



CITY OF
FOLSOM
DISTINCTIVE BY NATURE

Agenda

Regular City Council Meeting and Special Joint City Council / Traffic Safety Committee Meeting

City Council Chambers | 50 Natoma Street, Folsom CA 95630

June 13, 2023
6:30 PM

Welcome to Your City Council Meeting

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

Participation

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



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

Reasonable Accommodations

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

How to Watch

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

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

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



CITY OF
FOLSOM
DISTINCTIVE BY NATURE

Regular City Council Meeting and Special Joint City Council / Traffic Safety Committee Meeting
City Council Chambers | 50 Natoma Street, Folsom CA 95630
www.folsom.ca.us

Tuesday, June 13, 2023 6:30 PM

Rosario Rodriguez, Mayor

YK Chalamcherla, Vice Mayor
Mike Kozlowski, Councilmember

Sarah Aquino, Councilmember
Anna Rohrbough, Councilmember

AGENDA

CALL TO ORDER

ROLL CALL:

Councilmembers: Rohrbough, Aquino, Chalamcherla, Kozlowski, Rodriguez

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

PLEDGE OF ALLEGIANCE

AGENDA UPDATE

BUSINESS FROM THE FLOOR:

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

SCHEDULED PRESENTATIONS:

1. Proclamation of the Mayor of the City of Folsom Proclaiming July 1 - 3, 2023 as Western Rodeo Days in the City of Folsom

CONSENT CALENDAR:

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

- [2.](#) Resolution No. 11039 – A Resolution Authorizing the City Manager to Execute an Agreement with the Sacramento and San Joaquin Drainage District, Acting by and Through the Central Valley Flood Protection Board of the State of California, for the Reimbursement of Road Usage in Relation to the Folsom Dam Raise Project
- [3.](#) Resolution No. 11042 - A Resolution Authorizing the City Manager to Submit an Application for Grant Funds to the California Board of State and Community Corrections (BSCC) Organized Retail Theft Prevention Grant Program
- [4.](#) Resolution No. 11043 – A Resolution Authorizing the City Manager to Execute an Inter-Agency Agreement for Cost-Sharing of the Water Forum 2.0 Agreement Update for Fiscal Year 2023-24 and Fiscal Year 2024-25
- [5.](#) Resolution No. 11045 – A Resolution Authorizing the City Manager to Execute a Cooperative Agreement with Sacramento Housing and Redevelopment Agency for Continued Participation in the Community Development Block Grant Program and Related Activities from January 1, 2024 to December 31, 2026
- [6.](#) Resolution No. 11046 – A Resolution Authorizing the City Manager to Execute a Consultant and Professional Services Agreement with RRM Design Group for Completion of the River District Master Plan
- [7.](#) Resolution No. 11047 - A Resolution Authorizing the City Manager to Execute a Communications Site License Agreement with Dish Wireless, LLC.
- [8.](#) Resolution No. 11048 – A Resolution Authorizing the City Manager to Execute Fifth Amendment to the Reciprocal Use and Funding Agreement Among the Sacramento Placerville Transportation Corridor Joint Powers Authority (JPA) and Its Member Agencies in Connection with Sacramento Regional Transit (SacRT) Double-Tracking Project
- [9.](#) Resolution No. 11049 - A Resolution Authorizing Staff to Submit Recreational Trail Program (RTP) Grant Application to the California Department of Parks and Recreation for the Trail Connections Projects
- [10.](#) Resolution No. 11050- – A Resolution Authorizing the City Manager to Execute an Agreement with National Auto Fleet Group for the Purchase of a Patch Truck
- [11.](#) Resolution No. 11051 – A Resolution Authorizing the City Manager to Execute a Design and Consulting Services Contract with R.E.Y. Engineers, Inc. for the American River Canyon Drive Surface Drainage Project
- [12.](#) Resolution No. 11052 - A Resolution Authorizing the City Manager to Execute a Construction Agreement with RBH Construction, Inc. for the Community Development Department Permit Counter Project and Appropriation of Funds

PUBLIC HEARING:

- [13.](#) Resolution No. 11041 - A Resolution of the City Council of the City of Folsom Declaring the Results of the Majority Protest Proceedings and Renewing the Historic Folsom Property and Business Improvement District, Approving the Assessment Formula and Levying the Assessments
- [14.](#) Appeal by Bob Delp of Decisions by the Historic District Commission Approving the Demolition of the Cabin at 608 Bridge Street (DRCL23-00016) and Determination that the Project is Exempt from CEQA

CONVENE JOINT MEETING

Joint City Council / Traffic Safety Committee Meeting

ROLL CALL:

Council Members: Anna Rohrbough, Sarah Aquino, YK Chalamcherla, Mike Kozlowski, Rosario Rodriguez

Traffic Safety Committee Members: Scott Bailey, Joanne Brausch, Kevin Goddard, Zach Bosch (PW Dept), Sgt. Tim Galovich (Police), Matt Washburn (FCUSD), Asst. Chief Chad Wilson (Fire)

NEW BUSINESS:

- [15.](#) Workshop Regarding Traffic Safety Along the Folsom Lake Corridor

ADJOURNMENT OF JOINT MEETING

RECONVENE REGULAR CITY COUNCIL MEETING

OLD BUSINESS:

- [16.](#) Resolution No. 11044 - A Resolution Authorizing the Formation of the River District Master Plan Citizens Advisory Committee

COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS:

CITY MANAGER REPORTS:

COUNCIL COMMENTS:

ADJOURNMENT

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

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

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

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

The meeting of the Folsom City Council is being telecast on Metro Cable TV, Channel 14, the Government Affairs Channel, and will be shown in its entirety on the Friday and Saturday following the meeting, both at 9 a.m. The City does not control scheduling of this telecast and persons interested in

watching the televised meeting should confirm this schedule with Metro Cable TV, Channel 14. The City of Folsom provides live and archived webcasts of regular City Council meetings. The webcasts can be found on the online services page of the City's website www.folsom.ca.us.

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

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

*This page intentionally left blank
to facilitate double-sided printing.*



CITY OF
FOLSOM
DISTINCTIVE BY NATURE

**PROCLAMATION
OF THE MAYOR OF THE CITY OF FOLSOM
PROCLAIMING JULY 1 - 3, 2023
AS
WESTERN RODEO DAYS
IN THE CITY OF FOLSOM**

WHEREAS, the City of Folsom proudly recognizes Folsom’s western heritage and acknowledges the benefits of preserving the traditions and customs of the City’s history; and

WHEREAS, the annual Folsom Pro Rodeo is a cornerstone of Folsom’s link to its colorful past and is thoroughly enjoyed by residents and visitors alike; and

WHEREAS, this year’s event, to be held July 1 - 3 at the Dan Russell Arena, marks the 62nd anniversary of the Folsom Pro Rodeo and marks it as one of the longest-running events in Northern California; and

WHEREAS, this year’s event, we will be honoring Kris Keables Folsom’s very own “Ticket Queen” as the 2023 Folsom Pro Rodeo Grand Marshal. Proudly serving the Folsom Pro Rodeo since 1980.

WHEREAS, the 62nd anniversary event highlights include traditional rodeo events such as saddle and bareback bronc riding, steer wrestling, team roping, barrel racing, bull riding, performance by the Painted Ladies Drill Team, Flying Cowboys Motocross, rodeo clowns, nightly fireworks, mutton busting, and live music in the Saloon Under the Stars; and

WHEREAS, in honor of the traditional patriotic theme, the Folsom Pro Rodeo will celebrate with the ever-popular in-arena spectacular fireworks; and

WHEREAS, celebrating the 62nd anniversary of the Folsom Pro Rodeo involves the assistance of hundreds of volunteers and a tremendous amount of community support.

NOW, THEREFORE, I, Mayor Rosario Rodriguez of the City of Folsom, do hereby proclaim July 1 - 3, 2023, as **WESTERN RODEO DAYS IN FOLSOM** and call upon all citizens to “cowboy up” and join in the festivities celebrating the 62nd anniversary of the Folsom Pro Rodeo; and

BE IT FURTHER PROCLAIMED that the Folsom City Council extends sincere best wishes to the Choose Folsom team for a successful rodeo season.

PROCLAIMED this 13th day of June 2023.



Attest:

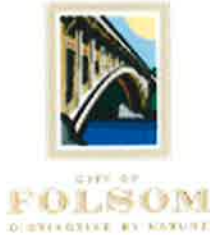
Rosario Rodriguez
ROSARIO RODRIGUEZ, MAYOR

Lydia L. Konopka
LYDIA KONOPKA, DEPUTY CITY CLERK

*This page intentionally left blank
to facilitate double-sided printing.*



CITY OF
FOLSOM
DISTINCTIVE BY NATURE



Folsom City Council Staff Report



MEETING DATE:	6/13/2023
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 11039 - A Resolution Authorizing the City Manager to Execute an Agreement with the Sacramento and San Joaquin Drainage District, Acting by and Through the Central Valley Flood Protection Board of the State of California, for the Reimbursement of Road Usage in Relation to the Folsom Dam Raise Project
FROM:	Public Works Department

RECOMMENDATION / CITY COUNCIL ACTION

The Public Works Department recommends that the City Council pass and adopt Resolution No. 11039 - A Resolution Authorizing the City Manager to Execute an Agreement with the Sacramento and San Joaquin Drainage District, Acting by and Through the Central Valley Flood Protection Board of the State of California, for the Reimbursement of Road Usage in Relation to the Folsom Dam Raise Project.

BACKGROUND / ISSUE

The Army Corps of Engineers (ACOE), working together with the California Department of Water Resources (DWR), will begin the Folsom Dam Raise Project, a construction project to raise the earthen dams of Folsom Lake by 3 feet, 6 inches. The project is planned to begin in 2023 and will continue through 2027.

The project will require the import of a large volume of material that will be hauled over various roadways in Folsom. There will be two haul routes from Highway 50; East Bidwell Street to Oak Avenue Parkway to Blue Ravine Road and Folsom Boulevard to Folsom-Auburn Road to Folsom Lake Crossing. These two routes consist of sections of roadways that are identified as truck routes and other sections that are not identified as truck routes. During negotiations pertaining to the use of Folsom roadways, the DWR advised they would not be

able to legally reimburse the city for the use of any roadway that is on a truck route; and therefore, an analysis of potential traffic volumes and/or resulting pavement distresses was not completed for the sections of roadway identified as a truck route.

There are two sections of the proposed haul routes that the US Government has easement access and use rights to, that will not be eligible for use reimbursement. Those sections are the portion of Folsom-Auburn Road between Folsom Lake Crossing and the northern city limit, and the entirety of Folsom Lake Crossing. Staff has reviewed these easement documents and concurs that the US Government has usage rights on these roadways.

There remains one section of roadway on the proposed haul routes that is neither a truck route or excluded through existing easements: Folsom-Auburn Road between Greenback Lane and Folsom Lake Crossing. The city performed a count of existing traffic volumes and vehicle classes of this roadway in November 2022. The DWR provided anticipated truck counts and vehicle classes for the project, which was used in the analysis to determine anticipated vehicle loading of the pavement, resulting pavement distresses and associated costs to mitigate the additional usage

In addition to the reimbursement being made to the city as part of this agreement, the ACOE's contractors will also be required to obtain a City of Folsom Extra Legal Trip Transportation Permit for any load that exceeds the maximum size or weight allowable. No encroachment permit will be required since none of the work is taking place on city property.

FINANCIAL IMPACT

Per the agreement, a payment in the amount of \$40,797 will be made to the city to be used for future pavement rehabilitation projects.

ENVIRONMENTAL REVIEW

This agreement is exempt from the requirements of the California Environmental Quality Act.

ATTACHMENTS

1. Resolution No. 11039 - A Resolution Authorizing the City Manager to Execute an Agreement with the Sacramento and San Joaquin Drainage District, Acting by and Through the Central Valley Flood Protection Board of the State of California, for the Reimbursement of Road Usage in Relation to the Folsom Dam Raise Project
2. Agreement for Reimbursement of Road Usage and Related Costs between Sacramento and San Joaquin Drainage District, acting by and Through the Central Valley Flood Protection Board of the State of California and City of Folsom

Submitted,

Mark Rackovan, PUBLIC WORKS DIRECTOR

Attachment 1
Resolution No. 11039

RESOLUTION NO. 11039

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE SACRAMENTO AND SAN JOAQUIN DRAINAGE DISTRICT, ACTING BY AND THROUGH THE CENTRAL VALLEY FLOOD PROTECTION BOARD OF THE STATE OF CALIFORNIA, FOR THE REIMBURSEMENT OF ROAD USAGE IN RELATION TO THE FOLSOM DAM RAISE PROJECT

WHEREAS, the Army Corps of Engineers (ACOE), working with the California Department of Water Resources (DWR), desires to utilize Folsom roadways to haul materials to be used in the construction of the Folsom Dam Raise Project; and

WHEREAS, the Folsom Dam Raise Project is a Federal Project that will raise the elevation of earthen dams by 3 feet, 6 inches; and

WHEREAS, the DWR has stated they are unable to make any financial reimbursement for the roadways that are identified as a truck route; and

WHEREAS, the City conducted vehicle traffic counts and classifications on Folsom-Auburn Road to identify pre-project traffic volume conditions; and

WHEREAS, a pavement analysis was performed to determine the anticipated distress and resultant reimbursement to mitigate for the ACOE’s use of roads that are either not designated truck routes or exempt through easements; and

WHEREAS, a payment in the amount of \$40,797 will be made to the City of Folsom upon execution of this agreement and the payment will be used for future pavement rehabilitation projects; and

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

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Folsom hereby authorizes the City Manager to Execute an Agreement with the Sacramento and San Joaquin Drainage District, acting by and Through the Central Valley Flood Protection Board of the State of California, for the Reimbursement of Road Usage in Relation to the Folsom Dam Raise Project.

PASSED AND ADOPTED this 13th day of June 2023, by the following roll-call vote:

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

Rosario Rodriguez, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

Attachment 2

**Agreement for Reimbursement of Road Usage
and Related Costs**

AGREEMENT FOR REIMBURSEMENT OF ROAD USAGE AND RELATED COSTS
BETWEEN
SACRAMENTO AND SAN JOAQUIN DRAINAGE DISTRICT, ACTING BY AND
THROUGH THE CENTRAL VALLEY FLOOD PROTECTON BOARD OF THE STATE
OF CALIFORNIA
AND
CITY OF FOLSOM

IN RELATION TO
FOLSOM DAM RAISE PROJECT

THIS AGREEMENT FOR REIMBURSEMENT OF ROAD USAGE AND RELATED COSTS (hereinafter the "Agreement") is entered into this _____ day of _____, _____ ("Effective Date"), by and between SACRAMENTO AND SAN JOAQUIN DRAINAGE DISTRICT, ACTING BY AND THROUGH THE CENTRAL VALLEY FLOOD PROTECTION BOARD OF THE STATE OF CALIFORNIA, (hereinafter "BOARD"), and the CITY OF FOLSOM (hereinafter "CITY").

This Agreement is established for the purpose of defining specific terms and conditions under which BOARD will compensate the CITY for reimbursable costs identified below arising in connection with the United States Army Corps of Engineers' (USACE)'s Folsom Dam Raise Project ("Project").

RECITALS:

- A. WHEREAS, USACE is responsible for the implementation of Folsom Dam Raise Project ("Project"); and
- B. WHEREAS, USACE and BOARD entered into a Project Partnership Agreement on March 29, 2019 for the Folsom Dam Raise Project ("Project"); and
- C. WHEREAS, per the terms of the Project Partnership Agreement referenced in Recital B, Board is responsible for acquiring all Lands, Easements, Rights-of-Way, Relocations, and Disposals ("LERRDs") necessary for the implementation of the Project; and
- D. WHEREAS, the USACE directed BOARD to acquire all LERRDs necessary to construct the Project in a "Notice to Provide Certain Lands, Easements, and Rights-of-Way and Perform Relocations (LERRDs) for Folsom Dam Raise (City of Folsom haul routes)" dated September 29,2022; and
- E. WHEREAS, the Project is a public safety flood risk protection project that consists of a 3.5-foot combination earthen raise of reservoir dikes 1-7 and Mormon Island Auxiliary Dam (MIAD), a 3.5 foot raise of the Left Wind Dam (LWD) and Right Wing Dam (RWD) via installation of concrete floodwalls, refinements to existing emergency and service spillway Tainter gates and related structural modification at the main dam (Folsom Dam); and

- F. WHEREAS, local roads within the CITY are roads that are not designated as Haul Truck Routes within the jurisdiction of the California Department of Transportation. For the purposes of this Agreement Folsom Lake Crossing and Folsom Auburn Road are collectively referred to herein as the “Local Roads” as show in Exhibit A; and
- G. WHEREAS, the Project will require the use of the Local Roads, of which a portion of the Folsom Lake Crossing and its underlying land the United States has the reserved rights of access and use for Project purposes without payment for severance/damages (i.e., the portion of Folsom Lake Crossing that is covered under Contract and Grant Easement dated December 8th, 2006), as shown in Exhibit B, attached hereto and incorporated herein by this reference; and
- H. WHEREAS, BOARD has asserted that it is not required to obtain permits from local agencies for use of public roads for the Project ; and
- I. WHEREAS, BOARD has asserted that it is not responsible for any potential diminution of useful road life for travel over Haul Truck Routes during the course of the Project; and
- J. WHEREAS, Folsom Lake Crossing and Folsom Auburn Road are classified as Local Roads and not Haul Truck Routes. BOARD agrees to compensate CITY for the expected diminution of useful road life to Folsom Lake Crossing and Folsom Auburn Road caused by travel over such roads by trucks and equipment serving the Project; and
- K. WHEREAS, portions of Folsom Lake Crossing Road and its underlying land: (a) is owned in fee title by the City of Folsom; (b) which is not a designated haul route; and (c) to which the United States does not have a reserved right of use for Project purposes without payment for severance/damage, as shown in Exhibit B, attached hereto and incorporated herein by this reference; and
- L. WHEREAS, portions of Folsom Auburn Road is covered under Contract for Relocation dated February 9th 1950 and Easement Deed, as shown in Exhibit C, attached hereto and incorporated herein by this reference; and
- M. WHEREAS, CITY owns the public roadway facilities (i.e., Local Roads), as shown in Exhibits A and B; and
- N. WHEREAS, access to a portion of City’s Local Roads identified in Exhibit B of this Agreement is also necessary to support Project construction, operation, and maintenance (Use), and the Local Roads in Exhibit B will be directly impacted by such Use necessitating alteration, relocation, rearrangement and/or modification (Alteration) of CITY’s Local Roads; and
- O. WHEREAS, CITY is willing to permit Use of its underlying land in Exhibit B and its Local Roads located in Exhibit C and Exhibit B by the BOARD for the Project, and Use by the U.S. Army Corps of Engineers, the U.S. Bureau of Reclamation, and their independent contractors (collectively Beneficiaries) for the Project; and

- P. WHEREAS, CITY shall issue USACE’s contractor Transportation Permits and all other permits deemed necessary by CITY for the non-standard use of Local Roads; and
- Q. WHEREAS, the parties wish to define the specific terms and conditions by which BOARD will perform the obligations described above and reimburse CITY for costs identified below during the Project.

AGREEMENT

NOW, THEREFORE, IN CONSIDERATION OF THE ABOVE, IT IS MUTUALLY AGREED as follows:

General Provisions

1. BOARD shall compensate CITY \$40,797.00 for the expected diminution of useful road life to Local Roads caused by travel of trucks and other equipment serving the Project, as calculated and shown in Exhibit D. Payment shall be made by BOARD to CITY upon execution of this agreement. CITY agrees that consideration in the amount of \$40,797.00, receipt of which is hereby acknowledged (Consideration), constitutes full, just, and complete compensation for, the following:

- a. Use and the acquisition through Alteration of CITY’s Local Roads, rights and property by Government for Beneficiaries; and
- b. Any and all damages and/or impacts that have been or may be caused to the Local Roads altered by Government and Beneficiaries for the Project; and
- c. CITY further agrees to save and hold harmless and release the BOARD and Beneficiaries from any and all causes of action, suits-at-law or equity or claims or demands, and from any liability of any nature whatsoever for and on account of any Use, damages and/or impacts to said Local Roads altered hereunder. Owner additionally acknowledges and agrees that Owner has no recourse against Beneficiaries, which are third-party beneficiaries of this Agreement with a right of enforcement of the terms of this Agreement as against Owner and BOARD, including but not limited to, this Section 1.c entitled “Release,” even though Beneficiaries are not signatories to this Agreement.

2. CITY shall issue USACE’s contractor Transportation Permits, and all other permits deemed necessary by CITY for the non-standard use of Local Roads.

3. Except as otherwise stated in Section 1.c, BOARD and CITY each agree to indemnify and hold the other harmless from any loss, damage, expense and liability resulting from injuries to persons and damage or destruction of property arising out the actions of their respective employees, agents, contractors, or invitees resulting from this Agreement; however, where

negligence is contributory, principles of comparative negligence will apply and each party shall bear the proportionate cost of any loss, damage, expense or liability attributable to that party's negligence or fault.

4. This Agreement shall not create any rights in any person, entity or organization not a party hereto; nor may any third party maintain any lawsuit for personal injuries, injunction, property damages or breach of this Agreement.

5. This Agreement sets forth the entire understanding between the parties as to the subject matter of this Agreement and supersedes all prior discussions, negotiations, letters of understanding, or other promises, whether oral or in writing. The interpretation and performance of this Agreement shall be governed by California law.

6. The drafting and negotiation of this Agreement has been participated in by each of the parties and/or their counsel and for all purposes this Agreement shall be deemed to have been drafted jointly by the parties.

7. The signatories to this Agreement hereby represent that they are authorized to enter into and to bind their respective parties to this Agreement on behalf of the party for which they sign. Each party represents that it has legal authority to enter into this Agreement and to perform all obligations under this Agreement.

8. The parties agree that any remedy provided under this Agreement is in addition to and not in derogation of any other legal or equitable remedy available as a result of breach of this Agreement, whether such breach occurs before or after completing of the project, and exercise of any remedy provided by this Agreement shall not preclude either party from pursuing any legal remedy or right which would otherwise be available.

9. If, after the date of execution of this Agreement, any provision of this Agreement is held to be illegal, invalid, or unenforceable by a court of final jurisdiction, all other provisions of this Agreement shall be construed to remain fully valid, enforceable and binding on all parties.

Assignment/Amendments

10. Neither the CITY nor BOARD may assign or delegate any right or obligation hereunder without first having received the written and duly executed consent of the other party. This Agreement shall bind and shall inure to the benefit of any successors or assigns of either party following such consent but shall not otherwise create duties or obligations to or rights in third parties not parties to this Agreement, nor shall this Agreement affect the legal liability of any party by imposing any standard of care different from that otherwise imposed by law.

11. This Agreement may be amended or modified only by a written amendment, signed by duly authorized representatives of BOARD and the CITY.

Notices

12. Any notice, demand, request, consent, approval, or communication that either party desires or is required to give to the other party shall be in writing and either served personally or sent by first class mail, addressed as follows:

TO DWR: Attn: Angelica Aguilar
 Manager, Real Estate Branch
 715 P Street, Room 4-205
 Sacramento, California 95814
 (800) 600-4397
 Angelica.Aguilar@water.ca.gov

TO CITY: City of Folsom
 Attn: Mark Rackovan, P.E.
 Public Works Director
 50 Natoma Street
 Folsom, CA 95630
 (916) 461-6711
 mrackovan@folsom.ca.us

Execution

13. Each party agrees to execute and deliver additional documents and instruments and to take any additional actions as may be reasonably required to carry out their respective obligations under this Agreement.

14. This Agreement may be executed simultaneously in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. This Agreement may also be delivered by portable document format (pdf), provided that each party shall deliver its original executed counterpart of the Agreement to the other Party.

15. This Agreement may be executed by electronic signature(s) and transmitted either by facsimile or in a portable document format (pdf) version by email and such electronic signature(s) shall be deemed as original for purposes of this Agreement and shall have the same force and effect as a manually executed original.

- signatures appear on following page –

IN WITNESS WHEREOF, the parties hereto have executed this Agreement, which shall become effective upon the date it is signed by DWR.

CALIFORNIA DEPARTMENT OF
WATER RESOURCES

CITY OF FOLSOM

BY: _____
Angelica Aguilar, Manager
Real Estate Branch

BY: _____
Elaine Andersen
City Manager

DATE: _____

DATE: _____

Approved as to Legal Form
And Sufficiency

Approved as to Form

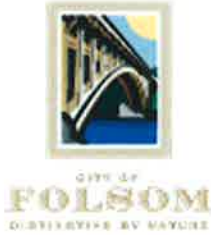
Attorney _____
John Wheat, Attorney

By: _____
Steven Wang, City Attorney

*This page intentionally left blank
to facilitate double-sided printing.*



CITY OF
FOLSOM
DISTINCTIVE BY NATURE



Folsom City Council Staff Report

MEETING DATE:	6/13/2023
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 11042 - A Resolution Authorizing the City Manager to Submit an Application for Grant Funds to the California Board of State and Community Corrections (BSCC) Organized Retail Theft Prevention Grant Program
FROM:	Police Department

RECOMMENDATION / CITY COUNCIL ACTION

Staff recommends that the City Council adopt Resolution 11042 - A Resolution Authorizing the City Manager to Submit an Application for Grant Funds to the California Board of State and Community Corrections (BSCC) Organized Retail Theft Prevention Grant Program.

BACKGROUND / ISSUE

Organized Retail Theft (ORT) is characterized by structured criminal rings that steal property with the intent to sell, distribute, or return stolen merchandise for value. It can take many forms from coordinated thefts of specific goods to orchestrated, brazen thefts on local retailers. Organized Retail Theft incidents are often part of sophisticated criminal networks that plan their operations weeks or months before they are carried out.

