Public Records Information: The city may receive requests from the public to review documents this form and the city is obligated to release these public records, including all information contained on the form.

Choice of Commission or Committee:

(If you are interested in multiple commissions, please rank them numerically according to your preference)

_____ Arts and Culture Commission

_____ Historic District Commission*

Please identify which seat you qualify for:

_____ representative who is actively involved with historic preservation

_____ representative who is a resident of the Historic District

_____ representative who owns a business within the Sutter Street Subarea

_____ Planning Commissioners

_____ representative from a Historic District business outside the Sutter Street Subarea

_____ architect, landscape architect, or other design professional with expertise in historic preservation

_____ Landscaping and Lighting District Advisory Committee*

Please advise which L&L District you live in:

District of Residence: _____

_____ Library Commission

_____ Parks and Recreation Commission

_____ Planning Commission

_____ Traffic Safety Committee*

Please identify which seat you qualify for:

_____ representative representing a wide cross section of interests

_____ representative who has demonstrated an interest in or a concern for pedestrian and bicycle

X _____ Utility Commission

_____ Other: _____

***Application Supplement Required:**

Supplemental information is required for the Historic District Commission, Landscape and Lighting District Advisory Committee, and the Traffic Safety Committee. These boards have special qualification requirements for certain seats.

Continue to next page

for):

1. Why do you want to serve on this commission or committee:

I have been a resident of Folsom for 16 years. I also owned rental property in Folsom and worked well with the city departments during that time.

I continue to feel that the City of Folsom is a very well run city that offers many different services to the citizens.

I continue to believe that this city has strong police and fire departments. The many different committees and commissions prove to me the city is strong and wonderful place to live and raise a family.

I think with my involvement on the Board of Directors of the Empire Ranch HOA and my many years in the construction business, as a Plumbing Contractor and a General Contractor, will give me good insight into the commission's work.

2. What do you think is(are) the top issue(s) facing this commission or committee:

Implementation of the organics recycling program as mandated by the state and water supply.

Continue to next page

3. Briefly describe how your experiences qualify you to serve on the commission or committee.

As I stated above my 60 years in the construction industry. Before retiring my last position was Project Manager of the Sacramento International Airport Terminal B. I was part of the Design Build Team primarily focused on the Plumbing and Utilities.

4. Which commission or committee meetings have you attended?

END OF APPLICATION FORM

**Return completed applications to:
City Clerk's Department, Folsom City Hall, 50 Natoma Street, Folsom, CA 95630**

ATTACHMENT 2

FOLSOM CA
30 NOV '21 PM1:12



FOLSOM
CITY OF
DIVERSITY WE'RE BAYIERE

Folsom Commission and Committee APPLICATION

Thank you for your interest in serving on a Folsom commission or committee.

Before You Begin:

- Please read this form and instructions carefully.
- Complete all pages and sign the application.
- Applications remain active for six months after submittal.

Return completed applications to:

City Clerk's Department, Folsom City Hall, 50 Natoma Street, Folsom, CA 95630

Applicant Information: (All information is required)

Name: Bob Delp

Residence Address: _____

Email: bdelp@live.com

Phone: _____

Employer and Occupation: Benchmark Resources / Environmental and Land Use Planning Consultant

Currently Serving on a Commission/Committee? If yes, please specify:

Yes; Traffic Safety Committee.

Folsom Residency / Registered Voter Verification: Commission and Committee members must be residents and registered voters of Folsom.

Registered to vote? Indicate Yes / No Yes

Financial Disclosure / Ethics Training:

I understand that commission and committee members must file statements disclosing financial information. Indicate Yes / No:
Yes

I understand that commission and committee members must complete ethics and harassment training. Indicate Yes / No:
Yes

Truth and Accuracy: I certify that the information contained on this form is true and accurate:

Signature:  Date: November 30, 2021

Important Public Records Information: The city may receive requests from the public to review documents such as this form and the city is obligated to release these public records, including all information contained on the form.

FOLSOM COMMISSION AND COMMITTEE APPLICATION

Applicant Name: Bob Delp

Choice of Commission or Committee:

(If you are interested in multiple commissions, please rank them numerically according to your preference)

 Arts and Culture Commission

 2 Historic District Commission*

Please identify which seat you qualify for:

- representative who is actively involved with historic preservation
- representative who is a resident of the Historic District
- representative who owns a business within the Sutter Street Subarea
- Planning Commissioners
- representative from a Historic District business outside the Sutter Street Subarea
- architect, landscape architect, or other design professional with expertise in historic preservation

 Landscaping and Lighting District Advisory Committee*

Please advise which L&L District you live in:

District of Residence: _____

 Library Commission

 Parks and Recreation Commission

 1 Planning Commission

 Traffic Safety Committee*

Please identify which seat you qualify for:

- representative representing a wide cross section of interests
- representative who has demonstrated an interest in or a concern for pedestrian and bicycle safety

 Utility Commission

 Other: _____

***Application Supplement Required:**

Supplemental information is required for the Historic District Commission, Landscape and Lighting District Advisory Committee, and the Traffic Safety Committee. These boards have special qualification requirements for certain seats.

Continue to next page

FOLSOM COMMISSION AND COMMITTEE APPLICATION

Applicant Name: Bob Delp

Informational Questions: (you must answer all four questions, for all commissions or committees you are applying for):

1. Why do you want to serve on this commission or committee:

My wife and I have lived in Folsom's Historic District since 2012. We own two properties here and have a vested interest in helping this important area of Folsom continue to thrive. But our lives in Folsom extend beyond the Historic District. The company I work for, the bike trails I ride, the gym I go to, the grocery stores I shop at, and the local entertainment I enjoy are spread throughout the City. All of these amenities and opportunities are important to my life here in Folsom.

I am interested in knowing that the issues and projects that come before the Planning Commission and the Historic District Commission are thoughtfully considered, and I would welcome the opportunity to provide my perspectives and opinions as a part of the Planning Commission and/or the Historic District Commission deliberation and decision making processes.

2. What do you think is(are) the top issue(s) facing this commission or committee:

Top issues facing the Planning Commission are:

- ongoing City-wide zoning code update
- review and approvals of projects in the Folsom Plan Area and other growth areas
- accomplishing affordable housing allocations
- reinvigoration of older business areas (e.g., northern East Bidwell Street corridor)

Top issues facing the Historic District Commission are:

- ongoing zoning code update as relates to the Historic District
- reviews of individual residential and commercial development proposals for Historic District and zoning code compliance and compatibly
- planning for future development/use of the Corporation Yard
- parking and traffic management addressing concerns of residents while ensuring access to businesses
- fire prevention, emergency response, and public safety

Continue to next page

FOLSOM COMMISSION AND COMMITTEE APPLICATIONApplicant Name: Bob Delp**3. Briefly describe how your experiences qualify you to serve on the commission or committee:**

I have been a land use/environmental consultant for over 25 years, and I understand land use planning, zoning, environmental review processes. I have been engaged at the local level in Folsom providing my perspectives on projects in the Historic District and other areas of the City. Through that involvement I have become familiar with the City zoning code and the City's project review process. I have been and am currently involved in historic preservation efforts both as an involved citizen in Folsom's Historic District (e.g., questioning the suitability of a faux prison in the Sutter Street commercial district, urging for evaluation of potentially historic residential structures prior to approving modifications) and in my career as an environmental professional (e.g., currently working with the State Department of Parks and Recreation as a consultant assisting in review of a water quality project while protecting historic resources at a State Historic Park).

My credentials include:

- B.A., Economics with emphasis on Energy and Environmental Issues, California State University, Chico, 1992
- Certificate in Land Use and Environmental Planning, University of California, Davis, 2010

4. Which commission or committee meetings have you attended?

Virtual or in-person attendance or participation in most Historic District Commission meetings in 2020 and 2021.

END OF APPLICATION FORM

Return completed applications to:

City Clerk's Department, Folsom City Hall, 50 Natoma Street, Folsom, CA 95630

ATTACHMENT 3



Folsom Commission and Committee APPLICATION



Thank you for your interest in serving on a Folsom commission or committee.

Before You Begin:

- Please read this form and instructions carefully.
- Complete all pages and sign the application.
- Applications remain active for six months after submittal.

Return completed applications to:

City Clerk's Department, Folsom City Hall, 50 Natoma Street, Folsom, CA 95630

Applicant Information: (All information is required)

Name: William Michael Romanelli

Residence Address: _____

Email: bromanel@yahoo.com

Phone: _____

Employer and Occupation: _____

Currently Serving on a Commission/Committee? If yes, please specify:

No

Folsom Residency / Registered Voter Verification: Commission and Committee members must be residents and registered voters of Folsom.

Registered to vote? Indicate Yes / No Yes

Financial Disclosure / Ethics Training:

I understand that commission and committee members must file statements disclosing financial information. Indicate Yes / No:
Yes

I understand that commission and committee members must complete ethics and harassment training. Indicate Yes / No:
Yes

Truth and Accuracy: I certify that the information contained on this form is true and accurate:

Signature: [Handwritten Signature] Date: 10/25/2021

Important Public Records Information: The city may receive requests from the public to review documents such as this form and the city is obligated to release these public records, including all information contained on the form.

FOLSOM COMMISSION AND COMMITTEE APPLICATION

Applicant Name: William Michael Romanelli

Choice of Commission or Committee:

(If you are interested in multiple commissions, please rank them numerically according to your preference)

Arts and Culture Commission

Historic District Commission*

Please identify which seat you qualify for:

representative who is actively involved with historic preservation

representative who is a resident of the Historic District

representative who owns a business within the Sutter Street Subarea

Planning Commissioners

representative from a Historic District business outside the Sutter Street Subarea

architect, landscape architect, or other design professional with expertise in historic preservation

Landscaping and Lighting District Advisory Committee*

Please advise which L&L District you live in:

District of Residence: _____

Library Commission

Parks and Recreation Commission

1 Planning Commission

Traffic Safety Committee*

Please identify which seat you qualify for:

representative representing a wide cross section of interests

representative who has demonstrated an interest in or a concern for pedestrian and bicycle safety

Utility Commission

Other: _____

***Application Supplement Required:**

Supplemental information is required for the Historic District Commission, Landscape and Lighting District Advisory Committee, and the Traffic Safety Committee. These boards have special qualification requirements for certain seats.

Continue to next page

FOLSOM COMMISSION AND COMMITTEE APPLICATIONApplicant Name: William Michael Romanelli

Informational Questions: (you must answer all four questions, for all commissions or committees you are applying for):

1. Why do you want to serve on this commission or committee:

A colleague and mentor of mine once told me if you want to "give back" or pay it forward, then do it in the place you call home. In so doing you can see the fruits of your labor directly in your own community, and benefit from them at the same time.

As a Folsom resident for more than 22 years, a successful public affairs consultant, an active member of the Folsom Chamber and a local writer who has had the privilege of telling stories of Folsom's history and people since 2004, I love the quality of life we enjoy here. My family and I have all benefitted from it greatly. I've also appreciated the very smart approach to growth our city has taken, and while that growth brings more needs and challenges in terms of our city's future, our planning commission—working closely with our city council—has established a legacy of smart decisions that have served Folsom well.

To me, serving on the planning commission represents the best opportunity to give back, while also giving me a voice in ensuring that we preserve that legacy of smart growth, as well as the quality of life we all enjoy so much.

