



CITY OF
FOLSOM
DISTINCTIVE BY NATURE

Agenda

City Council Regular Meeting

City Council Chambers | 50 Natoma Street, Folsom CA 95630

April 13, 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	Online	On TV
		
City Council meetings take place at City Hall, 50 Natoma Street	Watch the livestream and replay past meetings on the city website, www.folsom.ca.us	Watch live and replays of meetings on Sac Metro Cable TV, Channel 14

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



CITY OF
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City Council Regular Meeting

Folsom City Council Chambers
50 Natoma Street, Folsom, CA

www.folsom.ca.us

Tuesday, April 13, 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 Governor Newsom's Executive Order N-29-20, members of the Folsom City Council and staff may participate in this meeting via teleconference.

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

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

CALL TO ORDER

ROLL CALL:

Councilmembers: Rodriguez, Aquino, Chalamcherla, Howell, 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

SCHEDULED PRESENTATIONS:

- [1.](#) Presentation from Congressman Ami Bera, M.D. Regarding the Federal Government's COVID-19 Relief Package Known as the American Rescue Plan Act of 2021
- [2.](#) Proclamation of the Mayor of the City of Folsom Proclaiming the Month of April as Limb Loss and Limb Difference Awareness Month in the City of Folsom
- [3.](#) Arbor Day Foundation's Recognition of Folsom as a 2020 Tree City USA and a Proclamation of the Mayor of the City of Folsom Encouraging the Community to Become Involved in Arbor Day
- [4.](#) Presentation on Ladder Fuel and Weed Abatement Practices

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.

CONSENT CALENDAR:

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

- [5.](#) Ordinance No. 1312 – An Ordinance of the City of Folsom Adding Chapter 12.24 to the Folsom Municipal Code Pertaining to Sidewalk Vendors (Second Reading and Adoption)
- [6.](#) Resolution No. 10607 - A Resolution Acknowledging Receipt of Completed Annual State Mandated Fire Inspections
- [7.](#) Resolution No. 10608 – A Resolution Authorizing the City Manager to Execute an Agreement with Folsom Lake Ford to Purchase Three Ford Ranger Pickup Trucks
- [8.](#) Resolution No. 10610 - A Resolution Authorizing the City Manager to Execute a Construction Agreement with Sierra National Construction, Inc. for the Neighborhood Sidewalk Replacement Fiscal Year 2020-21 Project
- [9.](#) Resolution No. 10611 - A Resolution Initiating the Proceedings for the Formation of a Landscaping and Lighting Assessment District to be Known as Prairie Oaks Ranch No. 2 Landscaping and Lighting District
- [10.](#) Resolution No. 10612 - A Resolution Authorizing the City Manager to Execute a Lease Extension and Amendment with Patricia Orellana for Operation of Einstein Cafe at the Folsom Public Library

OLD BUSINESS:

- [11.](#) Workshop Discussion Regarding City Council Governance Manual (Part 1 of 2) and Direction to Staff
- [12.](#) Presentation Regarding the Park Naming Policy and Direction to Staff

NEW BUSINESS:

- [13.](#) Resolution No. 10609 - A Resolution Ratifying Submission of Grant Applications to the Community Project Funding

14. New Business License Certificate Administration and Direction to Staff Regarding Potential Waiver of Business License Certificate Fees for FY 21-22

CITY MANAGER REPORTS:

COUNCIL COMMENTS:

ADJOURNMENT

The City Council's next regular meeting is scheduled for April 27, 2021.

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.*

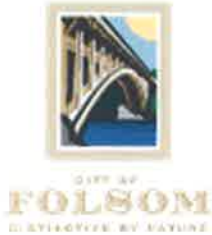
As presiding officer, the Mayor has the authority to preserve order at all City Council meetings, to remove or cause the removal of any person from any such meeting for disorderly conduct, or for making personal, impertinent, or slanderous remarks, using profanity, or becoming boisterous, threatening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

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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.



Folsom City Council Staff Report



MEETING DATE:	4/13/2021
AGENDA SECTION:	Scheduled Presentations
SUBJECT:	Presentation from Congressman Ami Bera, M.D. Regarding the Federal Government's COVID-19 Relief Package Known as the American Rescue Plan Act of 2021
FROM:	City Clerk's Department

Known as the American Rescue Plan Act of 2021, H.R. 1319 was passed by the House on February 27, by the Senate on March 6, and became law on March 11. The Act provides additional relief to address the continued impact of COVID-19 on the economy, public health, state and local governments, individuals, and businesses. The \$1.9 trillion legislative package provides resources to address the ongoing health crisis and to help spur a strong economic recovery.

Congressman Ami Bera, M.D., U.S. Representative for California's 7th congressional district, will address the City Council to share information regarding the Act. Congressman Bera will appear by videoconference from Washington, D.C., as Congress is currently in session.

Submitted,

Christa Freemantle, City Clerk

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**PROCLAMATION
OF THE MAYOR OF THE CITY OF FOLSOM
PROCLAIMING THE MONTH OF APRIL**

**as
LIMB LOSS AND LIMB DIFFERENCE AWARENESS MONTH
in the City of Folsom**

WHEREAS, there are approximately 2.1 million Americans living with limb loss and limb difference, and over 500 Americans lose a limb every day; and

WHEREAS, approximately 1,000 children are born each year in the United States with congenital limb difference and approximately 600 children lose a limb to a lawn mower accident every summer; and

WHEREAS, diabetes, peripheral vascular disease, and trauma are cited as the leading causes of amputation with approximately 99% of cases being attributed to these types of diseases; and

WHEREAS, studies have shown that diabetes management, properly treating wounds, and observing safety practices can be effective in preventing amputations; and

WHEREAS, access to appropriate prosthetic care for people living with limb loss is vital to enable individuals to reach their full potential, live independently, and live well; and

WHEREAS, the Amputee Coalition provides education, support and advocacy through the National Limb Loss Resource Center for the benefit of persons with limb loss and limb difference, their families, and health care providers throughout the United States; and

WHEREAS, April is an appropriate month to designate as Limb Loss and Limb Difference Awareness Month as spring is a time of renewal and inspiration.

NOW, THEREFORE, I, MICHAEL D. KOZLOWSKI, Mayor of the City of Folsom, on behalf of the Folsom City Council, do hereby proclaim April 2021 as **NATIONAL LIMB LOSS AND LIMB DIFFERENCE AWARENESS MONTH** and encourage all of its residents to join in recognizing the importance of this month by celebrating people living with limb loss and limb difference, learning about issues affecting people with limb loss, expressing gratitude to family and caregivers who are a source of support and motivation, and saluting our veterans who have lost their limbs in service to this country.

PROCLAIMED this 13th day of April 2021.



Michael D. Kozlowski, MAYOR

Attest:

Christa Freemantle, City Clerk

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**PROCLAMATION
OF THE MAYOR OF THE CITY OF FOLSOM**

**ENCOURAGING THE COMMUNITY TO BECOME INVOLVED
in
ARBOR DAY**

WHEREAS, in 1872, J. Sterling Morton proposed that a special day be set aside for the planting of trees; and

WHEREAS, in 1907, President Theodore Roosevelt proclaimed this as a national time to plant trees; and

WHEREAS, Arbor Day is now observed throughout the nation and the world and will be celebrated in Folsom on Saturday, April 24, 2021; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature city wide, catch rainwater, clean the air, produce life-giving oxygen, provide habitat for wildlife, and protect us from the harmful effects of the sun on our skin; and

WHEREAS, trees are a renewable resource, giving us paper, wood for our homes and furniture, and sequestering air and soil-borne carbon; and

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community; and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal; and

WHEREAS, we will be spreading mulch under the two landmark valley oak trees at Prewett Park in celebration of Arbor Day.

NOW, THEREFORE, I, Michael D. Kozlowski, Mayor of the City of Folsom, do hereby proclaim **April 24, 2021 as Arbor Day** in the City of Folsom, and urge all citizens to celebrate Arbor Day by supporting efforts to protect our trees and woodlands, planting a tree of their own or joining in our City Arbor Day event and;

FURTHER, I urge all citizens to enjoy the cool shade of trees and promote the well-being of this and future generations as Folsom becomes a Tree City USA for the fifteenth year in a row and celebrates the 2020 Tree City USA Growth Award as bestowed by the Arbor Day Foundation.

PROCLAIMED this 13th day of April 2021.



Michael D. Kozlowski, MAYOR

ATTEST:

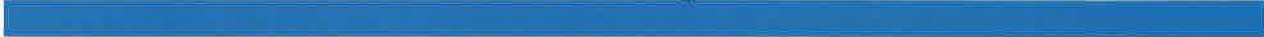
Christa Freemantle, CITY CLERK

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Folsom City Council Staff Report



MEETING DATE:	4/13/2021
AGENDA SECTION:	Scheduled Presentations
SUBJECT:	Presentation on Ladder Fuel and Weed Abatement Practices
FROM:	Parks and Recreation Department

BACKGROUND / ISSUE

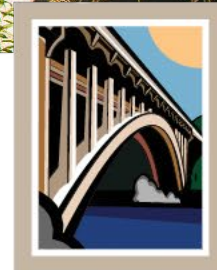
Staff from both the Parks and Recreation Department and Fire Department will provide an overview of the City of Folsom’s current practices and procedures for weed abatement and ladder fuel.

Submitted,

Lorraine Poggione, Parks and Recreation Director



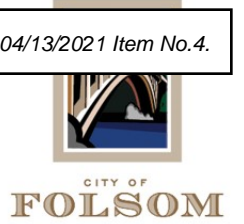
Ladder Fuel & Weed Abatement Practices City Council Presentation April 13, 2021



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Fire Hazard Rating System

04/13/2021 Item No.4.



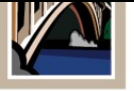
Six indicators are reviewed for each parcel



2020 Vegetation Fire at Nisenan Park

Fire Hazard Rating System

04/13/2021 Item No.4.



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WUI Threat to
Structures



Fire History



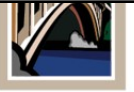
Emergency Vehicle
Access



2020 Vegetation Fire between the
Steve Miklos Aquatic Center and
Fire Station 35

Fire Hazard Rating System

04/13/2021 Item No.4.



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Fire Spread Potential



Population Use



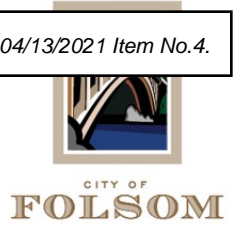
Adjacent to Homes and/or
Businesses



2020 Serpa Way Grass Fire

Fire Risk and Hazard Rating

04/13/2021 Item No.4.



Site Description	Site #	TOTAL ACRES	WUI Threat >5 Structures	Fire History	Emergency Vehicle Access	Fire Spread Potential	Population use	Adjacent to Homes/ Business	Hazard Rating	Number of Fire Risk Value Indicators
Nisenan Park	30	33.00		X		X	X	X	3	4



2018 Blue Ravine Grass Fire



2018 FLC Grass Fire



2020 Nisenan Park

Ladder Fuel Program Methodology

04/13/2021 Item No.4.