As reported by the National Retail Federation, Organized Retail Theft accounts for nearly \$30 billion in economic loss per year. This loss is carried by retailers on many levels but will ultimately be passed on to the consumer through price increases to offset economic loss. While the problem is commonly associated with shoplifting, it often extends well beyond organized criminal activity. Commercial burglary, vehicle burglary, identity theft, credit card fraud, forgery, mail theft, and fencing stolen property are all part of a bigger picture that finances ongoing criminal organizations. The advent of online marketplaces ensures that stolen property can be easily sold with relative anonymity.

To address this growing problem, the California Legislature enacted Penal Code 490.4. This bill codified the meaning of Organized Retail Theft and allowed the District Attorney to file a felony charge if these acts were committed in concert with another person.

The City of Folsom is fortunate to have a large amount of retail and commercial businesses which add value and economic diversity to our community. Unfortunately, this also makes our City a regional target for Organized Retail Theft criminal rings. Consistent with national trends, The City of Folsom has seen an alarming increase in Organized Retail Theft activity over the past three years. In 2021, the Police Department responded to over 100 Organized Retail Theft calls and that number increased to over 125 calls in 2022. If trends continue, the City will easily surpass that number in 2023. These statistics do not include routine theft calls that the Police Department responds to daily. In response to this development, staff are seeking funding sources to deploy and implement proven methods to curtail these activities.

The State Budget Act of 2022 (SB 154) established the Organized Retail Theft Grant Program. The program allocated \$242,250,000 that can be used by Police Departments to address concerns related to organized retail theft, motor vehicle or motor vehicle accessory theft, and cargo theft. Proposals selected for funding will be under agreement with the BSCC from October 1, 2023 through December 31, 2026.

POLICY / RULE

City Council Resolution 8367 states that grant applications, including any requiring an ongoing commitment of resources or staff, shall be reviewed and approved by the City Council prior to submittal.

ANALYSIS

Staff are committed to upholding the Police Department's vision which states, in part, that we will remain a premier Law Enforcement Agency through technological advancements. An award from this grant will allow the Police Department to uphold our vision while facing budgetary shortfalls.

Our investigative staff have found that apprehension and successful prosecution of these subjects relies on collaboration with outside agencies, the implementation of new technologies, and cooperation with our retail partners.

The installation of additional license plate reader (LPR) cameras at the ingress/egress points of our retail centers is one way to accomplish all three of these objectives as information can be shared in real time with our regional Law Enforcement partners. Staff have met with the management of both of our two largest retail centers, and they agree that additional LPR cameras would be effective.

The eligible funding activities for this grant include, but are not limited to automated license plate readers, cameras, case management systems, investigative software, RFI Tracker/Tracking devices, online and print advertising, and staff expenses. According to the grant, these items can be purchased or implemented with no match requirement from the City of Folsom. The Police Department does not intend to add additional staff if awarded this grant, but funds could be used to supplement existing staffing levels/overtime costs with high visibility patrol at targeted locations.

FINANCIAL IMPACT

As stated above, this grant does not require matching funds from the City. Any financial impact to the City could come in the form of leasing agreements for equipment (such as cameras) or subscription services for any investigative software at the end of the three-year period.

ATTACHMENTS

RESOLUTION NO. 11042 - A Resolution Authorizing the City Manager to Submit an Application For Grant Funds to the California Board of State and Community Corrections (BSCC) Organized Retail Theft Prevention Grant Program

Submitted,

Richard Hillman
Chief of Police

RESOLUTION NO. 11042

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION FOR GRANT FUNDS TO THE CALIFORNIA BOARD OF STATE AND COMMUNITY CORRECTIONS (BSCC) ORGANIZED RETAIL THEFT PREVENTION GRANT PROGRAM

WHEREAS the City of Folsom desires to participate in the Organized Retail Theft Prevention Grant Program funded through the State Budget Act and administered by the Board of State and Community Corrections (hereafter referred to as the BSCC).

NOW, THEREFORE, BE IT RESOLVED that the City Manager be authorized on behalf of the Folsom City Council to submit the grant proposal for this funding and sign the Grant Agreement with the BSCC, including any amendments thereof.

BE IT FURTHER RESOLVED that grant funds received hereunder shall not be used to supplant expenditures controlled by this body.

BE IT FURTHER RESOLVED that the City of Folsom agrees to abide by the terms and conditions of the Grant Agreement as set forth by the BSCC.

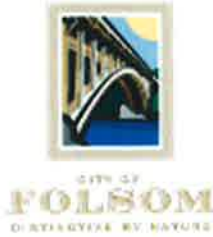
PASSED AND ADOPTED this 13th day of June 2023, by the following roll-call vote:

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

Rosario Rodriguez, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK



Folsom City Council Staff Report



MEETING DATE:	6/13/2023
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 11043 – A Resolution Authorizing the City Manager to Execute an Inter-Agency Agreement for Cost-Sharing of the Water Forum 2.0 Agreement Update for Fiscal Year 2023-24 and Fiscal Year 2024-25
FROM:	Environmental and Water Resources Department

RECOMMENDATION / CITY COUNCIL ACTION

The Environmental and Water Resources Department recommends the City Council pass and adopt Resolution No. 11043 – A Resolution Authorizing the City Manager to Execute an Inter-Agency Agreement for Cost-Sharing of the Water Forum 2.0 Agreement Update for Fiscal Year 2023-24 and Fiscal Year 2024-25.

BACKGROUND / ISSUE

In January of 2000, the Water Forum was formed to provide a safe, reliable water supply and preserve the value of the Lower American River. Through a collaborative effort of 21 water purveyors, the Sacramento County Farm Bureau, environmental interest groups, citizens organizational groups and business groups, the Water Forum Agreement was signed to endorse and, where appropriate, participate in each of the seven complementary actions:

1. Increase Surface Water Diversions
2. Implement actions to meet customer needs while reducing diversion impacts in the drier years
3. Support an improved pattern of fishery flow releases from Folsom Reservoir
4. Support Lower American River Habitat Management Element
5. Support the Water Conservation Element
6. Support Groundwater Management Element
7. Support the Water Forum Successor Effort

Under this effort, signatories have participated and supported negotiations of the City's Folsom Reservoir water diversions renewal agreement with the United States Bureau of Reclamation, participated in regional public education efforts, endorsed water conservation and water supply efforts, supported or not opposed necessary rate and fee adjustments necessary to support water conservation and water supply management activities, continued negotiations to endorse improved pattern of fishery flow releases from Folsom Reservoir, negotiations and advocacy positions pertaining to the State of California Sacramento/San Joaquin Delta Plan issues and other environmental issues that have allowed Folsom to continue with necessary capital projects and water management activities necessary to sustain planned growth and continue reliable water service.

This resolution will authorize the City Manager to execute an Inter-Agency Agreement for Cost-Sharing of the Water Forum 2.0 Agreement Update for Fiscal Year 2023-24 and Fiscal Year 2024-25.

POLICY / RULE

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

ANALYSIS

Under the current Water Forum Agreement (WFA), the Water Forum Successor Effort (WFSE) will continue negotiations of various environmental activities to protect the Lower American River, support the renewal of the water diversion agreements of the signatories, develop updates as necessary the Lower American River Flow Management Standard, and assist with other necessary regional water management activities to meet WFSE goals. Continued participation and compliance with the WFA will allow Folsom to secure a reliable dry-year water supply and continue with planned capital improvements necessary to sustain growth and reliable water deliveries to the City. Our historic success in this program has positioned both Folsom and the region to be eligible for funding opportunities through collaborative efforts to meet our Water Forum commitments.

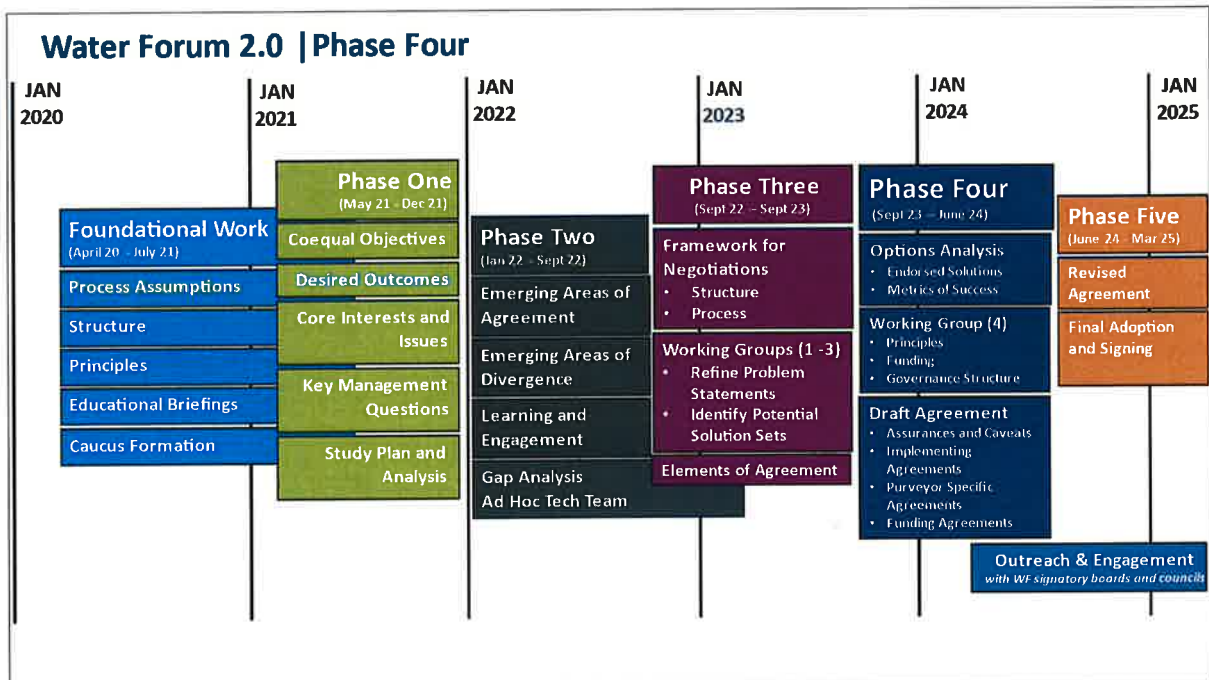
The Lower American River is one of the Sacramento region's greatest treasures. In 2000, 40 agencies and businesses came together to sign the landmark WFA, a visionary long-term plan created to balance two coequal objectives: provide a reliable and safe water supply for the region's economic health and planned development through to the year 2030; and preserve the fishery, wildlife, recreational, and aesthetic values of the lower American River. And now, after 20+ years of successful implementation, the Water Forum members have come together to negotiate a successor agreement that can guide the Water Forum's efforts well into the future.

The negotiating process is structured to foster an inclusive and transparent process that brings together affected parties in a collaborative and constructive dialogue. The process began in April 2020 and has been working diligently over the past several years to develop the

framework for the negotiations. Water Forum members are now ready to begin negotiations and complete an updated agreement over the next two years. The scope of work necessary to update the WFA consists of the following:

1. **Facilitation Services and Agreement Development** - This task will include preparing meeting agendas and summaries, meeting material development, organization, and distribution, and active facilitation within the meetings. The facilitation team will be responsible for developing and maintaining the meeting framework for the negotiations including meeting objectives and outcomes, schedules, and roles and responsibilities.
2. **Technical Services** - The Water Forum 2.0 process is expected to require support from technical experts to inform negotiators as to the potential benefits and costs of solution sets. The topics of needed expertise include hydrology, river hydraulics, fisheries biology, river ecology, CalSim modeling, temperature modeling, climate resiliency, state and federal regulatory process, and others. The technical experts will participate in working group meetings and provide valuable analysis as requested.

The scope of work to be completed for the Water Forum 2.0 process will be organized across two fiscal years from July 2023 through June 2025. The phases of activities are illustrated below and include: an initial phase focused on the identification of solution sets based on the identified problems, a phase focused on the evaluation and selection of the preferred alternatives (which will form the basis for the Draft agreement), and finally the finalization of the agreement.



FINANCIAL IMPACT

The Fiscal Year 2023-24 Water Operating Budget includes funding for contractual services, including the Water Forum related expenses. Below is the proposed budget for FY 2023-24 and FY 2024-25. EWR staff will include the proposed costs in future fiscal year budgets. The City’s share is \$33,579 for Fiscal Year 2023-24 and \$33,579 for Fiscal Year 2024-25 for a total of \$67,158.

Water Forum 2.0 Project Budget		Annual Costs		TOTAL
		FY 23-24	FY 24-25	
Task 1: Facilitation Services		\$ 425,000	\$ 352,500	\$ 777,500
1.1	Meeting Facilitation	\$ 237,000	\$ 211,500	\$ 448,500
1.2	Agreement Development	\$ 51,625	\$ 38,719	\$ 90,344
1.3	Strategic Planning and Coordination	\$ 136,375	\$ 102,281	\$ 238,656
Task 2: Technical Services		\$ 218,000	\$ 218,000	\$ 436,000
2.1	Meetings and Coordination	\$ 133,500	\$ 133,500	\$ 267,000
2.2	Analysis and Documentation	\$ 84,500	\$ 84,500	\$ 169,000
TOTAL		\$ 643,000	\$ 570,500	\$ 1,213,500
Allocated from WFSE FY 23-24 budget		\$ 72,500	\$ -	\$ 100,000
Total Funding Request		\$ 570,500	\$ 570,500	\$ 1,113,500

ENVIRONMENTAL REVIEW

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

ATTACHMENTS

1. Resolution No. 11043 – A Resolution Authorizing the City Manager to Execute an Inter-Agency Agreement for Cost-Sharing of the Water Forum 2.0 Agreement Update for Fiscal Year 2023-24 and Fiscal Year 2024-25
2. Inter-Agency Agreement for Cost-Sharing for Fiscal Year 2023-24 and Fiscal Year 2024-25 for the Water Forum 2.0 Agreement Update

Submitted,

Marcus Yasutake, Director
 ENVIRONMENTAL AND WATER RESOURCES DEPARTMENT

ATTACHMENT 1

RESOLUTION NO. 11043

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTER-AGENCY AGREEMENT FOR COST-SHARING OF THE WATER FORUM 2.0 AGREEMENT UPDATE FOR FISCAL YEAR 2023-24 AND FISCAL YEAR 2024-25

WHEREAS, the City of Folsom signed, in January 2000, the Water Forum Agreement; and

WHEREAS, the City of Folsom, through the Water Forum Agreement, has agreed to participate in the Water Forum Successor Effort (WFSE); and

WHEREAS, the WFSE has been instrumental in supporting the City of Folsom in numerous water management activities that has allowed Folsom to proceed with necessary capital projects; and

WHEREAS, the Water Forum Agreement signatories developed a new framework for negotiations to update the current agreement; and

WHEREAS, the Water Forum 2.0 agreement update process will consist of facilitation services, agreement development, and technical services; and

WHEREAS, based on the Fiscal Year 2023-24 and Fiscal Year 2024-25 cost of \$33,579 per year, sufficient funds are budgeted and available in the Water Operating Fund (Fund 520); and

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

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Folsom authorizes the City Manager to execute an inter-agency agreement for cost-sharing of the Water Forum 2.0 agreement update for fiscal year 2023-24 and fiscal year 2024-25.

PASSED AND ADOPTED this 13th day of June, 2023, by the following roll-call vote:

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

Rosario Rodriguez, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

ATTACHMENT 2

**Interagency Agreement
 For Cost-Sharing the Fiscal Year (FY) 2023-24 and FY 2024-25
 Water Forum 2.0 Agreement for the City of Sacramento, on behalf of the
 Sacramento City-County Office of Metropolitan Water Planning**

THIS AGREEMENT is made and entered into on July 1, 2023, by the City of Sacramento (on behalf of the Sacramento City-County Office of Metropolitan Water Planning (CCOWMP), as known as the “Water Forum”); and among the agencies listed below in Table 1. Several agencies, as noted, will be covered under separate agreements (**Section III**). The parties to this agreement, in consideration of the mutual obligations set forth herein, agree to contribute the following amounts per fiscal year (July 1 to June 30) as follows:

Table 1. Water Forum 2.0 Contributions By Agency Per Fiscal Year

Agency	Amount		
	FY 23-24	FY 24-25	Total
California-American Water Company	\$58,100	\$58,100	\$116,200
Carmichael Water District	\$16,530	\$16,530	\$33,060
Citrus Heights Water District	\$28,629	\$28,629	\$57,258
City of Folsom	\$33,579	\$33,579	\$67,158
City of Roseville	\$52,208	\$52,208	\$104,415
City of Sacramento, Department of Utilities	\$86,571	\$86,571	\$173,141
Del Paso Manor Water District	\$2,441	\$2,441	\$4,881
East Bay Municipal District (EBMUD)*	\$12,000	\$12,000	\$24,000
El Dorado County Water Agency (EDCWA)	\$5,705	\$5,705	\$11,410
El Dorado Irrigation District	\$50,506	\$50,506	\$101,013
Fair Oaks Water District	\$20,289	\$20,289	\$40,578
Golden State Water Company	\$24,217	\$24,217	\$48,434
Orange Vale Water Company	\$6,124	\$6,124	\$12,248
Placer County Water Agency	\$16,324	\$16,324	\$32,649
Sacramento Area Flood Control District (SAFCA)*	\$20,000	\$20,000	\$40,000
Sacramento County Water Agency	\$58,333	\$58,333	\$116,666
Sacramento Municipal Utilities District (SMUD)	\$12,000	\$12,000	\$24,000
Sacramento Suburban Water District	\$51,699	\$51,699	\$103,398
San Juan Water District (in Sacramento County)	\$15,246	\$15,246	\$30,491
Total	\$570,500	\$570,500	\$1,141,000

**Funding will be provided under a separate agreement. Please see Section III for additional information.*

Section I.

Funding Commitment: The parties have requested that additional funding, beyond the Water Forum’s annual operating budget, be collected to support the Water Forum 2.0 Project for FY 23-24 and FY 24-25. Please see **Attachment 1** for a scope and budget. The costs have been distributed by the partners based on a negotiated amount.

The following agencies have committed to fund the Water Forum 2.0 Project for FY 23-24 and FY 24-25.

Table 2. Water Forum 2.0 Contributions for FY 23-25			
Agency	Amount		
	FY 23-24	FY 24-25	Total
California-American Water Company	\$58,100	\$58,100	\$116,200
Carmichael Water District	\$16,530	\$16,530	\$33,060
City of Folsom	\$33,579	\$33,579	\$67,158
City of Roseville	\$52,208	\$52,208	\$104,415
City of Sacramento, Department of Utilities	\$86,571	\$86,571	\$173,141
Del Paso Manor Water District	\$2,441	\$2,441	\$4,881
East Bay Municipal District (EBMUD)*	\$12,000	\$12,000	\$24,000
El Dorado County Water Agency (EDCWA)	\$5,705	\$5,705	\$11,410
El Dorado Irrigation District	\$50,506	\$50,506	\$101,013
Golden State Water Company	\$24,217	\$24,217	\$48,434
Placer County Water Agency	\$16,324	\$16,324	\$32,649
Sacramento Area Flood Control District (SAFCA)*	\$20,000	\$20,000	\$40,000
Sacramento County Water Agency	\$58,333	\$58,333	\$116,666
Sacramento Municipal Utilities District (SMUD)	\$12,000	\$12,000	\$24,000
Sacramento Suburban Water District	\$51,699	\$51,699	\$103,398
Total	\$500,213	\$500,213	\$1,000,426
<i>*Funding will be provided under a separate agreement. Please see Section III for additional information.</i>			

The following agencies have committed to fund the Water Forum 2.0 Project for FY 23-24 only and will seek approval for FY 24-25 funding in June 2024 pursuant to Table 1.

Table 3. Water Forum 2.0 Contributions for FY 23-24 only	
Agency	Amount
	FY 23-24
San Juan Water District Consortium	
Citrus Heights Water District	\$28,629
Fair Oaks Water District	\$20,289
Orange Vale Water Company	\$6,124
San Juan Water District (in Sacramento County)	\$15,246
Total	\$70,288
<i>San Juan Water District Consortium includes San Juan Water District, Citrus Heights Water District, Fair Oaks Water District, and Orange Vale Water Company.</i>	

Section II.

Reimbursement: The City of Sacramento, on behalf of the CCOWMP, shall administer all consultant agreements and other expenses incurred during FY23-24 and FY 24-25 for the Water Forum 2.0 Project. The parties agree to reimburse the CCOMWP for their share of such costs, up to the amount set forth for each party in Section 1, above, within 30 days after receipt of invoices.

The City of Sacramento Finance Department, on behalf of the CCOMWP, will invoice each cost-sharing partner at the beginning of each fiscal year, except in those instances where the cost-sharing partners have mutually agreed to be invoiced in another time period (i.e., quarterly invoices). It is understood and agreed that although this agreement only pertains to reimbursement for costs incurred during the period from July 1, 2023 to June 30, 2025, the Water Forum 2.0 Project could extend past June 30, 2025. Any reimbursement of costs incurred by CCOMWP after June 30, 2025 would be governed by a new or amended cost-sharing agreement.

Section III.

Separate Agreements: Sacramento Area Flood Control Agency (SAFCA) and East Bay Municipal District (EBMUD) have entered into separate agreements with the City of Sacramento, on behalf of the CCOMWP, to pay their share of the costs identified in Section II, above, up to the amounts set forth in Section I, above.

Section IV.

Changes in Terms: Any changes in the terms of this agreement shall be approved by all parties and shall be effective when reduced to writing and signed by all parties.

Section V.

Indemnity: Each party shall, to the fullest extent allowed by law, indemnify, hold harmless and defend the other party or parties, its officers and employees from any actions, liability or other expenses (including reasonable attorney fees) for any damages or injury to persons or property, occurring by reason of any negligent or wrongful act or omission by the indemnifying party, its officers or employees under this agreement.

Section VI.

Independent Contractors: All contractors employed during any phase of the Water Forum 2.0 Project are independent contractors. Contractor employees assigned to perform contract work related to the Water Forum 2.0 Project are and will remain employees of the contractor and will not be considered employees of any of the signatory agencies for any reason.

DRAFT

Section VII.

Additional Terms and Conditions: The following additional terms and conditions were agreed to by the parties to be incorporated into this funding agreement specifically for the Water Forum 2.0 project:

1. Water Forum annual priorities, as described in the Water Forum Business Strategy (approved July 2022) will continue to include the Water Forum 2.0 project as a top priority for the FY 23-24 and FY 24-25. Annual progress on the Business Strategy is reviewed by the Coordinating Committee and approved by the Water Forum Plenary each year by September 1st.
2. The Coordinating Committee includes two members of each caucus and meets with the Executive Director on a monthly basis to provide direction on Water Forum Successor Effort operations, including communications and implementation of the business strategy; and to approve the annual budget and work plan. In addition, the Coordinating Committee, and the City of Sacramento City Manager or designee, will provide project oversight and approve an annual scope of work for the Water Forum Project, which includes schedule and budget, that supports the established priorities will be submitted to the Coordinating Committee. The budget will also include look-ahead estimates for the second year.
3. The Water Forum 2.0 Project annual scope of work must be approved by the Coordinating Committee and the City of Sacramento City Manager, or designee, ahead of preparing the next fiscal year budget by March 1st each year.
4. The Coordinating Committee shall review the progress on the approved work at its regular meetings.
5. Any out-of-scope requests or technical studies are to be approved by the Coordinating Committee prior to commencement of any work and subject to adequate funding within the current budget.
6. A mid-year progress report on or before January 1st each year covering work completed and work not completed, and budget status are to be presented to the Coordinating Committee and the City Manager, or designee. Both will be presented alongside the approved annual schedule and budget.
7. If progress is not on track with annual expectations at the mid-year report, a plan for correction is to be submitted to the Coordinating Committee and the City Manager, or designee, for approval. Work may be suspended if progress is severely off-track.
8. Subsequent year funding is subject to effective progress of the previous year and agreed upon annual priorities and scope of work for the coming year.

Section VIII.

Single Agreement: This agreement may be signed in multiple counterparts, which together will constitute a single agreement.