2. What do you think is(are) the top issue(s) facing this commission or committee:

Having sat in on several commission meetings this year, some of the biggest issues and challenges I see are:

- * Making sure Folsom residents understand the realities of Folsom's water supply (i.e., our allocation greatly exceeds our consumption, even at full buildout) while at the same time making new and proposed projects better, as much as possible, in how they use and conserve water and energy.
- * Meeting Folsom's mandates for affordable housing, particularly at the moderate income level, and keeping a focus on integrating ADUs.
- * Countering the narrative espoused by a small, but very vocal few, that the planning commission is simply a rubber stamp.
- * From my personal view, while the commission is largely charged with overseeing projects that relate to Folsom resident's ability to live and work here, I'd like to see more interaction with the Parks and Recreation commission to ensure we understand, and can provide, the kind of amenities residents and visitors demand.
- * Ongoing issues and concerns related to preservation of open space, plans for the River District, and homelessness.
- * Better communications in general on how the commission's work is serving and benefitting all Folsom residents.

Continue to next page

FOLSOM COMMISSION AND COMMITTEE APPLICATIONApplicant Name: William Michael Romanelli**3. Briefly describe how your experiences qualify you to serve on the commission or committee:**

As a public affairs practitioner for nearly 30 years I am well versed in navigating and communicating complex issues with a variety of stakeholders and constituencies. My experience in issue management, message development, crisis communications, media relations, stakeholder engagement and working with regulators can all be assets to the commission, and to the city. In addition, a fair amount of my past (but not current) work has involved assisting clients in the building and development industry, so I bring a solid understanding of that world to the table.

I've also held several leadership positions in various organizations, including president of my local professional association, and remain active in the community. Highlights of my relevant experience outside my day-to-day work include:

- * Folsom Chamber of Commerce: Government Affairs Committee Chair (current year) and member since 2018 and JobsPAC committee member (2019- present)
- * Boy Scout Troop 94: Advancement Co Chair and merit badge counselor (2018-present)
- * Break Free/3 Strands: Volunteer educator (2015)
- * Gallardo Elementary School: Site Council (2014-2015)
- * Citizen Voice: Board Member (2010-2012)
- * California Game Wardens Foundation: Volunteer – communications (2007-2010)
- * Leadership Sacramento: Class of 2006
- * Sacramento Public Relations Association: President (2001-2002) and Board member (1996-2003)

4. Which commission or committee meetings have you attended?

With one exception, I have been a regular, in-person attendee at all Planning Commission meetings since July.

END OF APPLICATION FORM

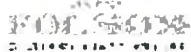
Return completed applications to:
City Clerk's Department, Folsom City Hall, 50 Natoma Street, Folsom, CA 95630

ATTACHMENT 4



Folsom Commission and Committee APPLICATION

FOLSOM CITY CLERK'S DEPT
30 NOV '21 AM 10:43



Thank you for your interest in serving on a Folsom commission or committee.

Before You Begin:

- Please read this form and instructions carefully.
- Complete all pages and sign the application.
- Applications remain active for six months after submittal.

Return completed applications to:

City Clerk's Department, Folsom City Hall, 50 Natoma Street, Folsom, CA 95630

Applicant Information: (All information is required)

Name: Dianne Smith

Residence Address: _____

Email: dksmith200@comcast.net

Phone: Retired

Employer and Occupation: Retired

Currently Serving on a Commission/Committee? If yes, please specify:

No

Folsom Residency / Registered Voter Verification: Commission and Committee members must be residents and registered voters of Folsom.

Registered to vote? Indicate Yes / No Yes

Financial Disclosure / Ethics Training:

I understand that commission and committee members must file statements disclosing financial information.

Indicate Yes / No:

Yes

I understand that commission and committee members must complete ethics and harassment training.

Indicate Yes / No:

Yes

Truth and Accuracy: I certify that the information contained on this form is true and accurate:

Signature: Dianne Smith

Date: 11/30/21

Important Public Records Information: The city may receive requests from the public to review documents such as this form and the city is obligated to release these public records, including all information contained on the form.

FOLSOM COMMISSION AND COMMITTEE APPLICATION

Applicant Name: Dianne Smith

Choice of Commission or Committee:

(If you are interested in multiple commissions, please rank them numerically according to your preference)

Arts and Culture Commission

Historic District Commission*

Please identify which seat you qualify for:

representative who is actively involved with historic preservation

representative who is a resident of the Historic District

representative who owns a business within the Sutter Street Subarea

Planning Commissioners

representative from a Historic District business outside the Sutter Street Subarea

architect, landscape architect, or other design professional with expertise in historic preservation

Landscaping and Lighting District Advisory Committee*

Please advise which L&L District you live in:

District of Residence: _____

Library Commission

Parks and Recreation Commission

Planning Commission

Traffic Safety Committee*

Please identify which seat you qualify for:

representative representing a wide cross section of interests

representative who has demonstrated an interest in or a concern for pedestrian and bicycle safety

Utility Commission

Other: _____

***Application Supplement Required:**

Supplemental information is required for the Historic District Commission, Landscape and Lighting District Advisory Committee, and the Traffic Safety Committee. These boards have special qualification requirements for certain seats.

Continue to next page

FOLSOM COMMISSION AND COMMITTEE APPLICATION

Applicant Name: Dianne Smith

Informational Questions: (you must answer all four questions, for all commissions or committees you are applying for):

1. Why do you want to serve on this commission or committee:

We recently moved to Folsom and due to the pandemic have had a limited chance to get to be part of Folsom. I have begun to look for ways to become more involved in this community. Planning Commission seemed such a way as planning has been a long standing interest of mine.

2. What do you think is(are) the top issue(s) facing this commission or committee:

As I understand it, the City is currently in the process of revising its zoning code which is, in my opinion, a major issue as it has such an impact on the community. Also, concerned about providing a wide variety of housing.

Continue to next page

FOLSOM COMMISSION AND COMMITTEE APPLICATION

Applicant Name: Dianne Smith

3. Briefly describe how your experiences qualify you to serve on the commission or committee:

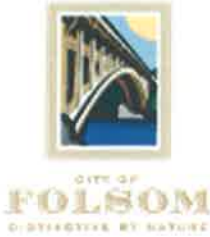
I am a retired city planner having worked for the City of Stockton and San Joaquin County for about 15 years.

4. Which commission or committee meetings have you attended?

I have not attended any meetings of the Planning Commission. We moved to Folsom near the start of the pandemic so I have only seen portions of some meetings on the internet.

END OF APPLICATION FORM

Return completed applications to:
City Clerk's Department, Folsom City Hall, 50 Natoma Street, Folsom, CA 95630



Folsom City Council Staff Report



MEETING DATE:	12/14/2021
AGENDA SECTION:	New Business
SUBJECT:	Appointment of Three At-Large Members to the Folsom Historic District Commission and Appointment of Planning Commissioner to Serve on the Historic District Commission
FROM:	City Clerk's Department

RECOMMENDATION / CITY COUNCIL ACTION

Staff requests that the Mayor, with approval from the City Council, appoint three at-large members to the Folsom Historic District Commission for a two-year term ending in December 2023.

Staff requests that the Mayor, with approval from the City Council, appoint Justin Raithel as the Planning Commission representative to the Historic District Commission for the remainder of the term ending in December 2022, as recommended by the Planning Commission.

BACKGROUND / ISSUE

Folsom Municipal Code Chapter 17.52 establishes the Folsom Historic District Commission and defines the Committee's purpose of the Historic District Commission, in part, as to preserve and enhance the historic, small-town atmosphere of the Historic District; to encourage an active business climate which promotes the development of a diverse range of businesses compatible with the Historic District; to retain the residential areas within the Historic District; to ensure that new residential and commercial development is consistent with the historical character of the Historic District; and to increase the awareness, understanding, and appreciation of the history of the city.

The Commission is comprised of seven members consisting of one representative who is actively involved with historic preservation, one representative who is a resident of the Historic District,

one representative who owns a business within the Sutter Street Subarea, two Planning Commissioners, one representative from a Historic District business outside the Sutter Street Subarea, and one architect, landscape architect, or other design professional with expertise in historic preservation.

Two members of the Planning Commission are designated by ordinance to serve on the Historic District Commission. Historically the Planning Commission has voted to recommend members of the Planning Commission to serve on the Historic District Commission.

At-Large Members

The three current vacant positions are for a representative who is a business owner within the Sutter Street subarea, a resident within the Historic District and an applicant representing the Historical Society / Historic Preservation. The three vacancies were created due to the expiration of each of the existing appointee's two-year terms ending in December 2021. In addition to the three vacancies, there is also a vacancy for a Planning Commission representative due to the existing appointee's resignation whose term ends in December of 2022.

A Notice of Vacancy was published in the Folsom Telegraph and in the City's newsletter, posted on the city's website, and on the bulletin boards located at City Hall. Correspondence was sent to current Historic District Commission members whose terms expire in December 2021 inviting them to submit an application for reappointment.

Planning Commission Representative

One of the current Planning Commission representatives to the Historic District Commission resigned as a result of the relocation of their family outside of Folsom. At the December 1, 2021, meeting, the Planning Commission nominated Justin Raithel as a replacement to serve on the Historic District Commission for the remainder of the term expiring in December 2022.

POLICY / RULE

Folsom Municipal Code Section 2.35.030 states that at-large appointments to the Historic District Commission shall expire as follows:

December of even numbered years:

- Planning Commission Members (2 appointees)
- Representative from a Historic District Business outside the Sutter Street subarea
- Architect, Landscape architect, or other design profession

December of odd-numbered years:

- Historic Preservation
- Resident of the Historic District
- Business Owner within the Sutter Street subarea

Folsom Municipal Code Section 17.52.020 states that the mayor shall appoint each of the members, subject to the approval of the city council.

ANALYSIS

There are currently three vacancies for representatives of the Folsom Historic District Committee consisting of a business owner within the Sutter Street subarea, a resident within the Historic District and an applicant representing the Historical Society / Historic Preservation. Each of the two-year terms will end in December 2023. In addition to the three vacancies, there is also a vacancy for a Planning Commission representative due to the resignation of one of the representatives whose term ends in December of 2022.

The City has received three applications for the three at-large seats.

Applicants	Eligible to Represent:		
	Historic Preservation	Resident of the Historic District	Business Owner within the Sutter Street subarea
Kathleen Cole (<i>incumbent</i>)		x	
Mark Dascallos (<i>incumbent</i>)			x
Bob Delp*	x	x	

*Applicant is currently serving on the Traffic Safety Committee and would have to step down from that committee if appointed due to the one-seat limitation (FMC §2.35.030).

ATTACHMENTS

Applications received from the following individuals:

1. Kathleen Cole
2. Mark Dascallos
3. Bob Delp

Respectfully submitted,

Christa Freemantle, CMC
City Clerk

ATTACHMENT 1



CITY OF FOLSOM
CORRECT ED BY NATURE

Folsom Commission and Committee APPLICATION

Thank you for your interest in serving on a Folsom commission or committee.

Before You Begin:

- Please read this form and instructions carefully.
- Complete all pages and sign the application.
- Applications remain active for six months after submittal.

Return completed applications to:

City Clerk's Department, Folsom City Hall, 50 Natoma Street, Folsom, CA 95630

Applicant Information: (All information is required)

Name: Kathleen Marie Cole

Residence Address: _____

Email: kcolepolicy@gmail.com

Phone: _____

Employer and Occupation: Retired

Currently Serving on a Commission/Committee? If yes, please specify:

Yes, resident member of the Historic District Commission

Folsom Residency / Registered Voter Verification: Commission and Committee members must be residents and registered voters of Folsom.