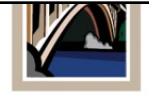


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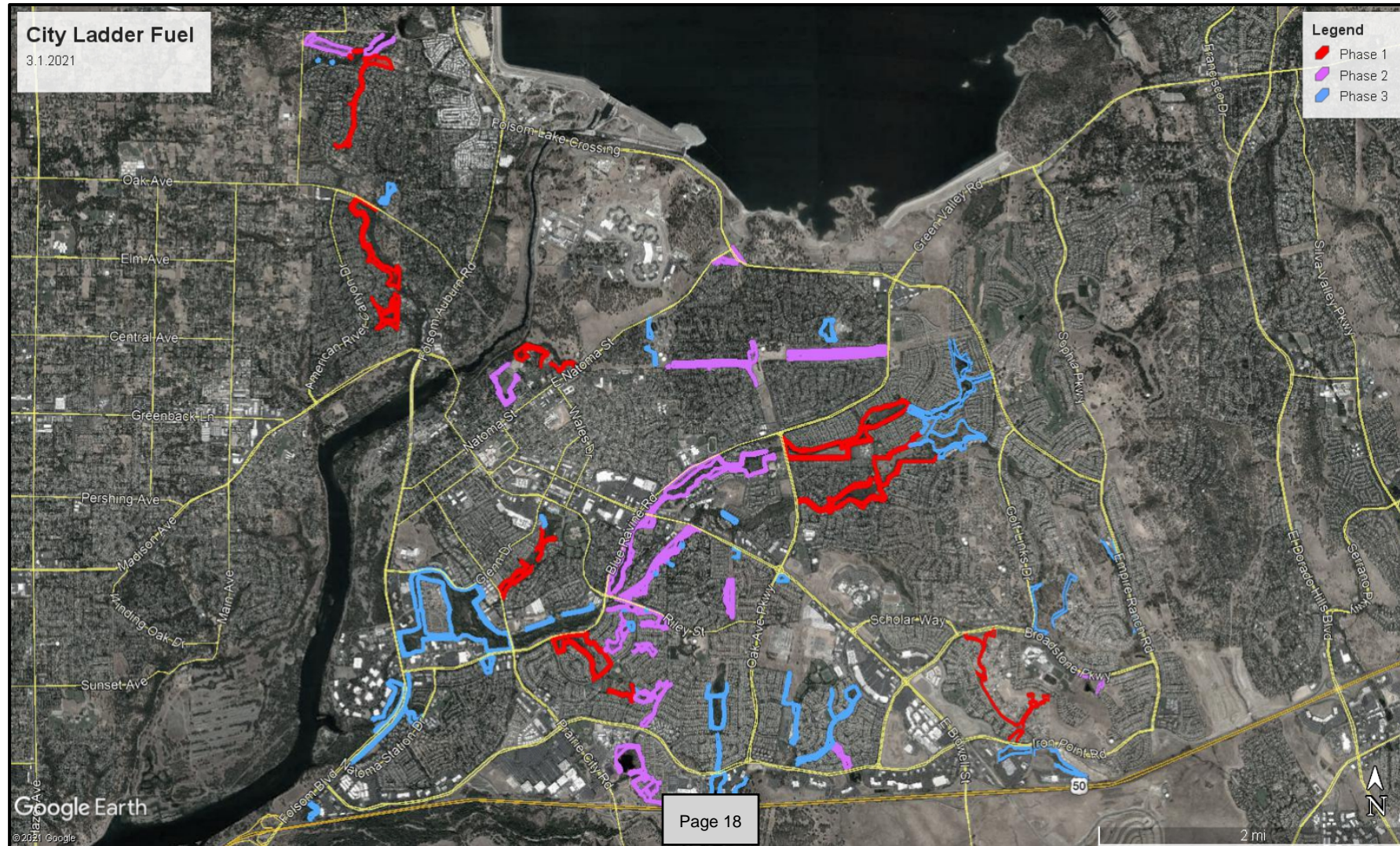
- City staff including Parks and Fire met in 2017 to discuss all City owned open space areas each year
- Fire then ranked each area using the 6-factor rating system
- We then created three phases based on site ratings and geography
- Parks aims to accomplish one phase per year (based on funding availability)
- Once all phases have had their initial treatment, we will revisit each phase on a 3-year rotation
- The first year in each phase will be a significant amount of work to get the sites into spec with future years needing less work to just maintain clearances

Ladder Fuel Phase Map

04/13/2021 Item No.4.



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What are Ladder Fuels?

04/13/2021 Item No.4.



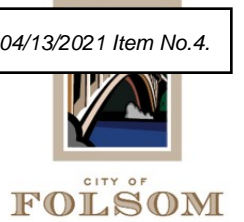
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- Ladder Fuels are any combustible materials that could facilitate the spread of ground and surface fires into tree canopies resulting in crown fires.



What is Weed Abatement?

04/13/2021 Item No.4.



- Weed Abatement is the management and removal of annual grasses that pose a fire risk



Methods of Treatment

04/13/2021 Item No.4.



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- **Manual Removal:**
 - This applies to most of our areas and is carried out by a combination of our Landscape Contractor, City Staff, and occasionally CalFire.
- **Managed Grazing:**
 - This portion has been growing in recent history.
 - Began in 2018 and has been implemented every year since.
- **Window to do work:**
 - Work within CDFW jurisdiction needs to be completed outside of breeding season (February 14 to October 1). If work is proposed within breeding season CDFW approval is required. The timeframe to do weed abatement is generally 2-3 months (from the last rain to June) whereas ladder fuel work can be done year-round so long as there is no CDFW conflict and weather permitting.
- **Assistance with Cal Fire:**
 - Larger ladder fuel areas are best addressed with fire crews. Staff works closely with Cal Fire to schedule them as their schedule allows.

Folsom Metrics

04/13/2021 Item No.4.



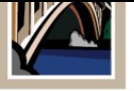
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- 335 acres of Ladder Fuel:
- 245 acres in Parks Maintenance
- 90 acres in L&L's



Folsom Metrics Cont.

04/13/2021 Item No.4.



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- 301 acres of weed abatement
- 177 acres in Parks Division
- 124 acres in L&L's
- 792 acres on HOA, Private Property, non-city owned property



Folsom Plan Area

04/13/2021 Item No.4.



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- The open spaces in the FPA fall into two categories:
 - Passive Recreation (648 acres)
 - Conservation (340 acres)
- To date the City has accepted 38 acres of open space in Russell Ranch.
- When privately owned, the landowners are responsible for implementation of their fuel modification plan. Once accepted the City will be responsible for fuel mod implementation.

FEMA Defensible Space and Vegetation Management Grant

04/13/2021 Item No.4.



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- The City Applied for a grant in May of 2018 through FEMA's Hazard Mitigation Grant Program.
- Grant would be for \$500,000 over 3-years with the City matching 25% (FEMA: \$375,000, City \$125,000).
- Currently conducting biological surveys in all phases. Based on findings we will adjust methods & schedule.
- Have not received notification of receipt of grant yet-but is expected.

Recent and Future Efforts

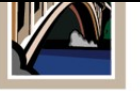
04/13/2021 Item No.4.



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- Of the 14 sites within Phase 1 one of the highest priorities (Robber's Ravine) will receive ladder fuel work in early April.
- The next identified sites, if funding is available through the grant, will be discussed and coordinated with our Fire Dept but next higher priority areas is: 15.5 acres NE of Sibley and SW of Lembi Park in the Folsom Heights (California Hills) area.

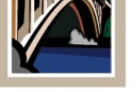
Conclusion



- City has over 600 acres of weed abatement and ladder fuel areas
- There is over 700 acres of open space areas not city owned
- Weed abatement is budgeted each year through L&Ls and GF
- Ladder fuel projects are addressed through partnerships with Cal Fire and City Crews

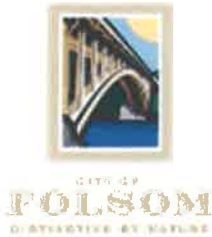
Ladder Fuel and Weed Abatement Practices

04/13/2021 Item No.4.



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QUESTIONS?



Folsom City Council Staff Report



MEETING DATE:	4/13/2021
AGENDA SECTION:	Consent Calendar
SUBJECT:	Ordinance No. 1312 – An Ordinance of the City of Folsom Adding Chapter 12.24 to the Folsom Municipal Code Pertaining to Sidewalk Vendors (Second Reading and Adoption)
FROM:	City Attorney's Office

RECOMMENDATION / CITY COUNCIL ACTION

Staff respectfully recommends that the City Council conduct Second Reading and Adoption of Ordinance No. 1312 – An Ordinance of the City of Folsom Adding Chapter 12.24 to the Folsom Municipal Code Pertaining to Sidewalk Vendors.

BACKGROUND / ISSUE

The City Council introduced and conducted First Reading of Ordinance No. 1312 at its meeting on March 23, 2021. No changes have been made to the ordinance since first reading.

The proposed Sidewalk Vendor Ordinance establishes reasonable time, place and manner regulation pertaining to sidewalk vending activities consistent with Senate Bill 946, which went into effect on January 1, 2019. SB 946 prohibits local governments from regulating sidewalk vendors except as specifically permitted by State law. In passing SB 946, the State Legislature declared that sidewalk vending provides important entrepreneurship and economic development opportunities to low-income and immigrant communities, increases access to desired goods (such as culturally significant food and merchandise), contributes to a safe and dynamic public space, and promotes safety and welfare of the general public by encouraging local authorities to support and properly regulate sidewalk vending.

POLICY / RULE

The City Council is vested with authority to adopt Ordinances pursuant to Section 2.12 of the Folsom City Charter. Amendments to the Folsom Municipal Code require approval of the City Council.

ANALYSIS

With some limited exceptions, SB 946 prohibits local governments from preventing sidewalk vending from operating within specific parts of the public right-of-way, except when the restriction is directly related to objective health, safety, or welfare concerns. A local government can adopt requirements such as regulating the time, place and manner of sidewalk vending to the extent they are directly related to objective health, safety, and welfare concerns; however, these restrictions cannot be unduly restrictive. For example, local government cannot impose stricter hours of operation on a sidewalk vendor than it would impose on other businesses or uses along the same street.

State law does allow local governments to require a license or permit for sidewalk vending, hence the proposed Ordinance sets forth the requirements for sidewalk vendors to obtain a Sidewalk Vendor Permit from the Community Development Department prior to operating on sidewalks in the City. There are various standards that a sidewalk vendor must abide by, and failure to abide by the standards results in a citation and administrative fines that are set by State law. The fines increase for each offense, up to suspension or revocation of the Sidewalk Vendor Permit after 4 repeated violations in a year. Any sidewalk vendor has the right under SB 946 to request a hearing to contest the administrative fines or an “ability-to-pay” determination.

The proposed standards are narrowly tailored to address health, safety and welfare concerns in the City consistent with State law. For example, sidewalk vendors are required to:

1. Maintain a 5-foot wide clear path of travel on sidewalks for compliance with the California Building Code and to ensure accessible, clear passage for disabled persons or those with wheelchairs.
2. Maintain sanitary conditions for food and perishable items in compliance with all applicable state and county food and health regulations.
3. Provide a trash receptacle for patrons and keep the area clean during operation and upon leaving.
4. Not obstruct vehicular and pedestrian visibility at intersections.
5. Not vend on a sidewalk within the immediate vicinity of a construction zone or traffic control area, or within 50 feet of a business or restaurant selling same or similar food or merchandise.
6. Not use lights, horns, or music as part of vending activity.

7. Not sell alcohol, lottery tickets, cannabis, tobacco, electronic cigarettes, adult-oriented materials, or drugs of any kind.
8. Not vend within the immediate vicinity of special events or farmers markets, or places where a concessionaire has an exclusive concessionaire agreement with the City to sell food or merchandise.

This Ordinance would not apply to residents selling food or merchandise in front of their residence such as, for example, lemonade stands or garage sales. The Ordinance also would exempt residents selling food or merchandise to support non-profit charitable organizations such as the sales of Girl Scout cookies.

FINANCIAL IMPACT

This action is not expected to have a significant impact to the City's General Fund.

ENVIRONMENTAL REVIEW

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

ATTACHMENT

1. Ordinance No. 1312 – An Ordinance of the City of Folsom Adding Chapter 12.24 to the Folsom Municipal Code Pertaining to Sidewalk Vendors (Second Reading and Adoption)

Respectfully submitted,

Steven Wang, City Attorney

ORDINANCE NO. 1312

**AN ORDINANCE OF THE CITY OF FOLSOM
ADDING CHAPTER 12.24 TO THE FOLSOM MUNICIPAL CODE
PERTAINING TO SIDEWALK VENDORS**

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

SECTION 1 PURPOSE

The purpose of this Ordinance is to add Chapter 12.24 to the Folsom Municipal Code to set forth reasonable time, place and manner regulations pertaining to sidewalk vendors pursuant to Senate Bill 946.