This agreement is executed as follows:

AGENCY NAME

DRAFT - TO BE UPDATED

By: _____

Date: _____

Print Name:

APPROVED AS TO FORM:

By: _____

Date: _____

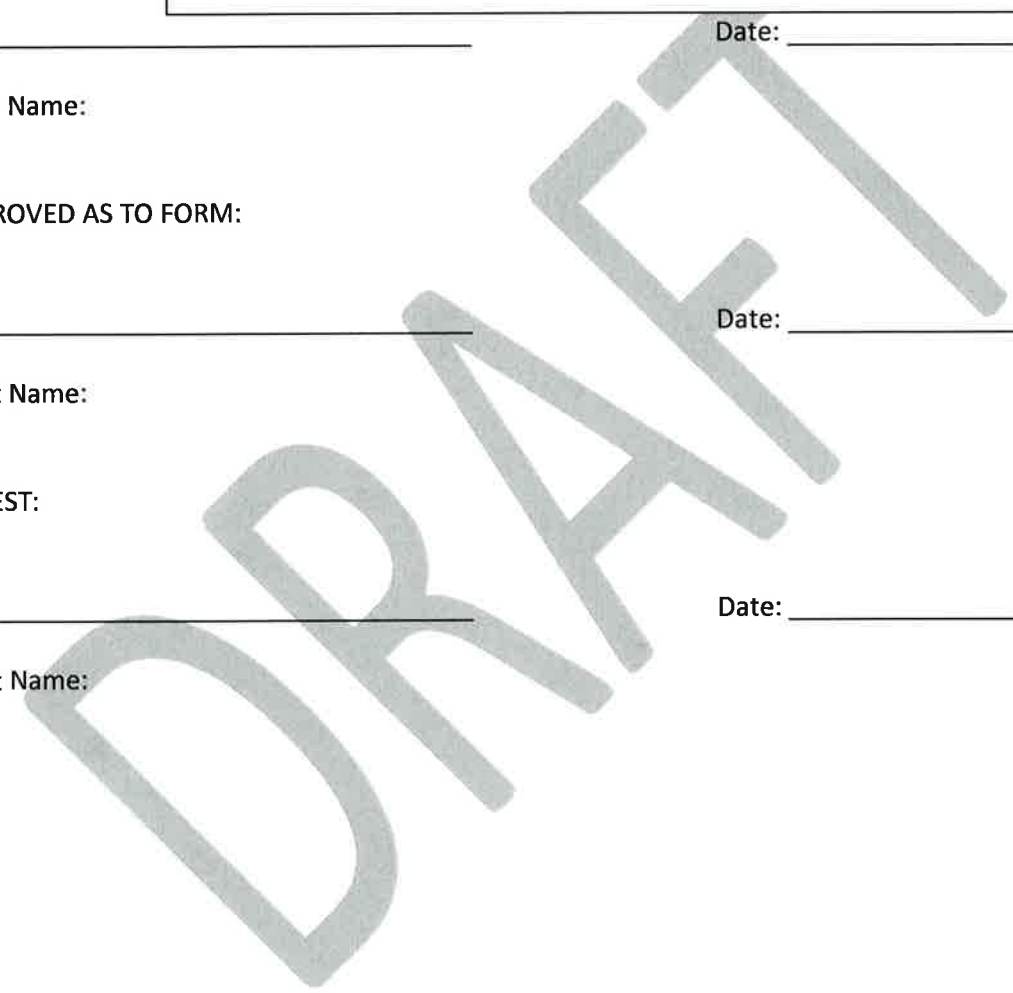
Print Name:

ATTEST:

By: _____

Date: _____

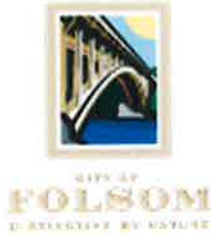
Print Name:



*This page intentionally left blank
to facilitate double-sided printing.*



CITY OF
FOLSOM
DISTINCTIVE BY NATURE



Folsom City Council Staff Report



MEETING DATE:	6/13/2023
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 11045 – A Resolution Authorizing the City Manager to Execute a Cooperation Agreement with Sacramento Housing and Redevelopment Agency for Continued Participation in the Community Development Block Grant Program and Related Activities from January 1, 2024 to December 31, 2026.
FROM:	Community Development Department

RECOMMENDATION / CITY COUNCIL ACTION

Move to Adopt Resolution No. 11045 – A Resolution Authorizing the City Manager to Execute a Cooperation Agreement with Sacramento Housing and Redevelopment Agency for Continued Participation in the Community Development Block Grant Program and Related Activities from January 1, 2024 to December 31, 2026.

BACKGROUND / ISSUE

The City of Folsom currently has a Community Development Block Grant (CDBG) cooperation agreement with the Sacramento Housing and Redevelopment Agency (SHRA). This agreement authorizes SHRA, on behalf of the County of Sacramento, to undertake essential community development and housing assistance activities in Folsom and to approve eligible programs and/or projects for years 2021, 2022 and 2023 for the urban county of Sacramento. Local governments that participate in the urban county for purposes of CDBG also automatically participate in the HOME investment partnerships program (HOME) and Emergency Solutions Grant Program (ESG). As part of this agreement, SHRA is the responsible for the annual filing of the One-Year Action Plan and the Consolidated Annual Performance and Evaluation Reporting (CAPER) with the U.S Department of Housing and Urban Development (HUD), on behalf of Folsom.

Currently, the City of Folsom uses CDBG funds for the Seniors Helping Seniors Handyman Program, ADA projects, and the City’s proportional contribution to the regional Renter’s Helpline contract.

The current cooperation agreement will expire December 31, 2023. As such, continued participation in the SHRA administered CDBG, HOME and ESG funds requires the City to renew the Cooperation Agreement for the years 2024, 2025 and 2026. Renewal of this Agreement will provide approximately \$238,000 per year of CDBG funds for the City’s Seniors Helping Seniors Home Repair Program, the Renter’s Helpline contract and other eligible programs and/or projects.

POLICY / RULE

Participation in the Sacramento Housing and Redevelopment Agency’s cooperation agreement requires City Council authorization.

ANALYSIS

In 1987, the City of Folsom, as a subrecipient of SHRA, applied for CDBG funds to be used for affordable housing rehabilitation loan programs and ADA upgrades. Through the years these funds have enabled the City to provide ADA upgrades and to provide over 200 rehabilitation loans to low-income residents. In addition, since 2012 the City has used CDBG funds for the Seniors Helping Seniors Program. The City of Folsom Seniors Helping Seniors Program provides Minor Repair Grants (up to \$3,500 per year) and Housing Rehabilitation Major Repair Grants (up to \$10,000 per recipient) to repair a limited number of serious health and safety hazards in owner-occupied senior housing units. Since July of 2012, approximately \$1.7 Million of CDBG funds have been utilized to assist over 265 senior households in Folsom. There is no direct cost to the City to continue its agreement with SHRA.

FINANCIAL IMPACT

Financial support for the Seniors Helping Seniors Home Repair Program is funded with Community Development Block Grant funds and the City’s Housing Trust Fund. This program’s associated activities do not impact the General Fund and will not impact the City’s financial forecast.

ENVIRONMENTAL REVIEW

The project is categorically exempt from environmental review under Section 15061(b)(3) of the CEQA Guidelines (Review for Exemption)

ATTACHMENT

Resolution No. 11045 – A Resolution Authorizing the City Manager to Execute a Cooperation Agreement with Sacramento Housing and Redevelopment Agency for Continued Participation in the Community Development Block Grant Program and Related Activities from January 1, 2024 to December 31, 2026

Submitted,



Pam Johns, Community Development Director

RESOLUTION NO. 11045

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A COOPERATION AGREEMENT WITH SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY FOR CONTINUED PARTICIPATION IN THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND RELATED ACTIVITIES FROM JANUARY 1, 2024 TO DECEMBER 31, 2026.

WHEREAS, the City of Folsom remains committed to ensuring adequate and affordable housing for households in the City of Folsom; and

WHEREAS, there is a need in the City of Folsom to continue to provide financial assistance for home repairs to low-income seniors; and

WHEREAS, there is a need in the City of Folsom to upgrade and improve accessibility for persons with disabilities consistent with the Americans with Disabilities Act (ADA); and

WHEREAS, execution of the cooperation agreement between the City and the Sacramento Housing and Redevelopment Agency (SHRA) will provide financial assistance to low-income seniors in the City of Folsom and allow participation in other eligible projects and programs (such as the ADA Upgrades and Renter’s Helpline) with no fiscal impact to the City; and

WHEREAS, cooperation with the Sacramento Housing and Redevelopment Agency on the CDBG Program contributes to the City of Folsom 2021-2029 Housing Element goal of providing a range of housing services for Folsom residents with special needs, including seniors and persons with disabilities;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Folsom that the City Manager is authorized to execute an agreement with SHRA, in a form approved by the City Attorney, for continued participation in the Community Development Block Grant Program from January 1, 2024 to December 31, 2026.

PASSED AND ADOPTED on this 13th day of June 2023, by the following roll-call vote:

AYES: Councilmember(s):

NOES: Councilmember(s):

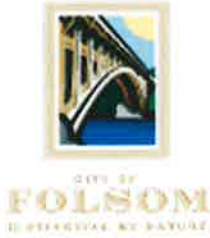
ABSENT: Councilmember(s):

ABSTAIN: Councilmember(s):

Rosario Rodriguez, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK



Folsom City Council Staff Report



MEETING DATE:	6/13/2023
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 11046 – A Resolution Authorizing the City Manager to Execute a Consultant and Professional Services Agreement with RRM Design Group for Completion of the River District Master Plan
FROM:	Community Development Department

RECOMMENDATION / CITY COUNCIL ACTION

Staff recommends the City Council approve Resolution No. 11046 – A Resolution Authorizing the City Manager to Execute a Consultant and Professional Services Agreement with RRM Design Group for Completion of the River District Master Plan.

BACKGROUND / ISSUE

The Folsom General Plan 2035 contains a specific goal and corresponding objectives providing for the preparation of a River District Master Plan:

Goal LU 5.1 - Support the appropriate enhancement of Folsom’s riverfront areas for current and future residents in order to increase public access, recreational opportunities, and economic development in consultation with federal, state, and regional public land management agencies.

To implement this goal, on April 12, 2022 the City Council approved the use of American Recovery Plan Act (ARPA) funds in the amount of \$362,500 for project management services (\$62,500) and retention of a planning/environmental consultant (\$300,000). It is the primary objective of the master planning process to conclude with a River District vision and recommendations that will stimulate and guide future land development decisions, create an inspiring vision of recreation opportunities and increased access, use, and increased appreciation of the river and lake. Since the January 24, 2023 City Council meeting where staff introduced the River District project area and the recommendation to form a citizens advisory committee, staff

has conducted a thorough search for potential planning, design, and environmental consultants. The consultant search has now concluded with the recommendation to enter into a contract with the RRM Design Group.

POLICY / RULE

Pursuant to Section 2.36.120 of the Folsom Municipal Code, professional services, as defined in Section 2.36.030, costing \$70,952 dollars or greater shall be contracted for by the City Council.

In accordance with Section 2.36.110(G) of the Folsom Municipal Code, the award of a negotiated bid proposal shall be made to the responsible offeror whose proposal is determined to be the most advantageous to the City, taking into consideration price and the evaluation factors set forth in the request for proposals.

ANALYSIS

The River District Master Plan consultant selection process included a two-phase process of submitting a Statement of Qualifications, and then a Scope of Work Proposal, Schedule, and Professional Services Fee. The Request for Qualifications was distributed to 23 planning, landscape architecture, engineering and architecture firms in northern and central California. The Community Development Department received three comprehensive statements of qualifications from the following firms:

- Melton Design Group, Chico
- RRM Design Group, San Luis Obispo
- Wood Rodgers + Atlas Lab, Sacramento

A committee of six city staff from the Community Development, Parks and Recreation, and Public Works departments reviewed each of the statements of qualifications and scored them under the criteria listed below.

	Criteria for Statement of Qualifications	Potential Points
1.	Firm Introduction and Background	5
2.	Design/Planning Approach	20
3.	Community Engagement Experience	15
4.	Proposed Staff/Project Team	30
5.	Project Experience	30
	Total Potential Points	100

Staff Reviewer SOQ Phase	Wood Rodgers + Atlas Lab	Melton Design Group	RRM Design Group
Staff 1	54	70	75
Staff 2	78	86	94
Staff 3	59	77	75
Staff 4	80	68	94
Staff 5	65	80	79
Staff 6	67	70	80
Average Score	67.16	75.16	82.83

While there was a difference in the scoring value of the statements of qualifications, all three firms/teams were viewed as well-qualified and were asked to respond to the Request for Proposal. After submission, the staff committee completed a full review of the scope of work proposals, evaluating them based on the following criteria:

Criteria for Scope of Work Proposals	Potential Points
1. Issues and Strategies Discussion	30
2. Scope of Work and Deliverables	40
3. Project Schedule	20
4. Professional Services Fee	10
Total Potential Points	100

The results of the staff evaluation are indicated below. Not only did the RRM Design Group receive the highest score in the qualifications phase of the process, but they had the highest score in the proposal phase by a substantial margin. Their understanding of the City, community and River District goals were clearly apparent in their submittals. Further, their community engagement plan and proposed deliverables distinguished them as the most qualified firm for this project. As such, staff recommends selection of the RRM Design Group to complete the River District Master Plan.

Staff Reviewer RFP Phase	Wood Rodgers + Atlas Lab	Melton Design Group	RRM Design Group
Staff 1	71	61	89
Staff 2	81	85	91
Staff 3	75	72	77
Staff 4	53	76	83
Staff 5	66	80	85
Staff 6	70	63	85
Average Score	69.33	72.83	85.00

FINANCIAL IMPACT

The City Council previously approved the use of American Rescue Plan Act (ARPA) funds in the amount of \$300,000 for retention of a planning/environmental consultant. The contract with RRM Design Group would be authorized for a not to exceed amount of \$274,941. The remaining approved ARPA funding would only be used for unanticipated services required beyond the scope of work and as approved by the City Manager or her designee.

ENVIRONMENTAL REVIEW

In accordance with the California Environmental Quality Act (CEQA) guidelines, an environmental review will be conducted prior to the City Council considering approval of the draft River District Master Plan.

ATTACHMENTS

1. Resolution No. 11046 – A Resolution Authorizing the City Manager to Execute a Consultant and Professional Services Agreement with RRM Design Group for Completion of the River District Master Plan

Submitted,



Pam Johns,
Community Development Department Director

RESOLUTION NO. 11046

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSULTANT AND PROFESSIONAL SERVICES AGREEMENT WITH RRM DESIGN GROUP FOR COMPLETION OF THE RIVER DISTRICT MASTER PLAN

WHEREAS, staff conducted a selection process in accordance with Section 2.36.110 and 2.36.120 of the Folsom Municipal Code for consulting and professional services for planning, design and environmental services for the River District Master Plan; and

WHEREAS, staff invited 23 professional firms from northern and central California to submit qualifications and received three comprehensive submittals; and

WHEREAS, all three firms were found to be qualified and were invited to submit a scope of work proposal, schedule, and fee for completion of the master plan; and

WHEREAS, utilizing objective evaluation and ranking criteria of the qualifications and scopes of work, RRM Design Group was selected based on their superior qualifications, extensive experience with similar projects, public engagement plan and complete scope of work; and

WHEREAS, funding for the River District Master Plan was approved by the City Council utilizing \$300,000 from federal American Rescue Plan Act funds; and

WHEREAS, there are sufficient funds remaining of American Rescue Plan Act funds available and

WHEREAS, the Consulting and Professional Services Agreement shall be in a form acceptable to the City Attorney.

NOW, THEREFORE, BE IT RESOLVED that the City Manager is authorized to execute a Consulting and Professional Services Agreement with RRM Design Group for planning, design and environmental services for the River District Master Plan, for a total not-to-exceed amount of \$274,941.

BE IT FURTHER RESOLVED that the City Manager or her designee is authorized to execute scope of work amendments if needed, up to a not-to-exceed amount of \$25,059.

PASSED AND ADOPTED this 13th day of June 2023, by the following roll-call vote:

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

Rosario Rodriguez, MAYOR

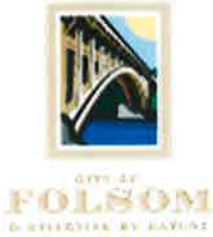
ATTEST:

Christa Freemantle, CITY CLERK

*This page intentionally left blank
to facilitate double-sided printing.*



CITY OF
FOLSOM
DISTINCTIVE BY NATURE



Folsom City Council Staff Report

MEETING DATE:	6/13/2023
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 11047 - A Resolution Authorizing the City Manager to Execute a Communications Site License Agreement with Dish Wireless, LLC
FROM:	Parks and Recreation Department

RECOMMENDATION / CITY COUNCIL ACTION

Staff recommends the City Council approve Resolution No. 11047 - A Resolution Authorizing the City Manager to Execute a Communications Site License Agreement with Dish Wireless, LLC.

BACKGROUND / ISSUE

The existing communications site license agreement for the tower at Lew Howard Park is between the City of Folsom and Sacramento Valley Limited Partnership, a Delaware limited partnership d/b/a Verizon Wireless effective December 23, 2011. Amendment No. 1 to this agreement effective December 7, 2020, states that the Licensee has the right to permit other communication providers to sublease with the Licensor’s written consent, but that the additional provider is obligated to enter into a separate license agreement with the Licensor.

A representative from Verizon Wireless contacted the Parks & Recreation Department in June 2021 requesting consent for a proposed sublease to Dish Wireless, LLC. They were advised to submit a permit request to the Community Development Department, and that we would require a separate license agreement with Dish Network.

A representative from Dish Wireless, LLC, contacted the Community Development Department in November 2021 regarding their interest in subleasing on the existing cell tower in Lew Howard Park. This project will help support the 5G connectivity needs of residents, businesses, public services, education, health care and first responders. Their proposal calls for minor

modifications to the existing tower which will not substantially change the physical dimensions of the existing tower or facility.

POLICY / RULE

The City Manager shall receive City Council authority to execute contracts in excess of \$70,952.

ANALYSIS

The major terms and conditions of the proposed agreement are highlighted below.

- 1) The term will commence on the first day of the month following the commencement of the installation of their facilities and will run concurrently with the term of the Communications Site License Agreement with the Licensee Verizon Wireless which expires December 31, 2041.
- 3) Initial annual sublease rate of \$13,500 with an annual escalator of 3% after the first year.

FINANCIAL IMPACT

Dish Wireless, LLC estimates that installation could be complete in September 2023 with the agreement commencing in October 2023 which would make the total value of the license agreement \$321,840 through the remainder of the agreement until December of 2041. This revenue will apply to the general fund.

ENVIRONMENTAL REVIEW

Environmental review is not required pursuant to section 15301 of the CEQA Guidelines (related to Existing Facilities) and section 15303 of the CEQA Guidelines (related to new construction or conversion of small structures). Based on staff's analysis, none of the exceptions in Section 15300.2 of the CEQA Guidelines apply to the use of the categorical exemptions in this case.

ATTACHMENTS

Resolution No. 11047 - A Resolution Authorizing the City Manager to Execute a Communications Site License Agreement with Dish Wireless, LLC

Submitted,

Kelly Gonzalez, Parks & Recreation Director

RESOLUTION NO. 11047

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A COMMUNICATIONS SITE LICENSE AGREEMENT WITH DISH WIRELESS, LLC

WHEREAS, Amendment No. 1 to the Communications Site License Agreement with Sacramento Valley Limited Partnership, a Delaware limited partnership d/b/a Verizon Wireless gives the licensee the right to permit other providers to sublease with the Licensor’s consent and a written agreement; and

WHEREAS, Verizon Wireless desires to sublease their tower to Dish Wireless, LLC; and

WHEREAS, Dish Wireless desires to sublease the tower from Verizon Wireless; and

WHEREAS, the annual sublease rate will be \$13,500 with an annual escalator of 3% after the first year; and

WHEREAS, the total value of the agreement would be \$321,840 through December of 2041; 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 communications site license agreement with Dish Wireless, LLC.

PASSED AND ADOPTED this 13th day of June 2023, by the following roll-call vote:

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

Rosario Rodriguez, MAYOR

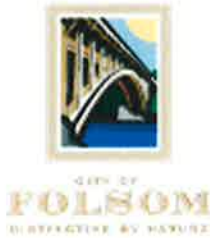
ATTEST:

Christa Freemantle, CITY CLERK

*This page intentionally left blank
to facilitate double-sided printing.*



CITY OF
FOLSOM
DISTINCTIVE BY NATURE



Folsom City Council Staff Report



MEETING DATE:	6/13/2023
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 11048 –A Resolution Authorizing the City Manager to Execute Fifth Amendment to the Reciprocal Use and Funding Agreement among the Sacramento Placerville Transportation Corridor Joint Powers Authority (JPA) and its member agencies in connection with Sacramento Regional Transit (SacRT) Double-Tracking Project
FROM:	Parks and Recreation Department

RECOMMENDATION / CITY COUNCIL ACTION

Staff recommends the City Council approve Resolution No. 11048 – A Resolution Authorizing the City Manager to Execute Fifth Amendment to the Reciprocal Use and Funding Agreement among the Sacramento Placerville Transportation Corridor Joint Powers Authority (JPA) and its member agencies in connection with Sacramento Regional Transit (SacRT) Double-Tracking Project.

BACKGROUND / ISSUE

In 2003, SacRT and the City of Folsom (City) reached agreement on the terms of SacRT’s extension of light rail service into the Folsom. To facilitate the extension of light rail service, the Sacramento-Placerville Transportation Corridor Joint Powers Authority (JPA), along with SacRT and the City, entered into the Third Amendment to the 1996 Reciprocal Use and Funding Agreement (RUFA) among the JPA and its member agencies. That amendment to the RUFA reallocated certain portions of the corridor adjacent to Folsom Boulevard between the City and SacRT through the execution of easements to both member agencies.

The easement given to SacRT in 2003 allowed SacRT to operate a single track in an area defined as the “Operating Zone” and contemplated the eventual double-tracking of SacRT’s light rail system in a “Future Operating Zone,” which was defined in the easement. However, the final design of the double-tracking expansion near the Folsom Glenn Station included a portion of property outside of both the current Operating Zone and the designated Future

Operating Zone. Therefore, SacRT’s easement needs to be expanded to include this additional property.

This Fifth Amendment to the RUFA was approved last month by SacRT’s and the JPA’s respective governing bodies.

ANALYSIS

Concurrently with the execution of this Amendment, the JPA will execute and record the First Amendment to SacRT’s Folsom Boulevard Easement, the form of which is set forth in Exhibit B of the RUFA Amendment (**Attachment 2**). Except as the SacRT Easement Amendment modifies Folsom’s and SacRT’s respective rights and obligations with respect to the Property, all terms, and conditions of the parties’ current easement agreements with the JPA will remain unchanged.

FINANCIAL IMPACT

There is no immediate or direct fiscal impact for allowing the expansion of the Operating Zone. Without the approval of the expansion of the operating area, the design of the double-tracking would need to be reengineered, which would be costly both in time and materials to SacRT.

ENVIRONMENTAL REVIEW

The California Environmental Quality Act (CEQA) only applies to projects that have the potential for causing a significant effect on the environment. The requested action is not considered a project under CEQA pursuant to California Public Resources Code Section 21080(b)(10).

ATTACHMENT

1. Resolution No. 11048 – A Resolution Authorizing the City Manager to Execute Fifth Amendment to the Reciprocal Use and Funding Agreement among the Sacramento Placerville Transportation Corridor Joint Powers Authority (JPA) and its member agencies in connection with Sacramento Regional Transit (SacRT) Double-Tracking Project.
2. SacRT RUFA No. 5 Easement Amendment

Submitted,

Kelly Gonzalez,
Parks and Recreation Department Director

ATTACHMENT 1
Resolution No. 11048

RESOLUTION NO. 11048

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE FIFTH
AMENDMENT TO THE RECIPROCAL USE AND FUNDING AGREEMENT
AMONG THE SACRAMENTO PLACERVILLE TRANSPORTATION
CORRIDOR JOINT POWERS AUTHORITY (JPA) AND ITS MEMBER
AGENCIES IN CONNECTION WITH SACRAMENTO REGIONAL TRANSIT
(SacRT) DOUBLE-TRACKING PROJECT**

WHEREAS, Sacramento-Placerville Transportation Corridor Joint Powers Authority (JPA) is a joint powers authority created by its member agencies: the Counties of Sacramento and El Dorado, the City of Folsom, and the Sacramento Regional Transit District (“Member Agencies”) for the purpose of acquiring and managing railroad right of way from the Southern Pacific Transportation Company; and

WHEREAS, under the Reciprocal Use and Funding Agreement (“RUFA”) entered into effective August 31, 1996, between the JPA and its Member Agencies, the JPA retains fee ownership of the acquired corridor, and each Member Entity was allocated an easement for its Allocated Portion (as defined in the RUFA); and

WHEREAS, under the Third Amendment to the RUFA, dated September 2, 2003, the City of Folsom and Sacramento Regional Transit (SacRT) agreed to a reallocation of part but not all of the City of Folsom’s Allocated Portion to permit construction of a single-track light rail system, which resulted in the granting by the JPA of the Original Easement; and

WHEREAS, under an Easement Agreement dated effective September 2, 2004, and recorded May 10, 2005, in book 20050510, page 0337, of the Official Records of Sacramento, California as instrument number 0003564786 (the “Original Easement”), the JPA granted to SacRT an easement for transportation purposes and for uses reasonably related to transportation purposes in, on, under, over and through a portion of the JPA’s property; and

WHEREAS, the Original Easement contemplated eventual double- tracking of the system through a “Future Operating Zone”; and

WHEREAS, as a result of the final design of the double-tracking expansion near the Folsom Glenn Station, a portion of the rail in a few areas falls outside of both the current Operating Zone and the designated Future Operating Zone; and

WHEREAS, the SacRT and City of Folsom desire to amend both the RUFA and the Original Easement to expand SacRT’s easement area and Operating Zone.

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

1. The First Amendment to the Original Easement agreement, as described in the recitals above, between the JPA as Grantor and the Sacramento Regional Transit District as Grantee, whereby the Operating Zone is expanded to include a new area,

as further described therein, is hereby approved.

- 2. The Fifth Amendment to the RUFA, as described in the recitals above, whereby the area of the concurrent easement granted by the JPA to both SacRT and the City of Folsom is modified, is hereby approved.
- 3. The City Manager is hereby authorized and directed to execute the Fifth Amendment to the RUFA.

PASSED AND ADOPTED this 13th day of June, 2023, by the following roll-call vote:

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

Rosario Rodriguez, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

ATTACHMENT 2

SacRT RUFA No. 5 Easement Amendment

**SACRAMENTO-PLACERVILLE TRANSPORTATION CORRIDOR
JOINT POWERS AUTHORITY**

**FIFTH AMENDMENT TO
RECIPROCAL USE AND FUNDING AGREEMENT
(Placerville Branch)**

THIS FIFTH AMENDMENT TO RECIPROCAL USE AND FUNDING AGREEMENT (the "Fifth Amendment") is made effective as of the 1st day of June 2023, by and among the CITY OF FOLSOM, a municipal corporation organized and existing under the laws of the State of California ("Folsom"), the SACRAMENTO REGIONAL TRANSIT DISTRICT, a public corporation ("RT"), and the SACRAMENTO-PLACERVILLE TRANSPORTATION CORRIDOR JOINT POWERS AUTHORITY, a California joint powers agency ("JPA").