Registered to vote? Indicate Yes / No Yes

Financial Disclosure / Ethics Training:

I understand that commission and committee members must file statements disclosing financial information. Indicate Yes / No:
Yes

I understand that commission and committee members must complete ethics and harassment training. Indicate Yes / No:
Yes

Truth and Accuracy: I certify that the information contained on this form is true and accurate:

Signature: Kathleen M. Cole Date: November 21, 2021

Important Public Records Information: The city may receive requests from the public to review documents such as this form and the city is obligated to release these public records, including all information contained on the form.

FOLSOM COMMISSION AND COMMITTEE APPLICATION

Applicant Name: Kathleen Marie Cole**Choice of Commission or Committee:**

(If you are interested in multiple commissions, please rank them numerically according to your preference)

 Arts and Culture Commission 1 Historic District Commission*

Please identify which seat you qualify for:

 representative who is actively involved with historic preservation representative who is a resident of the Historic District representative who owns a business within the Sutter Street Subarea Planning Commissioners representative from a Historic District business outside the Sutter Street Subarea architect, landscape architect, or other design professional with expertise in historic preservation Landscaping and Lighting District Advisory Committee*

Please advise which L&L District you live in:

District of Residence: _____

 Library Commission Parks and Recreation Commission Planning Commission Traffic Safety Committee*

Please identify which seat you qualify for:

 representative representing a wide cross section of interests representative who has demonstrated an interest in or a concern for pedestrian and bicycle safety Utility Commission Other: _____***Application Supplement Required:**

Supplemental information is required for the Historic District Commission, Landscape and Lighting District Advisory Committee, and the Traffic Safety Committee. These boards have special qualification requirements for certain seats.

Continue to next page

FOLSOM COMMISSION AND COMMITTEE APPLICATION

Applicant Name: Kathleen Marie Cole

Informational Questions: (you must answer all four questions, for all commissions or committees you are applying for):

1. Why do you want to serve on this commission or committee:

I moved to the Historic District in October 2016, after selling my residence of 25 years in neighboring Citrus Heights. Having grown up in Rancho Cordova, I have witnessed the significant growth and change to the Sacramento metropolitan area. I appreciate and understand the importance of smart planning and finding balance between economic growth and the needs of existing residents.

I was appointed to the Historic District Commission in December 2019 and would like to continue my service to the community as the commission's resident member. The Covid-19 pandemic dominated most of my first two years on the commission. Although I had hoped to personally and actively engage with businesses and residents alike to better understand their respective visions and concerns for the Historic District, virtual meetings and phone conversations became the norm during most of my tenure. I am committed to having more of a physical presence in the community going forward.

The Historic District is a vibrant community with a rich history. I will strive to preserve and enhance the historic, small-town charm of this community while balancing the freedom of choice in use and design of the property owner, consistent with the Design and Development Guidelines that govern development in the district.

I want to "give back" to my community and have the time and energies to dedicate to my service on the commission.

2. What do you think is(are) the top issue(s) facing this commission or committee:

To encourage a diverse range of business activity in the district, particularly post-pandemic, while ensuring compatibility with the historic legacy of the community.

To help find a sustainable path forward to address parking problems in the residential areas stemming from visitors that come to enjoy the commercial activities available here.

To retain the quality of life for Historic District residents, to the extent feasible and within the jurisdiction of the Historic District Commission.

Continue to next page

FOLSOM COMMISSION AND COMMITTEE APPLICATION

Applicant Name: Kathleen Marie Cole

3. Briefly describe how your experiences qualify you to serve on the commission or committee:

I have served two years as the resident member of the Historic District Commission.

For over 35 years, I served as a state legislative advocate on behalf of public agencies, including, cities, a large urban county and special districts. My engagement on legislation and regulations covered a broad range of issues, including, but not limited to, planning, local government finance and governance, water supply and quality and government transparency and accountability. I engaged directly with elected officials and their staff; state agency and department leadership and program staff; and policy experts to promote or protect my client's priorities and objectives. I have found that collaboration and respecting points-of-view are key to finding middle ground on divisive and complex issues.

I was in the "relationship business" and learned early in my career the importance of building trust and being forthright. It is important to put personal opinions aside and keep an open mind to new ideas or recommendations. I work hard to find fair and balanced solutions to conflicts that arise. I know what I don't know and understand the importance of building a team of subject matter experts as a resource, should the need arise. I'm not afraid to ask tough questions to help me come to an informed decision.

4. Which commission or committee meetings have you attended?

I have attended City Council meetings, in person and virtually over the past two years. I have attended Historic District Commission meetings, as the resident member, and have chaired several meetings in the Chairman's absence. I am familiar with the Brown Act and its requirements for public transparency.

END OF APPLICATION FORM

Return completed applications to:
City Clerk's Department, Folsom City Hall, 50 Natoma Street, Folsom, CA 95630

ATTACHMENT 2

FOLSOM CITY CLERK'S DEPT
16 NOV '21 PM 2:23



Folsom Commission and Committee APPLICATION



Thank you for your interest in serving on a Folsom commission or committee.

Before You Begin:

- Please read this form and instructions carefully.
- Complete all pages and sign the application.
- Applications remain active for six months after submittal.

Return completed applications to:

City Clerk's Department, Folsom City Hall, 50 Natoma Street, Folsom, CA 95630

Applicant Information: (All information is required)

Name: Mark Dascallos

Residence Address: _____

Email: m.dascallos@yahoo.com

Phone: _____

Employer and Occupation: _____

Currently Serving on a Commission/Committee? If yes, please specify:

Historic District Commssion

Folsom Residency / Registered Voter Verification: Commission and Committee members must be residents and registered voters of Folsom.

Registered to vote? Indicate Yes / No Yes

Financial Disclosure / Ethics Training:

I understand that commission and committee members must file statements disclosing financial information.

Indicate Yes / No:

Yes

I understand that commission and committee members must complete ethics and harassment training.

Indicate Yes / No:

Yes

Truth and Accuracy: I certify that the information contained on this form is true and accurate:

Signature: _____ Date: _____

Important Public Records Information: The city may receive requests from the public to review documents such as this form and the city is obligated to release these public records, including all information contained on the form.

FOLSOM COMMISSION AND COMMITTEE APPLICATION

Applicant Name: Mark Dascallos

Choice of Commission or Committee:

(If you are interested in multiple commissions, please rank them numerically according to your preference)

Arts and Culture Commission

Historic District Commission*

Please identify which seat you qualify for:

representative who is actively involved with historic preservation

representative who is a resident of the Historic District

representative who owns a business within the Sutter Street Subarea

Planning Commissioners

representative from a Historic District business outside the Sutter Street Subarea

architect, landscape architect, or other design professional with expertise in historic preservation

Landscaping and Lighting District Advisory Committee*

Please advise which L&L District you live in:

District of Residence: _____

Library Commission

Parks and Recreation Commission

Planning Commission

Traffic Safety Committee*

Please identify which seat you qualify for:

representative representing a wide cross section of interests

representative who has demonstrated an interest in or a concern for pedestrian and bicycle safety

Utility Commission

Other: _____

***Application Supplement Required:**

Supplemental information is required for the Historic District Commission, Landscape and Lighting District Advisory Committee, and the Traffic Safety Committee. These boards have special qualification requirements for certain seats.

Continue to next page

FOLSOM COMMISSION AND COMMITTEE APPLICATION

Applicant Name: Mark Dascallos

Informational Questions: (you must answer all four questions, for all commissions or committees you are applying for):

1. Why do you want to serve on this commission or committee:

was appointed to the Folsom Historic Commission in March of this year. I feel it takes some time to get settled in and learn from my peers about the importance protecting the historic districts great history and architecture. I was looking forward to growing into a valuable objective commissioner. I would like to request that I stay on the commision. I look forward to helping this special place we call "Old Folsom" for as long as I can.

2. What do you think is(are) the top issue(s) facing this commission or committee:

Public Safety Parking in the Historic District. Preserving the architecture to remain authentic to the 1850-1950 era. Building a strong relationship between the residents and the business/building owners in the district. Making sure we have forward progress in the business district with a balance of retail, art, music, restaurants and bars.

Continue to next page

FOLSOM COMMISSION AND COMMITTEE APPLICATION

Applicant Name: Mark Dascallos

3. Briefly describe how your experiences qualify you to serve on the commission or committee:

I've been privileged to own a business on Sutter St. for five years. I have been on the FHDA Board as a director for three years. I have a passion for district and its historic past. I believe I'm an objective person. I look at issues with the intent of doing what's best for my fellow citizens. I also feel I can bring people together with a calm professional approach.

4. Which commission or committee meetings have you attended?

I've been one of the committee members for the Folsom Hometown parade since its inception which is held the weekend before the historic Folsom Pro Rodeo. I've attended commission meetings prior to my appointment on the commission and have attended all meeting as a commissioner this year on the historic district commission.

END OF APPLICATION FORM

Return completed applications to:
City Clerk's Department, Folsom City Hall, 50 Natoma Street, Folsom, CA 95630

ATTACHMENT 3

FOLSOM CITY CLERK'S DEPT
30 NOV '21 PM 1:12



FOLSOM
DIVERSITY WE DO BETTER

Folsom Commission and Committee APPLICATION

Thank you for your interest in serving on a Folsom commission or committee.

Before You Begin:

- Please read this form and instructions carefully.
- Complete all pages and sign the application.
- Applications remain active for six months after submittal.

Return completed applications to:

City Clerk's Department, Folsom City Hall, 50 Natoma Street, Folsom, CA 95630

Applicant Information: (All information is required)

Name: Bob Delp

Residence Address: _____

Email: bdelp@live.com

Phone: _____

Employer and Occupation: Benchmark Resources / Environmental and Land Use Planning Consultant

Currently Serving on a Commission/Committee? If yes, please specify:

Yes; Traffic Safety Committee.

Folsom Residency / Registered Voter Verification: Commission and Committee members must be residents and registered voters of Folsom.

Registered to vote? Indicate Yes / No Yes

Financial Disclosure / Ethics Training:

I understand that commission and committee members must file statements disclosing financial information. Indicate Yes / No:
Yes

I understand that commission and committee members must complete ethics and harassment training. Indicate Yes / No:
Yes

Truth and Accuracy: I certify that the information contained on this form is true and accurate:

Signature:  Date: November 30, 2021

Important Public Records Information: The city may receive requests from the public to review documents such as this form and the city is obligated to release these public records, including all information contained on the form.

FOLSOM COMMISSION AND COMMITTEE APPLICATION

Applicant Name: Bob Delp

Choice of Commission or Committee:

(If you are interested in multiple commissions, please rank them numerically according to your preference)

Arts and Culture Commission

² Historic District Commission*

Please identify which seat you qualify for:

representative who is actively involved with historic preservation

representative who is a resident of the Historic District

representative who owns a business within the Sutter Street Subarea

Planning Commissioners

representative from a Historic District business outside the Sutter Street Subarea

architect, landscape architect, or other design professional with expertise in historic preservation

Landscaping and Lighting District Advisory Committee*

Please advise which L&L District you live in:

District of Residence: _____

Library Commission

Parks and Recreation Commission

¹ Planning Commission

Traffic Safety Committee*

Please identify which seat you qualify for:

representative representing a wide cross section of interests

representative who has demonstrated an interest in or a concern for pedestrian and bicycle safety

Utility Commission

Other: _____

***Application Supplement Required:**

Supplemental information is required for the Historic District Commission, Landscape and Lighting District Advisory Committee, and the Traffic Safety Committee. These boards have special qualification requirements for certain seats.