SECTION 2 FINDINGS

The City Council finds that the proposed Ordinance directly relates to objective health, safety, and welfare concerns and incorporates permit requirements and regulations for sidewalk vendors consistent with state law. The Ordinance focuses on regulations to ensure the protection of the public’s health, safety, and welfare. Requiring that sidewalk vendors maintain accessible paths of travel on sidewalks is consistent with leading pedestrian disability and access travel guides which require no less than four feet of clear width for accessible travel, including (1) the American Association of State Highway and Transportation Officials’ Guide for the Planning Design and Operation of Pedestrian Facilities, which recommends a minimum clear width for a sidewalk of four feet (AASHTO, 2004, Sec. 3.2.3); (2) the Institute of Transportation Engineers’ Design and Safety of Pedestrian Facilities, which recommends residential sidewalk clearance widths ranging from four feet to five feet and for commercial areas a sidewalk width minimum of five feet; and (3) the Federal Highway Administration’s Designing Sidewalks and Trails for Access: Best Practices and Design Guide Part 2, which recommends a minimum width of five feet of sidewalk that is free of obstacles (FHWA, 2001, Ch.4). In addition, the 2016 California Building Code, Section 11B-403.5.1(3) requires a clear width for sidewalks and walks of a minimum of four (4) feet. Overall, the proposed Ordinance objectively serves the health, safety, and welfare of the public by assuring the community of clear paths on sidewalks, including individuals with wheelchairs or with extra accessibility requirements and needs. Further, the proposed Ordinance would not allow sidewalk vendors to set up within the immediate vicinity of construction zones or traffic-controlled areas, would reduce any potential conflicts between the vending operations and the construction zone or other controlled traffic area that could otherwise result in accidents or injury. Providing regulations within the guidelines of the State law will directly relate to objective health, safety, and welfare concerns and promote economic opportunity for people to support themselves and their families. None of these proposed regulations will be detrimental to the public interest, health, safety, convenience, or welfare of the City as they implement State law.

SECTION 3 ADDITION TO CODE

Chapter 12.24 is hereby added to the Folsom Municipal Code to read as follows:

Chapter 12.24

SIDEWALK VENDORS

Sections:

- 12.24.010 Finding and purpose.**
- 12.24.020 Definitions.**
- 12.24.030 Prohibitions.**
- 12.24.040 Exceptions.**
- 12.24.050 Sidewalk Vendors.**

12.24.010 Finding and purpose.

Regulation of the sale of merchandise or food upon public sidewalks within the City of Folsom is necessary for the purpose of promoting free and safe pedestrian traffic and access, and is directly related to the objective health, safety, and welfare of the public. The City Council hereby finds that the use of such public rights-of-way for such purposes in violation of the prohibitions of this Chapter would constitute an interruption of the free and safe pedestrian traffic and access and pose a serious and dangerous hazard to the public.

12.24.020 Definitions.

The following words and phrases are defined for purposes of this Chapter as follows:

“Food” means any type of edible substance or beverage.

“Merchandise” means any tangible thing or item that is not food.

“Person or persons” means one or more natural person, individuals, groups, businesses, business trusts, companies, corporations, joint ventures, joint stock companies, partnerships, entities, associations, clubs or organizations composed of two or more individuals (or the manager, lessee, agent, officer or employee of any of them), whether engaged in business, non-profit or any other activity.

“Roaming Sidewalk Vendor” means a Sidewalk Vendor who moves from place to place and stops only to complete a transaction.

“Sidewalk” means any right-of-way within the City of Folsom improved for public pedestrian traffic, including paved walks and pathways.

“Sidewalk vendor” means natural person(s) or individual(s) who sell food or merchandise from a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other non-motorized conveyance, or from one’s person, upon a public sidewalk or other pedestrian path.

“Stand” means any fixed, temporary, permanent or mobile rack, counter, shelving, vehicle or other structure or device utilized for the purpose of transporting, storing, carrying or displaying merchandise or food for the purpose of vending.

“Stationary Sidewalk Vendor” means a Sidewalk Vendor who vends from a fixed location. A Sidewalk Vendor who stops at any given location for longer than it takes to complete a transaction shall be deemed a Stationary Sidewalk Vendor.

“Vend” or “vending” means to sell, offer for sale, expose or display for sale, solicit offers to purchase, or to barter food or merchandise, or to require someone to negotiate, establish or pay a fee before providing food or merchandise, even if characterized as a donation.

12.24.030 Prohibitions.

Except as otherwise provided by this Chapter, no person shall engage in the vending of food or merchandise on public sidewalks or in public parks in the City of Folsom. Sidewalk vending on public sidewalks or in public parks in the City of Folsom may only occur in compliance with the regulations set forth in this Chapter.

12.24.040 Exceptions.

The provisions of this Chapter shall not be applicable to or deemed to prohibit:

- A. The placement of newspaper racks upon sidewalks; or
- B. The vending of food or merchandise upon sidewalks in the City of Folsom under a current and valid permit issued by the City such as, for example, a conditional use permit, special event permit, outdoor dining permit, or encroachment permit; or
- C. The vending of food or merchandise by residents in front of their residence such as, for example, lemonade stands or garage sales; or
- D. The vending of food or merchandise by residents in the City in neighborhoods to support non-profit charitable organizations such as, for example, the sale of Girl Scout cookies.

12.24.050 Sidewalk Vendors.

A. Permit Required. No person or persons will be allowed to vend food or merchandise upon sidewalks within the city limits without first obtaining a City of Folsom Business License, as well as a Sidewalk Vendor Permit from the Community Development Department. A Sidewalk Vendor Permit is required for each Sidewalk Vendor.

B. Application Requirements. The application for a Sidewalk Vendor Permit shall include:

- 1. The name and current mailing address of the Sidewalk Vendor.

2. A description of the food or merchandise offered for sale or exchange.
3. A copy of the California seller's permit number (CA Department of Tax and Fee Administration sales tax number), if the applicant is required to have a seller's permit.
4. A copy of valid Sacramento County Health Department permit, if food is being vended.
5. If the Sidewalk Vendor is an agent, representative, contractor, or employee of an individual, company, partnership, business, person, or corporation, the name and business address of such principal must be included on the application.
6. Certification by the applicant that to his or her knowledge and belief, the information contained in the application is true.
7. Payment of an application fee established and adjusted from time to time by City Council Resolution.

C. Health, Safety, and Welfare Regulations.

1. Sidewalk Vendors shall not hinder or obstruct the free passage of pedestrians along a sidewalk or block the entrance into any place of business. This includes maintaining a clear path of travel on the sidewalk of not less than five feet wide in compliance with the Americans with Disabilities Act (ADA), free and clear of any obstacles including, but not limited to, tents, chairs, customer queuing, signage, pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other motorized or non-motorized conveyance, or merchandise.
2. Sidewalk Vendors are not permitted to locate on a sidewalk within the immediate vicinity of a construction zone or traffic-controlled area for construction purposes of any kind, or within 50 feet of a business or restaurant selling same or similar food or merchandise.
3. Sidewalk Vendors shall not obstruct vehicular and pedestrian visibility at intersections.
4. Sidewalk Vendors may not use lights, horns, or music as part of vending activity.
5. Sidewalk Vendors may not sell alcohol, lottery tickets, cannabis, tobacco, electronic cigarettes, adult-oriented materials, or drugs of any kind.
6. Stationary Sidewalk Vendors may not operate in residential zoning districts.
7. A Roaming Sidewalk Vendor engaged in sidewalk vending shall only stop for the time reasonably necessary to complete a transaction.
8. Sidewalk Vendors are not permitted to operate within the immediate vicinity of an area designated for a temporary use permit issued by the City for temporary use of, or encroachment on, the sidewalk or other public area, including, but not limited to, an encroachment permit,

special event permit, or temporary event permit, for purposes including, but not limited to, filming, parades, events, or outdoor concerts. A prohibition of sidewalk vending pursuant to this subsection shall only be effective for the limited duration of the temporary use permit.

9. No Sidewalk Vendor may operate within the immediate vicinity of an area where another person has a concessionaire agreement with the City that exclusively permits the sale of food or merchandise by the concessionaire.

10. Sidewalk Vendors are not permitted to operate in areas within the immediate vicinity of a permitted certified farmers' market or a permitted swap meet during the limited operating hours of that certified farmers' market or swap meet. A "certified farmers' market" means a location operated in accordance with Chapter 10.5 (commencing with Section 47000) of Division 17 of the Food and Agricultural Code and any regulations adopted pursuant to that chapter. A "swap meet" means a location operated in accordance with Article 6 (commencing with Section 21660) of Chapter 9 of Division 8 of the Business and Professions Code, and any regulations adopted pursuant to that article.

11. Sidewalk Vendors shall provide a trash receptacle for patrons to dispose of any trash, as well as ensure that the area is kept clean during hours of operation and upon leaving the location.

12. Sidewalk Vendors shall maintain sanitary conditions appropriate for the food and perishable items offered for sale, in compliance with all applicable state and county food and health regulations.

13. Sidewalk Vendors may operate only during the time similar to the hours of operation of nearby businesses on the same street. If operated in City parks, Sidewalk Vendors may operate only during the hours when the park is open to the public.

14. Sidewalk Vendors shall comply with all applicable laws and license requirements.

D. Enforcement.

1. A Sidewalk Vendor who is issued a citation in violation of this Section shall be subject to the following fines:

a. Vending which violates a requirement of this Section, other than failure to possess a valid Sidewalk Vendor Permit:

i. An administrative fine of \$100.00 for a first violation.

ii. An administrative fine of \$150.00 for a second violation within one year of the first violation.

iii. An administrative fine of \$200.00 for each additional violation within one year of the first violation.

iv. A violation occurring after 12 consecutive months with no violation shall be considered a first violation.

v. A Sidewalk Vendor Permit may be revoked or suspended for the remainder of its term upon a fourth or subsequent violation.

b. Vending without a valid Sidewalk Vendor Permit:

i. An administrative fine of \$250.00 for a first violation.

ii. An administrative fine of \$500.00 for a second violation within one year of the first violation.

iii. An administrative fine of \$1,000 for each additional violation within one year of the first violation.

iv. A violation occurring after 12 consecutive months with no violation shall be considered a first violation.

v. The administrative fines listed in this subsection shall be reduced from \$250.00 to \$100.00, \$500.00 to \$150.00 and \$1,000 to \$200.00 upon obtaining a valid Sidewalk Vendor Permit from the Community Development Department within 10 calendar days of the citation.

2. Additional fines, fees, assessments, or any other financial conditions beyond those authorized by subsection (D)(1) of this Section shall not be assessed.

3. When assessing an administrative fine pursuant to subsection (D)(1) of this Section, the Community Development Director, or his or her designee, shall take into consideration the Sidewalk Vendor's ability to pay the fine based upon a sworn statement and good cause, which demonstrates the Sidewalk Vendor's inability to pay the assessed administrative fine. Good cause shall exist where the Sidewalk Vendor shows that he or she cannot pay the administrative fine amount without using moneys that normally would pay for the common necessities of life for the Sidewalk Vendor and the Sidewalk Vendor's family. Notice shall be given to the Sidewalk Vendor of his or her right to request an ability-to-pay determination and shall make available instructions or other materials for requesting an ability-to-pay determination. The Sidewalk Vendor may request an ability-to-pay determination at the adjudication stage or after such adjudication during the time the fine remains unpaid, including when a fine is delinquent or has been referred to collection. If the Sidewalk Vendor meets the criteria set forth herein, the City shall accept, in full satisfaction, 20 percent of the total administrative fine amount imposed pursuant to subsection (D)(1) of this Section.