Recitals

A. WHEREAS, effective August 31, 1996, the parties hereto entered into that certain Reciprocal Use and Funding Agreement, which agreement was amended effective September 6, 1996, February 22, 1999, September 2, 2003, and May 9, 2016 (as amended, the "Agreement"); and

B. WHEREAS, Folsom and RT own concurrent easements in a portion of the Rail Corridor located along Folsom Boulevard in the City of Folsom, California, which were granted to them by the JPA (the "Folsom Boulevard Easements"); and

C. WHEREAS, RT owns and operates a public transportation system within the County of Sacramento, including the area encompassed by the Folsom Boulevard Easements, and plans to expand its system by constructing parallel tracks in a portion of that area; and

D. WHEREAS, the parties desire to amend the Agreement and RT's Folsom Boulevard Easement to modify the description of RT's Easement and "Operating Zone"; and

E. WHEREAS, the Second Amendment to the Agreement, dated February 22, 1999, provides that RT and Folsom may modify their respective rights and obligations and the description of their respective allocated portions of the Rail Corridor by an amendment to the Agreement executed by Folsom and RT only.

Amendment

NOW THEREFORE, the parties hereto agree as follows:

1. Except as otherwise defined herein, all capitalized terms shall have the meanings ascribed to them in the Agreement.

2. Exhibit A of the Agreement, as previously amended, is hereby replaced in its entirety by Exhibit A of this Fifth Amendment, attached hereto and incorporated herein.

3. Concurrently with the execution of this Amendment, JPA will execute and record the First Amendment to RT's Folsom Boulevard Easement, the form of which is set forth in Exhibit B (the "RT Easement Amendment"), attached hereto and incorporated herein. Except as the RT Easement Amendment modifies Folsom's and RT's respective rights and obligations with respect to the Property, all terms and conditions of the parties' current easement agreements with the JPA will remain unchanged.

4. This Fifth Amendment may be executed in any number of counterparts, and by different parties in separate counterparts, each of which, when executed and delivered, shall be deemed to be an original and all of which counterparts taken together shall constitute but one and the same instrument.

5. Except as expressly amended herein, all terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Fifth Amendment effective as of the date first above written.

**SACRAMENTO REGIONAL
TRANSIT DISTRICT,
a public corporation**

By: _____
Henry Li, General Manager/CEO

By: _____
Olga Sanchez-Ochoa, General Counsel

**CITY OF FOLSOM,
a municipal corporation**

By: _____
Elaine Andersen, City Manager

Approved as to Form:

By: _____
Steven Wang, City Attorney

ATTEST:

By: _____
Christa Freemantle, City Clerk

**SACRAMENTO-PLACERVILLE
TRANSPORTATION CORRIDOR JOINT
POWERS AUTHORITY**

By: _____
Sarah Aquino, Chair

By: _____
Brett Bollinger, CEO

APPROVED AS TO LEGAL FORM:

By: _____
Paul J. Chrisman, General Counsel

EXHIBIT A

Map of Allocated Portions in the Rail Corridor

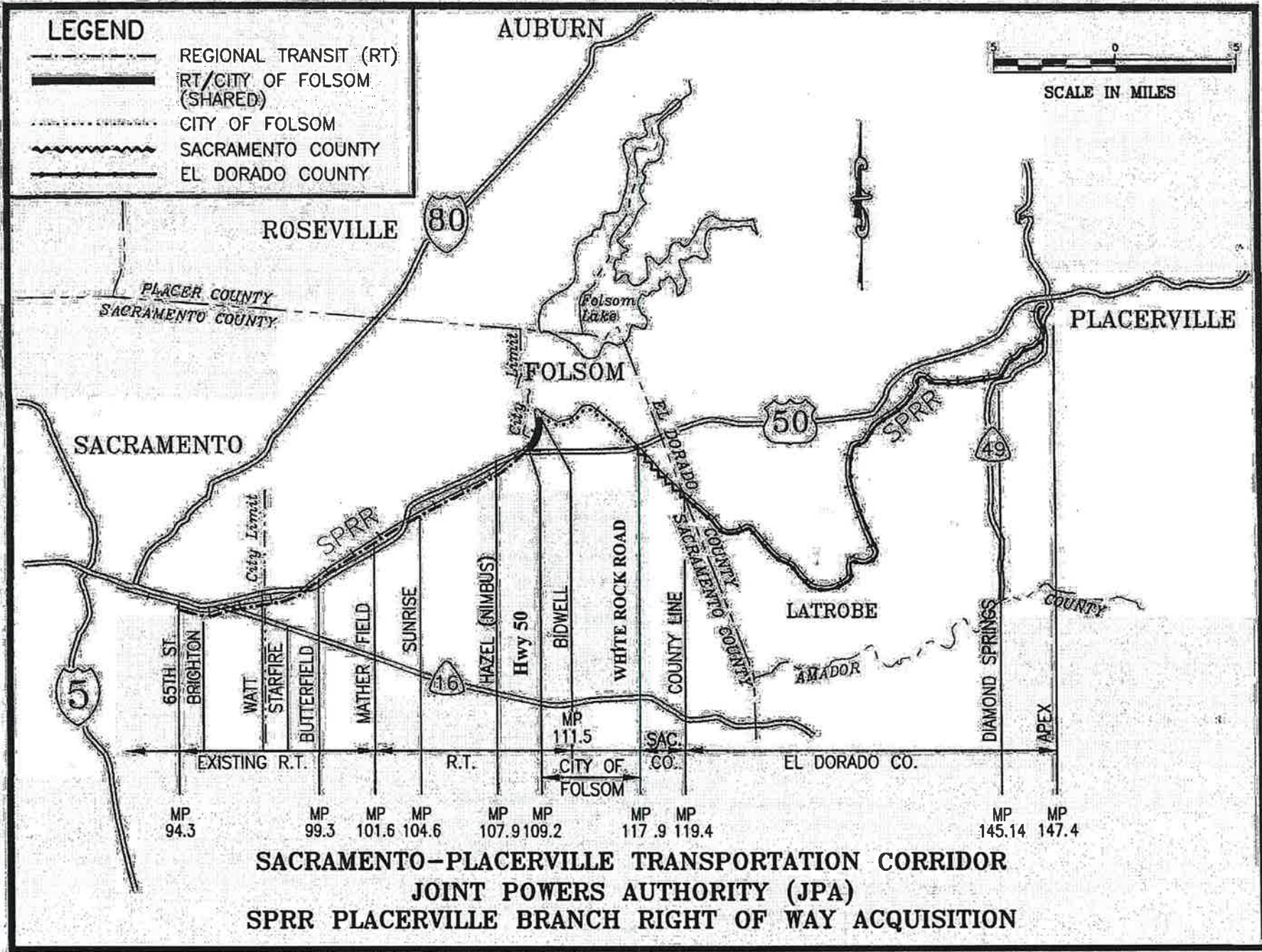


EXHIBIT B
RT Easement Amendment

This instrument is exempt from
Recording Fees (Gov. Code § 27383)
and from Documentary Transfer Taxes
(Rev. & Tax Code § 11922)

**RECORDING REQUESTED BY AND
WHEN RECORDED, MAIL TO:**
Sacramento – Placerville Transportation Corridor
Joint Powers Authority
c/o Brett Bollinger, CEO
50 Natoma Street
Folsom, CA 95630

(space above line for recorder's use)

FIRST AMENDMENT TO EASEMENT AGREEMENT

THIS FIRST AMENDMENT TO EASEMENT AGREEMENT is made and entered into effective June 1, 2023 ("Effective Date") by and between **SACRAMENTO-PLACERVILLE TRANSPORTATION CORRIDOR JOINT POWERS AUTHORITY**, a California joint powers agency ("JPA"), as grantor, and **SACRAMENTO REGIONAL TRANSIT DISTRICT**, a public corporation, therein referred to as "Grantee," is made and entered into on.

RECITALS

WHEREAS, JPA is a joint powers authority created by its member agencies: the Counties of Sacramento and El Dorado, the City of Folsom, and the Sacramento Regional Transit District ("Member Agencies") for the purpose of acquiring and managing a railroad right of way from the Southern Pacific Transportation Company; and

WHEREAS, under the Reciprocal Use and Funding Agreement ("RUFA") entered into effective August 31, 1996, between the JPA and its Member Agencies, the JPA retains fee ownership of the acquired corridor and each Member Entity was allocated an easement for its Allocated Portion (as defined in the RUFA); and

WHEREAS, under the Third Amendment to the RUFA, dated September 2, 2003, the City of Folsom and Grantee agreed to a reallocation of part but not all of the City of Folsom's Allocated Portion to permit construction of a single-track light rail system, which resulted in the granting by the JPA of the Original Easement; and

WHEREAS, under the Original Easement dated effective September 2, 2003, and recorded May 10, 2005, in book 20050510, page 0337, of the Official Records of Sacramento, California as instrument number 0003564786 (the "Original Easement"), the JPA granted to Grantee an easement for transportation purposes and for uses reasonably related to transportation purposes in, on, under, over and through the entire real property (the "Property") described on Attachment 1 of the Original Easement; and

WHEREAS, the Original Easement contemplated eventual double-tracking of the system through a "Future Operating Zone"; and

WHEREAS, as a result of the final design of the double-tracking expansion near the Folsom Glenn Station, a portion of the rail in a few areas falls outside of both the current Operating Zone and the designated Future Operating Zone; and

WHEREAS, the parties desire to amend the Original Easement to expand the easement area.

WITNESS

NOW, THEREFORE, JPA AND GRANTEE DO MUTUALLY AGREE AS FOLLOWS:

Section 1: Grant of Easement. The first paragraph of the Original Easement is hereby amended to read in its entirety as follows:

"1. Grant of Easement. JPA hereby grants to Grantee an easement for transportation purposes and for uses reasonably related to transportation purposes (the "Easement") in, on, under and through the entire real property (the "Property") described in Attachment 1 and Exhibits A1 and B1, attached hereto and incorporated herein. The area within Attachments 1, A1 and B1 is part of the Operating Zone. The Easement shall be in gross and personal to Grantee, its successors and assigns. Grantee's use of the Easement is subject to the limitations set forth in Sections 2 and 3."

Section 2: EFFECT. The effect of this First Amendment to the Easement Agreement is add Exhibits A1 and B1 to the grant of Easement and defined Operating Zone.

Section 3: AMBIGUITIES. The parties have each carefully reviewed this Amendment and have agreed to each term of this Amendment. No ambiguity is presumed to be construed against either party.

Section 4: FULL FORCE AND EFFECT. To the extent not inconsistent herewith, all other terms and provisions of the Original Easement, as amended, remain the same and in full force and effect. Defined terms in the Original Easement have the same meaning in this Amendment.

Section 5: AUTHORITY TO BIND. Each of the signatories to this Amendment represent that they are authorized to sign this Amendment on behalf of such party and that all approvals, resolutions and consents that must be obtained to bind such party have been obtained and that no further approvals, acts, or consents are required to bind such party to this Amendment.

Section 6: INTEGRATION. The Original Easement and this First Amendment embody the entire agreement of the parties in relation to the matters herein described, and no other understanding whether verbal, written, or otherwise exists between the parties.

IN WITNESS WHEREOF, the parties have entered into this First Amendment to the Original Easement effective the day and year first hereinabove appearing.

GRANTOR:

GRANTEE:

**SACRAMENTO PLACERVILLE
TRANSPORTATION CORRIDOR-JPA**

**SACRAMENTO REGIONAL
TRANSIT DISTRICT**

By: _____
BRETT BOLLINGER
CEO

By: _____
HENRY LI
General Manager/CEO

Approved as to Legal Form:

Approved as to Legal Form:

By: _____
PAUL J. CHRISMAN
JPA Legal Counsel

By: _____
OLGA SANCHEZ-OCHOA
General Counsel

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
) ss
County of Sacramento)

On _____ before me, _____, Notary Public, personally appeared Brett Bollinger, who proved to me on the basis of satisfactory evidence, to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
) ss
County of Sacramento)

On _____, before me, Kathleen J. Lonergan, Notary Public, personally appeared HENRY LI, who proved to me on the basis of satisfactory evidence to be the person~~(s)~~ whose name~~(s)~~ is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she~~/~~they~~ executed the same in his/~~her~~/~~their~~ authorized capacity~~(ies)~~, and that by his/~~her~~/~~their~~ signature on the instrument the person~~(s)~~, or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

KATHLEEN J. LONERGAN

CERTIFICATE OF ACCEPTANCE

THIS IS TO CERTIFY that the interest in real property conveyed by easement interest to the SACRAMENTO REGIONAL TRANSIT DISTRICT, a public corporation and governmental agency, is hereby accepted by the undersigned officer on behalf of the Sacramento Regional Transit District pursuant to authorization conferred by Resolution No. _____ adopted by the Board of Directors on _____, and consents to recordation thereof by its duly authorized officer.

Dated: _____

By: _____
HENRY LI, General Manager/CEO

**LEGAL
DESCRIPTION**

All that real property situate in the City of Folsom, County of Sacramento, State of California, being a portion of projected Section 2, Township 9 North, Range 7 East, Mount Diablo Meridian, also being a portion of Parcels H and I as described in that certain grant deed recorded in Book 692, at Page 114, Official Records of Sacramento County, being described as follows:

PARCEL-1

COMMENCING at a found copperweld monument in standard City of Folsom monument box marking the centerline of Glen Drive as shown on that certain parcel map filed in Book 152 of Parcel Maps at Page 1, Sacramento County Records; thence South 16°15'36" East 120.33 feet to a point on the general westerly line of Parcel F52.86RT described in that certain easement agreement recorded in Book 20050510, at Page 0337, Official Records of Sacramento County, said point being the **POINT OF BEGINNING OF PARCEL-1**; thence along said general westerly line the following four (4) courses:

1. South 05°25'03" West 9.99 feet;
2. South 01°41'35" West 153.71 feet;
3. South 04°24'22" West 50.53 feet;
4. South 04°40'34" West 31.82 feet to a point thereon, said point hereafter referenced as **POINT "A"**;

thence leaving last said line North 01°11'39" East 106.96 feet; thence North 02°36'26" East 138.97 feet; thence South 88°36'28" East 3.41 feet to the **POINT OF BEGINNING**.

Containing 861 square feet (0.020 Acres), more or less.

PARCEL-2

COMMENCING at said **POINT "A"**; thence along said general westerly line of Parcel F52.86RT the following six (6) courses:

1. South 04°40'34" West 21.79 feet;
2. South 03°15'13" West 53.97 feet;

APN 071-0020-078
Sacramento Placerville Transportation
Corridor Joint Powers Authority
October 31, 2022
Page 2 of 2

3. South 02°49'43" East 53.80 feet;
4. South 05°29'30" East 99.58 feet;
5. South 07°14'07" East 47.81 feet;
6. South 13°29'53" East 8.75 feet to a point thereon, said point being the **POINT OF BEGINNING OF PARCEL-2**;

thence continue along last said line the following three (3) courses:

1. South 13°29'53" East 15.84 feet;
2. South 08°55'09" East 114.06 feet to the beginning of a curve, concave easterly, having a radius of 1,260.00 feet and
3. Southerly along said curve, through a central angle of 01°18'26", an arc distance of 28.75 feet to a point thereon, said point being a beginning of a non-tangent curve concave easterly, having a radius of 1,036.15 feet, to which beginning a radial line bears South 76°06'57" West.

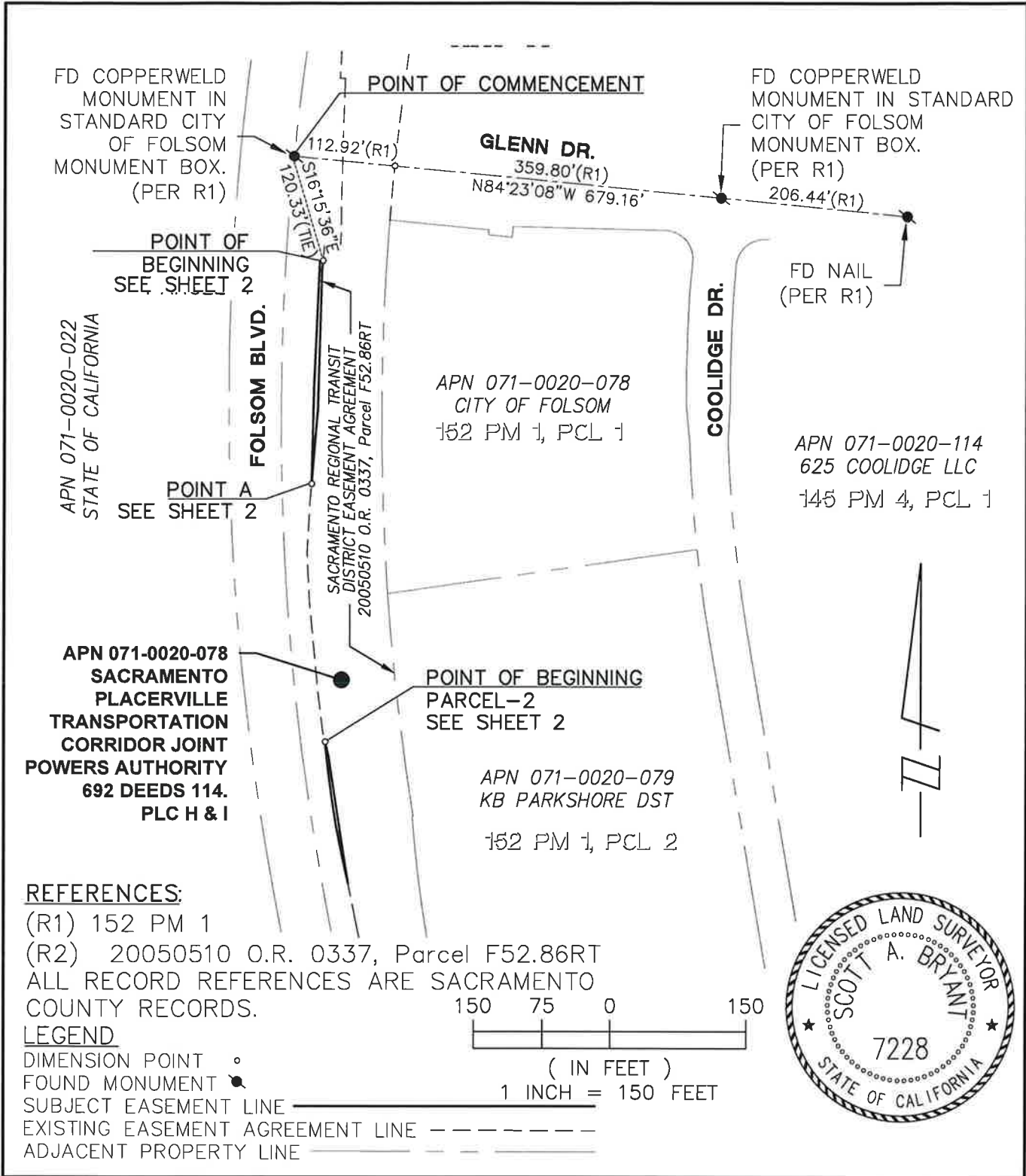
thence northerly along said curve, through a central angle of 08°46'45", an arc distance of 158.76 feet to the **POINT OF BEGINNING**.

Containing 389 Square Feet (0.009 Acres), more or less.

The basis of bearings for this description is NAD 83, California State Coordinate System (CCS83), Zone 2 (1991.35 epoch date).

A plat labeled "Exhibit 'B'" depicting the above-described real property is attached hereto and made a part hereof.

End of Description



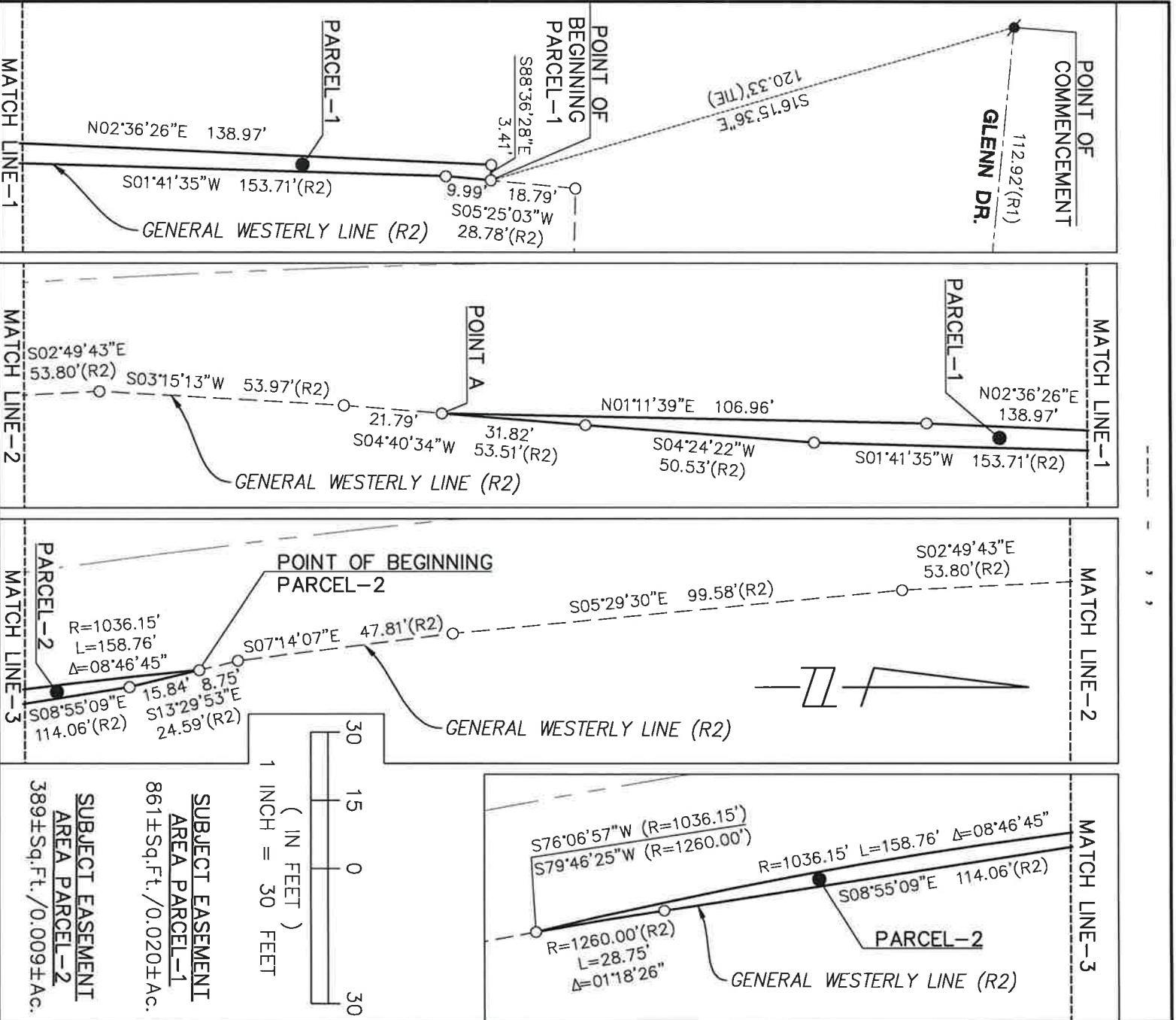
**SACRAMENTO PLACERVILLE TRANSPORTATION
CORRIDOR JOINT POWERS AUTHORITY**

CITY OF FOLSOM COUNTY OF SACRAMENTO STATE OF CALIFORNIA

DATE: 10/31/2022	SCALE: 1" = 150'
DRWN. BY: AB	CHK. BY: SAB
SHEET 1 OF 2	

PSOMAS
1075 Creekside Ridge Drive, Suite 200
Roseville, CA 95678
(916) 788-8122 (916) 788-0600 (FAX)

Plotted: Oct/31/2022 10:47 AM | By: Andriy.buchko
DWG: P:\6AEC010400_Double_Track\SURVEY\LEGALS\APN 071-0020-074\Exhibit V-EXH-Esm1Agrmt.dwg



**SACRAMENTO PLACERVILLE TRANSPORTATION
CORRIDOR JOINT POWERS AUTHORITY**

CITY OF FOLSOM COUNTY OF SACRAMENTO STATE OF CALIFORNIA

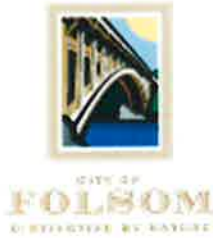
DATE: 10/31/2022 SCALE: 1" = 30'

DRWN. BY: AB CHK. BY: SAB SHEET 2 OF 2

PSOMAS

1075 Creekside Ridge Drive, Suite 200
Roseville, CA 95678
(916) 788-9122 (916) 788-0800 (FAX)

Plotted: Oct/31/2022 10:48 AM | By: AndriyBubchko
DWG: P:\GASC010400_Double_Tools\SURETY\LEGAL\SAPN 071-0020-07A\ExhibitV-EKH_Esm1A.dwg



Folsom City Council Staff Report



MEETING DATE:	6/13/2023
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 11049 – A Resolution Authorizing Staff to Submit Recreational Trail Program (RTP) Grant Application to the California Department of Parks and Recreation for the Trail Connections Projects
FROM:	Parks and Recreation Department

RECOMMENDATION / CITY COUNCIL ACTION

Staff recommends the City Council approve Resolution No. 11049 – A Resolution Authorizing Staff to Submit Recreational Trail Program (RTP) Grant Application to the California Department of Parks and Recreation for the Trail Connections Projects

BACKGROUND / ISSUE

The City of Folsom Bikeway Master Plan (adopted by City Council in 2007) and the City of Folsom Active Transportation Plan (adopted by City Council June 2022) identifies three Class I bike trail connections, referred to as the Trail Connections Projects.