Continue to next page

FOLSOM COMMISSION AND COMMITTEE APPLICATIONApplicant Name: Bob Delp**Informational Questions:** (you must answer all four questions, for all commissions or committees you are applying for):**1. Why do you want to serve on this commission or committee:**

My wife and I have lived in Folsom's Historic District since 2012. We own two properties here and have a vested interest in helping this important area of Folsom continue to thrive. But our lives in Folsom extend beyond the Historic District. The company I work for, the bike trails I ride, the gym I go to, the grocery stores I shop at, and the local entertainment I enjoy are spread throughout the City. All of these amenities and opportunities are important to my life here in Folsom.

I am interested in knowing that the issues and projects that come before the Planning Commission and the Historic District Commission are thoughtfully considered, and I would welcome the opportunity to provide my perspectives and opinions as a part of the Planning Commission and/or the Historic District Commission deliberation and decision making processes.

2. What do you think is(are) the top issue(s) facing this commission or committee:

Top issues facing the Planning Commission are:

- ongoing City-wide zoning code update
- review and approvals of projects in the Folsom Plan Area and other growth areas
- accomplishing affordable housing allocations
- reinvigoration of older business areas (e.g., northern East Bidwell Street corridor)

Top issues facing the Historic District Commission are:

- ongoing zoning code update as relates to the Historic District
- reviews of individual residential and commercial development proposals for Historic District and zoning code compliance and compatibly
- planning for future development/use of the Corporation Yard
- parking and traffic management addressing concerns of residents while ensuring access to businesses
- fire prevention, emergency response, and public safety

Continue to next page

FOLSOM COMMISSION AND COMMITTEE APPLICATIONApplicant Name: Bob Delp**3. Briefly describe how your experiences qualify you to serve on the commission or committee:**

I have been a land use/environmental consultant for over 25 years, and I understand land use planning, zoning, environmental review processes. I have been engaged at the local level in Folsom providing my perspectives on projects in the Historic District and other areas of the City. Through that involvement I have become familiar with the City zoning code and the City's project review process. I have been and am currently involved in historic preservation efforts both as an involved citizen in Folsom's Historic District (e.g., questioning the suitability of a faux prison in the Sutter Street commercial district, urging for evaluation of potentially historic residential structures prior to approving modifications) and in my career as an environmental professional (e.g., currently working with the State Department of Parks and Recreation as a consultant assisting in review of a water quality project while protecting historic resources at a State Historic Park).

My credentials include:

- B.A., Economics with emphasis on Energy and Environmental Issues, California State University, Chico, 1992
- Certificate in Land Use and Environmental Planning, University of California, Davis, 2010

4. Which commission or committee meetings have you attended?

Virtual or in-person attendance or participation in most Historic District Commission meetings in 2020 and 2021.

END OF APPLICATION FORM

Return completed applications to:
City Clerk's Department, Folsom City Hall, 50 Natoma Street, Folsom, CA 95630

Meeting Minutes**Joint Folsom City Council, Folsom Redevelopment Successor Agency, Folsom Public Financing Authority, South of 50 Parking Authority, and Folsom Ranch Financing Authority Meeting****September 14, 2021****CALL TO ORDER:**

The joint City Council / Redevelopment Successor Agency / Public Financing Authority / Folsom South of 50 Parking Authority / Folsom Ranch Financing Authority meeting was called to order at 8:51 p.m. in City Council Chambers, 50 Natoma Street, Folsom, California, with Mayor Mike Kozlowski presiding.

ROLL CALL: Council / Board Members: Aquino, Chalamcherla, Howell, Rodriguez, Kozlowski

CONSENT CALENDAR:

19. Approval of the June 8, 2021 Joint City Council / Successor Agency / Public Financing Authority / Folsom South of 50 Parking Authority / Folsom Ranch Financing Authority Meeting Minutes
20. Approval of the June 22, 2021 Joint City Council / Public Financing Authority Meeting Minutes
21. 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 2021

Motion by Councilmember Kerri Howell, second by Councilmember Rosario Rodriguez to approve the Consent Calendar.

Motion carried with the following roll call vote:

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

ADJOURNMENT

There being no further business to come before the joint City Council / Redevelopment Successor Agency / Public Financing Authority / Folsom South of 50 Parking Authority / Folsom Ranch Financing Authority, the meeting was adjourned to the regular City Council meeting at 8:52 p.m.

SUBMITTED BY:

Christa Freemantle, City Clerk/Board Secretary

ATTEST:

Mike Kozlowski, Mayor/Board Chair



CITY OF
FOLSOM
DISCOVERED BY NATURE

Folsom City Council Staff Report

MEETING DATE:	12/14/2021
AGENDA SECTION:	Consent Calendar
SUBJECT:	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 September 2021
FROM:	Finance Department

RECOMMENDATION / CITY COUNCIL ACTION

The Finance Department recommends that the City Council 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 September 2021.

BACKGROUND / ISSUE

Under the Charter of the City of Folsom and the authority granted by the City Council, the Finance Director is responsible for investing the unexpended cash of the City Treasury. The primary objectives of the City's investment policy are to maintain the safety of investment principal, provide liquidity to meet the short and long-term cash flow needs of the City, and earn a market-average yield on investments. The City's portfolio is managed in a manner responsive to the public trust and is consistent with state and local laws and the City's investment policy. The Finance Department hereby submits the investment reports for 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 for the month of September 2021.

POLICY / RULE

1. Section 3.30.010(a) of the Folsom Municipal Code states “the term ‘city’ shall encompass the city of Folsom, the Folsom community *redevelopment agency*, and all other agencies and instrumentalities of the city under either the direct or indirect control of the city council, and this chapter regulates the investment of all moneys of those agencies.”
2. Section 3.30.030(f) of the Folsom Municipal Code states that “the city’s chief investment officer shall each month submit an investment report to the city council, which report shall include all required elements as prescribed by California Government code section 53646.”
3. California Government Code, Sections 53601 through 53659 sets forth the state law governing investments for municipal governments in California.
4. Section 3.30.020(g) of the Folsom Municipal Code states that “all city cash shall be consolidated into one general bank account as set out in this code and invested on a pooled concept basis. Interest earnings shall be allocated to all city funds and subfunds according to fund and subfund cash and investment balance on at least a quarterly basis.”

ANALYSIS

Overview

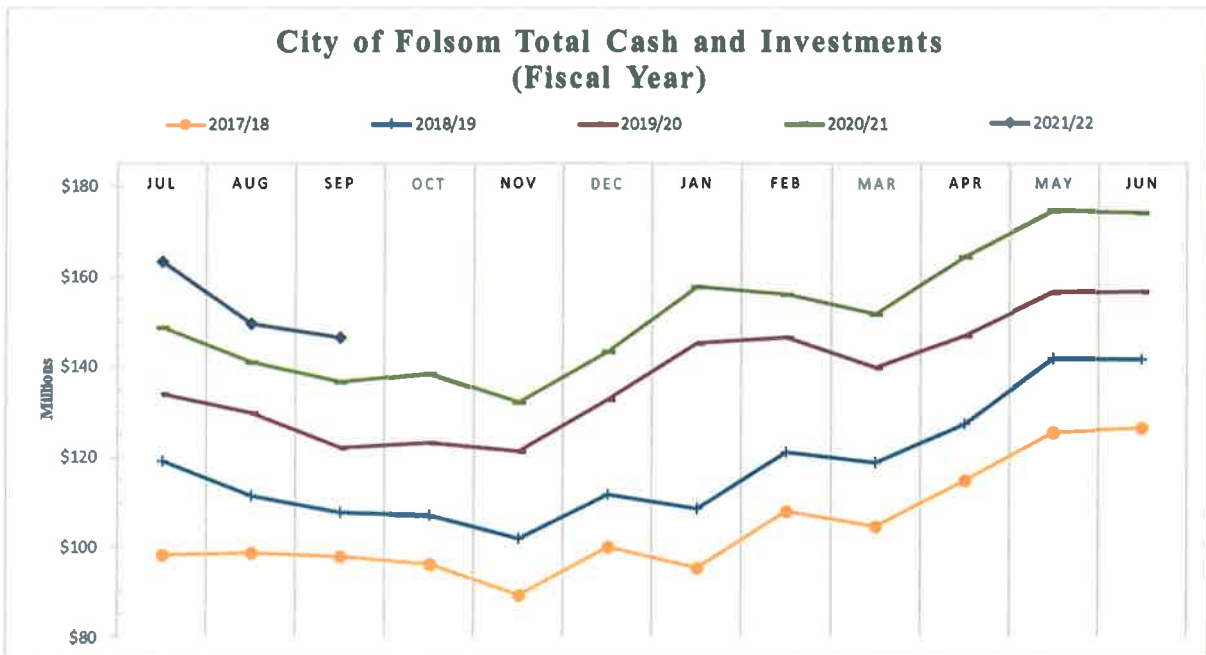
The City has diversified investments in accordance with the City Investment Policy and Government Code. The City of Folsom’s total cash and investments are invested on a pooled basis as required by the Folsom Municipal Code.

The Portfolio Summary of the City’s current report includes a “Pooled Equity Section” identifying the Redevelopment Successor Agency’s (RDSA) and Folsom Public Financing Authority’s (FPFA) portion of the investment pool. The RDSA and FPFA list these amounts under “Cash” in their respective sections. Currently, the Folsom Ranch Financing Authority (FRFA) has no funds invested in Pooled Equity.

City of Folsom

Total Cash and Investments

The following graph illustrates the City’s monthly cash and investment balances for fiscal years 2018 through 2022. Monthly fluctuations in cash and investments are the result of typical receipt of revenues less expenditures for operations, debt service, and capital improvements. As of September 30, 2021, the City’s cash and investments totaled \$146,444,211; an increase of \$9,884,190 (7%) from September 30, 2020.