4. Any Sidewalk Vendor may request a hearing to contest the administrative fine assessed pursuant to subsection (D)(1) of this Section, and/or contest an ability-to-pay determination. Any request for a hearing must be filed in writing with the Community Development Department within 10 calendar days of the issuance of the administrative fine or ability-to-pay determination,

whichever applies. Failure to timely request a hearing constitutes a waiver of the right to appeal and a failure to exhaust administrative remedies.

a. Hearing Date. The hearing officer shall set the date for the hearing and determination. The hearing dates shall not be less than 30 days, nor more than 60 days, after the date on which the copy of the notice of appeal was submitted to the Community Development Department.

b. At the hearing, the contesting party shall be given the opportunity to testify and to present evidence concerning the penalty.

c. Hearing Officer’s Decision. After considering the testimony and evidence presented at the hearing, the hearing officer shall issue a decision to uphold, dismiss or modify the administrative fine. The hearing officer shall state the reasons for the decision and, if in writing, shall send a copy of the decision to the person that requested the hearing and to the enforcement officer. The decision of the hearing officer is final, and may not be appealed.

d. All fines owed after the hearing officer’s decision are due within 30 days of the decision. The City may use all procedures available to it to collect any unpaid fee.

SECTION 4 SCOPE

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

SECTION 5 NO MANDATORY DUTY OF CARE

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

SECTION 6 SEVERABILITY

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

SECTION 7 EFFECTIVE DATE

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

This Ordinance was introduced and the title thereof read at the regular meeting of the City Council on March 23, 2021, and the second reading occurred at the regular meeting of the City Council on April 13, 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 13th day of April, 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:	4/13/2021
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10607 - A Resolution Acknowledging Receipt of Completed Annual State Mandated Fire Inspections
FROM:	Fire Department

RECOMMENDATION / CITY COUNCIL ACTION

The Fire Department recommends that the City Council pass and adopt Resolution No. 10607 - A Resolution Acknowledging Receipt of Completed Annual State Mandated Fire Inspections.

BACKGROUND / ISSUE

Existing law (CA Health & Safety Code § 13146.3) requires the Chief of Folsom Fire Department and/or their authorized representatives to inspect every building used as a public or private school within the City of Folsom not less than once each year, for the purpose of enforcing California fire code building standards.

Existing law (CA Health & Safety Code § 13146.2) requires the City of Folsom Fire Department to annually inspect certain structures, including hotels, motels, lodging houses, and apartment houses, for compliance with fire code building standards.

Senate Bill 1205 requires that the mandated annual inspections be reported to the “administering authority” (City of Folsom City Council).

POLICY / RULE

Section 13146.4 has been added to the California Health & Safety Code requiring the City of Folsom Fire Department to report its compliance with Sections 13146.2 and 13146.3 annually to the City Council.

ANALYSIS

Fire Department Prevention Division has completed all initial inspections pursuant to Sections 13146.2 and 13146.3 of the California Health and Safety Code as outlined in Attachment 2. Those occupancies found to be in violation of the Folsom Fire Code have either made the necessary corrections or are in the process of correcting applicable Fire Code violations; re-inspections will continue until all Fire Code violations are corrected.

FINANCIAL IMPACT

There is nominal fiscal impact as fire prevention staff are required, through state mandates, to inspect the specified buildings as described.

ENVIRONMENTAL REVIEW

This project has been deemed categorically exempt from environmental review.

ATTACHMENTS

1. Resolution No. 10607 - A Resolution Acknowledging Receipt of Completed Annual State Mandated Fire Inspections
2. Completed State Mandated Inspections List

Submitted,

Ken Cusano, Fire Chief

Attachment 1

Resolution No. 10607- A Resolution Acknowledging Receipt of Completed Annual State
Mandated Fire Inspections

RESOLUTION NO. 10607

A RESOLUTION ACKNOWLEDGING RECEIPT OF COMPLETED ANNUAL STATE MANDATED FIRE INSPECTIONS

WHEREAS, CA Health & Safety Code § 13146.3 requires the Chief of Folsom Fire Department and/or their authorized representatives to inspect every building used as a public or private school within the City of Folsom not less than once each year, for the purpose of enforcing California fire code building standards; and

WHEREAS, CA Health & Safety Code § 13146.2 requires the City of Folsom Fire Department to annually inspect certain structures, including hotels, motels, lodging houses, and apartment houses, for compliance with fire code building standards; and

WHEREAS, pursuant to Senate Bill 1205, Section 13146.4 of the Health & Safety Code requires the City of Folsom Fire Department to report its compliance with Sections 13146.2 and 13146.3 annually to the City Council; and

WHEREAS, City of Folsom Fire Department Prevention Division completed all State mandated fire inspections including hotels, motels, lodging houses, apartment houses, and public or private schools; and

WHEREAS, the City of Folsom Fire Department annual report of compliance with inspection requirements is submitted to City Council,

NOW, THEREFORE, BE IT RESOLVED that the City Council acknowledges receipt of this report from the Fire Chief.

PASSED AND ADOPTED this 13th day of April 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

Completed State Mandated Inspections List



FOLSOM FIRE DEPARTMENT

535 Glenn Drive-Folsom, CA 95630
Office (916) 461-6300 Fax (916) 984-7081



CITY OF
FOLSOM
DISTINCTIVE BY NATURE

Completed State Mandated Inspections List:

RESIDENTIAL FACILITIES:

Business Name:

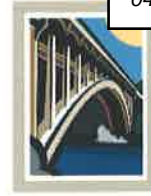
Address:

Lake Natoma Inn	702 Gold Lake Dr.
Hilton Garden Inn	221 Iron Point Rd.
Courtyard by Marriott	2575 Iron Point Rd.
Staybridge Suites	1745 Cavitt Dr.
Larkspur Landing	121 Iron Point Rd.
Hampton Inn and Suites	155 Placerville Rd.
Folsom Hotel	703 Sutter St.
Fairfield Inn and Suites	1755 Cavitt Dr.
Residence Inn	2555 Iron Point Rd.
Folsom Care Center	510 Mill St.
Empire Ranch Alzheimer's Special Care	1801 E Natoma St.
Oakmont of Folsom	1574 Creekside Dr.
Prairie City Landing	645 Willard Dr.
Brookdale Folsom	780 Harrington Wy.
Park Folsom	255 Wales Dr.
Creekside Oaks	1715 Creekside Dr.
Falls at Willow Creek	1870 Creekside Dr.
Folsom Ranch Apartments	1000 Folsom Ranch Rd.
Forestwood Apartments	9483 Greenback Ln.
Regan Trust Apartments	270 Montrose Dr.
Iron Point at Prairie Oaks Apartments	1550 Iron Point Rd.
Dabkoski Apartments	262 Montrose Dr.
Montrose Apartments	264 Montrose Dr.
Montrose Apartments	268 Montrose Dr.
Montrose Apartments	266 Montrose Dr.
Garrett Apartments	272 Montrose Dr.
Overlook at Blue Ravine	1200 Creekside Dr.
Preserve at Blue Ravine	1005 Blue Ravine Rd.
Talisman Apartment Building	200 Talisman Dr.
Talisman Apartment Building	202 Talisman Dr.
Talisman Apartment Building	204 Talisman Dr.
Talisman Apartment Building	205 Talismian Dr.



FOLSOM FIRE DEPARTMENT

535 Glenn Drive • Folsom, CA 95630
Office (916) 461-6300 Fax (916) 984-7081



CITY OF
FOLSOM
DISTINCTIVE BY NATURE

Talisman Apartment Building	203 Talisman Dr.
Talisman Apartment Building	201 Talisman Dr.
Talisman Apartment Building	207 Talisman Dr.
Talisman Apartment Building	209 Talisman Dr.
Talisman Apartment Building	211 Talisman Dr.
Sherwood Apartments	2300 Iron Point Rd.
Willow Springs Apartments	250 McAdoo Dr.
Legends at Willow Creek	180 S. Lexington Dr.
Canyon Terrace Apartments	1600 Canyon Terrace Ln.
The Park on Riley Apartments	99 Cable Cir.
Waterford Place	240 Natoma Station Dr.
Fairmont Apartments	200 S. Lexington Dr.
1212 Bidwell Apartments	1212 Bidwell St.
Bidwell Apartments	705 Bidwell St.
Bidwell Apartments	707 Bidwell St.
Bidwell Apartments	709 Bidwell St.
Court Yard Apartments	412 Figueroa St.
Folsom Garden Apartments	713 Stafford St.
Folsom Oaks Apartments	809 Bidwell St.
Garrett Apartments Building	272 Montrose Dr.
Gas Light Apartments	51 Dean Way
Marshal Apartments	612 Stafford St.
Mercy Village Apartments	1110 Duchow Way
Mercy Village Apartments	1130 Duchow Way
Mercy Village Apartments	1160 Duchow Way
Lake Point Apartments	7550 Folsom Auburn Rd.
Natoma Arms Apartments	101 Natoma St.
Raintree Apartments	1000 Sibley St.
Montecito Commons	6700 Oak Ave.
Hub Apartments	525 Willard Dr.
Bidwell Point Apartments	125 E. Bidwell St.
Talavera Ridge Apartments	1550 Broadstone Pkwy.
Pique at Iron Point	101 Pique Loop.



FOLSOM FIRE DEPARTMENT

535 Glenn Drive • Folsom, CA 95630
Office (916) 461-6300 Fax (916) 984-7081



CITY OF
FOLSOM
DISTINCTIVE BY NATURE

SCHOOLS:

School Name:

Address:

Blanche Sprentz	249 Flower Dr.
Carl Sundahl	9932 Inwood Rd.
Empire Oaks	1830 Bonhill Dr.
Folsom Hills	106 Manseau Dr.
Gold Ridge	735 Halidon Way
Natoma Station	500 Turn Pike
Oak Chan	101 Prewett Dr.
Russell Ranch	375 Dry Creek Rd.
Sandra J Gallardo	775 Russi Rd.
Theodore Judah	101 Dean Way
Folsom Middle	500 Blue Ravine Way
Sutter Middle	715 Riley St.
Folsom High	1655 Iron Point Rd.
Vista del Lago	1970 Broadstone Pkwy.
St. John Notre Dame	309 Montrose Dr.

HOSPITALS:

Hospital Name:

Address:

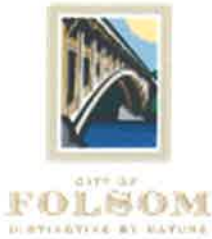
Mercy Folsom Hospital	1650 Creekside Dr.
Vibra	300 Montrose Dr.

DETENTION FACILITIES:

Detention Facility Name:

Address:

Folsom Police Department	46 Natoma St.
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Folsom City Council Staff Report

MEETING DATE:	4/13/2021
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10608 – A Resolution Authorizing the City Manager to Execute an Agreement with Folsom Lake Ford to Purchase Three Ford Ranger Pickup Trucks
FROM:	Public Works Department

RECOMMENDATION / CITY COUNCIL ACTION

The Public Works Department (Solid Waste division) recommends that the City Council pass and adopt Resolution No. 10608 – A Resolution Authorizing the City Manager to Execute an Agreement with Folsom Lake Ford to Purchase Three Ford Ranger Pickup Trucks.

BACKGROUND / ISSUE

The Public Works Department (the Department) must maintain a fleet of staff vehicles that is able to provide efficient and reliable service. The City’s requirement for these vehicles is based on the need to replace its aging fleet (pursuant to the Department’s Solid Waste Division’s approved replacement schedule) and to maintain current service levels. The vehicles being purchased will replace three vehicles, equipment numbers 600, 646 and 745, with high maintenance costs, all of which are more than 15 years of age. Replaced vehicles will be sold on GovDeals.com in accordance with Folsom Municipal Code, section 2.36.220, Disposition of surplus personal property.