The three Trail Connections Projects include the following:

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

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

Parks and Recreation Department staff is requesting approval from City Council to apply for Recreational Trail Program (RTP) Grant funds. The objective in applying for the grants is to fully fund construction of all three Trail Connections Projects.

POLICY / RULE

The California Department of Parks and Recreation requires the applicant’s governing body to certify by resolution the approval of the application before submission and commitment of matching funds.

ANALYSIS

The three trail connection projects being proposed would fill important gaps in the city-wide trail network. Two of the connections being proposed are along the Oak Parkway Trail and the third is along the Humbug-Willow Creek Trail at the East Bidwell Street undercrossing. Project design/engineering was completed in 2021.

FINANCIAL IMPACT

The total grant funding requested is \$1,580,000 with a local fund match of up to \$220,000. The local match of up to \$220,000 will be utilized from the Transportation Tax Fund (Fund 248) and there are sufficient funds available to cover this match. The total amount of \$1,800,000 will provide the funding to complete all three connection projects. Staff will return to City Council at a later date for approval of a contractor and appropriation of the grant funds. There is a minimum required local match for this project’s grant application of 12% per the Recreation Trails Program Procedural Guide.

ENVIRONMENTAL REVIEW

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

ATTACHMENT

Resolution No. 11049 – A Resolution Authorizing Staff to Submit Recreational Trail Program (RTP) Grant Application to the California Department of Parks and Recreation for the Trail Connections Projects

Submitted,

Kelly Gonzalez,
Parks and Recreation Department Director

RESOLUTION NO. 11049**A RESOLUTION AUTHORIZING STAFF TO SUBMIT RECREATIONAL TRAIL PROGRAM (RTP) GRANT APPLICATION TO THE CALIFORNIA DEPARTMENT OF PARKS AND RECREATION FOR THE TRAIL CONNECTIONS PROJECTS**

WHEREAS, the “Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users” provides funds to the State of California for Grants to federal, state, local and non-profit organizations to acquire, develop and/or maintain motorized and non-motorized trail Projects; and

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility for the administration of the program within the State, setting up necessary procedures governing Project Application under the program; and

WHEREAS, said procedures established by the State Department of Parks and Recreation require the Applicant to certify by resolution the approval of Application(s) before submission of said Application(s) to the State; and

WHEREAS, the Applicant will enter into a Contract with the State of California to complete the Project(s);

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

1. Approves the filing of an Application for the Recreational Trails Program; and
2. Certifies that the Project is consistent with the Applicant’s general plan or the equivalent planning document; and
3. Certifies that said Applicant has or will have available prior to commencement of any work on the Project(s) included in this Application, sufficient funds to operate and maintain the Project(s); and
4. Certifies that the Applicant has reviewed, understands, and agrees to the General Provisions contained in the Contract shown in the Procedural Guide; and
5. Appoints the Parks and Recreation Director as agent to conduct all negotiations, execute and submit all documents, including, but not limited to Applications, agreements, amendments, payment requests and so on, which may be necessary for the completion of the Project.
6. Agrees to comply with all applicable federal, state, and local laws, ordinances, rules, regulations, and guidelines.

PASSED AND ADOPTED this 13th day of June 2023, by the following roll-call vote:

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

Rosario Rodriguez, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK



CITY OF
FOLSOM
DISCOVERING THE BEST WAY TO LIVE

Folsom City Council Staff Report

MEETING DATE:	6/13/2023
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 11050 – A Resolution Authorizing the City Manager to Execute an Agreement with National Auto Fleet Group for the Purchase of a Patch Truck
FROM:	Public Works Department

RECOMMENDATION / CITY COUNCIL ACTION

The Public Works Department recommends that the City Council pass and adopt Resolution No. 11050 – A Resolution Authorizing the City Manager to Execute an Agreement with National Auto Fleet Group for the Purchase of a Patch Truck.

BACKGROUND / ISSUE

The Public Works Department recognizes the need to maintain a fleet of vehicles that is able to provide reliable and responsive service. The Public Works Department Street Maintenance Division is responsible for maintenance of the city's roadways. This maintenance includes patching potholes on public roads. The division's existing patch truck is twenty-one years old and well past its useful life. Recurring and increased maintenance costs are exceeding the value of the vehicle.

This resolution will authorize the City Manager to execute an agreement with National Auto Fleet Group for the purchase of a patch truck. The cost for the purchase of the patch truck will not exceed \$271,790.22. Sufficient funds to purchase the patch truck are budgeted and available in the Fiscal Year 2022-23 Public Works Fund (Fund 023).

POLICY / RULE

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

Section 2.36.170 of the Folsom Municipal Code permits cooperative purchasing agreements for the procurement of any supplies, equipment, service, or construction with one or more public procurement units in accordance with an agreement entered into or between the participants.

ANALYSIS

Sourcewell is a national cooperative purchasing program of which the City of Folsom is a member. The city has purchased items through Sourcewell in the past. National Auto Fleet Group has a current contract with Sourcewell for the patch truck at a price that has been assessed to be fair, reasonable, and competitive. Sourcewell contract number 060920-NAF will be utilized for the purchase of the patch truck. The total price for the patch truck is \$271,790.22.

FINANCIAL IMPACT

The purchase of a patch truck was anticipated and included in the approved Fiscal Year 2022-23 Public Works Budget. The contract would be authorized for a not to exceed amount of \$271,790.22. Sufficient funds to purchase the patch truck are currently available for this purchase. The funds to be utilized per the Fiscal Year 2022-23 Budget are Measure A Funds.

ENVIRONMENTAL REVIEW

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

ATTACHMENT

Resolution No. 11050 – A Resolution Authorizing the City Manager to Execute an Agreement with National Auto Fleet Group for the Purchase of a Patch Truck

Submitted,

Mark Rackovan, Public Works Director

RESOLUTION NO. 11050

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH NATIONAL AUTO FLEET GROUP FOR THE PURCHASE OF A PATCH TRUCK

WHEREAS, the Public Works Department has validated its need to purchase a patch truck based upon an approved replacement and expansion schedule; and

WHEREAS, this purchase will be made through Sourcewell, which used its recognized cooperative purchasing agreement to award a contract to National Auto Fleet Group in an amount not to exceed \$271,790.22; and

WHEREAS, sufficient funds are budgeted and available in the Fiscal Year 2022-23 Public Works Fund (Fund 023) Budget for this purchase and will utilize Measure A Funds; and

WHEREAS, staff recommends the execution of a contract with National Auto Fleet Group for the purchase of a patch truck; 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 National Auto Fleet Group to purchase a patch truck for the Public Works Department at a not to exceed amount of \$271,790.22.

PASSED AND ADOPTED this 13th day of June 2023, by the following roll-call vote:

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

Rosario Rodriguez, MAYOR

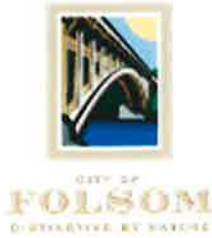
ATTEST:

Christa Freemantle, CITY CLERK

*This page intentionally left blank
to facilitate double-sided printing.*



CITY OF
FOLSOM
DISTINCTIVE BY NATURE



Folsom City Council Staff Report

MEETING DATE:	6/13/2023
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 11051 – A Resolution Authorizing the City Manager to Execute a Design and Consulting Services Contract with R.E.Y. Engineers, Inc. for the American River Canyon Drive Surface Drainage Project
FROM:	Public Works Department

RECOMMENDATION / CITY COUNCIL ACTION

The Public Works Department recommends that the City Council pass and adopt Resolution No. 11051 – A Resolution Authorizing the City Manager to Execute a Design and Consulting Services Contract with R.E.Y. Engineers, Inc. for the American River Canyon Drive Surface Drainage Project.

BACKGROUND / ISSUE

City staff and local residents began observing water seeping out of the asphalt on American River Canyon Drive just north of Oak Avenue in the fall of 2021. Staff from the Public Works Department, Parks and Recreation Department, and San Juan Water District collectively began investigating to determine the source of the water, including the following efforts:

- Parks and Recreation Department staff turned off irrigation within the American River Canyon North service area from October 2021 to February 2022. No apparent change in the water coming through the asphalt at the American River Canyon North and Oak Avenue intersection was identified.
- The waterfall feature at the top of American River Canyon has been off and tanks drained since fall 2021.
- San Juan Water District (SJWD) shut off the meter to the irrigation service area at the intersection of Broken Top Court for a week in January 2022 due to the possibility of

water passing the meter being undetected. SJWD staff spent the week investigating and listening to meters in the area and found no apparent leaks.

- City Water Division staff and SJWD staff separately tested water in the street for residual chlorine and found none.
- SJWD staff performed extensive leak detection on their waterlines throughout the area in early 2022 including hiring an outside leak detection company. Two service line leaks were identified and repaired above the waterfall area but no apparent change in the water seeping through the asphalt at the American Canyon North and Oak Avenue intersection was identified.
- The Public Works Department hired Geocon Consultants in September 2022 to collect and analyze the water and provide the city with an assessment memo. The results of the analysis indicate that the source appears to be from perched groundwater, and recommended next steps include hydrogeologic surveys and groundwater monitoring to assist in developing an appropriate system to capture the groundwater before allowing it to seep up through the asphalt.

Following these efforts, staff developed a Request for Proposal (RFP) seeking a consultant to perform the necessary additional studies and prepare a full design and bid package to resolve this ongoing safety and nuisance issue.

POLICY / RULE

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

ANALYSIS

The Public Works Department solicited proposals for engineering design services from three qualified engineering firms on March 31, 2023. Three proposals were received from the following firms:

- R.E.Y. Engineers, Inc.
- Dokken Engineering, Inc.
- NCE Engineering and Environmental

The proposal review panel consisted of three city staff members, two from the Public Works Department and one from the Parks and Recreation Department. Staff individually reviewed and scored the proposals as described in the Proposal Evaluation/Consultant Selection section of the RFP. Each panel member was given a scoring matrix, with the results of those reviews shown below, which shows that REY had an average score of 83, Dokken had an average score of 74.3, and NCE had an average score of 71.3:

	Reviewer A			Reviewer B			Reviewer C		
	REY	DE	NCE	REY	DE	NCE	REY	DE	NCE
Understanding of Work (40 Points)	38	40	35	35	32	35	30	25	20
Experience with Similar Work (25 Points)	23	20	25	18	13	20	10	10	10
Project Team (25 Points)	25	23	20	20	15	15	20	20	15
Proposal Quality (10 Points)	10	10	6	10	10	8	10	5	5
Scoring Total	96	93	86	83	70	78	70	60	50

R.E.Y. Engineers, Inc. was the unanimously selected top qualification-based choice. Staff reviewed the cost proposal provided by REY Engineers, Inc. and found that it is responsive to the scope of work as denoted in the RFP and an appropriate level of effort has been identified.

FINANCIAL IMPACT

The design contract with R.E.Y. Engineers, Inc. would be authorized for a not to exceed amount of \$155,582. Funds in the amount of \$250,000 are budgeted and available in the American River Canyon Drive Seepage Control and Repair Project for Fiscal Year 2023-24 utilizing Measure A funds (Fund 276).

ENVIRONMENTAL REVIEW

Design services are exempt from environmental review. It is anticipated that the proposed project will fall under a Categorical Exemption classification of the CEQA Guidelines, and no further environmental analysis will be required. City staff will work with REY Engineers, Inc. on a technical memorandum during the design phase to ensure CEQA clearance is obtained.

ATTACHMENT

Resolution No. 11051 - A Resolution Authorizing the City Manager to Execute a Design and Consulting Services Contract with R.E.Y. Engineers, Inc. for the American River Canyon Drive Surface Drainage Project

Submitted,

Mark Rackovan, PUBLIC WORKS DIRECTOR

RESOLUTION NO. 11051

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A DESIGN AND CONSULTING SERVICES CONTRACT WITH R.E.Y. ENGINEERS, INC. FOR THE AMERICAN RIVER CANYON DRIVE SURFACE DRAINAGE PROJECT

WHEREAS, the City of Folsom desires to alleviate ongoing groundwater seepage issues near the intersection of American River Canyon Drive and Oak Avenue; and

WHEREAS, a Request for Proposal to provide Professional Engineering Services including hydrogeologic analysis and groundwater monitoring and preparation of design documents was sent to three known and reputable firms on March 31, 2023; and

WHEREAS, the three proposals received were reviewed by a proposal review panel, with R.E.Y. Engineers, Inc. being chosen as the most qualified firm; and

WHEREAS, funds in the amount of \$250,000 are budgeted and available in the American River Canyon Drive Surface Drainage Project for Fiscal Year 2023-24 utilizing Measure A funds (Fund 276).; and

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

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Folsom authorizes the City Manager to Execute a Design and Consulting Services Agreement with R.E.Y. Engineers, Inc. for the American River Canyon Drive Surface Drainage Project for an amount not-to-exceed \$155,582.

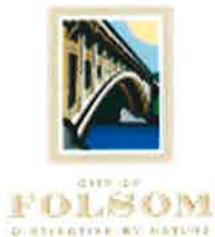
PASSED AND ADOPTED this 13th day of June 2023, by the following roll-call vote:

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

Rosario Rodriguez, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK



Folsom City Council Staff Report

MEETING DATE:	6/13/2023
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 11052 - A Resolution Authorizing the City Manager to Execute a Construction Agreement with RBH Construction, Inc. for the Community Development Department Permit Counter Project and Appropriation of Funds
FROM:	Community Development Department

RECOMMENDATION / CITY COUNCIL ACTION

Move to adopt Resolution No. 11052- A Resolution Authorizing the City Manager to Execute a Construction Agreement with RBH Construction, Inc. for the Community Development Department Permit Counter Project and Appropriation of Funds.

BACKGROUND / ISSUE

The Community Development Permit Center has not been updated in over 25 Years. In an effort to modernize and streamline the planning and permitting processes, the Community Development Department applied for and received a grant of \$310,000 in 2019 to design and construct an updated Permit Center. The updated Permit Center will add enhanced customer counter stations for planning, engineering, and building services open directly to the lobby. Two public kiosks will be added to the lobby for improved access and viewing of public records, and a small break-out conference room will be created adjacent to the public counter for unscheduled customer meetings and project discussions. The grant also covered one-time costs to improve technology for electronic permitting and customer access to information and records.

Planned Permit Counter improvements were put on pause during the pandemic, but some of the grant funds were utilized to support and enhance electronic permitting and plan check. The original design was modified to reflect changes to our permit and plan check systems, customer behaviors, and desire for safety glass to improve security and airborne viruses. Construction drawings were prepared in 2022 and the project was put out to bid in November. Unfortunately, the bids came in

over project budget and the City Council rejected all bids for the permit center on February 14, 2023.

Staff worked on project modifications to reduce costs and identified additional grant award funding for this qualifying project. The two grant funding sources have an expenditure deadline of September 30, 2023, and a combined current maximum budget of \$325,000. During the pandemic, the City funded safety improvements to the public counters at City Hall. The safety improvements for the Community Development Counter were deferred to be included with this permit counter project and will have a separate funding source.

The revised permit counter project was rebid May 2 through 30, 2023 on CIPlist.com which also includes local and national plan rooms. As the project was rebid in the construction season costs were higher than expected for the rebid and there was not as much interest in the project.

POLICY / RULE

Section 2.36.180, Award of Contracts of the Folsom Municipal Code states, in part, that the City Council may reject any or all bids or proposals when it is for good cause and in the best interests of the City.

ANALYSIS

Public Works/Community Development staff prepared the bid package and advertised the project through CIPlist.com on May 2, 2023. Bids were received on May 30, 2023. One bid received are as follows:

- RBH Construction, Inc. Low Responsive Responsible Bid of \$334,135

The Engineer's Estimate for this project was revised to \$165,000 which is low compared to the bid amount of \$334,135 due to estimates not in the Architect's scope. The Public Works/Community Department staff has found the bid to be in order and recommends execution of the construction agreement.

FINANCIAL IMPACT

The contract with RBH Construction, Inc. would be for \$334,135 with a contingency of \$20,865 (approximately 6.25%) added to the budget for potential change orders for a total budget of \$355,000. Current SB2 grant award funding available is \$325,000 with the remaining \$30,000 funded through the General Fund (Fund 010) for the safety improvements. Staff has requested the reallocation of additional grant funding to increase the contingency to a full ten percent with an additional \$12,549 in grant funds for a total project budget of \$367,549. If unsuccessful, the contingency will remain at \$20,865 for a total project budget of \$355,000. An additional appropriation in the amount of \$325,000 in the Fiscal Year 2023-24 Operating Budget in the General Fund (Fund 010) to appropriate the grant revenue as well as the contract and contingency expense.

The Permit Center project scope has been modified to reduce costs with a maximum construction budget of \$367,549. Staff expects to start construction as soon as possible for the Permit Center project for completion of construction by the grant expenditure deadline of September 30, 2023.

ENVIRONMENTAL REVIEW

This project has been deemed categorically exempt from environmental review.

ATTACHMENT

Resolution No. 11052 - A Resolution Authorizing the City Manager to Execute a Construction Agreement with RBH Construction, Inc. for the Community Development Department Permit Counter Project and Appropriation of Funds

Submitted,



Pam Johns, COMMUNITY DEVELOPMENT DIRECTOR

RESOLUTION NO. 11052**RESOLUTION NO. 11052 - A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION AGREEMENT WITH RBH CONSTRUCTION, INC. FOR THE COMMUNITY DEVELOPMENT DEPARTMENT PERMIT COUNTER PROJECT AND APPROPRIATION OF FUNDS**

WHEREAS, the Community Development Department wishes to update their Permit Center; and

WHEREAS, the project has been rescoped to fit the available budget after rejection of bids on February 14, 2023 bids and readvertised; and

WHEREAS, Public Works/Community Development Department staff prepared the bid package, publicly advertised, and received bids on May 30, 2023, with RBH Construction, Inc. being the only and lowest responsive and responsible bidder at \$334,135; and

WHEREAS, staff has found the RBH Construction, Inc. to be in good order and recommends a construction agreement for \$334,135 with up to 10% contingency of \$33,413 for a total project cost not to exceed \$367,548; and

WHEREAS, the revised Engineer's Estimate is \$165,000; and

WHEREAS, an additional appropriation in the amount of \$325,000 will be required in the Fiscal Year 2023-24 Operating Budget in the General Fund (Fund 010) for the grant revenue; and

WHEREAS, staff is seeking approval additional reallocation of SB2 grant funding in the amount of \$12,549 for full ten percent contingency; otherwise the contingency will remain at six percent with \$20,865 for a total project budget of \$355,000; and

WHEREAS, the agreement will be in a form acceptable to the City Attorney: (as applicable to contracts)

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Folsom authorizes the City Manager to execute a construction agreement with RBH Construction, Inc. for \$334,135 with up to a 10% contingency of \$33,413 for a not to exceed project budget of \$367,548 for the Community Development Department Permit Center.

BE IT FURTHER RESOLVED that the Finance Director is authorized to appropriate \$325,000 in the Fiscal Year 2023-24 Operating Budget in the General Fund (Fund 010) as grant revenue and expense.

PASSED AND ADOPTED this 13th day of June, 2023, by the following roll-call vote:

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

Rosario Rodriguez, MAYOR

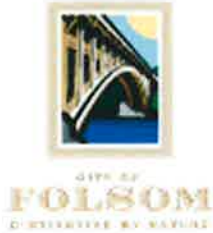
ATTEST:

Christa Freemantle, CITY CLERK

*This page intentionally left blank
to facilitate double-sided printing.*



CITY OF
FOLSOM
DISTINCTIVE BY NATURE



Folsom City Council Staff Report



MEETING DATE:	6/13/2023
AGENDA SECTION:	Public Hearing
SUBJECT:	Resolution No. 11041 - A Resolution of the City Council of the City of Folsom Declaring the Results of the Majority Protest Proceedings and Renewing the Historic Folsom Property and Business Improvement District, Approving the Assessment Formula and Levying the Assessments
FROM:	City Manager's Office

RECOMMENDATION / CITY COUNCIL ACTION

Staff recommends that the City Council:

1. Conduct the public hearing and receive ballots for the proposed Historic Folsom Property and Business Improvement District; then
2. Continue discussion of the item to later in the meeting and direct the City Clerk’s Department to canvass ballots and return with results; then
3. Receive ballot canvass results from the City Clerk’s Department; then
4. If a majority of the ballots cast are in favor, then the Council may consider approving Resolution 11041 - A Resolution of the City Council of the City of Folsom Declaring the Results of the Majority Protest Proceedings and Renewing the Historic Folsom Property and Business Improvement District (HFPBID), Approving the Assessment Formula and Levying the Assessments

BACKGROUND / ISSUE

The HFPBID is a benefit assessment district whose main goal is to continue a revenue source to help fund Advocacy & Program Coordination, Image Enhancement & Marketing, Enhanced Maintenance services, and related administration, which are intended to provide and constitute

special benefits to assessed properties. This approach has been used successfully in other cities throughout the country to provide special benefits to property owners, namely increased sales, attraction of new tenants, increased occupancies, and specifically increased property values.

HFPBID property owners decided to pursue renewal of the HFPBID in order to continue a revenue source devoted to providing special benefits to assessed property owners. If renewed, the HFPBID would generate approximately \$170,757.12 in assessment revenue on an annual basis for improvements and activities that are above and beyond those provided by the City and other government agencies. The assessment funds will be supplemented by non-assessment funds, so that the total budget for the initial year is estimated at \$179,663.27.

Staff is seeking adoption of the Resolution of the City Council of the City of Folsom Declaring the Results of the Majority Protest Proceedings and Renewing the Historic Folsom Property and Business Improvement District (HFPBID), Approving the Assessment Formula and Levying the Assessments resulting the renewal of the HFPBID and the levy of assessments on specially benefitted properties within the boundaries of the HFPBID.

MANAGEMENT DISTRICT PLAN

The Management District Plan (Attachment 2) includes the proposed boundary of the HFPBID, a service plan, assessment methodology, budget, a proposed means of governance, and Engineer's Report. The renewed HFPBID is generally bound by the Folsom Lake State Recreation area on the north and west, the Sutter Street / Figueroa Street Alley on the south, and Scott Street on the east, as shown in the map in the Management District Plan.

The HFPBID will have a ten (10)-year-life, beginning January 1, 2024 through December 31, 2033. Near the end of the term, the petition, ballot, and City Council hearing process must be repeated for the HFPBID to be renewed for another term of up to ten (10) years. Once per year beginning on the anniversary of HFPBID renewal there is a thirty (30) day period in which property owners paying fifty percent (50%) or more of the assessment may protest and begin proceedings to terminate the HFPBID.

As provided by State Law, the HFPBID assessment will appear as a separate line item on annual property tax bills prepared by the County of Sacramento. Parcels which do not receive property tax bills will be invoiced by the City. Property tax bills are generally distributed in the fall, and payment is expected by lump sum or installment. The County of Sacramento shall distribute funds collected to the City of Folsom, which shall forward them to the HFPBID. Existing laws for enforcement and appeal of property taxes, including penalties and interest, apply to the HFPBID assessments.

HFPBID RENEWAL PROCESS

April 11, 2023

RESOLUTION OF INTENTION HEARING - COMPLETED

Upon the submission of a written petition, signed by the property owners in the proposed HFPBID who will pay more than 50 percent (50%) of the assessments proposed to be levied, the City Council may initiate proceedings to renew a district by the adoption of a resolution expressing its intention to renew a district.

By April 22, 2023

NOTICE & PROPOSITION 218 BALLOT - COMPLETED

The Property and Business Improvement District Law of 1994 and Proposition 218 require the City mail written notice and assessment ballots to the owners of all property proposed to be assessed within the renewed HFPBID. Mailing the notice and assessment ballot begins a mandatory forty-five (45) day period in which owners may cast ballots.

June 13, 2023

FINAL PUBLIC HEARING

Council will open a public hearing and receive public testimony. At the end of testimony, Council will close the public hearing and direct tabulation of assessment ballots submitted and not withdrawn to determine whether there is a majority protest against the assessment. A majority protest exists if the ballots in opposition to the proposed assessment exceed the ballots in support of the proposed assessment, weighted by the amount each owner will pay. If there is no majority protest, Council may adopt a resolution declaring the results of the majority protest proceedings and renewing the HFPBID.

POLICY / RULE

The Property and Business Improvement Law of 1994, California Streets and Highways Code section 36600 et seq., authorizes cities to renew property and business improvement districts for the purposes of promoting economic revitalization and financing activities and services to improve the overall economic climate in said districts.

ANALYSIS

Adoption of this resolution of the City Council of the City of Folsom declares the results of the majority protest proceedings and renews the HFPBID, approving the assessment formula and levying the assessments.

FINANCIAL IMPACT

There is no immediate fiscal impact. If the HFPBID renewal is successful, then the City's annual contribution is estimated at \$82,644.22 for the City properties, on behalf of the City of Folsom. Future assessment rates may be subject to an increase of no more than three percent (3%) annually.

ENVIRONMENTAL REVIEW

This action is exempt from environmental review pursuant to California Environmental Quality Act Guidelines §15061(b)(3).