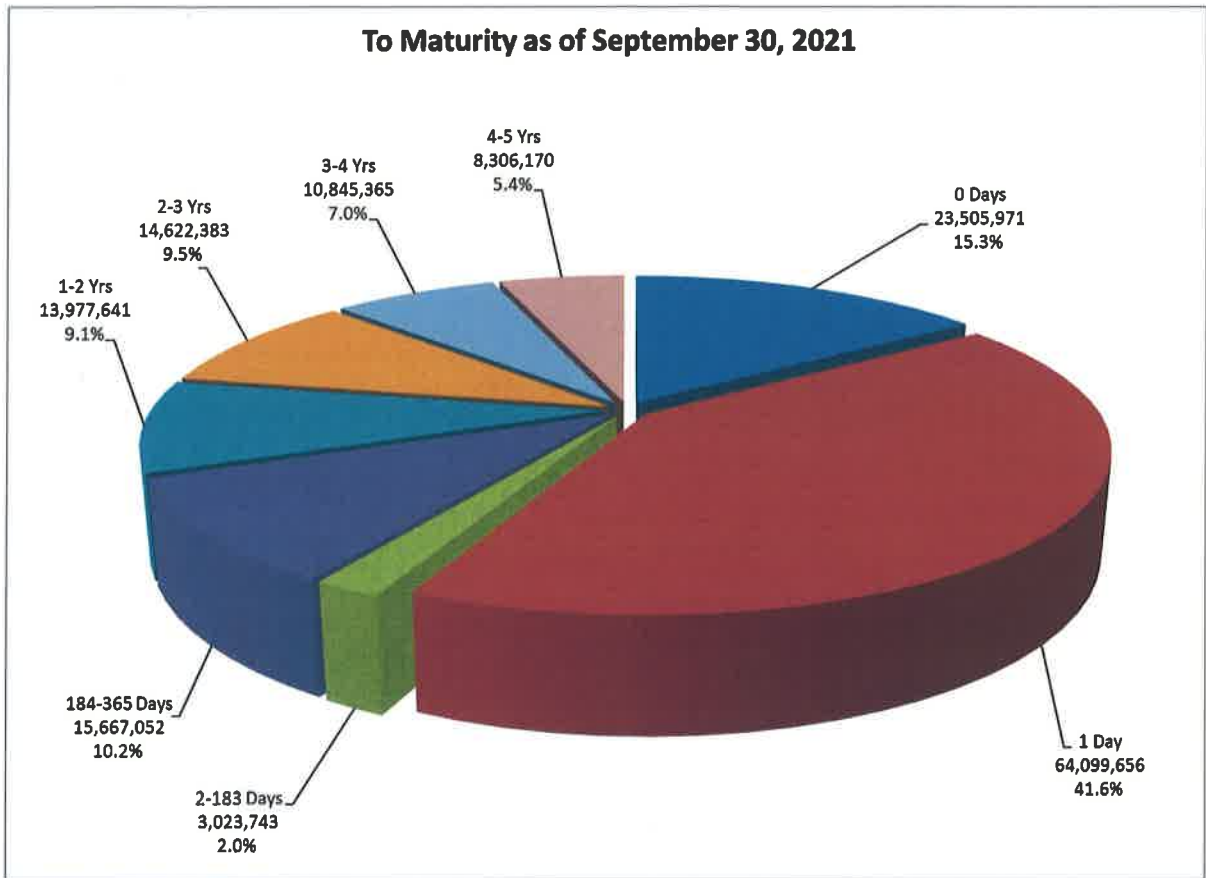


The following chart shows the City’s monthly cash and investment balances and percentage change for Fiscal Year 2021-22 along with the yearly dollar and percentage changes.

Total City Cash and Investments

	2021-22	Monthly Change	2020-21	Monthly Change	Yearly \$ Change	Yearly % Change
Jul	\$ 163,280,753		\$ 148,832,109		\$ 14,448,645	10%
Aug	\$ 149,509,252	-8%	\$ 140,982,833	-5%	\$ 8,526,419	6%
Sep	\$ 146,444,211	-2%	\$ 136,560,020	-3%	\$ 9,884,190	7%

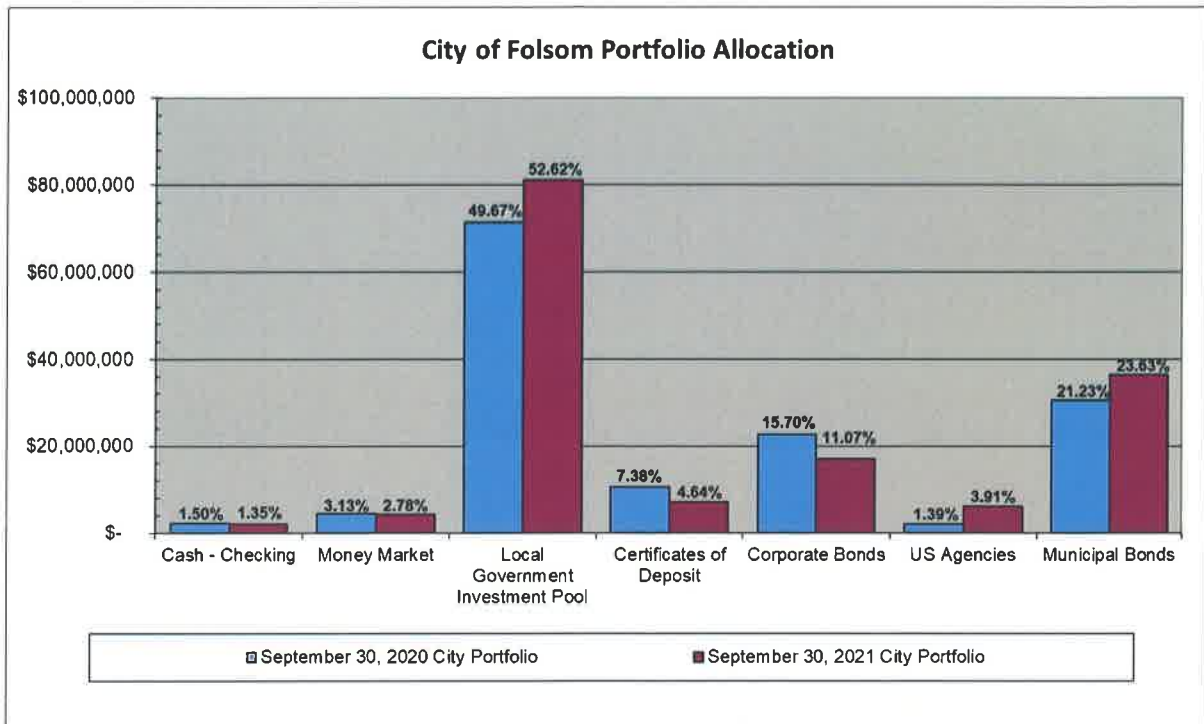
The City’s projected cash needs for the next six months are sufficiently provided for by anticipated revenues and the liquidity of its cash and investments. In addition, in accordance with Section 3.30.020(c) of the Municipal Code, less than 50% of the City’s total cash is invested for a period longer than one year.



Investment Performance

The City’s Portfolio Management Summary report for the month of September 2021 is presented in Attachment 1 to this report. Portfolio investment earnings (including pooled equity earnings for the RDSA and FPPA) for the three-month quarter ended September 30, 2021 totaled \$332,899. The total rate of return of the investment portfolio for the same period was 0.79%.

The following graph illustrates the total dollar amount and allocation percentages for September 30, 2020 and September 30, 2021. The percentages in this graph are based on book value.

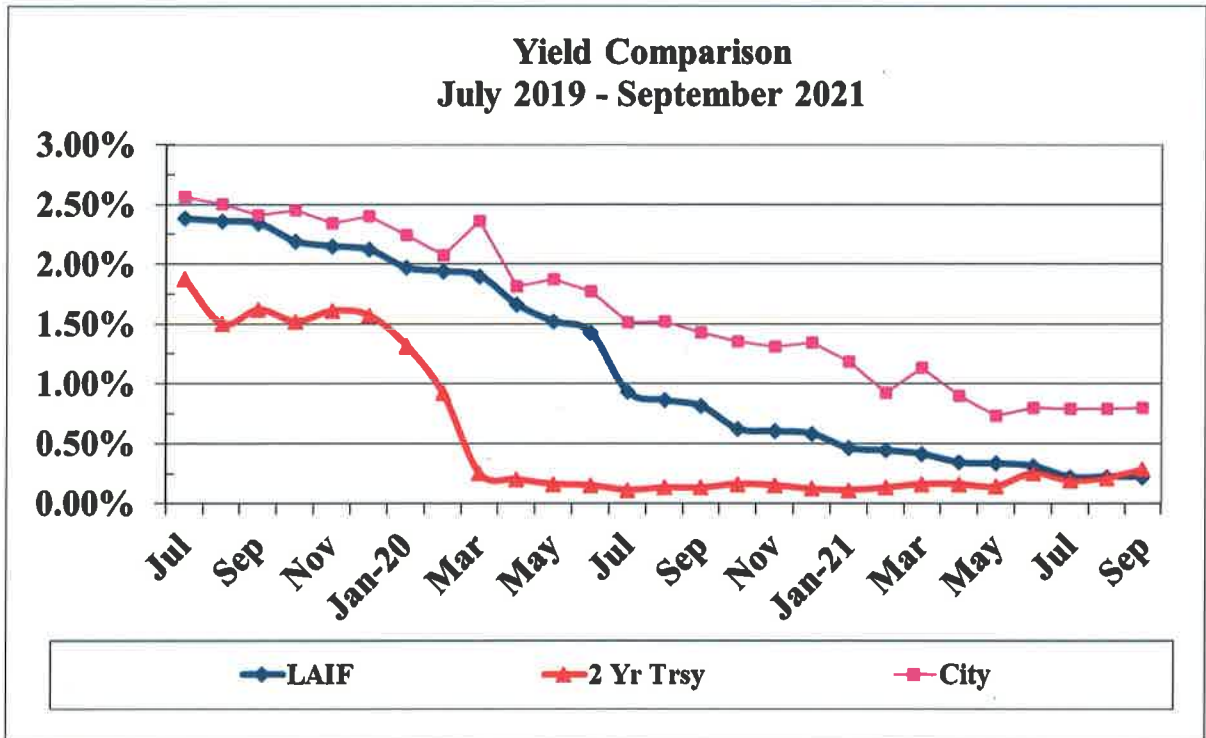


A detailed listing of the portfolio holdings as of September 30, 2021 is included in Attachment 2 to this report.

The Local Government Investment Pool (LAIF) yield typically moves in the same direction as market yields, but is less volatile, lagging somewhat behind market moves. This can be seen in the chart on the next page, illustrating the historical monthly change in yield from July 2019 through September 2021 for LAIF and two-year US Treasury securities. The effective rate of return for the City Portfolio is also included.

The Federal Funds rate reached its post-2008 global economic downturn peak at 2.50% in December 2018. The Federal Open Market Committee (FOMC) began lowering the rate in July 2019, with three cuts resulting in the Federal Funds rate at 1.75% as of December 31, 2019. Due to the Covid-19 pandemic, the FOMC cut rates twice in March 2020, by 50 basis points on March 3rd, and 1% on March 15th. The effect of these rate cuts was to push down borrowing costs to help consumers and businesses handle the financial challenges posed by the economic slowdown that resulted from the pandemic. The Fed has maintained these low rates for nearly a year and a half, and at its meeting on November 2-3, 2021 the Fed kept the target range unchanged due to the economic turmoil caused by the ongoing public health crisis. Despite economic activity continuing to gain momentum in recent months amid ample fiscal stimulus, employment is expected to remain below its pre-pandemic levels in the short term and the sectors most affected by Covid-19-related restrictions remain fragile, although they continue to show signs of improvement. Nevertheless, elevated inflationary pressures since April have raised concerns over the extent to which price pressures remain transitory, prompting the Fed to begin tapering its stimulus of purchasing Treasury and other securities in

the open market. However, until the labor market is seen to be on stronger footing, the Federal Funds rate is not likely to be increased.



A listing of transactions for the first quarter of fiscal year 2022 is included in Attachment 3 to this report.