This resolution authorizes the City Manager to execute an agreement with Folsom Lake Ford for the purchase of three Ford Ranger pickup trucks. The total cost for the purchase of these vehicles will not exceed \$99,538.77. Sufficient funds to purchase the replacement vehicles are budgeted and available in the Fiscal Year 2020-21 Solid Waste Enterprise Fund (Fund 540).

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.

Section 2.36.100 of the Folsom Municipal Code provides for a five percent price differential to local bidders in contracting. The success of local businesses and vendors positively impacts Folsom’s economy as a whole, as well as the City’s ability to provide quality services and programs. The City strives to use Folsom vendors in purchasing services and products when quality, service, and other factors are equal.

ANALYSIS

Solid Waste Division administrative and supervisory staff are currently using three full-size pickup trucks to perform their field duties as well as for general transportation needs. These existing pickup trucks range in age from 17 to 20 years old, and because of their age, they all have high maintenance costs, low fuel efficiency and less safety features than a modern pickup truck.

The proposed replacement Ford Rangers will benefit from modern technology to provide a more reliable and safer working environment for staff while providing an estimated 30% improvement in fuel efficiency, based on Environmental Protection Agency (EPA) miles per gallon ratings, all of which should result in a significant reduction in operating costs.

The Department received a total of three (3) competitive bids from seven (7) dealers solicited. The dealers and corresponding bids are shown in the table below. The selected bid is 4% higher than the lowest and is awarded based on local vendor preference.

Dealer	Bid Amount
Downtown Ford	\$ 95,466.50
Elk Grove Ford	no bid
Folsom Lake Ford*	\$ 99,538.77
Future Ford of Roseville	no bid
Future Ford of Sacramento	no bid
Harrold Ford	no bid
National Auto Fleet Group	\$ 101,986.68

**Selected bid.*

FINANCIAL IMPACT

The Solid Waste FY 2020-21 Operating Budget included an appropriation for the replacement of vehicles. The Department is requesting that the new contract be authorized for a not to exceed amount of \$99,538.77. Sufficient funds to purchase the replacement vehicles are

budgeted and available in the Fiscal Year 2020-21 Solid Waste Enterprise Fund (Fund 540). Once these new vehicles are placed in service, the three replaced pickup trucks will be disposed of in accordance with City policy.

ENVIRONMENTAL REVIEW

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

ATTACHMENTS

1. Resolution No. 10608 – A Resolution Authorizing the City Manager to Execute an Agreement with Folsom Lake Ford to Purchase Three Ford Ranger Pickup Trucks

Submitted,

Dave Nugen, Public Works Director

RESOLUTION NO. 10608

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH FOLSOM LAKE FORD TO PURCHASE THREE FORD RANGER PICKUP TRUCKS

WHEREAS, the Solid Waste Division of the Public Works Department has validated its need to purchase three Ford Ranger pickup trucks based on an approved replacement schedule; and

WHEREAS, this purchase has been competitively bid by three different vendors with Folsom Lake Ford submitting the winning bid by virtue of the City’s local vendor preference offset; and

WHEREAS, sufficient funds are budgeted and available in the Fiscal Year 2020-21 Solid Waste Fund (Fund 540) Budget for the purchase of vehicles; and

WHEREAS, the purchase will replace equipment numbers 600, 646, and 745 all of which are pickups in excess of 15 years old; and

WHEREAS, replaced equipment will be sold in accordance with Folsom Municipal Code section 2.36.220, Disposition of surplus personal property; and

WHEREAS, staff recommends the execution of an agreement with Folsom Lake Ford for the purchase of three Ford Ranger pickup trucks; and

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

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Folsom authorizes the City Manager to execute an agreement with Folsom Lake Ford to purchase three Ford Ranger pickup trucks for the Solid Waste Division of Public Works Department for a not-to-exceed amount of \$99,538.77 including tax and delivery.

PASSED AND ADOPTED this 13th day of April 2021, by the following roll-call vote:

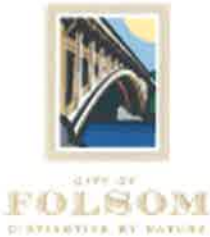
- AYES:** Councilmember(s):
- NOES:** Councilmember(s):
- ABSENT:** Councilmember(s):
- ABSTAIN:** Councilmember(s):

Michael D. Kozlowski, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

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Folsom City Council Staff Report

MEETING DATE:	4/13/2021
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10610- A Resolution Authorizing the City Manager to Execute a Construction Agreement with Sierra National Construction, Inc. for the Neighborhood Sidewalk Replacement Fiscal Year 2020-21 Project
FROM:	Public Works Department

RECOMMENDATION / CITY COUNCIL ACTION

The Public Works Department recommends that the City Council pass and adopt Resolution No. 10610 – A Resolution Authorizing the City Manager to Execute a Construction Agreement with Sierra National Construction, Inc. for the Neighborhood Sidewalk Replacement Fiscal Year 2020-21 Project.

BACKGROUND / ISSUE

The Public Works Department is responsible for the maintenance of existing infrastructure throughout the City of Folsom. The Neighborhood Sidewalk Replacement project is a yearly project that focuses on replacing damaged concrete curbs, gutters and sidewalks and upgrading pedestrian facilities to comply with the Americans with Disabilities Act (ADA) and the City of Folsom’s ADA Transition Plan.

This project can be broken down into three main categories of work:

Neighborhood Sidewalk Replacement – Repair and replacement of existing distressed concrete sidewalks to increase pedestrian safety and improve the aesthetics in older neighborhoods. The benefit of this being an annual project is to slowly rehabilitate aging infrastructure so that the costs can be spread out over many years, as opposed to one large rehabilitation cost in the future. Replacement locations include Glenn Drive between Market Street and Wales Drive

and McKiernan Drive between Wales Drive and Henderson Way. In addition to sidewalk replacement, a severely damaged concrete drainage cross gutter will be replaced at Henderson Way.

ADA Curb Ramp Replacement – Replacement of existing pedestrian curb ramps to comply with ADA requirements in advance of a planned pavement resurfacing project. ADA upgrades are federally mandated when certain types of pavement rehabilitation are chosen. Curb ramp upgrades will occur in the Willow Creek Estates South neighborhood (Silberhorn Drive and all roadways to the east of Silberhorn Drive).

Lew Howard Park Walkway Replacement – This portion of the project will replace the existing asphalt walkway that runs from the upper parking lot to the tennis courts and playground. The existing walkway has several uneven locations due to tree root uplift. The new walkway will be constructed of concrete to provide a smoother and safer pedestrian experience.

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 the Project was publicly advertised on March 4, 2021. Bids were opened on March 25, 2021 with the following bids received:

1. Sierra National Construction, Inc.	\$ 669,269
2. All-American Construction, Inc.	\$ 705,150
3. Central Valley Engineering & Asphalt, Inc.	\$ 709,950
4. PBM Construction, Inc.	\$ 729,489
5. B&M Builders, Inc.	\$ 735,500
6. Lamon Construction Company, Inc.	\$ 764,706
7. F. Loduca Co.	\$ 787,670
8. FBD Vanguard Construction, Inc.	\$ 792,809
9. Darren Taylor Construction, Inc.	\$ 960,625

The Engineer’s Estimate for this project was \$731,000.

FINANCIAL IMPACT

The contract with Sierra National Construction, Inc. would be authorized for \$669,269 with a total project budget of \$736,196, which includes a ten percent contingency of \$66,927 for potential change orders.

Funds are budgeted and available in the amount of \$300,000 in the Neighborhood Street and Sidewalk Rehabilitation Project (Project No. PW1801), \$150,000 in the City-Wide ADA Compliance Project (Project No. 002409), \$216,236 in the Street Overlay/Pavement Management Project (Project No. 008017) and \$69,960 in the Parks and Recreation Fund – Park Renovation (Fund 240, Project 009316).

The funding for the Sierra National Construction, Inc. contract would be as follows:

Fund	Project	Amount
Fund 235 SB-1	Neighborhood Street and Sidewalk Rehabilitation (Project No. PW1801)	\$ 300,000
Fund 276 Measure A	City-Wide ADA Compliance (Project No. 002409)	\$ 150,000
Fund 235 SB-1	Street Overlay/Pavement Management (Project No. 008017)	\$ 216,236
Fund 240 Parks & Recreation	Parks and Recreation – Park Renovation (Project 009316)	\$ 69,960
	Total Project Funding	\$ 736,196

ENVIRONMENTAL REVIEW

This project has been deemed categorically exempt from environmental review.

ATTACHMENT

1. Resolution No. 10610 – A Resolution Authorizing the City Manager to Execute a Construction Agreement with Sierra National Construction, Inc. for the Neighborhood Sidewalk Replacement Fiscal Year 2020-21 Project

Submitted,

Dave Nugen, PUBLIC WORKS DIRECTOR

RESOLUTION NO. 10610**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION AGREEMENT WITH SIERRA NATIONAL CONSTRUCTION, INC. FOR THE NEIGHBORHOOD SIDEWALK REPLACEMENT FISCAL YEAR 2020-21 PROJECT**

WHEREAS, the City of Folsom desires to replace damaged locations of concrete curb, gutter and sidewalk; and

WHEREAS, the City of Folsom desires to replace existing Americans with Disabilities Act (ADA) pedestrian curb ramps as required by a future planned pavement resurfacing project; and

WHEREAS, the City of Folsom desires to replace the existing asphalt walkway at Lew Howard Park with a concrete walkway; and

WHEREAS, this project was publicly advertised on March 4, 2021, and the bids were received on March 25, 2021 with Sierra National Construction, Inc. being the lowest responsible bidder; and

WHEREAS, funds in the amount of \$300,000 are budgeted and available in the Neighborhood Street and Sidewalk Rehabilitation Project (Project No. PW1801), for Fiscal Year 2020-21; and

WHEREAS, funds in the amount of \$150,000 are budgeted and available in the City-Wide ADA Compliance Project (Project No. 002409), for Fiscal Year 2020-21; and

WHEREAS, funds in the amount of \$216,236 are budgeted and available in the Street Overlay/Pavement Management Project (Project No. 008017), for Fiscal Year 2020-21; and

WHEREAS, funds in the amount of \$69,960 are budgeted and available in the Parks and Recreation Fund, Park Renovation (Fund 240, Project 009316), for Fiscal Year 2020-21; 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 Neighborhood Sidewalk Replacement Fiscal Year 2020-21 Project in the amount of \$669,269, with the budgeted amount to include a ten percent contingency of \$66,927, for a total not-to-exceed amount of \$736,196.

PASSED AND ADOPTED this 13th day of April, 2021, by the following roll-call vote:

AYES: Councilmember(s):

NOES: Councilmember(s):

ABSENT: Councilmember(s):

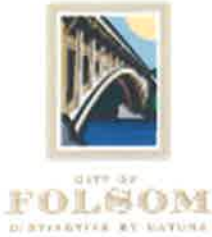
ABSTAIN: Councilmember(s):

Michael D. Kozlowski, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

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Folsom City Council Staff Report



MEETING DATE:	4/13/2021
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10611 - A Resolution Initiating Proceedings for the Formation of a Landscaping and Lighting Assessment District to be Known as Prairie Oaks Ranch No. 2 Landscaping and Lighting District
FROM:	Parks and Recreation Department

RECOMMENDATION / CITY COUNCIL ACTION

Staff recommends the City Council approve Resolution No. 10611 – A Resolution Initiating Proceedings for the Formation of a Landscaping and Lighting Assessment District to be Known as Prairie Oaks Ranch No. 2 Landscaping and Lighting District.