ATTACHMENTS

1. Resolution No. 11041 A Resolution of the City Council of the City of Folsom Declaring the Results of the Majority Protest Proceedings and Renewing the Historic Folsom

Property and Business Improvement District, Approving the Assessment Formula and
Levying the Assessments

2. Management District Plan

Respectfully submitted,

Elaine Andersen, City Manager

ATTACHMENT 1

RESOLUTION NO. 11041

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FOLSOM
DECLARING THE RESULTS OF THE MAJORITY PROTEST
PROCEEDINGS AND
RENEWING THE HISTORIC FOLSOM PROPERTY AND BUSINESS
IMPROVEMENT DISTRICT,
APPROVING THE ASSESSMENT FORMULA AND
LEVYING THE ASSESSMENTS**

WHEREAS, the Property and Business Improvement District Law of 1994, Streets and Highways Code §36600 et seq. authorizes cities to renew property and business improvement districts upon petition by a weighted majority of property owners within the renewed district and affirmative ballot; and

WHEREAS, a majority of the property owners subject to assessment, weighted according to the amount of assessment to be paid by each property owner, have petitioned the City Council to renew the Historic Folsom Property and Business Improvement District (HFPBID); and

WHEREAS, on April 11, 2023, the City Council adopted Resolution No. 11016, which was the Resolution of Intention to renew the HFPBID; and

WHEREAS, on June 13, 2023, the City Council conducted a public hearing at 6:30 PM at 50 Natoma Street, Folsom, CA 95630, with respect to the renewal of the HFPBID; and

WHEREAS, all written and oral protests made or filed were duly heard, evidence for and against the proposed action was received, and a full, fair and complete hearing was granted and held; and

WHEREAS, pursuant to California Constitution Article XIII D, ballots were mailed to property owners within the boundaries of the HFPBID, and, among those ballots returned to the City, a weighted majority of the property owners within the HFPBID have approved renewal of the HFPBID; and

WHEREAS, a detailed engineer's report prepared by a registered professional engineer certified by the State of California, Ross Peabody, in support of the HFPBID's assessments, has been prepared, is incorporated in the Management District Plan, and is on file with the Office of the City Clerk and is incorporated herein by this reference. (Engineer's Report).

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

1. The recitals set forth herein are true and correct.

2. The HFPBID is hereby renewed and the annual assessment is hereby levied for each year of the entire term of the HFPBID. The initial annual assessment budget will total approximately \$170,757.12. The annual budget may be subject to an increase in assessment rates of no more than three percent (3%) per year.

3. The Management District Plan and the Engineer’s Report dated February 22, 2023, are hereby approved.

4. The assessment shall be imposed on specially benefited properties within the HFPBID. The boundaries of the district shall be: the Folsom Lake State Recreation area on the north and west, the Sutter Street / Figueroa Street Alley on the south, and Scott Street on the east, as shown on the map attached hereto as Exhibit A.

5. The cost to the parcel owner is based on parcel size, benefit zone, and parcel use as shown in the table below. Property tax-exempt parcels owned by non-profit entities and religious institutions will be assessed at fifty percent (50%) of the standard commercial assessment rate. Parcels with single-family residential uses shall not be assessed. Assessment rates are subject to a cost-of-living increase of no more than three percent (3%) per year. The annual increase will be based on the Consumer Price Index.

Parcel Type	Annual Assessment Rate (\$/sq ft)				
	Zone 1A	Zone 1B	Zone 2	Zone 3	Zone 4
Commercial Uses	\$0.15	\$0.17	\$0.17	\$0.085	\$0.075
Non-Profit/Religious	\$0.075	\$0.085	\$0.085	\$0.0425	\$0.0375

6. The Assessment Roll for the HFPBID, Folsom, State of California has been filed with the City Clerk and is hereby approved.

7. The assessments shall be collected in accordance with Section 36631 of the Streets and Highways Code.

8. The assessment levied for the HFPBID shall be applied towards Advocacy & Program Coordination, Image Enhancement & Marketing, Enhanced Maintenance services, and related administration.

9. Bonds shall not be issued.

10. Properties within the District are subject to any amendments to Part 7 (commencing with Section 36600) to Division 18 of the Streets and Highways Code.

11. The improvements, maintenance, and activities to be provided in the HFPBID will be funded by the levy of the assessments specified in the assessment roll. The revenue from the levy of such assessments shall not be used to provide improvements, maintenance or activities outside the district or for any purpose other than the purposes specified in the Resolution of Intention and Management District Plan.

12. All assessed parcels within the HFPBID will be benefited specially and directly by the improvements, maintenance, and activities funded by the assessments proposed to be levied.

13. The City Clerk is directed to take all necessary actions to complete the establishment of the HFPBID. The City Clerk is directed to record in the County Recorder’s Office a notice and assessment diagram as required by Streets and Highways Code §36627.

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

15. This resolution shall take effect immediately.

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

PASSED AND ADOPTED this 13th day of June 2023, by the following roll-call vote:

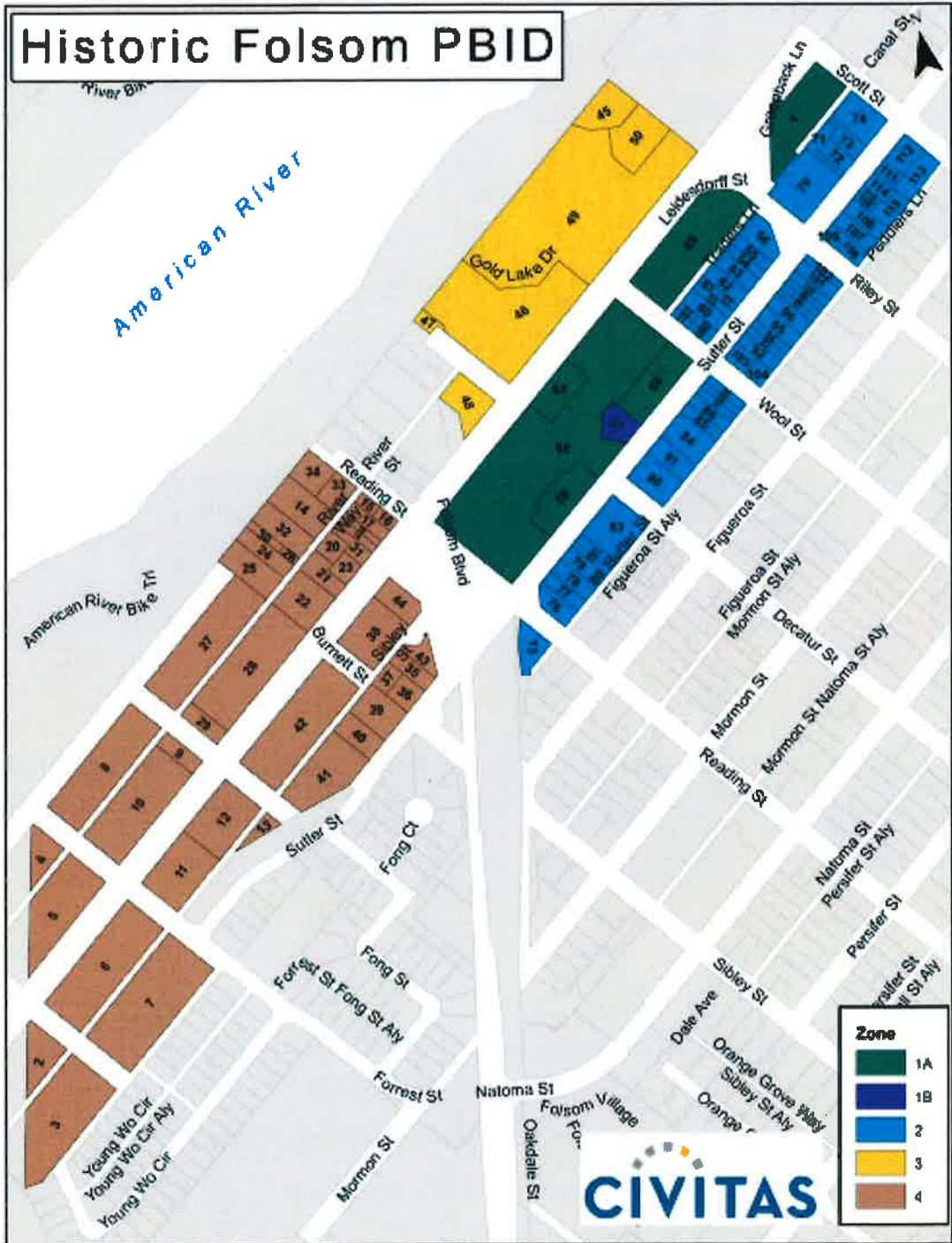
- AYES:** Councilmember(s):
- NOES:** Councilmember(s):
- ABSENT:** Councilmember(s):
- ABSTAIN:** Councilmember(s):

Rosario Rodriguez, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

EXHIBIT A – MAP



ATTACHMENT 2

2024-2033



HISTORIC FOLSOM PROPERTY AND BUSINESS IMPROVEMENT DISTRICT MANAGEMENT DISTRICT PLAN AND ENGINEER'S REPORT

Contents

I. Overview..... 3

II. Impetus 5

III. Background..... 6

IV. History and Accomplishments..... 7

V. Boundaries 10

VI. Service Plan & Budget..... 12

VII. Assessment Rate 16

VIII. Governance 17

IX. Engineer’s Report..... 18

Appendix 1 – Maximum Annual Assessment Rates..... 32

Appendix 2 – PBID Law..... 33

Appendix 3 – Map 33

Appendix 4 – Parcel Assessment Calculations 45

Appendix 5 – Total Estimated Maximum Cost of Improvements, Maintenance, and Activities 49

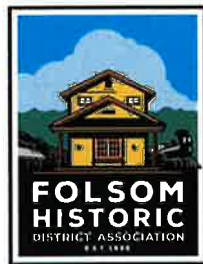
Appendix 6 – Baseline Services Provided..... 50

Prepared by Civitas



www.civitasadvisors.com

(800)999-7781



I. OVERVIEW

Developed by a growing coalition of property owners, the Historic Folsom Property and Business Improvement District (HFPBID) is a benefit assessment district whose main goal is to provide improvements, maintenance, and activities which constitute and convey a special benefit to assessed parcels. This approach has been used successfully in other cities throughout the country to provide special benefits to property owners, namely increased sales, attraction of new tenants, increased occupancies, and specifically increased property values. The HPBID was created in 2008 and was subsequently renewed in 2014 for a ten (10) year term. The HPBID has reached the end of this term, and property owners now wish to renew the HPBID for another ten (10) year term. The renewed HFPBID will continue to provide services above and beyond those furnished by the City of Folsom, for the direct benefit of assessed parcels. As required by state law, property owners have created this Management District Plan (Plan) to renew the HFPBID.

Location: The HFPBID is located in the historic commercial area of the City of Folsom. It is bound by the Folsom Lake State Recreation area on the north and west, the Sutter Street / Figueroa Street Alley on the south, and Scott Street on the east. A map is provided in Section V.

Purpose: The purpose of the HFPBID is to provide improvements, maintenance, and activities which constitute and convey a special benefit to assessed parcels. The HFPBID will provide Advocacy & Program Coordination, Image Enhancement & Marketing, Enhanced Maintenance services, and related administration directly and only to assessed parcels within its boundaries.

Budget: The HFPBID annual assessment budget for the initial year of its ten (10) year operation is anticipated to be \$170,757.12. The annual budget may be subject to an increase in assessment rates of no more than three percent (3%) per year. The assessment funds will be supplemented by non-assessment funds (such as grants and event income), so that the total budget for the initial year is estimated at \$179,663.27. The amount of non-assessment funds is the minimum amount necessary to pay for the general benefit provided by District programs. Further detail on the separation of special and general benefit is provided in Section IX.

Cost: The cost to the parcel owner is based on parcel size, benefit zone, and parcel use as shown in the table below. Property tax-exempt parcels owned by non-profit entities and religious institutions will be assessed at fifty percent (50%) of the standard commercial assessment rate. Parcels with single-family residential uses shall not be assessed. Assessment rates are subject to a cost-of-living increase of no more than three percent (3%) per year. The annual increase will be based on the Consumer Price Index.

Parcel Type	Annual Assessment Rate (\$/sq ft)				
	Zone 1A	Zone 1B	Zone 2	Zone 3	Zone 4
Commercial Uses	\$0.15	\$0.17	\$0.17	\$0.085	\$0.075
Non-Profit/Religious	\$0.075	\$0.085	\$0.085	\$0.0425	\$0.0375

Renewal: HFPBID renewal requires submittal of petitions from property owners representing more than 50% of the total assessment. The “Right to Vote on Taxes Act” (also known as Proposition 218) requires a ballot vote in which more than 50% of the ballots received, weighted by assessment, be in support of the HFPBID.

Duration: The HFPBID will have a ten (10)-year-life, beginning January 1, 2024 through December 31, 2033. Near the end of the term, the petition, ballot, and City Council hearing process must be repeated for the HFPBID to be renewed for another term of up to ten (10) years.

Management: The Folsom Historic District Association (FHDA) will continue to serve as the Owners’ Association for the HFPBID, with oversight from the Folsom City Council.

II. IMPETUS

There are several reasons why now is the time to renew the HFPBID. The most compelling reasons are as follows.

1. The Need to be Proactive in Determining the Future of Historic Folsom.

In order to protect their investment, parcel owners must be partners in the process that determines the level and frequency of services, and how new improvements and development projects are implemented. The HFPBID will allow these owners to lead and shape future services and improvements through the HFPBID.

2. The Need to Attract New Business and Investment Throughout Historic Folsom.

If Historic Folsom is to compete as a successful commercial district it must develop its own well-financed, proactive strategy to retain businesses and tenants as well as attract new business and investment. The HFPBID provides the financial resources to develop and implement a focused strategy that will work to prevent and fill vacancies and attract new tenants to all areas of Historic Folsom.

3. An Opportunity to Create a Private/Public Partnership with a Unified Voice for Historic Folsom.

Because parcel owners would be investing financial resources through the HFPBID, they will be looked upon as a strong partner in negotiations with the City. This partnership will have the ability to leverage the parcel owner's investment with additional public investment in Historic Folsom.

4. An Opportunity to Establish Private Sector Management and Accountability.

A non-profit, private organization formed for the sole purpose of improving Historic Folsom will manage the services provided and the HFPBID. Annual HFPBID work plans and budgets are developed by a board composed of stakeholders that own property in the Historic Folsom. Improvements and activities provided by the HFPBID are subject to private sector performance standards, controls, and accountability.

III. BACKGROUND

The International Downtown Association estimates that more than 1,500 Property and Business Improvement Districts (PBIDs) currently operate throughout the United States and Canada. PBIDs are a time-tested tool for property owners who wish to come together and obtain collective services which benefit their properties.

PBIDs provide supplemental services in addition to those provided by local government. They may also finance physical and capital improvements. These improvements and activities are concentrated within a distinct geographic area and are funded by a special parcel assessment. Services and improvements are only provided to those who pay the assessment.

Although funds are collected by the local government, they are then directed to a private nonprofit. The nonprofit implements services and provides day-to-day oversight. The nonprofit is managed by a Board of Directors representing those who pay the assessment, to help ensure the services meet the needs of property owners and are responsive to changing conditions within the PBID.

PBIDs all over the globe have been proven to work by providing services that improve the overall viability of commercial districts, resulting in higher property values, lease rates, occupancy rates, and sales volumes.

The HFPBID will be renewed pursuant to a state law that took effect in January of 1995. The “Property and Business Improvement District Law of 1994,” which was signed into law by Governor Pete Wilson, ushered in a new generation of Property and Business Improvement Districts in California. Key provisions of the law include:

- Allows a wide variety of services which are tailored to meet specific needs of assessed properties in each individual PBID;
- Requires property owner input and support throughout the renewal process;
- Requires written support on both a petition and ballot from property owners paying 50% of proposed assessments;
- Allows for a designated, private nonprofit corporation to manage funds and implement programs, with oversight from property owners and the City;
- Requires limits for assessment rates to ensure that they do not exceed the amount owners are willing to pay; and
- Requires the PBID be renewed after a certain time period, making it accountable to property owners.

The “Property and Business Improvement Business District Law of 1994” is provided in Appendix 2 of this document.

IV. HISTORY AND ACCOMPLISHMENTS

A. History

Folsom's Historic District is the City's original central business district, with a vast amount of history and unique character that is beloved by the community. Folsom has experienced significant growth and the Folsom Historic District property owners embraced the need for the district to be clean, safe, attractive, and marketable. With the growth of new shopping centers, Historic Folsom property owners felt it vital to continue to attract visitors with enhanced beautification and professional management. The mission of the Folsom Historic District Association is to preserve, and independently shape the unique qualities that make it attractive, safer, cleaner, and more marketable.

In 1997 the City of Folsom designated a defined area known as the Sutter Street Historic Commercial Subarea in the Historic District Specific Plan, with a goal to maintain, restore, and reconstruct sites which represent the history of the Folsom area. These are the boundaries which encompass the PBID.

In 2006 the Folsom Historic District Association began the process of establishing a PBID. The goal was to provide for the maintenance, beautification, marketing, and management of a completed Streetscape Project funded by the Folsom Redevelopment Agency. The PBID was established for its initial five (5) year term beginning in 2008 and was subsequently renewed in 2014 for a ten (10) year term.

B. Accomplishments

The Historic District of Folsom is a thriving, vibrant place to be proud of. It is without question that since its inception in 2008, the PBID has been pivotal in making a difference in the development of this special part of Folsom. Listed below are some key points in which this valuable program is working:

Advocacy and Program Coordination

- Routine programs that are encouraged and promoted:
 - Monthly Merchant Meetings/networking
 - Fosters a sense of community and good neighbors
 - Merchant Meetings have included meetings with Safety Officers, Free CPR Training, Community Leader discussions
 - Important reviews of upcoming, recently passed, or current events
 - Marketing and Instagram classes, etc .
 - Monthly marketing meeting with City, Chamber, Museums
 - Neighbor and Stakeholder quarterly meetings
 - Regular updates between meetings to all businesses within the District
 - Regular updates to the community via Constant Contact, e-blasts, Website updates
- Professional Management
 - 1 full-time executive director

- 2 seasonal part time employees
- 60 on-call seasonal event staff
- Services also include accounting, legal, telephone, postage, and insurance costs.

Image Enhancement and Marketing

- Public Plaza Activation
 - Year-round Saturday Farmers Market drawing in 800-1000 visitors weekly
 - 65+ days Seasonal Ice rink drawing in 22,000 skaters and additional 45,000 observers
- Amphitheater Activation
 - Year-round activation
 - Concerts
 - Dance Performances
 - Graduations
 - Local High School Spirit Parades
 - Fashion Shows
 - Award Ceremonies for local sporting events
- Marketing and Promotion of the Historic District
 - Increased visibility and foot traffic through new events
 - New annual events added:
 - Sip and Stroll
 - Spirits, Brews, and Bites
 - Hometown Parade
 - Art Hop
 - Folsom Lake Symphony Performance
 - Peter Lewis Memorial Blood Drive
 - Soap Box Derby
 - Festifall
 - Spring and Fall Concert Series
 - Twilight Concert Series (August)
 - Holiday Light Promenade – 6 week Christmas Light Stroll in the District, Santa Visits, Horse and Carriage rides
 - Pedestrian Promenade – Road closures, live music, pop up events
- Partner Events – FHDA Handles the scheduling, permits, communications and assists with marketing for these annual events:
 - Shakespeare (Take Note Troupe)
 - Peach Festival (Living Smart)
 - Light up the Dark (Powerhouse Ministries)
 - Eggcellent Adventure Passport
- One-Off Events
 - Hero Recognition (Folsom Fire Department)
 - Rainbow Bridge 100 Year Centennial Event
 - VW and Exotic Car shows

- and too many more to list
- Branding
 - New Logos for FHDA - Regular
 - New Logo for FHDA – Holiday Season
 - New District banners (Spring and Winter)
- Video Production
 - Videos featuring Historic District merchants during Covid
 - Videos featuring dancing merchants for Reopening Celebration
 - Sponsor thank you videos for major events
 - Videos featuring highlights from the C'mas Tree Lighting, Holiday Promenade, and Hometown Parade

Enhanced Maintenance

- Maintenance and beautification program that strives to keep the Historic District neat and tidy, as well as make aesthetic improvements
 - District Wide Improvements
 - Overhead Lighting installed on 3 blocks
 - Parklet installation
 - Shade Structure over amphitheater
 - Cameras at Parking Garage, Amphitheater and Sutter St
 - Security in Parking Garage (seasonal)
 - Cleaning Crew on mid-week and weekends
 - Ambassador Program
 - 15 ambassadors trained to provide support on weekends and during events
 - Lincoln Highway signage in district
 - Denotes Folsom's part in the early 1900 highway system

Contingency and Renewal

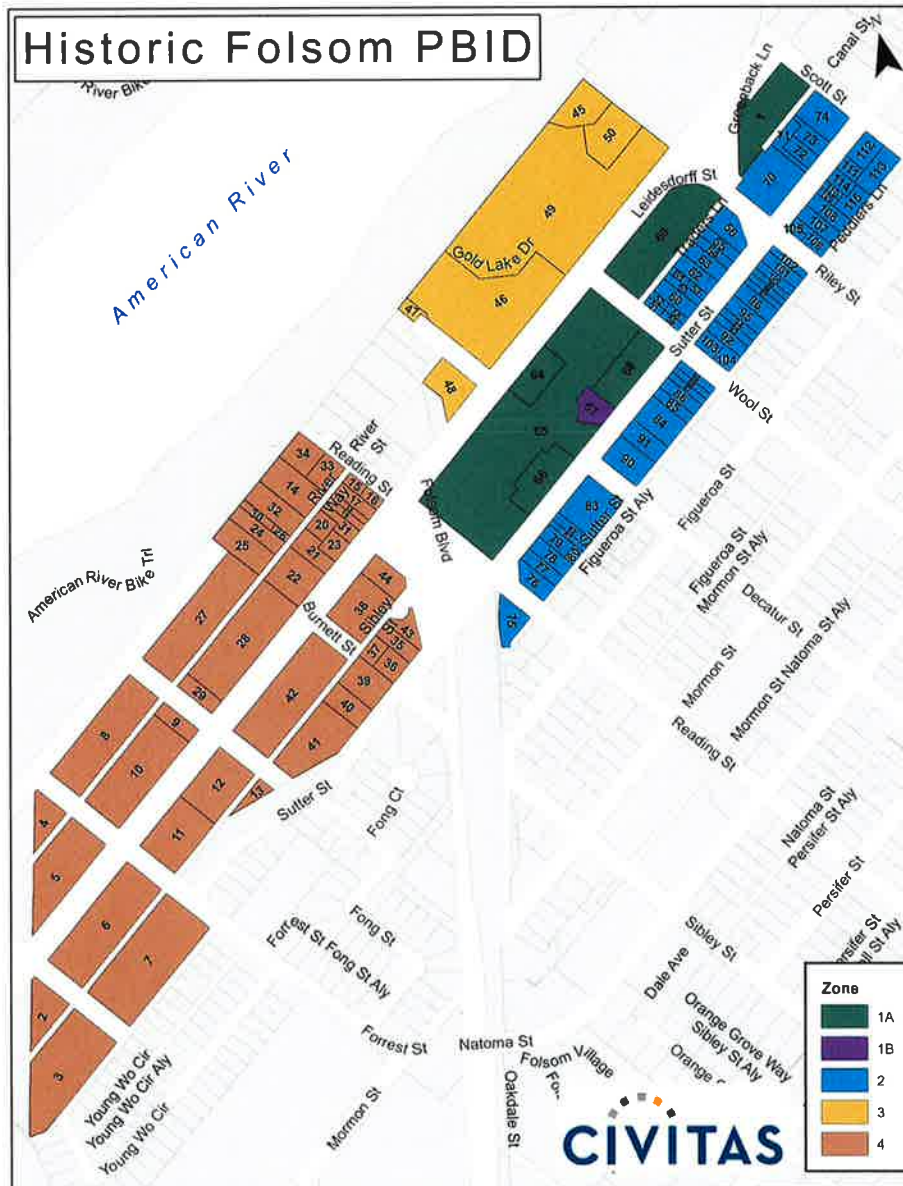
- Part of the PBID plan is a fiscal reserve to account for changes in anticipated revenue and/or expenses. This is a very small part of the overall budget (4%) but very prudent to plan for.
- At the end of the PBID term, if there are overages in this portion of the budget, the funds can be used toward renewal of the PBID.

V. BOUNDARIES

A. HFPBID Boundaries

The HFPBID is located in the historic commercial area of the City of Folsom. It is bound by the Folsom Lake State Recreation area on the north and west, the Sutter Street / Figueroa Street Alley on the south, and Scott Street on the east.

The service area includes approximately 81 properties with 46 property owners. The HFPBID boundary is illustrated by the map below. A larger map is available on request by calling Civitas at (916) 437-4300.



B. Benefit Zones

The Historic Folsom PBID will have four Zones of service. Zone 1 includes parcels within the HFPBID boundaries in the Historic Folsom Station, the Regional Transit Light Rail Station, and the Leidesdorff Plaza next to the Light Rail Station. Zone 2 includes all parcels within the HFPBID boundaries along Sutter Street that are bounded by Folsom Boulevard to the west, Scott Street to the east, the Sutter Street / Figueroa Street Alley to the south, and (with the exception of Zone 1 parcels) by Leidesdorff Street on the north. Zone 3 includes all parcels within the HFPBID boundaries north of Leidesdorff Street that are bounded by Folsom Boulevard to the west, the Folsom Lake State Recreation Area (FLSRA) to the north, and Riley Street to the east. Zone 4 includes all parcels within the HFPBID boundaries located in the Corporation Yard, west of Folsom Boulevard.

The HFPBID boundary is illustrated by the boundary map included in Appendix 3. Parcels in the map are identified by Map ID numbers corresponding to the Assessor's Parcel Numbers, included in the Assessment Calculation Table which can be found in Appendix 4.

It is the intent of the Engineer's Report that each parcel included in the HFPBID can be clearly identified. Every effort has been made to ensure that all parcels included in the HFPBID are consistent in the boundary description, the boundary map (included as Appendix 3), and the Assessment Calculation Table (included as Appendix 4). However, if inconsistencies arise, the order of precedence shall be: 1) the Assessment Calculation Table, 2) the District Boundary Map, and 3) this boundary description.

If the development, ownership, size, or zoning of a parcel changes during the term of this District, the assessment calculation may be modified accordingly.