Folsom Redevelopment Successor Agency

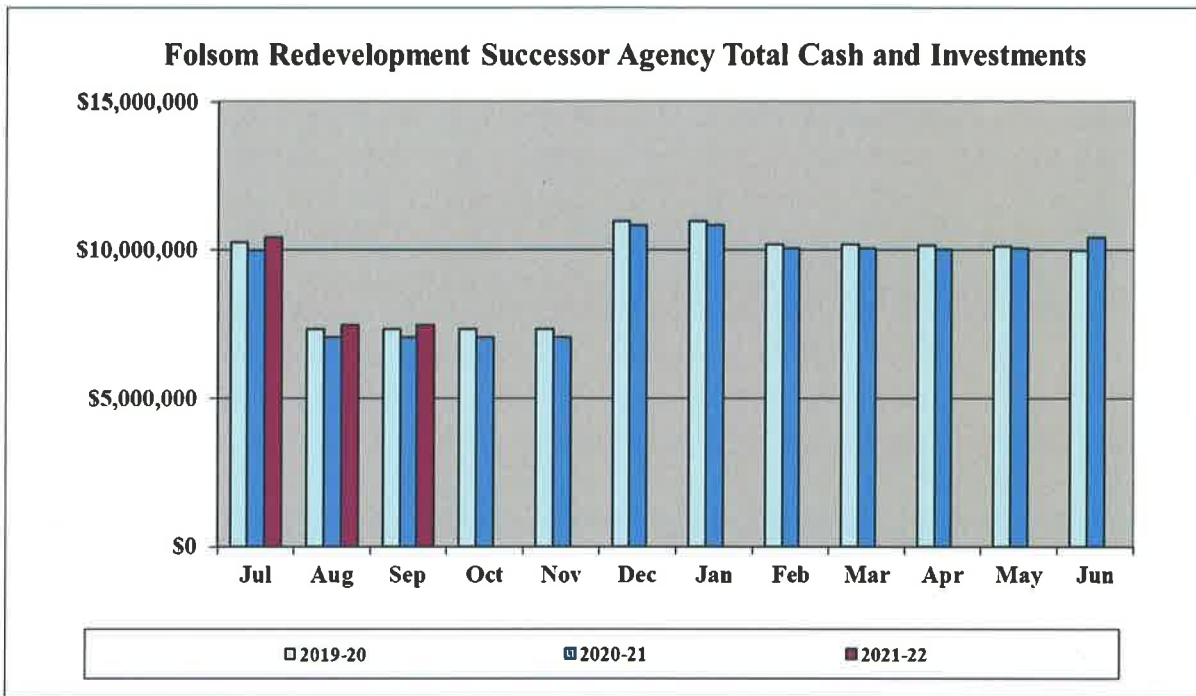
Total Cash and Investments

The RDSA had total cash and investments of \$7,474,875 as of September 30, 2021. This is an increase of \$415,013 (6%) since September 30, 2020. The cash held by the RDSA is comprised of city-held funds, as well as 2011 bond proceeds to be utilized for housing and non-housing projects. These proceeds held by the Agency are broken out individually in the Portfolio Management Summary in Attachment 1.

The following table and graph illustrate the monthly balances and their respective percentage changes for the reporting period. Monthly fluctuations in cash and investments are the result of typical receipt of revenues less expenditures for operations, debt service, and capital improvements.

Folsom Redevelopment Successor Agency

	2021-22	Monthly Change	2020-21	Monthly Change	Yearly \$ Change	Yearly % Change
Jul	\$ 10,454,334		\$ 10,002,863		\$ 451,471	5%
Aug	\$ 7,474,685	-29%	\$ 7,059,737	-29%	\$ 414,948	6%
Sep	\$ 7,474,875	0%	\$ 7,059,862	0%	\$ 415,013	6%



The RDSA’s projected cash needs for the next six months are sufficiently provided for by anticipated revenues and the liquidity of its cash and investments.

Investment Performance

The RDSA’s Portfolio Management Summary report for the month of September 2021 is presented in Attachment 1. The RDSA’s investment earnings for the three-month quarter ended September 30, 2021 totaled \$14,948. The effective rate of return for the RDSA investment portfolio for the same time period is 0.78%.

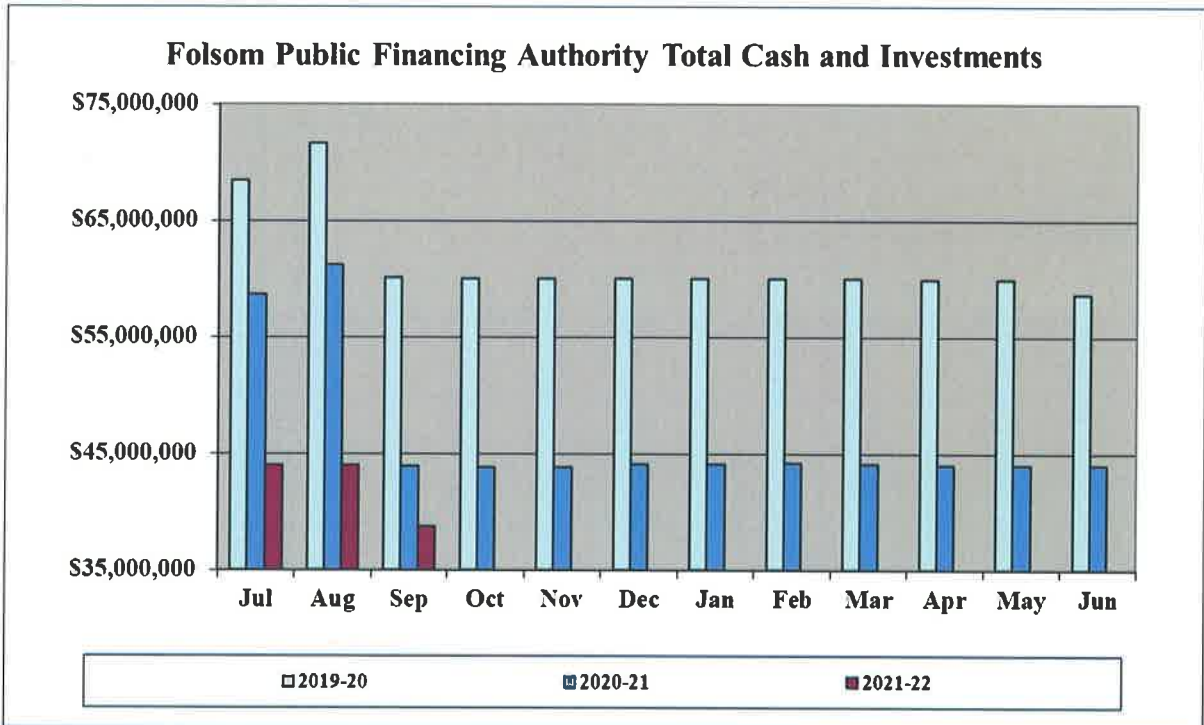
Folsom Public Financing Authority

Total Cash and Investments

The FPPA cash and investments totaled \$38,732,656 as of September 30, 2021. This is a decrease of \$5,222,667 (12%) from September 30, 2020. Monthly fluctuations in cash and investments are the result of typical receipt of debt service repayment revenues and the subsequent debt service expenditures. The following table and graph illustrate the monthly balances and their respective percentage changes for the reporting period.

Folsom Public Financing Authority

	2021-22	Monthly Change	2020-21	Monthly Change	Yearly \$ Change	Yearly % Change
Jul	\$ 43,982,425		\$ 58,623,181		\$ (14,640,756)	-25%
Aug	\$ 43,982,425	0%	\$ 61,219,871	4%	\$ (17,237,446)	-28%
Sep	\$ 38,732,656	-12%	\$ 43,955,323	-28%	\$ (5,222,667)	-12%



The FPFA’s projected cash needs for the next six months are sufficiently provided for by anticipated revenues and the liquidity of its cash and investments.

Investment Performance

The FPFA’s Portfolio Management Summary report for the month of September 2021 is presented in attachment 1. The FPFA’s investment earnings for the three-month quarter ended September 30, 2021 totaled \$316,349. The effective rate of return for the FPFA investment portfolio for the same time period is 3.02%.

Folsom Ranch Financing Authority

Total Cash and Investments

The FRFA cash and investments totaled \$95,290,000 as of September 30, 2021, an increase of \$24,185,000 from the prior year. This increase is due to the issuance of \$12,925,000 Community Facilities District No. 23 (Folsom Ranch), Improvement Area 1 Local Obligations on October 30, 2020 and the issuance of \$11,815,000 Community Facilities District No. 21 (White Rock Springs Ranch) Local Obligations on April 21, 2021. The only other activity

within FRFA was the maturing of \$555,000 of local obligations held by FRFA on September 1, 2021.

The Authority's projected cash needs for the next six months are sufficiently provided for by anticipated revenues and the liquidity of its cash and investments.

Investment Performance

The FRFA's Portfolio Management Summary report for the month of September 2021 is presented in attachment 1. The FRFA's investment earnings for the three-month quarter ended September 30, 2021 totaled \$1,108,737. The effective rate of return for the FRFA investment portfolio for the same time period is 4.72%.

South of 50 Parking Authority

Total Cash and Investments

The South of 50 Parking Authority cash and investments totaled \$0 as of September 30, 2021.

The Authority's projected cash needs for the next six months are sufficiently provided for by anticipated revenues and the liquidity of its cash and investments.

Investment Performance

There is no investment activity for the South of 50 Parking Authority.

ATTACHMENTS

1. City of Folsom, Folsom Redevelopment Successor Agency, Folsom Public Financing Authority, and Folsom Ranch Financing Authority Portfolio Management Summary September 2021
2. City of Folsom Portfolio Holdings as of September 30, 2021
3. City of Folsom Transaction Summary, First Quarter of Fiscal Year 2022

Submitted,



Stacey Tamagni, Finance Director

Agency Finance Officer
 Folsom Public Financing Authority Treasurer
 Folsom Ranch Financing Authority Treasurer
 South of 50 Parking Authority Treasurer

ATTACHMENT 1



CITY OF
FOLSOM
DISTINCTIVE BY NATURE

City of Folsom
Combined City of Folsom, Redevelopment
Successor Agency, FPFA & FRFA
Portfolio Summaries
September 30, 2021

12/14/2021 Item No.36.

50 Natoma St.
Folsom, CA 95630
(916) 461-6080

City of Folsom	YTM @ Cost	Face Amount/ Shares	Cost Value	Book Value	Market Value	Days to Maturity	Accrued Interest	% of Portfolio
Cash	0.580%	2,086,872.00	2,086,872.00	2,086,872.00	2,086,872.00	1	-	1.36
Certificate Of Deposit	2.339%	7,150,000.00	7,149,751.00	7,149,755.54	7,336,325.50	465	36,748.89	4.65
Corporate Bond	2.049%	17,030,000.00	17,063,820.00	17,051,773.71	17,065,533.30	938	107,804.34	11.06
FHLB Bond	1.007%	6,000,000.00	6,019,940.00	6,019,563.36	6,009,060.00	1576	4,724.99	3.90
Local Government Investment Pool	0.241%	81,057,657.97	81,057,657.97	81,057,657.97	81,057,657.97	1	-	52.66
Money Market	0.010%	4,286,089.55	4,286,089.55	4,286,089.55	4,286,089.55	1	-	2.78
Municipal Bond	1.456%	36,315,000.00	36,331,029.30	36,396,268.99	36,732,892.50	760	135,909.35	23.59
Total / Average	0.846%	\$ 153,925,619.62	\$ 153,995,159.82	\$ 154,047,981.12	\$ 154,574,430.82	367	\$ 285,187.57	100.00

Pooled Equity	Book Value	% of Portfolio	Interest Earnings (FY)	Total Rate of Return (FY)
City of Folsom Cash and Investments (excluding RDSA, FPFA & FRFA amounts)	\$ 146,444,210.71	95.06%	\$ 332,898.61	0.79%
Redevelopment Successor Agency (included in RDSA Investment Report)	7,474,872.00	4.85%	14,948.28	0.78%
Public Financing Authority (included in PFA Investment Report)	128,898.41	0.08%	316,348.63	3.02%
Folsom Ranch Financing Authority (included in FRFA Investment Report)	-	0.00%	1,108,736.92	4.72%
Total Pooled Equity	\$ 154,047,981.12	100.00%		