BACKGROUND / ISSUE

This action is for authorization to prepare the reports that will address the formation of a new landscaping and lighting district for the area known as Prairie Oaks Ranch. The new district would become Prairie Oaks Ranch No. 2 Landscaping and Lighting District. This proposed district will overlay the existing Prairie Oaks Ranch district, providing supplemental services and revenue to the existing district.

The Prairie Oaks Ranch Landscaping and Lighting District (District) was formed in 1995 and is one of the older districts within the City. There has not been an increase in the assessment since its formation and there is no escalator authorized on the assessment as well. There are 918 single-family dwelling units within the district, and it was formed to maintain the landscaping and associated improvements along Iron Point, Prairie City, Blue Ravine, Grover, Russi, and Riley, as well as the subdivision’s streetlights, landscape lighting, irrigation systems, open space, monument entry signage, and trellis. To comply with Proposition 218 pertaining to new or increased assessments, the City’s engineer for assessment district proceedings, SCI Consulting Group, recommends the formation of a new landscaping and lighting district to fund new improvements and services that will convey a special benefit to

the district's residents. The proposed district, which will be an overlay to the existing district, will cover the entire Prairie Oaks Ranch Landscaping and Lighting District.

POLICY / RULE

Formation of a new landscaping and lighting district is governed by the procedure set forth in Division 15, Part 2, Chapter 2, Sections 22585 *et. seq.* of the Streets and Highways Code.

ANALYSIS

Over the last several years, the City has been monitoring the revenue and expenses in the district. The current annual assessment of \$213.61 per single family equivalent (SFE) unit does not have an escalator built into it nor has it been increased since 1995. In addition, the current annual assessment rate has been unable to keep up with inflation or provide adequate revenue to maintain and service the improvements within the District.

The City initiated a public outreach program for the Prairie Oaks Ranch community with two public meetings that were held on February 17 and March 11, 2021. The intent of the meetings was to discuss the options and ideas for addressing the district's financial condition and develop a viable option that will ultimately be voted on and approved (or denied) by the property owners within the District this summer.

Staff presented four potential options for this district that are as follows: 1) Reduce level of service based on current funding; 2) Add overlay that would just cover budget deficit; 3) Add overlay to address budget deficit and address some deferred maintenance; and 4) Add overlay to cover deficit and address all deferred maintenance and provide some enhancements. There was thoughtful discussion to ensure those in attendance had their questions answered. As a result of these two public meetings, those in attendance were supportive of Option 4. As such, this will be the preferred option to appear on the ballot for the entire community to vote on.

The primary objective of forming a new overlay district, which would have the same boundary as the existing district, is to specifically address deferred maintenance of the improvements within the district, plan for life-cycle replacements and repairs for years into the future and provide for an annual inflationary adjustment as needed. Such deferred items include outdated and un-centralized irrigation systems, replacement of missing landscaping, addressing tree care and implementation of water conservation measures such as replacing dead/dying trees and shrubs with water wise plantings, and LED streetlight retrofits. Should the new landscaping and lighting district be formed, it is proposed to complete many of the deferred maintenance improvements over the first few years as well as embark on the phased replacement plan for the older landscape areas.

The City has successfully created five new overlay districts with similar objectives and a similar process within the last fourteen years for American River Canyon North No. 3 created in 2007, Blue Ravine Oaks No. 2 created in 2011, Folsom Heights No. 2 created in 2013, Broadstone No. 4 created in 2015, and Willow Creek Estates East in 2017. The attached resolution proposes the initiation of a formation proceeding for a new landscaping and lighting

district and directs the engineer to prepare and file the report outlining the proposed assessment.

The next steps are preparation of the Preliminary Engineer's Report scheduled for City Council on May 11, 2021, and the mailing of a notice which contains information about the formation of the proposed district and the levy proposed, as well as the time and place of the public hearing. The notice along with a ballot will be mailed to all property owners on or around June 7, 2021. The Final Engineer's Report is scheduled for public hearing on July 27, 2021. Prior to the approval of the Final Engineer's Report, the ballots received will be counted which is a process overseen by the City Clerk and open to the public. If there is not a majority protest, which is 50%+1 of the ballots received, then the City Council may adopt a resolution to approve the Final Engineer's Report and order the improvements and formation of the new district.

FINANCIAL IMPACT

There will be no direct fiscal impact to the City of Folsom General Fund. All costs associated with this district will be borne by the district and for the benefit of the district residents.

ENVIRONMENTAL REVIEW

This does not apply as there is no environmental review aspect to the engineer's report.

ATTACHMENT

Resolution No. 10611 - A Resolution Initiating Proceedings for the Formation of a Landscaping and Lighting Assessment District to be Known as Prairie Oaks Ranch No. 2 Landscaping and Lighting District

Submitted,

Lorraine Poggione, Director
Parks & Recreation Department

RESOLUTION NO. 10611

A RESOLUTION INITIATING PROCEEDINGS FOR THE FORMATION OF A LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT TO BE KNOWN AS PRAIRIE OAKS RANCH NO. 2 LANDSCAPING AND LIGHTING DISTRICT

WHEREAS, the Prairie Oaks Ranch No. 2 Landscaping and Lighting District (“District”) is being formed pursuant to the Landscaping and Lighting Act of 1972 (the “Act”), Division 15, Part 2, Chapter 2, Sections 22585 *et. seq.* of the California Streets and Highways Code, for the maintenance and servicing of landscaping and other improvements; and

WHEREAS, the City Council determines that said territory will be specifically benefited by the maintenance and servicing of said improvements; and

WHEREAS, Section 22585 of the Act provides that the formation of a Landscaping and Lighting Assessment District shall be initiated by resolution.

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

1. The City hereby proposes the formation of an assessment district pursuant to the Landscaping and Lighting Act of 1972 (Sections 22500 *et seq.* of the Streets and Highways Code) for the purpose of installing, servicing and maintaining the following improvements:
 - a) The on-going maintenance of existing improvements within the district;
 - b) Purchase of electrical power and maintenance of street lighting fixtures;
 - c) The repair and maintenance of landscaping, irrigation facilities, sound walls, monument signs, and other appurtenances within and along the public right-of-way;
 - d) Cost of administration and scheduled inspections of maintenance of landscaped areas;
 - e) Utility bills associated with maintenance of landscaped areas;
 - f) Other improvements as such term as defined in Section 22525 of the Streets and Highways Code; and

2. The proposed assessment district shall be designated as Prairie Oaks Ranch No. 2 Landscaping and Lighting District, City of Folsom, Sacramento County, California, and shall include that certain real property situated in the State of California, County of Sacramento, City of Folsom, generally shown and identified in Exhibit A attached to this resolution.

3. SCI Consulting Group, Inc. is hereby designated engineer for the purpose of these formation proceedings. The City Council hereby directs the engineer to prepare and file with the City Clerk a report in accordance with Article 4 of Chapter 1 of the Landscaping and Lighting Act of 1972.

PASSED AND ADOPTED this 13th day of April 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

Exhibit A





Folsom City Council Staff Report

MEETING DATE:	4/13/2021
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10612 – A Resolution Authorizing the City Manager to Execute a Lease Extension and Amendment with Patricia Orellana for Operation of Einstein Café at the Folsom Public Library
FROM:	City Manager's Office

RECOMMENDATION / CITY COUNCIL ACTION

Staff respectfully recommends that the City Council move to adopt Resolution No. 10612 – A Resolution Authorizing the City Manager to Execute a Lease Extension and Amendment with Patricia Orellana for Operation of Einstein Café at the Folsom Public Library.

BACKGROUND / ISSUE

The Einstein Café at the Folsom Public Library was originally leased to the current lessee’s predecessor, Nadia Shams and Meer Nazir, in May of 2011 for five years. With Council authorization, the lease was assigned to Saima Khan and Mehroze Kahn on March 11, 2014 and extended for five years from May 2016 to May 2021. On April 25, 2017, the City Council approved assigning the lease to its current owner, Patricia Orellana.

Prior to its temporary closure due to the COVID-19 public health emergency, the Einstein Café operated within library hours and offered coffee, ice cream, snacks and light lunch items such as sandwiches, lemon bars, pecan bars, Gunther’s ice cream, Vaneli’s coffee, and Alternative Baking Company vegan and gluten-free cookies, among other items.

POLICY / RULE

The City Council is vested with authority to approve agreements to lease City facilities and City-owned real properties.

ANALYSIS

Ms. Orellana is an experienced café operator, having worked as a former manager of three Starbuck's locations in Barstow and Victorville, California. She was responsible for overseeing over 45 employees, and her responsibilities included ordering supplies, managing payroll, product displays, health code compliance, and all tasks necessary to open and serve Starbuck's customers. Since taking over the Einstein Café, Ms. Orellana has consistently served library patrons and general customers with high quality products that are fairly priced, and the café routinely receives positive feedback on social media.

The current lease agreement expires on May 24, 2021, and Ms. Orellana is seeking a ten-year extension with the following updated terms:

- Base rent increase from the current \$500/month to \$800/month.
- Base rent increase to \$900/month 12 months after the Folsom Public Library is open to full capacity, and then to \$1,000/month 12 months after that.
- Base rent increase to \$1,200 at year six of the extension.
- Utilities \$150/month, plus maintenance \$50/month.
- 10-year lease, with an out clause by either party with 90-day notice.
- Tenant may make improvements to space, including paint, flooring, and adding equipment, with written notification to and permission by the City.

The City has not experienced any issue with Ms. Orellana operating the café, making lease payments, or honoring the lease terms.

FINANCIAL IMPACT

Pursuant to prior Council approval, lease payments made by the café owner/operator go directly into the Library's operating budget.

ENVIRONMENTAL REVIEW

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

ATTACHMENT

1. Resolution No. 10612 – A Resolution Authorizing the City Manager to Execute a Lease Extension and Amendment with Patricia Orellana for Operation of Einstein Café at the Folsom Public Library

Respectfully submitted,

Elaine Andersen, City Manager

RESOLUTION NO. 10612

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE EXTENSION AND AMENDMENT WITH PATRICIA ORELLANA FOR OPERATION OF EINSTEIN CAFÉ AT THE FOLSOM PUBLIC LIBRARY

WHEREAS, in May of 2016, upon approval by the City Council, the City executed a five-year lease agreement with Patricia Orellana’s predecessor, Mehroze Khan, for operation of the café site located at the Folsom Public Library, Georgia Myrray Building; and

WHEREAS, the City Council approved assigning the lease to Ms. Orellana on April 25, 2017; and

WHEREAS, since taking over the Einstein Café, Ms. Orellana has consistently served library patrons and general customers with high quality products that are fairly priced, and the café routinely receives positive feedback on social media; and

WHEREAS, prior to temporarily closing due to the COVID-19 public health emergency, the Einstein Café operated within library hours and offered coffee, ice cream, snacks and light lunch items such as sandwiches, lemon bars, pecan bars, Gunther’s ice cream, Vaneli’s coffee, and Alternative Baking Company vegan and gluten-free cookies, among other items; and

WHEREAS, the current lease is set to expire on May 24, 2021, and Ms. Orellana desires to extend the lease for ten years; and

WHEREAS, the City Council finds that the public benefit provided by the Einstein Café supports continuing the lease with Ms. Orellana under the terms set forth in a lease amendment to be approved by the City Attorney.

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 amendment with Patricia Orellana to extend the lease for ten years for operating the Einstein Café at the Folsom Public Library, Georgia Murray Building.

PASSED AND ADOPTED this 13th day of April, 2021, by the following roll-call vote:

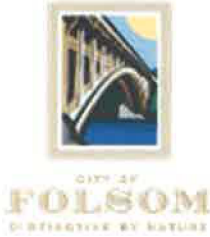
- AYES: Councilmember(s):
- NOES: Councilmember(s):
- ABSENT: Councilmember(s):
- ABSTAIN: Councilmember(s):

Michael D. Kozlowski, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

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Folsom City Council Staff Report

MEETING DATE:	4/13/2021
AGENDA SECTION:	Old Business
SUBJECT:	Workshop Discussion Regarding City Council Governance Manual (Part 1 of 2) and Direction to Staff
FROM:	City Clerk's Department

RECOMMENDATION / CITY COUNCIL ACTION

This item is the first part of a two-part discussion of a proposed governance manual. Staff requests the City Council review the first part of the draft governance manual and provide direction to staff.