VI. SERVICE PLAN & BUDGET

A. Renewal

Property and business owners in Historic Folsom had been concerned about the need for coordinated supplemental services in the area for several years. City services and efforts in the area have been welcomed, but limited resources have not allowed for a more comprehensive approach to managing the commercial area. As a result of the need for services the HFPBID was formed in 2008, and subsequently renewed in 2014, and property owners now wish to renew the HFPBID for another ten (10) year term.

A service plan to provide special benefits to assessed properties was developed using several methods. A series of property owner meetings, a survey of property owners, and an analysis of current property conditions and needs were conducted. The primary needs identified were: Advocacy & Program Coordination, Image Enhancement & Marketing, and Enhanced Maintenance. To meet those needs, the renewed HFPBID will continue to generate funds to provide these services, and related administration to assessed parcels within its boundaries.

B. Improvements, Maintenance and Activities

The HFPBID will provide supplemental improvements, maintenance and activities that are above and beyond those provided by the City and other government agencies. None of the services to be provided by the HFPBID are provided by the City or other government agencies. The improvements and activities will be provided directly and only to assessed parcels; they will not be provided to parcels that are not assessed. Each and every service is unique to the HFPBID, thus the benefits provided are particular and distinct to each assessed parcel.

1. Advocacy and Program Coordination

To provide Historic Folsom property owners with an effective, clear voice in government decisions, the advocacy will include an administrator to speak for the owners within the HFPBID. The administrator will ensure the delivery of quality services of the HFPBID and act as the unified voice to represent the interests of assessed parcels within the HFPBID. The HFPBID will focus on ways to garner additional funding and services from public entities specifically for Historic Folsom improvements. These programs will work to specially benefit assessed parcels by increasing commerce and making them more desirable for shoppers and potential tenants and will be a service provided directly to assessed parcels that is not provided to the public-at-large or parcels surrounding the District. The program coordination budget also includes general administrative costs, such as accounting, legal, telephone, postage, and insurance costs.

2. Image Enhancement and Marketing

Image enhancement will include marketing and promotions to promote Historic Folsom as a destination with a rich set of unique opportunities. In order to draw customers to Historic Folsom, the District needs to market itself as a single locality for a wide variety of attractions, events, and services. The HFPBID will coordinate exciting and fun events for the historic area. Further, the marketing program will garner positive media coverage of Historic Folsom, and the good things happening in the area. Internally, it will be important to facilitate consistent and frequent communications with parcel owners and tenants. The Historic Folsom PBID will work closely with the Folsom Chamber of Commerce, the Folsom Tourism Bureau, and other stakeholders in the Historic District, as well as Folsom's City Government, to coordinate marketing efforts to make this program as efficient and possible. These programs will work to

specially benefit assessed parcels by increasing commerce and making them more desirable for shoppers and potential tenants, and will be a service provided directly to assessed parcels that is not provided to the public-at-large or parcels surrounding the District.

3. Enhanced Maintenance

A maintenance and beautification program will keep Historic Folsom clean as well as work to make aesthetic improvements. A landscaping program will maintain trees and cut back any weeds along the sidewalks and in public areas. In order to establish and maintain a uniform standard of cleanliness throughout the HFPBID, a maintenance patrol will provide additional debris and garbage collection beyond existing City services. The HFPBID will continue to work with the City to enforce ordinances which encourage a clean and aesthetically pleasing environment. These programs will work to specially benefit assessed parcels by increasing commerce and making them more desirable for shoppers and potential tenants.

4. Contingency and Renewal

The budget includes a prudent fiscal reserve. Changes in data and other issues may change the anticipated revenue and expenses. In order to buffer the organization for unexpected changes in revenue, and/or allow the HFPBID to fund other overhead or renewal costs, the reserve is included as a budget item. At the expiration of the HFPBID, if there are contingency funds remaining and owners wish to renew, the remaining funds could be used for the costs of renewal.

5. County and City Administration Fee

The City of Folsom shall retain a fee equal to three percent (3%) of the amount of the assessment collected to cover the costs of collection and administration for the City of Folsom and the County of Sacramento.

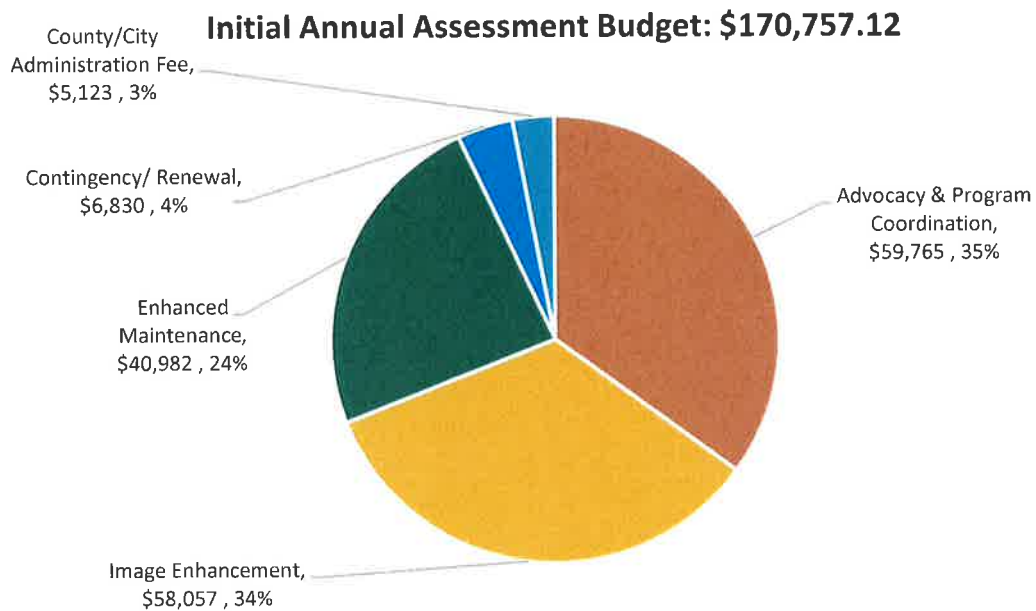
C. Annual Assessment Budget

A projected ten (10)-year budget for the HFPBID is provided below in sub-section E. The overall assessment budget shall remain consistent with this Plan. In the event of a legal challenge, assessment funds may be used to defend the HFPBID. The annual assessment budget is based on the following assumptions and guidelines:

1. The cost of providing improvements, maintenance and activities may vary depending upon the market cost for those improvements, maintenance, and activities. Expenditures may require adjustment up or down to continue the intended level of improvements, maintenance, and activities. The FHDA and their board shall have the authority to adjust budget allocations between the categories by no more than fifteen percent (15%) of the total budget per year. Any change will be approved by the FHDA and submitted with the Annual Report.
2. Funds not spent in any given year may be rolled over to the next year.
3. The assessment rate will be subject to annual increases that will not exceed three percent (3%) per year. The annual increase will be based on the Consumer Price Index for All Items for the San Francisco-Oakland-San José Area published by the United States Department of Labor Bureau of Labor Statistics or, if no longer published, the City may select as a reference another index published by either the State of California or a federal department or agency charged with the responsibility of measuring the cost of living in the local geographical area. The City Council may delay or reject the annual increase in its discretion. The projections below in sub-section E illustrate the maximum annual three percent (3%) increase for all budget items.

D. Service Budget

The total improvement, maintenance, and activity budget for 2024 that is funded by property assessments is \$170,757.12. In addition to the assessment revenue, the programs will be supplemented by non-assessment funds. The total of non-assessment funds, and the determination of special and general benefit, is included in the Engineer's Report. The total of assessment and non-assessment funds is provided in Appendix 5. Below is an illustration of the estimated total assessment budget allocations for each budget category for the initial year of the of the District. Non-assessment funds may be shifted between budget categories as needed by the Board of the Owners' Association.



E. Annual Maximum Assessment Budget

The budget below assumes the maximum annual increase of three percent (3%) is enacted and that there are no changes to the categorical budget allocations.

Year	Advocacy & Program Coordination	Image Enhancement	Enhanced Maintenance	Contingency/ Reserve	County/ City Fee	Total
2024	\$59,764.99	\$58,057.42	\$40,981.71	\$6,830.29	\$5,122.71	\$170,757.12
2025	\$61,557.94	\$59,799.14	\$42,211.16	\$7,035.20	\$5,276.39	\$175,879.83
2026	\$63,404.68	\$61,593.12	\$43,477.49	\$7,246.25	\$5,434.68	\$181,156.22
2027	\$65,306.82	\$63,440.91	\$44,781.82	\$7,463.64	\$5,597.72	\$186,590.91
2028	\$67,266.03	\$65,344.14	\$46,125.27	\$7,687.55	\$5,765.66	\$192,188.65
2029	\$69,284.01	\$67,304.46	\$47,509.03	\$7,918.18	\$5,938.62	\$197,954.30
2030	\$71,362.53	\$69,323.59	\$48,934.30	\$8,155.72	\$6,116.78	\$203,892.92
2031	\$73,503.40	\$71,403.30	\$50,402.33	\$8,400.40	\$6,300.29	\$210,009.72
2032	\$75,708.50	\$73,545.40	\$51,914.40	\$8,652.41	\$6,489.30	\$216,310.01
2033	\$77,979.76	\$75,751.76	\$53,471.83	\$8,911.98	\$6,683.97	\$222,799.30
Total	\$685,138.66	\$665,563.24	\$469,809.34	\$78,301.62	\$58,726.12	\$1,957,538.98

VII. ASSESSMENT RATE

A. Assessment Formula

Individual assessed parcels shall be assessed an assessment rate according to each assessed parcel's proportionate special benefit derived from the services provided to each assessed parcel, as shown in the table below.

Parcel Type	Annual Assessment Rate (\$/sq ft)				
	Zone 1A	Zone 1B	Zone 2	Zone 3	Zone 4
Commercial Uses	\$0.15	\$0.17	\$0.17	\$0.085	\$0.075
Non-Profit/Religious	\$0.075	\$0.085	\$0.085	\$0.0425	\$0.0375

B. Changes in Development, Ownership, Zoning, or Parcel Size

If the development, ownership, size, or zoning of a parcel within the HFPBID boundary changes during the term of the HFPBID the assessment amount may be modified according to the assessment methodology detailed in this Plan that is applicable to the parcel. These changes may be a result of land adjustments (including but not limited to lot splits, consolidations, right away setbacks, etc.), new construction, new ownership, or changes in zoning.

C. Assessment Ballot and Public Notice

During the hearing process, an Assessment Notice will be sent to owners of each parcel in the HFPBID. The Assessment Notice provides an estimated assessment. The final individual assessment for any particular parcel may change, up or down, if the parcel square footage, parcel type, benefit zone, or development status differ from those used to calculate the amount shown on the Assessment Notice. A list of parcels to be included in the HFPBID is provided within Appendix 4.

D. Time and Manner for Collecting Assessments

As provided by State Law, the HFPBID assessment will appear as a separate line item on annual property tax bills prepared by the County of Sacramento. Parcels which do not receive property tax bills will be invoiced by the City. Property tax bills are generally distributed in the fall, and payment is expected by lump sum or installment. The County of Sacramento shall distribute funds collected to the City of Folsom, which shall forward them to the HFPBID. Existing laws for enforcement and appeal of property taxes, including penalties and interest, apply to the HFPBID assessments.

E. Bonds

Bonds shall not be issued.

VIII. GOVERNANCE

A. Owners' Association

The HFPBID shall continue to be governed by the Folsom Historic District Association (FHDA), with oversight from the Folsom City Council. The FHDA shall serve as the Owners' Association described in the Streets and Highways Code §36651. The Board of Directors of FHDA and its staff are charged with the day-to-day operations of the HFPBID.

A majority of the Board of Directors of Folsom Historic District Association must be parcel owners paying the assessment. The Board may also include representation from business owners, the City of Folsom, and the County of Sacramento. The Board of Directors must represent a variety of interests within the HFPBID and respond to the needs of property and business owners from various "commercial neighborhoods" within the HFPBID.

B. Brown Act & Public Records Act Compliance

An Owners' Association is a private entity and may not be considered a public entity for any purpose, nor may its board members or staff be considered to be public officials for any purpose. The Owners' Association is, however, subject to government regulations relating to transparency, namely the Ralph M. Brown Act and the California Public Records Act. These regulations are designed to promote public accountability. The Owners' Association must act as a legislative body under the Ralph M. Brown Act (Government Code §54950 et seq.). Thus, meetings of the FHDA Board of Directors and certain committees must be held in compliance with the public notice and other requirements of the Brown Act. The Owners' Association is also subject to the record keeping and disclosure requirements of the California Public Records Act.

C. Annual Report

The FHDA shall present an annual report at the end of each year of operation to the City Council pursuant to Streets and Highways Code §36650 (see Appendix 2). The annual report is a prospective report for the upcoming year and must include:

1. Any proposed changes in the boundaries of the HFPBID or in any benefit zones or classification of property within the district;
2. The improvements, maintenance, and activities to be provided for that fiscal year;
3. The estimated cost of providing the improvements, maintenance, and activities to be provided for that fiscal year;
4. The method and basis of levying the assessment in sufficient detail to allow each real property owner to estimate the amount of the assessment to be levied against his or her property for that fiscal year;
5. The estimated amount of any surplus or deficit revenues to be carried over from a previous fiscal year; and
6. The estimated amount of any contributions to be made from sources other than assessments levied pursuant to this Plan.

IX. ENGINEER'S REPORT

The HFPBID's parcel assessments will be imposed in accordance with the provisions of Article XIII D of the California Constitution. Article XIII D provides that "only special benefits are assessable,"¹ and requires the City to "separate the general benefits from the special benefits conferred on a parcel."² Special benefits are a "particular and distinct benefit over and above general benefits conferred on real property located in the district or to the public-at-large."³ Conversely, a general benefit is "conferred on real property located in the district or to the public-at-large."⁴ Assessment law also mandates that "no assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel."⁵

The Engineer determined the total cost of the improvements and activities, quantified the general benefit accruing to the public-at-large and non-assessed parcels adjacent to and within the HFPBID, and separated that amount from the special benefit accruing to the assessed parcels. Then, the Engineer determined the proportional special benefit derived by each parcel and allocated the special benefit value of the improvements and activities accordingly. The Engineer's determinations and detailed calculations are summarized in this report.

A. Separation of General and Special Benefits

Each of the improvements and activities, and the associated costs and assessments within the HFPBID, were reviewed, identified, and allocated based on special and general benefits pursuant to Article XIII D of the California Constitution. The assessment has been apportioned based on the proportional special benefits conferred to the assessed parcels located within the HFPBID boundaries as determined below.

1. General Benefits

Unlike special benefits, which are conferred directly and only upon assessed parcels, a general benefit is conferred on the general public or non-assessed parcels. Existing City and other public services, which are provided to every person and parcel, everywhere within the City, are an example of a general benefit. Although the HFPBID's boundaries have been narrowly drawn and programs have been carefully designed to provide special benefits, and activities and improvements will only be provided directly to assessed parcels, it is acknowledged that there will be general benefits as a result of the District's activities and improvements.

The California Constitution mandates that "only special benefits are assessable, and an agency shall separate the general benefits from the special benefits."⁶ "Generally, this separation and quantification of general and special benefits must be accomplished by apportioning the cost of a service or improvement between the two and assessing property owners only for the portion of the cost representing special benefits."⁷ The first step that must be undertaken to separate general and special benefits provided by the District's activities and improvements is to identify and quantify the general benefits. There are two bodies who can receive general benefits: the public-at-large within the HFPBID, and non-assessed parcels within and surrounding the HFPBID.

¹ Cal. Const., art. XIII D, §4(a)

² Cal. Const., art. XIII D, §4(a)

³ Id., §2(i)

⁴ Cal. Const., art. XIII D §2(i)

⁵ Cal. Const., art. XIII D, §4(a)

⁶ Cal. Const., art. XIII D §4(a)

⁷ Golden Hill Neighborhood Association v. City of San Diego (2011) 199 Cal.App.4th 416

a. General Benefit to the Public-at-Large

Although the activities and improvements are narrowly designed and carefully implemented to specially benefit the assessed parcels, and only provided directly to assessed parcels, they will generate a general benefit to the public-at-large within the HFPBID. State law indicates that “Activities undertaken for the purpose of conferring special benefits upon property to be assessed inherently produce incidental or collateral effects that benefit property or persons not assessed.”⁸ However, “the mere fact that special benefits produce incidental or collateral effects that benefit property or persons not assessed does not convert any portion of those special benefits or their incidental or collateral effects into general benefits.”⁹ Further, “the value of any incidental or collateral effects that arise from the improvements, maintenance or activities of a property-based district and that benefit property or persons not assessed shall not be deducted from the entirety of the cost of any special benefit or affect the proportionate special benefit derived by each identified parcel.”¹⁰ Thus, although there may be some incidental benefit to persons engaged in business on the assessed parcels, that incidental benefit is not considered general benefit because it is inherently produced by activities and improvements that provide special benefits to the assessed parcels. There is, however, a general benefit to persons not engaged in business on the assessed parcels.

Intercept surveys conducted in similar districts have found that approximately 98.6% of pedestrian traffic within the district boundaries is engaged in business on assessed parcels, while the remaining approximately 1.4% is simply passing through and not engaging in business on the assessed parcels¹¹. To ensure that the assessment dollars do not fund general benefits to the public-at-large, that portion of the cost of services will be paid for with funds not obtained through assessments. Out of an abundance of caution, the 1.4% figure was rounded to 2% for the purposes of this Engineers Report. The 2% of traffic passing through does not have any connection to the assessed parcels, and therefore does not represent a special benefit to the assessed parcels. The 2% will, however, receive a derivative and indirect general benefit as a result of the activities and improvements being provided in the HFPBID. Therefore, it is estimated that 2% of the benefit created by the HFPBID’s services is general benefit provided to the public-at-large. To ensure that the assessment dollars do not fund general benefits to the public-at-large, that portion of the cost of activities and improvements will be paid for with funds not obtained through assessments. Using the 2% figure, based on the initial year activity and improvement budget, the value of this general benefit to the public-at-large is \$3,593.27 ($\$179,662.27 \times 0.02$).

b. General Benefit to Non-Assessed Parcels

Although they are only provided directly to the assessed parcels, the HFPBID’s activities and improvements may also confer general benefits upon non-assessed parcels within and surrounding the HFPBID. One study examining property values in PBID areas found “no evidence of spill-over impacts (either good or bad) on commercial properties located just outside the BID’s boundaries;”¹² however, the California Court of Appeals has stated that “services specifically intended for assessed parcels concomitantly confer collateral general benefits to surrounding properties.”¹³ It is reasonable to conclude that activities and improvements within the HFPBID will have an incidental impact on non-assessed parcels surrounding or within the HFPBID boundaries. Although the legislature has

⁸ Streets and Highways Code section 36601(h)(2)

⁹ Ibid

¹⁰ Streets and Highways Code Section 36622(k)(2)

¹¹ Surveys conducted in: North Park, San Diego (January 2015); Downtown Burbank (October 2017); Downtown Pomona (April 2018); and Sunrise MarketPlace, Citrus Heights (December 2019)

¹² Furman Center for Real Estate & Urban Policy; The Impact of Business Improvement Districts on Property Values: Evidence from New York City (2007) p. 4

¹³ Beutz v. Riverside (2010) 184 Cal.App.4th 1516

indicated that “the value of any incidental or collateral effects that arise from the improvements, maintenance, or activities of a property-based district and that benefit property or persons not assessed shall *not* be deducted from the entirety of the cost of any special benefit,”¹⁴ the California Court of Appeals has noted that “the characterization of a benefit may depend on whether the parcel receives a direct advantage from the improvement...or receives an indirect, derivative advantage resulting from the overall public benefits of the improvement.”¹⁵ Those derivative and indirect impacts are considered general benefits and will be quantified and separated.

In this Engineer’s opinion, because activities and improvements are provided only within the HFPBID and on its perimeter, parcels separated from the HFPBID by either at least one intervening parcel or an impassable physical barrier such as a wall, railroad track, freeway, or ditch will not receive spill over benefits. Parcels separated from the HFPBID will not benefit because they are physically removed from the actual location of activities and improvements provided, and do not face serviced parcels. Therefore, this analysis considers non-assessed parcels within the HFPBID’s boundaries and surrounding parcels that are immediately adjacent to and accessible from the HFPBID’s boundaries.

The total HFPBID activity and improvement budget for the first year is \$179,663.27. After reducing the activity and improvement budget by the general benefit to the public-at-large (\$3,593.27), the remaining benefit to parcels is \$176,070.00. This benefit has been distributed to both assessed and non-assessed parcels using the following methodology. The general benefit to the public-at-large has been proportionally allocated to the HFPBID’s activity and improvement categories as shown in the following table.

Category	Benefit to Parcels	Benefit to Public-at-Large	Total
Advocacy & Program Coordination	\$61,890.36	\$1,263.07	\$63,153.43
Image Enhancement	\$59,707.94	\$1,218.53	\$60,926.47
Enhanced Maintenance	\$42,146.79	\$860.14	\$43,006.93
Contingency/Renewal	\$7,042.81	\$143.73	\$7,186.54
County/City Administration Fee	\$5,282.10	\$107.80	\$5,389.90
TOTAL	\$176,070.00	\$3,593.27	\$179,663.27

To determine the general benefit to parcels, the Engineer assigned each parcel group a benefit factor, determined the appropriate parcel characteristic to use in the calculation, multiplied the benefit factor by the benefit characteristic to determine the benefit units attributable to each parcel group, and apportioned the remaining service cost (service cost minus general benefit to the public) in accordance with the benefit units derived by each parcel group.

i. Benefit Factors

All parcels within and adjacent to the HFPBID have been assigned a benefit factor to mathematically represent the proportional special and general benefit and quantify the value of each. The determination of benefit factors for each type of activity follows.

¹⁴ Streets and Highways Code section 36622(k)(2)
¹⁵ Tiburon v. Bonander (2009) 180 Cal.App.4th 1057, 1077

Tangible Activities

The tangible activities (those that are physically provided via a person or people working throughout the district) to be provided by the HFPBID generate three types of special benefits:

Service – The primary special benefit provided by the HFPBID’s physical activities is the actual service.

Presence – The HFPBID’s physical activities also provide the special benefit of an individual’s presence on the assessed parcel as the activities are provided, which can have a deterrent effect and creates a positive impression that the area is well-maintained and safe. The “Disneyland effect” is the benefit the parcels receive from the observation that parcels are being maintained. There are studies which link the perception of cleanliness to a perception of increased security.

Proximity – The HFPBID’s physical activities also provide the special benefit of being in proximity to a cleaner, safer parcel. Neighboring parcels enjoy the spillover benefits of being adjacent to increased safety and cleanliness.

The majority of the benefit received by the parcels is the results of the district’s services; onsite presence and proximity are lesser benefits. It is this Engineer’s estimation that seventy-five percent (75%) of the special benefit from the HFPBID’s physical activities is the service, while the presence and proximity benefits each account for twelve and one-half percent (12.5% presence, 12.5% proximity) of the special benefit. Assessed parcels will receive all three benefits; non-assessed parcels within and adjacent to the HFPBID will not be directly serviced and therefore only receive the general benefit of proximity.

Intangible Activities

Some of the HFPBID’s activities, such as marketing, are distinct in that they are not provided to a targeted area within the HFPBID, rather they are provided via Internet, radio, and other forms of media and targeted at an audience outside the HFPBID in an effort to bring the audience into the HFPBID. These activities provide two types of special benefits:

Direct Exposure – The primary special benefit provided by the HFPBID’s intangible activities is exposure. The intangible activities increase awareness of the HFPBID as a commercial and business destination and lead to increased patronage.

Incidental Exposure – The HFPBID’s intangible activities will also have a secondary special benefit of incidental exposure, such as word-of-mouth exposure, that results from the direct exposure and increases awareness of the HFPBID as a commercial and business destination.

The majority of the benefit from these activities is the direct exposure; the incidental exposure is a lesser benefit. It is this Engineer’s estimation that ninety percent (90%) of the special benefit from the intangible activities is direct exposure, while ten percent (10%) is incidental exposure. Assessed parcels will receive both as special benefits; non-assessed parcels within and adjacent to the HFPBID will not be directly marketed and therefore only receive the general benefit of incidental exposure.

Factors Determined

Based on the foregoing analysis, all assessed parcels within the HFPBID specially benefit from the HFPBID’s activities and improvements, and have been assigned a benefit factor of 1.0. Parcels that

are not assessed have been assigned benefit factors based on the portion of the benefit they will receive, as described above. The non-assessed parcels will benefit from 12.5% of the tangible activities and 10% of the intangible activities; therefore they have been assigned benefit factors of 0.125 and 0.10, respectively.

ii. Non-Assessed Benefit Characteristics

There are two types of parcels that are not assessed; those within the HFPBID and those immediately adjacent to and accessible from the HFPBID. Because they generally benefit in a differing manner, distinct parcel characteristics are used to quantify the general benefit to each type.

Inside – Non-assessed parcels inside of the HFPBID are surrounded by parcels that are assessed and receiving the full special benefits; they will, therefore, receive the general benefits of proximity and indirect exposure. These parcels are impacted on more than one side by the HFPBID’s activities, marketing has a direct impact all around them, and activities are provided all around them. Because these parcels are surrounded by specially benefitted parcels, it is appropriate that parcel square footage be used to measure the general benefit they receive.

Adjacent – Adjacent parcels are those that are immediately adjacent to or directly across the street from specially benefitted parcels, and accessible from specially benefitted parcels. These parcels generally benefit differently than those inside the district, because these parcels are adjacent to, rather than surrounded by, specially benefitted parcels. Square footage is not an appropriate measure of benefit to these parcels. Because the parcels are not surrounded by serviced parcels, a long, shallow parcel with the same square footage as a deep, narrow parcel will receive a different level of general benefit. Likewise, two parcels with the same depth but a different width adjacent to serviced parcels will benefit differently. To account for this difference, it is appropriate that parcel linear frontage be used to measure the general benefit the adjacent parcels receive.

iii. Calculations

To quantify and separate the general benefit to non-assessed parcels, the following calculations were undertaken for each budget category.