Redevelopment Successor Agency	YTM @ Cost	Face Amount/ Shares	Cost Value	Book Value	Market Value	Days to Maturity	Accrued Interest	% of Portfolio
Cash	0.800%	370,699.83	370,699.83	370,699.83	370,699.83	1	-	4.96
Non-Housing 2011A Proceeds	0.800%	2,591,295.00	2,591,295.00	2,591,295.00	2,591,295.00	1	-	34.67
Housing 2011B Proceeds	0.800%	4,512,877.17	4,512,877.17	4,512,877.17	4,512,877.17	1	-	60.37
Money Market	0.010%	2.94	2.94	2.94	2.94	1	-	0.00
Total / Average	0.800%	\$ 7,474,874.94	\$ 7,474,874.94	\$ 7,474,874.94	\$ 7,474,874.94	1	\$ -	100.00

Folsom Public Financing Authority	YTM @ Cost	Face Amount/ Shares	Cost Value	Book Value	Market Value	Days to Maturity	Accrued Interest	% of Portfolio
Cash	0.800%	128,898.41	128,898.41	128,898.41	128,898.41	1	-	0.33
Money Market	0.050%	158,757.69	158,757.69	158,757.69	158,757.69	1	-	0.41
Municipal Bond	2.987%	38,445,000.00	38,445,000.00	38,445,000.00	38,445,000.00	2787	92,506.12	99.26
Total / Average	2.967%	\$ 38,732,656.10	\$ 38,732,656.10	\$ 38,732,656.10	\$ 38,732,656.10	2766	\$ 92,506.12	100.00

Folsom Ranch Financing Authority	YTM @ Cost	Face Amount/ Shares	Cost Value	Book Value	Market Value	Days to Maturity	Accrued Interest	% of Portfolio
Money Market	0.005%	0.19	0.19	0.19	0.19	1	-	0.00
Municipal Bond	4.641%	95,290,000.00	95,290,000.00	95,290,000.00	95,290,000.00	7489	356,278.07	100.00
Total / Average	4.641%	\$ 95,290,000.19	\$ 95,290,000.19	\$ 95,290,000.19	\$ 95,290,000.19	7489	\$ 356,278.07	100.00

Stacey Tamagni, Finance Director

November 30, 2021

Date

ATTACHMENT 2

City of Folsom Portfolio Holdings

Portfolio Holdings for Inv. Report
Report Format: By Transaction
Portfolio / Report Group: City of Folsom

Group By: Security Type
Average By: Face Amount / Shares
As of 9/30/2021

Description	Issuer	Coupon Rate	Face Amt/Shares	% of Portfolio
Cash				
Wells Fargo Cash	Wells Fargo	0.000	86,872.00	0.06
Wells Fargo Cash	Wells Fargo	0.060	2,000,000.00	1.30
Sub Total / Average Cash		0.058	2,086,872.00	1.36
Certificate Of Deposit				
Appalachian Community CU 3.2 2/28/2022	Appalachian Community CU	3.200	245,000.00	0.16
Belmont Savings Bank 2.75 3/14/2023	Belmont Savings Bank	2.750	246,000.00	0.16
Beneficial Bank 2.15 10/18/2022	Beneficial Bank	2.150	247,000.00	0.16
CenterState Bank, NA 1.4 3/30/2022	CenterState Bank, NA	1.400	248,000.00	0.16
CIT Bank, NA 1.05 3/28/2022	CIT Bank, NA	1.050	248,000.00	0.16
Citizens Deposit Bank of Arlington, Inc 3.1 6/29/	Citizens Deposit Bank of Arlington, Inc	3.100	246,000.00	0.16
Discover Bank 2.25 2/15/2022	Discover Bank	2.250	247,000.00	0.16
Essential FCU 3.55 12/5/2023	Essential FCU	3.550	245,000.00	0.16
Farmer's & Merchants Bank 3.3 9/27/2023	Farmer's & Merchants Bank	3.300	245,000.00	0.16
First Bank of Highland Park 2.2 8/23/2022	First Bank of Highland Park	2.200	247,000.00	0.16
Greenstate Credit Union 1.9 2/28/2022	Greenstate Credit Union	1.900	249,000.00	0.16
Jefferson Financial FCU 2.45 11/10/2022	Jefferson Financial FCU	2.450	245,000.00	0.16
Medallion Bank 2.15 10/11/2022	Medallion Bank	2.150	247,000.00	0.16
Morgan Stanley Bank, NA 2.2 7/25/2024	Morgan Stanley Bank, NA	2.200	247,000.00	0.16
Morgan Stanley Private Bank, NA 2.2 7/18/2024	Morgan Stanley Private Bank, NA	2.200	247,000.00	0.16
National Cooperative Bank, NA 3.4 12/21/2023	National Cooperative Bank, NA	3.400	245,000.00	0.16
Neighbors FCU 3.3 9/19/2023	Neighbors FCU	3.300	245,000.00	0.16
New York Community Bank 0.65 9/10/2024	New York Community Bank	0.650	249,000.00	0.16
Public Service CU 3.15 10/26/2021	Public Service CU	3.150	245,000.00	0.16
Raymond James Bank, NA 1.95 8/23/2023	Raymond James Bank, NA	1.950	247,000.00	0.16
Sallie Mae Bank 2.6 4/18/2022	Sallie Mae Bank	2.600	246,000.00	0.16
Synchrony Bank 2.4 5/19/2022	Synchrony Bank	2.400	240,000.00	0.16
Synovus Bank 1.45 10/17/2022	Synovus Bank	1.450	248,000.00	0.16
TIAA, FSB 2.2 8/16/2022	TIAA, FSB	2.200	247,000.00	0.16
UBS Bank USA 2.9 4/3/2024	UBS Bank USA	2.900	249,000.00	0.16
Uinta County Bank 2.6 2/16/2023	Uinta County Bank	2.600	246,000.00	0.16
VisionBank of Iowa 2.15 5/31/2022	VisionBank of Iowa	2.150	247,000.00	0.16
Wells Fargo National Bank West LV 1.9 1/29/2023	Wells Fargo National Bank West LV	1.900	249,000.00	0.16
Wex Bank 1.4 4/8/2022	Wex Bank	1.400	248,000.00	0.16
Sub Total / Average Certificate Of Deposit		2.338	7,150,000.00	4.65
Corporate Bond				
Bank of America Corp 0.8 2/24/2026-22	Bank of America Corp	0.800	2,000,000.00	1.30
Bank of Montreal 1.22 3/17/2026-22	Bank of Montreal	1.220	2,000,000.00	1.30
Bank of Montreal Step 7/30/2025-21	Bank of Montreal	1.000	2,000,000.00	1.30
Bank of NY Mellon 2.6 2/7/2022-22	Bank of NY Mellon	2.600	1,000,000.00	0.65
Bank of NY Mellon 3.5 4/28/2023	Bank of NY Mellon	3.500	1,000,000.00	0.65
Barclays Bank PLC 3.10 10/17/2023-22	Barclays Bank PLC	3.000	2,000,000.00	1.30
MUFG Union Bank NA 3.15 4/1/2022-22	MUFG Union Bank NA	3.150	1,000,000.00	0.65
Pacific Life GF II 1.2 6/24/2025	Pacific Life GF II	1.200	1,500,000.00	0.97
State Street Corp 2.653 5/15/2023-22	State Street Corp	2.653	2,530,000.00	1.64
Wells Fargo & Co 2.625 7/22/2022	Wells Fargo & Co	2.625	1,000,000.00	0.65
Wells Fargo & Co 3.069 1/24/2023-22	Wells Fargo & Co.	3.069	1,000,000.00	0.65
Sub Total / Average Corporate Bond		2.084	17,030,000.00	11.06
FHLB Bond				
FHLB 0.6 12/17/2024-21	FHLB	0.600	2,000,000.00	1.30
FHLB 1.375 8/26/2026-22	FHLB	1.375	2,000,000.00	1.30
FHLB Step 7/29/2026-21	FHLB	0.500	2,000,000.00	1.30
Sub Total / Average FHLB Bond		0.825	6,000,000.00	3.90
Local Government Investment Pool				