Staff will present the second part of the two-part discussion at an upcoming City Council meeting. After the City Council has reviewed both parts of the governance manual, it will be presented to the City Council for final approval.

BACKGROUND / ISSUE

In November 2019, the City Council discussed the possibility of adopting a governance manual. The fundamental concept was that a documented governance manual would establish and clarify mutually agreed upon governance norms. The envisioned governance manual would benefit the City organization and the community by elucidating roles and responsibilities, clarifying specific processes, and documenting governing protocols. The governance manual is not intended to be punitive, nor is it proposed to stifle Councilmembers' individualism in their representative role. Instead, the governance manual's purpose is to establish uniform standards that help form governance norms and provide clear guidance in procedural areas of uncertainty.

The governance manual has been deferred due to the redirection of staff activities in response to the COVID-19 pandemic. As Folsom and the Sacramento region begin returning to

normalized operations, the governance manual now returns to the City Council for further consideration.

POLICY / RULE

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

ANALYSIS

The term governance refers to the process of governing. A governance manual can be a useful tool that details the City Council and City Manager's effective governing process norms.

The governance manual is divided into four sections:

- Section 1. Effective Governance (*for consideration at this meeting*)
- Section 2. Roles and Responsibilities (*for consideration at this meeting*)
- Section 3. Practices, Procedures, and Communications (*for consideration at a future meeting*)
- Section 4. Governance Policies (*for consideration at a future meeting*)

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

Section 2 clarifies the roles and responsibilities of the City Councilmembers and the City Manager. Appropriate role parameters should be clearly defined since the distinction between policy and administration can occasionally be challenging to identify. Section 2, therefore, presents summaries of these roles, describes the limitation of noninterference with the City Manager's role, gives guidelines for responding to public complaints, and directs an orientation process for new Councilmembers. It also offers helpful tips on the City Council's informal role.

FINANCIAL IMPACT

This action has no financial impact.

ENVIRONMENTAL REVIEW

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

ATTACHMENTS

1. Governance Manual Section 1. Effective Governance
2. Governance Manual Section 2. Roles and Responsibilities
3. Power Point presentation

Submitted,

Christa Freemantle, CMC
City Clerk

Attachment 1

Governance Manual Section 1. Effective Governance

1. Effective Governance



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



Effective Governance as the Core Principle of the City of Folsom

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

Characteristics of an Effective Council

An effective Council:

- Follows the legal requirements of the City Charter, Municipal Code, State and Federal law and regulations
- Makes decisions that are in the best interest of the City and considers that short-term decisions often have long-term consequences
- Seeks consensus and common ground knowing there are rarely perfect solutions
- Respects the governing process and follows implementation of the will of the majority
- Represents all residents and knows that a vocal minority does not necessarily reflect the view of a quiet majority

Characteristics of an Effective Council Member

An effective Council member:

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

Attachment 2

Governance Manual Section 2. Roles and Responsibilities

2. Roles and Responsibilities



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



Policy Setting and Policy Implementation

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

Council-Manager Form of Government

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

Mayor's Role

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

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

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

Vice Mayor's Role

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

City Manager's Role

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

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

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

Noninterference with City Manager's Administrative Role

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

Responding to Public Complaints

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

New Councilmember Orientation

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

1. With the Brown Act limitations in mind, current Councilmembers are encouraged to reach out to newly elected members to welcome them and build productive working relationships.

2. The City Manager will provide a formal orientation for new Councilmembers to:
 - a. Explain roles and responsibilities;
 - b. Introduce department heads;
 - c. Provide practical information such as access to City Hall, office space, security procedures, meeting protocols;
 - d. Review rules regarding confidentiality, the Brown Act, and gift reporting;
3. Councilmembers shall work through the City Manager to schedule additional meetings with department heads and/or tours of city facilities to gain a better understanding of city services and operations.

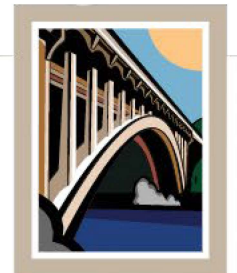
City Council's Informal Role – Some Helpful Tips to Keep in Mind

1. *Lead by example. Be honest, consistent, and flexible.*
2. *Do not get stampeded into action by the strong demands of special interest groups. Your job is to find the entire community's long-term public interest, and you may be hearing from a vocal minority.*
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Attachment 3 Power Point Presentation

Proposed Governance Manual

April 13, 2021



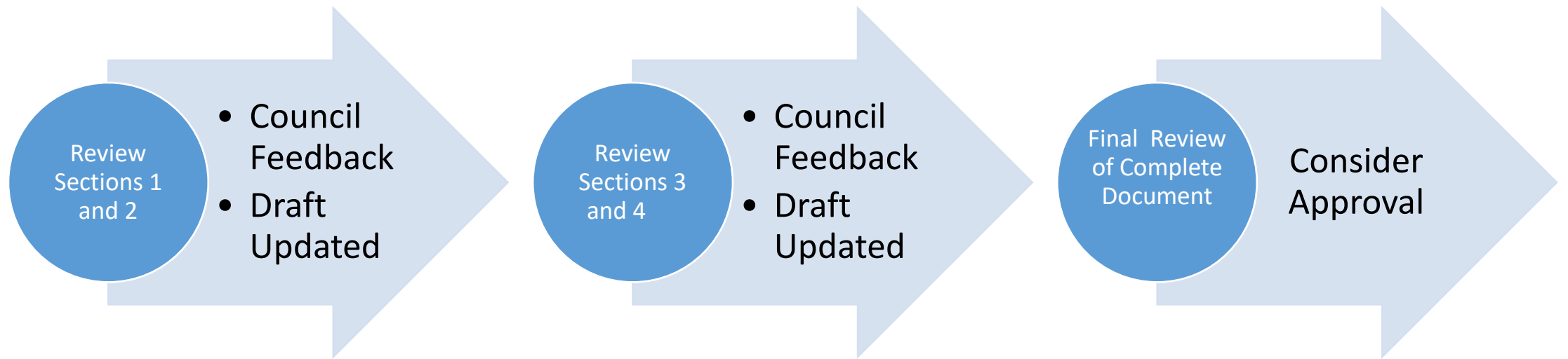
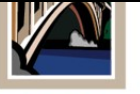
CITY OF
FOLSOM

Background



- First discussed by the City Council in November 2019
 - Council looked at general ideas for content, and considered sample language
 - Council expressed interest, but with caution toward rules that would unduly restrict individual Councilmembers in their elected role.
 - Staff was directed to prepare a draft document and bring it back in sections for further consideration.

Review Steps:



Review of Sections

04/13/2021 Item No. 11.



CITY OF
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To be discussed tonight:

Section 1. Effective Governance

Section 2. Roles and Responsibilities

To be discussed at an upcoming meeting:

Section 3. Practices, Procedures, and Communications

Section 4. Governance Policies



Section 1. Effective Governance

Section 1. Effective Governance

04/13/2021 Item No. 11.



CITY OF
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Elements of the Introductory Statement:

The Folsom City Council is committed to good governance.

Together, the City Council works as a cohesive unit to make decisions in the city's best interest.

While individual Councilmembers each bring their unique background and expertise to their role as an elected official, it is only by working together, rather than as individuals, that the City Council can achieve the greatest good for the greatest number of people.

Section 1. Effective Governance

04/13/2021 Item No. 11.



CITY OF
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Characteristics of an Effective Council

- Follows the legal requirements of the City Charter, Municipal Code, State and Federal law and regulations
- Makes decisions that are in the best interest of the City and considers that short-term decisions often have long-term consequences
- Seeks consensus and common ground knowing there are rarely perfect solutions
- Respects the governing process and follows implementation of the will of the majority
- Represents all residents and knows that a vocal minority doesn't necessarily reflect the view of a quiet majority

Section 1. Effective Governance

04/13/2021 Item No. 11.



CITY OF
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Characteristics of an Effective Council Member

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



Section 2. Roles and Responsibilities

Section 2. Roles and Responsibilities

04/13/2021 Item No. 11.



CITY OF
FOLSOM

Elements of the Introductory Statement:

The City Council's role is to act as a public policy-setting body.

It is the City Manager's role to implement public policy.

With a strong guiding belief that all benefit from a clear understanding of their respective roles, this Governance Manual establishes the normative framework under which the City Council can perform in the most effective manner possible.

Section 2. Roles and Responsibilities

04/13/2021 Item No. 11.



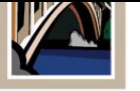
CITY OF
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Mayor's Role

1. Presiding at meetings of the Council;
2. Meeting regularly and as appropriate with the City Manager to provide policy guidance relative to the actions of the Council, expressing the desires of the Council and its members, and monitoring the administrative implementation of Council policies;
3. Recommending City policy, legislation, and programs, subject to approval by a majority of the City Council;
4. Representing the City for ceremonial purposes;
5. Represent the City in intergovernmental relations, personally or by a representative designated by him/her with the concurrence of the Council; and
6. Establishing and dissolving limited-term ad hoc committees, subject to the approval of the Council

Section 2. Roles and Responsibilities

04/13/2021 Item No. 11.



CITY OF
FOLSOM

Vice Mayor's Role

The Vice Mayor's primary responsibility is to perform the Mayor's duties in the Mayor's absence.

Section 2. Roles and Responsibilities

04/13/2021 Item No. 11.



CITY OF
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City Manager's Role

1. Appointing and removing all assistants to the city manager and all department heads;
2. Appointing, removing and disciplining all employees of the city (the city manager may delegate this authority to the several department heads, but retains certain authorities);
3. Directing the administration of all departments;
4. Preparing the City's budget;
5. Keeping the City Council fully informed and advised of the financial, administrative, physical and operational condition of the City and of its future needs in each area, and make such recommendations and present such plans and programs concerning the affairs of the City;
6. Providing for the enforcement and faithful execution of all laws, ordinances, rules, regulations, acts of the City council, the City Charter and such other actions as the City council shall direct;

(continued on next slide)

Section 2. Roles and Responsibilities

04/13/2021 Item No. 11.



CITY OF
FOLSOM

City Manager's Role

7. Attending all City council meetings and taking part in the discussions of the City council (but having no vote);
8. Investigating all complaints in relation to matters concerning the administration of the City;
9. Exercising general supervision of all public buildings, parks, real and personal property, assets, utilities, streets and other public properties which are under the ownership, control or jurisdiction of the city;
10. Carrying out and enforcing all policies of the City council and all rules, regulations and ordinances adopted by it;
11. Cooperating with all community organizations whose purpose is to serve the welfare and best interests of the City and of its people, business and organizations;
12. Preparing the City council agenda in such a manner to ensure that all matters concerning the attention of the City council are included thereon in a timely manner;

Section 2. Roles and Responsibilities

04/13/2021 Item No. 11.



CITY OF
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Particular Responsibilities:

Noninterference with City Manager's Administrative Role

Responding to Public Complaints

New Councilmember Orientation

Section 2. Roles and Responsibilities

04/13/2021 Item No. 11.

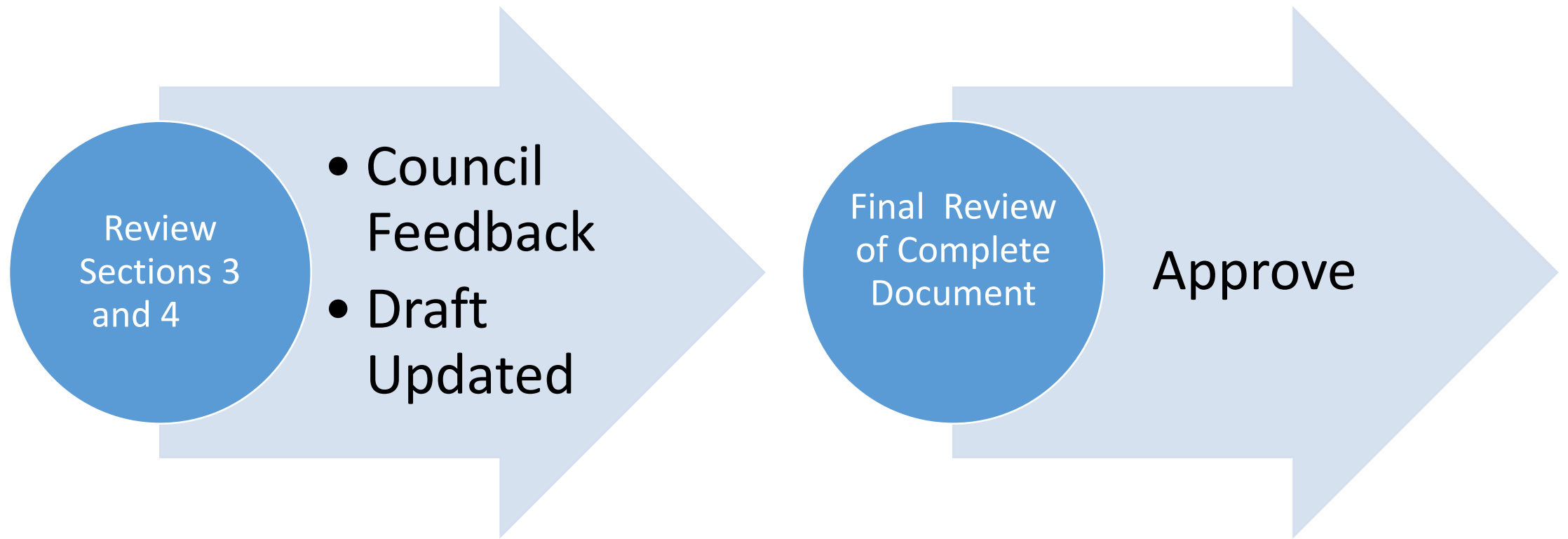
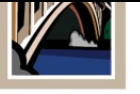


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City Council's Informal Role – Helpful Tips

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Next Steps:





Questions and feedback



Folsom City Council Staff Report



MEETING DATE:	4/13/2021
AGENDA SECTION:	Old Business
SUBJECT:	Presentation Regarding the Park Naming Policy and Direction to Staff
FROM:	Parks and Recreation Department

RECOMMENDATION / CITY COUNCIL ACTION

Staff is seeking City Council direction regarding possible revisions to the existing park naming practices outlined in Resolution No. 5177.

BACKGROUND / ISSUE

In September 2020, the City solicited suggested names for the naming of future parks. In particular, the next park to be named is Neighborhood Park #3 located in the Folsom Plan Area, which is currently in the plan design phase. In addition, there are another eight planned parks to be named in the Folsom Plan Area in the coming years. Pursuant to Resolution No. 5177 (Attachment 1) approved in 1996, the City periodically reaches out to residents to provide recommendations of names for future City parks.

POLICY / RULE

All powers of the City are vested in the City Council pursuant to Section 2.02 of the City Charter.

ANALYSIS

As a result of the solicitation for park name suggestions, the City received 16 proposed names. The current list consists of 24 names that were previously recommended and have remained on the list. The Parks and Recreation Commission created an Ad-Hoc Park Naming Committee to evaluate the new and existing names with the intent to return to the full Commission with a recommendation. The Ad-Hoc Committee met twice in October 2020 and had concerns with the existing guidelines as outlined in Resolution No. 5177.

The following summarizes the Ad-Hoc Committee's main concerns with the existing guidelines for park naming:

- Current policy implies parks are generally named after an individual or family. The option to name a park by something other than an individual or family is not specifically excluded but is also not specifically provided for. The Ad-Hoc Committee expressed that the guidelines should state that it also allows naming of parks to be inspired by topography, geography, native plants, historical significance.
- Current policy is silent on prohibitions such as a park should not be named after a felon, or associated with tobacco, alcohol, religion, etc. The Committee thinks that should be specifically addressed.
- Current policy is silent on whether the individual should be deceased or alive to be eligible (some committee members felt the person should be deceased). Other clarifications that could be added is how long of a "wait" period there should be before a name could be used if the person is deceased.
- Current policy states that names remain on the list forever. The Ad-Hoc Committee discussed providing a timeline of how long names remain on list.
- Current policy is silent on the process to name City facilities such as buildings, community centers, bridges, etc. The Ad-Hoc Committee expressed that the guidelines should allow for a process to name City facilities.
- Current policy is silent on how a donor or sponsor of a park or facility could be considered if they donate land or funding. The Ad-Hoc Committee felt a plan would need to be prepared to define donor/sponsorship levels if this specific criterion were included.

It is the Ad-Hoc Committee's suggestion to initiate a public outreach or polling process to obtain feedback on the proposed changes. Such outreach or polling would include questions that will assist in framing the specifics of the modified policy based on the above-listed elements of interest.

FINANCIAL IMPACT

There is no financial impact to this decision.

ATTACHMENT

Resolution No. 5177-A Resolution Modifying the Park-Naming Policy

Submitted,

Lorraine J. Poggione,
Parks and Recreation Director

RESOLUTION NO. 5177

A RESOLUTION MODIFYING THE PARK-NAMING POLICY

WHEREAS, Resolution 3951, a park-naming policy was adopted by City Council on February 9, 1993; and

WHEREAS, the City Council has requested input from the Parks & Recreation Commission with respect to the above policy for purposes of clarification; and

WHEREAS, the Parks & Recreation Commission has forwarded their recommendation to the City Council;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Folsom hereby adopts a resolution modifying the park-naming policy as follows (changes are bold and italicized):

"All Folsom park sites under two acres in size will be named after adjacent streets or the subdivision in which they are located. All Folsom park sites exceeding two acres in size will be named after an individual or family who has made a significant contribution to the City or after an important landmark or historical aspect of the area.

If named after an individual or family, that person or family shall have played a key role in the development of Folsom, have acquired local, state or national recognition for service or achievement, or shall have contributed to the enhancement of the Folsom community by participating on local boards, commissions, or in civic organizations. There should be a correlation between the size or significance of the park or facility being named and the significance of the contribution of the individual or family.

Parks & Recreation Department staff will provide to the Parks & Recreation Commission several names for consideration. ***Names meeting any of the above criteria are to be retained on a list maintained by the Parks & Recreation Department for consideration when parks need to be named.***

After selecting a name, the Commission will forward its recommendation to the City Council for final approval.


PASSED AND ADOPTED this 27th day of August, 1996, by the following roll-call vote:

AYES: Council Member(s) **HOLDERNESS, MIKLÓS, MYERS, ACEITUNO, FAIT**

NOES: Council Member(s) **NONE**

ABSENT: Council Member(s) **NONE**

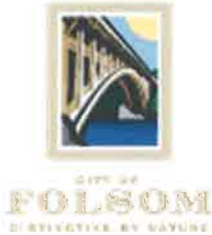
ABSTAIN: Council Member(s) **NONE**


MAYOR

ATTEST:


CITY CLERK

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Folsom City Council Staff Report



MEETING DATE:	4/13/2021
AGENDA SECTION:	New Business
SUBJECT:	Resolution No. 10609 - A Resolution Ratifying Submission of Grant Applications to the Community Project Funding
FROM:	Public Works Department

RECOMMENDATION / CITY COUNCIL ACTION

Staff recommends that the City Council approve Resolution No. 10609 – A Resolution Ratifying Submission of Grant Applications to the Community Project Funding.

BACKGROUND / ISSUE

In March, staff was made aware that the U.S. House of Representatives had issued a call for projects for the new Community Project Funding (CPF), also referred to as “earmarks”. The CPF is a list of accounts which are open to Congressionally directed spending in Federal Fiscal Year 2022. The earmarks encompass all Federal Departments, but staff is focusing on the Highway/Transit and Transportation/Housing and Urban Development (HUD) categories.

Each Congress Member has been asked to submit no more than ten total CPF requests (Member Designated Projects) by a deadline of April 15, 2021. Congress Member Bera asked the local agencies within his district to submit their requests to his office by April 9, 2021.

Staff reviewed the funding criteria and determined that the following projects would be most responsive to the criteria and are high community priorities:

1. Riley Street Sidewalks – installation of sidewalks and Americans with Disabilities Act (ADA) curb ramps on Riley Street between Bidwell Street and Sutter Street (\$5M Transportation/HUD request)

2. Intelligent Transportation Systems Master Plan – funding to upgrade traffic signal controllers, install traffic monitoring cameras and improve communications to and from the Traffic Management Center (\$2M Highway/Transit request)
3. US50/Empire Ranch Road Interchange – funding to prepare final design and construction bid documents for future interchange (\$2.5M Highway/Transit request)

In order to comply with Congress Member Bera’s deadline, staff has submitted these CPF requests prior to April 9, 2021 which did not give staff the opportunity to receive Council direction prior to submittal. Therefore, staff is bringing this item to Council after the fact and asking that Council affirm that these projects were submitted, and that Council supports staff’s selection of these three projects.

POLICY / RULE

Authority to receive funding from outside sources, such as Federal or State grants, is assigned to the City Council.

ANALYSIS

If awarded, the funding will be available in Federal Fiscal Year 2022 and must be spent or encumbered by the end of that year. Staff is prepared to fully implement or encumber all three proposed projects within that timeline.

FINANCIAL IMPACT

There is no defined “local match” associated with CPF requests; past Federal authorizations have required up to a 20 percent local match. If we are successful in obtaining funding for any or all of our submitted projects, staff will return to Council at the appropriate time and provide the financial details.

ENVIRONMENTAL REVIEW

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

ATTACHMENT

1. Resolution No. 10609 – A Resolution Ratifying Submission of Grant Applications to the Community Project Funding

Submitted,

Dave Nugen, Public Works Director

RESOLUTION NO. 10609

A RESOLUTION RATIFYING SUBMISSION OF GRANT APPLICATIONS TO THE COMMUNITY PROJECT FUNDING

WHEREAS, the U.S. House of Representatives has issued a call for applications to the Community Project Funding (CPF) program; and

WHEREAS, the CPF is a set of earmarked funding requests from each Congress member; and

WHEREAS, Congress Member Bera represents California’s 7th Congressional District, which includes the City of Folsom; and

WHEREAS, Congress Member Bera requested that local agencies within the 7th Congressional District submit their CPF requests to his office by April 9, 2021; and

WHEREAS, staff reviewed the CPF criteria and determined that the Riley Street Sidewalks, Intelligent Transportation Systems Master Plan and Empire Ranch Road Interchange were all responsive to the criteria and are considered to be high priority projects by the City; and

WHEREAS, the April 9, 2021 deadline occurred before staff could solicit City Council approval to submit the CPF requests.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Folsom ratifies the submission of applications to the Community Project Funding.

PASSED AND ADOPTED this 13th day of April, 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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CITY OF
FOLSOM
DISCOVERING BY NATURE

Folsom City Council Staff Report

MEETING DATE:	4/13/2021
AGENDA SECTION:	New Business
SUBJECT:	New Business License Certificate Administration and Direction to Staff Regarding Potential Waiver of Business License Certificate Fees for FY 21-22
FROM:	Finance Department

Staff will provide a brief presentation on the City's new business license certificate administrator and ask for direction to staff regarding the potential waiver of business license certificate fees for FY21-22.

Submitted,

Stacey Tamagni, Finance Director

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