LAIF City LGIP	LAIF City	0.241	55,778,737.37	36.24
LAIF FPFA LGIP	LAIF FPFA	0.242	25,278,920.60	16.42
Sub Total / Average Local Government Investment Pool		0.241	81,057,657.97	52.66
Money Market				
Wells Fargo MM	Wells Fargo	0.010	866,990.11	0.56
Wells Fargo MM	Wells Fargo	0.010	3,419,099.44	2.22
Sub Total / Average Money Market		0.010	4,286,089.55	2.78
Municipal Bond				
Alvord USD GOBs 1.062 8/1/2025	Alvord USD GOBs	1.062	1,280,000.00	0.83
Belmont-Redwood Shores SD 0.269 8/1/2022	Belmont-Redwood Shores SD	0.269	300,000.00	0.19
Belmont-Redwood Shores SD 0.369 8/1/2023	Belmont-Redwood Shores SD	0.369	125,000.00	0.08
Belmont-Redwood Shores SD 0.638 8/1/2024	Belmont-Redwood Shores SD	0.638	250,000.00	0.16
Belmont-Redwood Shores SD Ser B 0.269 8/1/2022	Belmont-Redwood Shores SD Ser B	0.269	140,000.00	0.09
Belmont-Redwood Shores SD Ser B 0.369 8/1/2023	Belmont-Redwood Shores SD Ser B	0.369	170,000.00	0.11
Beverly Hills PFA Lease Rev 0.499 6/1/2023	Beverly Hills PFA Lease Rev	0.499	300,000.00	0.19
Beverly Hills PFA Lease Rev 0.73 6/1/2024	Beverly Hills PFA Lease Rev	0.730	300,000.00	0.19
CA St DWR Pwr Supp Rev 2 5/1/2022	CA St DWR Pwr Supp Rev	2.000	1,000,000.00	0.65
CA St DWR Pwr Supp Rev 2 5/1/2022	CA St DWR Pwr Supp Rev	2.000	1,000,000.00	0.65
Cabrillo CCD 1.913 8/1/2022	Cabrillo CCD	1.913	230,000.00	0.15
Cal St Hlth Fac Fin Auth Rev 1.893 6/1/2022	Cal St Hlth Fac Fin Auth Rev	1.893	1,000,000.00	0.65
Carson RDA SA TABs 2.992 2/1/2022-17	Carson RDA SA TABs	2.992	100,000.00	0.06
Carson RDASA TABs 0.909 8/1/2022	Carson RDASA TABs	0.909	400,000.00	0.26
Carson RDASA TABs 0.981 8/1/2023	Carson RDASA TABs	0.981	300,000.00	0.19
Carson RDASA TABs 1.188 8/1/2024	Carson RDASA TABs	1.188	400,000.00	0.26
Carson RDASA TABs 1.288 8/1/2025	Carson RDASA TABs	1.288	300,000.00	0.19
Citrus CCD GOBs 0.669 8/1/2024	Citrus CCD GOBs	0.669	400,000.00	0.26
Citrus CCD GOBs 0.819 8/1/2025	Citrus CCD GOBs	0.819	400,000.00	0.26
Coast CCD GOBs 1.975 8/1/2023	Coast CCD GOBs	1.975	1,265,000.00	0.82
Colton USD 0.702 8/1/2023	Colton USD	0.702	1,000,000.00	0.65
Colton USD 0.882 8/1/2024	Colton USD	0.882	1,000,000.00	0.65
CSU Revenue Bonds 0.685 11/1/2024	CSU Revenue Bonds	0.685	500,000.00	0.32
CSU Revenue Bonds 2.982 11/1/2021	CSU Revenue Bonds	2.982	300,000.00	0.19
Davis RDA-SA TABs 1.72 9/1/2022	Davis RDA-SA TABs	1.720	1,225,000.00	0.80
Davis RDA-SA TABs 1.75 9/1/2023	Davis RDA-SA TABs	1.750	625,000.00	0.41
Dixon USD 0.953 8/1/2025	Dixon USD	0.953	100,000.00	0.06
Folsom Cordova USD Imp Dist 2 2 10/1/2021	Folsom Cordova USD Imp Dist 2	2.000	175,000.00	0.11
Folsom Cordova USD Imp Dist 2 2 10/1/2022	Folsom Cordova USD Imp Dist 2	2.000	160,000.00	0.10
Folsom Cordova USD Imp Dist 2 2 10/1/2023	Folsom Cordova USD Imp Dist 2	2.000	165,000.00	0.11
Folsom Cordova USD Imp Dist 2 2 10/1/2024	Folsom Cordova USD Imp Dist 2	2.000	1,000,000.00	0.65
Folsom Cordova USD Imp Dist 2 2 10/1/2025	Folsom Cordova USD Imp Dist 2	2.000	1,040,000.00	0.68
Highland RDA-SA TABs 2.25 2/1/2022	Highland RDA-SA TABs	2.250	390,000.00	0.25
Hope ESD 0.97 8/1/2025	Hope ESD	0.970	300,000.00	0.19
Hope ESD 1.17 8/1/2026	Hope ESD	1.170	285,000.00	0.19
LA Cnty RDA Ref Auth 2 9/1/2022	LA Cnty RDA Ref Auth	2.000	1,235,000.00	0.80
Los Altos SD 1 10/1/2024	Los Altos SD	1.000	2,000,000.00	1.30
Murrieta RDA-SA TABs 2.5 8/1/2022	Murrieta RDA-SA TABs	2.500	250,000.00	0.16
Oak Grove SD 0.561 8/1/2024	Oak Grove SD	0.561	600,000.00	0.39
Oxnard SD GOBs 0.587 8/1/2022	Oxnard SD GOBs	0.587	700,000.00	0.45
Oxnard SD GOBs 0.82 8/1/2024	Oxnard SD GOBs	0.820	345,000.00	0.22
Pittsburg USD 0.67 8/1/2024	Pittsburg USD	0.670	680,000.00	0.44
Rancho Santiago CCD GOBs 0.634 9/1/2024	Rancho Santiago CCD GOBs	0.634	1,000,000.00	0.65
Riverside Cnty PFA 1.84 7/1/2023	Riverside Cnty PFA	1.840	195,000.00	0.13
San Bernardino CCD 0.605 8/1/2024	San Bernardino CCD	0.605	1,000,000.00	0.65
San Jose Evergreen CCD 0.921 9/1/2025	San Jose Evergreen CCD	0.921	1,000,000.00	0.65
San Jose RDA-SA 2.63 8/1/2022	San Jose RDA-SA	2.630	1,000,000.00	0.65
San Jose RDA-SA 2.63 8/1/2022	San Jose RDA-SA	2.630	1,000,000.00	0.65
San Jose RDASA TABs 2.828 8/1/2023	San Jose RDASA TABs	2.828	500,000.00	0.32
Santa Clarita PFA Lease Rev 0.976 6/1/2024-20	Santa Clarita PFA Lease Rev	0.976	355,000.00	0.23
Santa Clarita PFA Lease Rev 1.176 6/1/2025-20	Santa Clarita PFA Lease Rev	1.176	360,000.00	0.23
SF BART Rev Bonds 2.621 7/1/2023-17	SF BART Rev Bonds	2.621	735,000.00	0.48
State of CA GO 2.5 10/1/2022	State of CA GO	2.500	1,000,000.00	0.65
Univ of CA Revenue 0.628 5/15/2023-23	Univ of CA Revenue	0.628	125,000.00	0.08
Univ of CA Revenue 0.833 5/15/2024-24	Univ of CA Revenue	0.833	250,000.00	0.16
Univ of CA Revenue 2.657 5/15/2023-19	Univ of CA Revenue	2.657	500,000.00	0.32
Univ of CA Revenue 3.283 5/15/2022-18	Univ of CA Revenue	3.283	500,000.00	0.32
West Contra Costa USD 1.434 8/1/2022	West Contra Costa USD	1.434	360,000.00	0.23

West Contra Costa USD 1.761 8/1/2024	West Contra Costa USD	1.761	1,000,000.00	0.65
West Sacramento Area Flood Control Agy 1.847 9/1/2	West Sacramento Area Flood Control Agy	1.847	200,000.00	0.13
Yosemite CCD 0.561 8/1/2023	Yosemite CCD	0.561	1,000,000.00	0.65
Yosemite CCD 0.804 8/1/2024	Yosemite CCD	0.804	500,000.00	0.32
Sub Total / Average Municipal Bond		1.484	36,315,000.00	23.59
Total / Average		0.850	153,925,619.52	100.00

ATTACHMENT 3

City of Folsom Transactions Summary

Transaction Summary - Investment Report
Portfolio / Report Group: City of Folsom

Group By: Action
Begin Date: 07/01/2021, End Date: 09/30/2021

Description	Security Type	Settlement Date	Maturity Date	Face Amt/Shares	Principal	YTM @ Cost
Buy						
Bank of Montreal 1.22 3/17/2026-22	Corporate Bond	9/17/2021	3/17/2026	2,000,000.00	2,000,000.00	1.220
Belmont-Redwood Shores SD 0.269 8/1/2022	Municipal Bond	8/4/2021	8/1/2022	300,000.00	300,000.00	0.269
Belmont-Redwood Shores SD 0.369 8/1/2023	Municipal Bond	8/4/2021	8/1/2023	125,000.00	125,000.00	0.369
Belmont-Redwood Shores SD 0.638 8/1/2024	Municipal Bond	8/4/2021	8/1/2024	250,000.00	250,000.00	0.638
Belmont-Redwood Shores SD Ser B 0.269 8/1/2022	Municipal Bond	8/4/2021	8/1/2022	140,000.00	140,000.00	0.269
Belmont-Redwood Shores SD Ser B 0.369 8/1/2023	Municipal Bond	8/4/2021	8/1/2023	170,000.00	170,000.00	0.369
FHLB 0.6 12/17/2024-21	FHLB Bond	9/17/2021	12/17/2024	2,000,000.00	2,000,000.00	0.600
FHLB 1.375 8/26/2026-22	FHLB Bond	8/26/2021	8/26/2026	2,000,000.00	2,019,940.00	1.169
FHLB Step 7/29/2026-21	FHLB Bond	7/29/2021	7/29/2026	2,000,000.00	2,000,000.00	1.253
Hope ESD 0.97 8/1/2025	Municipal Bond	9/23/2021	8/1/2025	300,000.00	301,362.00	0.850
Hope ESD 1.17 8/1/2026	Municipal Bond	9/23/2021	8/1/2026	285,000.00	286,613.10	1.050
New York Community Bank 0.65 9/10/2024	Certificate Of Deposit	9/10/2021	9/10/2024	249,000.00	248,751.00	0.684
Pacific Life GF II 1.2 8/24/2025	Corporate Bond	9/3/2021	6/24/2025	1,500,000.00	1,516,230.00	0.910
Pittsburg USD 0.67 8/1/2024	Municipal Bond	8/10/2021	8/1/2024	680,000.00	680,000.00	0.670
San Bernardino CCD 0.605 8/1/2024	Municipal Bond	8/5/2021	8/1/2024	1,000,000.00	1,000,000.00	0.605
Sub Total / Average Buy				12,999,000.00	13,037,896.10	
Called						
FHLB 0.82 8/27/2025-21	FHLB Bond	8/27/2021	8/27/2025	2,000,000.00	2,000,000.00	0.000
Sub Total / Average Called				2,000,000.00	2,000,000.00	
Matured						
BMW Bank 2.1 9/15/2021	Certificate Of Deposit	9/15/2021	9/15/2021	247,000.00	247,000.00	0.000
Cabrillo CCD 1.913 8/1/2021	Municipal Bond	8/1/2021	8/1/2021	225,000.00	225,000.00	0.000
Cent Contra Costa San Dist Rev. Bonds 2.96 9/1/20	Municipal Bond	9/1/2021	9/1/2021	235,000.00	235,000.00	0.000
Davis RDA-SA TABs 1.66 9/1/2021	Municipal Bond	9/1/2021	9/1/2021	1,200,000.00	1,200,000.00	0.000
East Boston Savings Bank 2.3 7/30/2021	Certificate Of Deposit	7/30/2021	7/30/2021	247,000.00	247,000.00	0.000
Gilroy USD 1.721 8/1/2021	Municipal Bond	8/1/2021	8/1/2021	320,000.00	320,000.00	0.000
Imperial CCD 1.874 8/1/2021	Municipal Bond	8/1/2021	8/1/2021	200,000.00	200,000.00	0.000
Keesler FCU 3.05 8/30/2021	Certificate Of Deposit	8/30/2021	8/30/2021	249,000.00	249,000.00	0.000
Long Beach CCD 1.738 8/1/2021	Municipal Bond	8/1/2021	8/1/2021	780,000.00	780,000.00	0.000
Marin CCD GOBs 2.243 8/1/2021-16	Municipal Bond	8/1/2021	8/1/2021	650,000.00	650,000.00	0.000
Murieta RDA-SA TABs 2.25 8/1/2021	Municipal Bond	8/1/2021	8/1/2021	350,000.00	350,000.00	0.000
Richmond RDASA 0.43 9/1/2021	Municipal Bond	9/1/2021	9/1/2021	200,000.00	200,000.00	0.000
San Francisco RDA SA TABs 2.796 8/1/2021	Municipal Bond	8/1/2021	8/1/2021	1,000,000.00	1,000,000.00	0.000
Third Federal Savings and Loan 2.728/2021	Certificate Of Deposit	7/28/2021	7/28/2021	245,000.00	245,000.00	0.000
Valley Strong CU 1.1 9/20/2021	Certificate Of Deposit	9/20/2021	9/20/2021	249,000.00	249,000.00	0.000
West Contra Costa USD GOBs 3.031 8/1/2021	Municipal Bond	8/1/2021	8/1/2021	300,000.00	300,000.00	0.000
West Sacramento Area Flood Control Agy 1.797 9/1/2	Municipal Bond	9/1/2021	9/1/2021	200,000.00	200,000.00	0.000
Sub Total / Average Matured				6,897,000.00	6,897,000.00	

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Folsom City Council Staff Report



MEETING DATE:	12/14/2021
SECTION:	Elections
SUBJECT:	Selection of Mayor and Vice Mayor for 2022
FROM:	City Clerk's Department

CITY COUNCIL ACTION

The City Council shall select a Mayor and Vice Mayor for 2022.

BACKGROUND / ISSUE

The Mayor and Vice Mayor serve at the pleasure of the City Council, with the Vice Mayor authorized to possess and perform the duties of the Mayor in the absence of the Mayor. Traditionally, the City Council selects a Mayor and Vice Mayor each December to serve for the following calendar year.

POLICY/ RULE

Folsom Charter sections 2.03 and 2.05 establish the selection of the Mayor and Vice Mayor by the City Council.

The Mayor’s primary responsibilities include:

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

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

The Vice Mayor's primary responsibility is to perform the Mayor's duties in the Mayor's absence.

ATTACHMENTS

None

Respectfully submitted,

Christa Freemantle, CMC
City Clerk