1. The total service budget for each category was determined and the amount of general benefit to the public-at-large was subtracted from the category budget.
2. The benefit factor applicable to each activity or improvement was multiplied by the parcel square footage or linear frontage of assessed and non-assessed parcels, to determine the number of benefit units received by each parcel group.
3. The benefit units for all parcel groups were summed, and the percentage of benefit units attributable to each parcel group was calculated.
4. The total remaining activity and improvement budget, less the amount already determined to be general benefit to the public-at-large, was allocated to general and special benefit categories for each parcel group using the calculated benefit percent and applicable benefit characteristic methodology.
5. The special and general benefit resulting from the administrative and contingency portions of the budget were determined based on the proportional allocation of benefits derived from activities and improvements.

Advocacy & Program Coordination

The advocacy & program coordination budget, minus the amount of general benefit to the public-at-large, is \$61,890.36. The calculations below determine the amount of general benefit to non-assessed parcels within the HFPBID. The advocacy & program coordination budget category contains tangible activities; the Engineer used the 0.125 benefit factor to quantify the general benefit.

Parcel Type	Square Footage	Benefit Factor	Benefit Units	Benefit Percent	Remaining Budget	
Assessed	1,483,391	X 1.000	= 1,483,391.00	96.960%	X \$61,890.36	= \$60,009.03
Non-Assessed	372,044	X 0.125	= 46,505.50	3.040%	X \$61,890.36	= \$1,881.33

The advocacy & program coordination budget, minus the amount of general benefit to the public and non-assessed parcels within the HFPBID, is \$60,009.03. The calculations below determine the amount of general benefit to parcels adjacent to the HFPBID.

Parcel Type	Linear Frontage	Benefit Factor	Benefit Units	Benefit Percent	Remaining Budget	
Inside	20,786	X 1.000	= 20,786.00	99.593%	= \$60,009.03	= \$59,764.99
Adjacent	679	X 0.125	= 84.88	0.407%	= \$60,009.03	= \$244.04

Therefore, the allocation of the advocacy & program coordination budget is as follows:

General Benefit – Public-At-Large	\$1,263.07
General Benefit – Inside Parcels	\$1,881.33
General Benefit – Adjacent Parcels	\$244.04
Special Benefit	\$59,764.99
Total	\$63,153.43

Image Enhancement

The image enhancement budget, minus the amount of general benefit to the public-at-large, is \$59,707.94. The calculations below determine the amount of general benefit to non-assessed parcels within the HFPBID. The image enhancement budget category contains intangible activities; the Engineer used the 0.10 benefit factor to quantify the general benefit.

Parcel Type	Square Footage	Benefit Factor	Benefit Units	Benefit Percent	Remaining Budget	
Assessed	1,483,391	X 1.000	= 1,483,391.00	97.553%	X \$59,707.94	= \$58,247.07
Non-Assessed	372,044	X 0.100	= 37,204.40	2.447%	X \$59,707.94	= \$1,460.87

The image enhancement budget, minus the amount of general benefit to the public and non-assessed parcels within the HFPBID, is \$58,247.07. The calculations below determine the amount of general benefit to parcels adjacent to the HFPBID.

Parcel Type	Linear Frontage	Benefit Factor	Benefit Units	Benefit Percent	Remaining Budget	
Inside	20,786	X 1.000	= 20,786.00	99.674%	X \$58,247.07	= \$58,057.42
Adjacent	679	X 0.100	= 67.90	0.326%	X \$58,247.07	= \$189.65

Therefore, the allocation of the image enhancement budget is as follows:

General Benefit – Public-At-Large	\$1,218.53
General Benefit – Inside Parcels	\$1,460.87
General Benefit – Adjacent Parcels	\$189.65
Special Benefit	\$58,057.42
Total	\$60,926.47

Enhanced Maintenance

The enhanced maintenance budget, minus the amount of general benefit to the public-at-large, is \$42,146.79. The calculations below determine the amount of general benefit to non-assessed parcels within the HFPBID. The enhanced maintenance budget category contains intangible activities; the Engineer used the 0.10 benefit factor to quantify the general benefit.

Parcel Type	Square Footage	Benefit Factor	Benefit Units	Benefit Percent	Remaining Budget	
Assessed	1,483,391	X 1.000	= 1,483,391.00	97.553%	X \$42,146.79	= \$41,115.58
Non-Assessed	372,044	X 0.100	= 37,204.40	2.447%	X \$42,146.79	= \$1,031.21

The enhanced maintenance budget, minus the amount of general benefit to the public and non-assessed parcels within the HFPBID, is \$41,115.58. The calculations below determine the amount of general benefit to parcels adjacent to the HFPBID.

Parcel Type	Linear Frontage	Benefit Factor	Benefit Units	Benefit Percent	Remaining Budget	
Inside	20,786	X 1.000	= 20,786.00	99.674%	\$41,115.58	= \$40,981.71
Adjacent	679	X 0.100	= 67.90	0.326%	\$41,115.58	= \$133.87

Therefore, the allocation of the enhanced maintenance budget is as follows:

General Benefit – Public-At-Large	\$860.14
General Benefit – Inside Parcels	\$1,031.21
General Benefit – Adjacent Parcels	\$133.87
Special Benefit	\$40,981.71
Total	\$43,006.93

Contingency/Renewal

The contingency/renewal budget lines items relate to the activities and improvements provided. These costs have been allocated proportionally based on the special and general benefit provided by each category.

County/City Administration Fee

The County/City administration fee budget lines items relate to the activities and improvements provided. These costs have been allocated proportionally based on the special and general benefit provided by each category.

	Special Benefit to Parcels	General Benefit to Parcels
Advocacy & Program Coordination	\$59,764.99	\$2,125.37
Image Enhancement	\$58,057.42	\$1,650.52
Enhanced Maintenance	\$40,981.71	\$1,165.08
Activity Totals	\$158,804.12	\$4,940.97
Percent	96.9825%	3.0175%
Contingency/Renewal	\$6,830.29	\$212.51
County/City Administration Fee	\$5,122.71	\$159.39
Total Parcel Benefits	\$170,757.12	\$5,312.87

iv. **Total Benefits**

Based on the foregoing calculations, the total benefits to assessed parcels, non-assessed parcels, and the general public are:

	Special	Parcel General	Public	Total
Advocacy & Program Coordination	\$59,764.99	\$2,125.37	\$1,263.07	\$63,153.43
Image Enhancement	\$58,057.42	\$1,650.52	\$1,218.53	\$60,926.47
Enhanced Maintenance	\$40,981.71	\$1,165.08	\$860.14	\$43,006.93
Contingency/Renewal	\$6,830.29	\$212.52	\$143.73	\$7,186.54
County/City Administration Fee	\$5,122.71	\$159.39	\$107.80	\$5,389.90
Total	\$170,757.12	\$5,312.88	\$3,593.27	\$179,663.27

c. Non-Assessment Funding

The programs funded by the HFPBID receive additional non-assessment funding in the form of grants, corporate sponsorships, event income, city general fund contributions, and other miscellaneous funds. These funding sources are anticipated to equal or exceed the amount of general benefit conferred annually by the HFPBID’s activities and improvements, \$8,906.15. These non-assessment funds will be used to pay for the general benefit provided by the HFPBID’s activities and improvements, ensuring that parcel assessments will only be used to provide special benefits and “any additional costs of providing general benefits [are] not included in the amounts assessed.”¹⁶

2. Special Benefit

The activities and improvements to be provided by the HFPBID constitute and convey special benefits directly to the assessed parcels. Assessment law requires that “the proportionate special benefit derived by each identified parcel shall be determined in relationship to the entirety of the capital cost of a public improvement, the maintenance and operation expenses of a public improvement, or the cost of the property related service being provided.”¹⁷ Further, “no assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel.”¹⁸ Special benefit “includes incidental or collateral effects that arise from the improvements, maintenance, or activities of property-based districts even if those incidental or collateral effects benefit property or persons not assessed.”¹⁹

To determine the total special benefit value to be conveyed to the assessed parcels, we deduct the general benefit value (\$8,906.15) from the total value of the activities and improvements (\$179,663.27). The remaining \$170,757.12 is considered the special benefit to assessed parcels (the “Total Assessment”). The Total Assessment represents the total value of the special benefit to be provided by the activities and improvements. The Total Assessment has been proportionally divided among the assessed parcels so that no assessment exceeds the reasonable cost of the proportional special benefit conferred on a parcel. The assessment rate has been designed to ensure that “properties that receive the same proportionate special benefit pay the same assessment.”²⁰

Service Provided	Total Benefit Value	General Benefit Value to Public	Benefit Value to Parcels (Special & General)	Special Benefit to Assessed Parcels
Advocacy & Program Coordination	\$63,153.43	\$1,263.07	\$61,890.36	\$59,764.99
Image Enhancement	\$60,926.47	\$1,218.53	\$59,707.94	\$58,057.42
Enhanced Maintenance	\$43,006.93	\$860.14	\$42,146.78	\$40,981.71
Contingency/Renewal	\$7,186.54	\$143.73	\$7,042.81	\$6,830.29
County/City Administration Fee	\$5,389.90	\$107.80	\$5,282.10	\$5,122.71
TOTAL	\$179,663.27	\$3,593.27	\$176,069.99	\$170,757.12

¹⁶ Streets and Highways Code section 36632(a)
¹⁷ Cal. Const, art XIII D §4(a)
¹⁸ Ibid
¹⁹ Streets and Highways Code section 36615.5
²⁰ Tiburon v. Bonander (2009) 180 Cal.App.4th 1057

B. Assessment Methodology

1. Base Formula

Each parcel will be assessed based on proportional special benefits received. The variables used for the annual assessment formula are parcel type, parcel size, benefit zone, and level of development. These variables are all appropriate measures of the proportional special benefit because the need for services, level of services, and quantity of services are all relative to these variables; thus the special benefit provided to each parcel by the services can be proportionally measured using these variables.

Determination of Assessment Rates

“Because not all parcels in the district are identical in size...some will receive more special benefit than others.”²¹ Each of the variables used relates directly to the service level and special benefit provided to each parcel. Parcel square footage is the size of the parcel, measured in square feet. Size is an appropriate measure of proportional special benefit because it relates directly to the quantity of services provided to the parcel, the highest and best use of a parcel, and reflects the long-term value implications of the HFPBID. The larger a parcel, the more services and benefit the parcel will receive.

Because not all parcels in the HFPBID are identical in use, some will receive more special benefit than others. For example, a non-profit owned parcel will benefit to a lesser degree than a commercial parcel, because it will not enjoy the benefits of increased commerce resulting from the services. Further detail on the benefit to each parcel type is in the following pages. To determine the assessment rates, the assessed parcels were classified by the estimated benefit each type of parcel receives, the estimated special benefit value of the activities and improvements provided to each type was determined based on approximate cost of service provision, and an assessment rate that is proportional to the estimated proportional benefit received by each parcel type was determined.

To determine the assessment rates, the estimated special benefit value for each parcel type was divided by the total assessable parcel square footage, parcel type, and benefit zone as shown in the tables below.

Parcel Type

Parcel types were categorized based on the typical amount of foot and vehicle traffic on the various commercial and apartment complex parcels. Parcels with heavy traffic, such as commercial parcels, will receive the highest level of services. Parcels with lower traffic, such as apartment complex parcels will receive the lowest level of services. The approximate cost of services by parcel type was determined. Then, the cost of services by type was divided by the parcel square footage of those parcels to determine the assessment rates.

Parcel Size

The HFPBID’s services will benefit each assessed parcel as a whole. The service budget which, in this Engineer’s estimation, represents special benefits to the parcels, has been allocated based on parcel size.

²¹ *Dahms v. Downtown Pomona* (2009) 174 Cal.App.4th 708

Parcel Type	Initial Parcel Size Budget	Parcel Square Footage	Initial Parcel Assessment Rate (\$/sqft/yr)
Zone 1A Commercial	\$52,002.45 ÷	346,683 =	\$0.15
Zone 1B Commercial	\$1,351.84 ÷	7,952 =	\$0.17
Zone 2 Commercial	\$53,798.80 ÷	338,777 =	\$0.17
Zone 3 Commercial	\$24,138.81 ÷	283,986 =	\$0.085
Zone 4 Commercial	\$39,465.23 ÷	526,203 =	\$0.075

Property tax-exempt parcels owned by non-profit entities and religious institutions will be assessed at fifty percent (50%) of the standard commercial assessment rate.

Summary of Assessment Rates

Therefore, for the initial year, the maximum annual assessment rates to parcels are as shown below and in Appendix 1. Maximum annual assessment rates may be subject to an increase of no more than three (3%) percent per year as shown in Appendix 1.

Parcel Type	Annual Assessment Rate (\$/sq ft)				
	Zone 1A	Zone 1B	Zone 2	Zone 3	Zone 4
Commercial Uses	\$0.15	\$0.17	\$0.17	\$0.085	\$0.075
Non-Profit/Religious	\$0.075	\$0.085	\$0.085	\$0.0425	\$0.0375

Sample assessment calculations are shown in Appendix 4.

2. Zone 1

Parcels in Zone 1 receive and benefit from all HFPBID services.

Zone 1 parcels include the Historic Folsom Station, Light Rail Station, Leidesdorff Plaza, amphitheater, parking garage, and a small number of retail-oriented or undeveloped parcels. These parcels receive a significant level of pedestrian traffic mainly due to their function and proximity to Zone 2.

i. Zone 1A

Parcels in Zone 1 which are not fully developed and have not been issued a Certificate of Occupancy are designated Zone 1A. Because these parcels are not developed, they have a low ratio of building square footage to lot square footage and receive approximately 80% of pedestrian traffic compared to Zone 2. For these reasons, the assessment rate for Zone 1A parcels is equal to approximately 80% of the assessment rate in Zone 2. When the annual review of assessments is conducted, if development has been completed on a parcel in Zone 1A and a Certificate of Occupancy has been issued for the parcel, then the Zone 1A parcel will be considered as Zone 1B for all future assessments.

ii. Zone 1B

Parcels in Zone 1 which are fully developed and have been issued a Certificate of Occupancy are designated Zone 1B. Because these parcels are fully developed and occupied, they have a high ratio of building square footage to lot square footage and receive approximately the same level of pedestrian traffic compared to Zone 2. For these reasons, the assessment rate for Zone 1B parcels is equal to the assessment rate in Zone 2.

3. Zone 2

Parcels in Zone 2 receive and benefit from all HFPBID services.

These parcels are mostly commercial-oriented and sit along the Sutter Street corridor which serves as the main location for events and other activities. Zone 2 parcels are different in character than the parcels in the other zones; the build out of the zone was based on historic standards and is more intense than other zones. The ratio of building square footage to parcel size is significantly higher than in other zones.

As a result of the high ratio of building square footage and economic activity of the zone, Zone 2 parcels have the highest levels of day and night pedestrian traffic. For these reasons, the assessment rate for Zone 2 is the highest.

4. Zone 3

Parcels in Zone 3 receive and benefit from all HFPBID services.

Parcels in Zone 3 have approximately half of the ratio of building square footage to lot square footage compared to Zones 1 and 2 and receive a lower pedestrian traffic level compared to Zone 2, therefore the assessment rate for parcels in Zone 3 is equal to half of the rate in Zone 2.

5. Zone 4

Parcels in Zone 4 receive limited HFPBID benefits compared to Zones 2, 1, and 3.

These parcels are primarily non-commercial, consisting mostly of office and government buildings. The parcels in Zone 4 receive the lowest level of pedestrian traffic compared to Zones 2, 1, and 3 parcels (approximately half of the pedestrian traffic level compared to Zone 1), and a low ratio of building square footage to lot square footage. For these reasons, Zone 4 is assessed at the lowest assessment rate.

6. Commercial Parcels

Commercial parcels will receive and benefit from all HFPBID services (Advocacy & Program Coordination, Image Enhancement, and Enhanced Maintenance), services, which are aimed to attract and increase customers and visitors to assessed parcels. Commercial parcels include retail-use, office-use, industrial, school, park, mixed-use, residential hotel, motel, and resort parcels, road parcels, and vacant parcels & parking lots zoned or used for any the of the aforementioned uses. These parcels have a commercial component because their owners aim to benefit from tenant rents, now or in the future, increased customers, or increased use by visitors. The primary purpose of the HFPBID is to provide property owner services which generate special benefits to parcels with commercial uses, and will therefore be assessed the full rate.

Vacant parcels assessed at the commercial rate include parcels either zoned or used for the uses specified in the previous paragraph. These vacant parcels will receive and benefit from all HFPBID services. These parcels are prone to experience nuisance issues because they are open spaces and are not frequently visited by property owners. The ease of access and infrequent visitation by property owners contributes to nuisance issues and have a high remediation cost for the owner. HFPBID Image Enhancement, and Enhanced Maintenance services will reduce nuisance behaviors and the occurrence of detrimental activities such as graffiti, littering, loitering, and criminal activity, which negatively impact the parcels. The Advocacy & Program Coordination provided by the HFPBID will assist property owners with vacant parcels when they attempt to develop or sell the parcel by promoting the HFPBID as a desirable, clean and safe area for doing business.

7. Property Tax-Exempt Non-Profit and Religious Parcels

As stated above, the primary purpose of the HFPBID is to benefit parcels with commercial uses. Property tax-exempt parcels owned by non-profit entities and religious institutions despite their non-commercial nature, will nonetheless benefit from the cleaner, safer environment the HFPBID will create. Therefore, property tax-exempt parcels owned by non-profit entities and religious institutions within the boundaries of the HFPBID will pay an assessment rate that is fifty percent (50%) of the standard commercial assessment rate, which is commensurate to the benefit they receive. Vacant lots that are located on the premises of a property tax-exempt parcel will be assessed at the non-profit rate.

8. Government- Owned Parcels

Under “The Right to Vote on Taxes Act” (also known as Proposition 218) all public parcels are required to pay assessments unless they can demonstrate by clear and convincing evidence that their parcels do not receive benefit. Parcels owned by the City of Folsom and other public entities will receive and benefit from all of the HFPBID’s services, therefore they will pay the commercial rate which is commensurate with their “fair share” of all assessments.

9. Non-Assessed Parcels

There are thirty-four (34) parcels within the HFPBID that will not be assessed. These parcels are neither commercial nor non-profit/religious parcels and will not specially benefit from or directly receive the HFPBID’s activities and improvements. These parcels are accounted for in the analysis of general benefit provided to non-assessed parcels within the HFPBID. These parcels have the following uses:

Residential Parcels: California Streets and Highways Code Section 36632(c) states, “Properties zoned solely for residential use, or that are zoned for agricultural use, are conclusively presumed not to benefit from the improvements and services funded through these assessments and shall not be subject to any assessment pursuant to this part.” The primary purpose of the HFPBID is to benefit parcels with commercial and non-profit uses; services have not been designed to benefit and will not be provided to single family residential parcels. Therefore, parcels within the boundaries of the HFPBID to the extent that they are zoned for single-family, multi-family, or vacant lots zoned as having residential uses shall not be assessed.

10. Changes in Data

It is the intent of this Plan and Engineer’s Report that each parcel included in the HFPBID can be clearly identified. Every effort has been made to ensure that all parcels included in the HFPBID are consistent in the boundary map and the assessment calculation table. However, if inconsistencies arise, the order of precedence shall be: 1) the assessment calculation table and 2) the boundary map.

If the parcel size or type of a parcel changes during the term of this HFPBID, the assessment calculation may be modified accordingly.

Categorization Appeals

The category determined for each parcel is shown in Appendix 4. The use for each parcel is established at formation and may be updated upon each renewal. If a parcel owner believes their parcel has been mis-classified or has changed, they may appeal in writing to the City of Folsom for re-consideration. Appeals must be received by the City no later than June 1 of each year. Appeals must include the parcel number, current classification, requested classification, and the evidence upon which the appeal is based. Appeals will not provide retroactive reductions.

Appeals should be made to:

Finance Director
City of Folsom
50 Natoma Street
Folsom, CA 95630
916-461-6080

C. Engineer's Certification

I hereby certify, to the best of my knowledge and experience, that each of the identified assessed parcels located within the Historic Folsom Property and Business Improvement District will receive a special benefit over and above the general benefits conferred and that the amount of the assessment is no greater than the proportional special benefits conferred on each parcel, as described in this Engineer's Report.

Review of this Historic Folsom Property and Business Improvement District Management District Plan and preparation of the Engineer's Report was completed by:



Ross Peabody
State of California

February 27, 2023

Date

This Engineer's Report is intended to be distributed as part of the Management District Plan in its entirety, including the Assessment Calculation Table (Appendix 4) and the Boundary Map. Reproduction and distribution of only Section IX of this Management District Plan violates the intent of this stamp and signature.



APPENDIX 1 – MAXIMUM ANNUAL ASSESSMENT RATES

The table below illustrate the maximum annual assessment rates with the assumption that the rates will be increased annually by three percent (3%). The maximum rates listed are a required disclosure and not the anticipated course of action.

Year	Commercial Zone 1A	Commercial Zone 1B	Commercial Zone 2	Commercial Zone 3	Commercial Zone 4
2024	\$0.1500	\$0.1700	\$0.1700	\$0.0850	\$0.0750
2025	\$0.1545	\$0.1751	\$0.1751	\$0.0876	\$0.0773
2026	\$0.1591	\$0.1804	\$0.1804	\$0.0902	\$0.0796
2027	\$0.1639	\$0.1858	\$0.1858	\$0.0929	\$0.0820
2028	\$0.1688	\$0.1913	\$0.1913	\$0.0957	\$0.0844
2029	\$0.1739	\$0.1971	\$0.1971	\$0.0985	\$0.0869
2030	\$0.1791	\$0.2030	\$0.2030	\$0.1015	\$0.0896
2031	\$0.1845	\$0.2091	\$0.2091	\$0.1045	\$0.0922
2032	\$0.1900	\$0.2154	\$0.2154	\$0.1077	\$0.0950
2033	\$0.1957	\$0.2218	\$0.2218	\$0.1109	\$0.0979

Fiscal Year	Non-Profit/Religious Zone 1A	Non-Profit/Religious Zone 1B	Non-Profit/Religious Zone 2	Non-Profit/Religious Zone 3	Non-Profit/Religious Zone 4
2024	\$0.0750	\$0.0850	\$0.0850	\$0.0425	\$0.0375
2025	\$0.0773	\$0.0876	\$0.0876	\$0.0438	\$0.0386
2026	\$0.0796	\$0.0902	\$0.0902	\$0.0451	\$0.0398
2027	\$0.0820	\$0.0929	\$0.0929	\$0.0464	\$0.0410
2028	\$0.0844	\$0.0957	\$0.0957	\$0.0478	\$0.0422
2029	\$0.0869	\$0.0985	\$0.0985	\$0.0493	\$0.0435
2030	\$0.0896	\$0.1015	\$0.1015	\$0.0507	\$0.0448
2031	\$0.0922	\$0.1045	\$0.1045	\$0.0523	\$0.0461
2032	\$0.0950	\$0.1077	\$0.1077	\$0.0538	\$0.0475
2033	\$0.0979	\$0.1109	\$0.1109	\$0.0555	\$0.0489

APPENDIX 2 – PBID LAW

*** THIS DOCUMENT IS CURRENT THROUGH THE 2023 SUPPLEMENT ***
(ALL 2022 LEGISLATION)

STREETS AND HIGHWAYS CODE DIVISION 18. PARKING PART 7. PROPERTY AND BUSINESS IMPROVEMENT DISTRICT LAW OF 1994

CHAPTER 1. General Provisions

ARTICLE 1. Declarations

36600. Citation of part

This part shall be known and may be cited as the “Property and Business Improvement District Law of 1994.”

36601. Legislative findings and declarations; Legislative guidance

The Legislature finds and declares all of the following:

- (a) Businesses located and operating within business districts in some of this state’s communities are economically disadvantaged, are underutilized, and are unable to attract customers due to inadequate facilities, services, and activities in the business districts.
- (b) It is in the public interest to promote the economic revitalization and physical maintenance of business districts in order to create jobs, attract new businesses, and prevent the erosion of the business districts.
- (c) It is of particular local benefit to allow business districts to fund business related improvements, maintenance, and activities through the levy of assessments upon the businesses or real property that receive benefits from those improvements.
- (d) Assessments levied for the purpose of conferring special benefit upon the real property or a specific benefit upon the businesses in a business district are not taxes for the general benefit of a city, even if property, businesses, or persons not assessed receive incidental or collateral effects that benefit them.
- (e) Property and business improvement districts formed throughout this state have conferred special benefits upon properties and businesses within their districts and have made those properties and businesses more useful by providing the following benefits:
 - (1) Crime reduction. A study by the Rand Corporation has confirmed a 12-percent reduction in the incidence of robbery and an 8-percent reduction in the total incidence of violent crimes within the 30 districts studied.
 - (2) Job creation.
 - (3) Business attraction.
 - (4) Business retention.
 - (5) Economic growth.
 - (6) New investments.
- (f) With the dissolution of redevelopment agencies throughout the state, property and business improvement districts have become even more important tools with which communities can combat blight, promote economic opportunities, and create a clean and safe environment.
- (g) Since the enactment of this act, the people of California have adopted Proposition 218, which added Article XIII D to the Constitution in order to place certain requirements and restrictions on the formation of, and activities, expenditures, and assessments by property-based districts. Article XIII D of the Constitution provides that property-based districts may only levy assessments for special benefits.
- (h) The act amending this section is intended to provide the Legislature’s guidance with regard to this act, its interaction with the provisions of Article XIII D of the Constitution, and the determination of special benefits in property-based districts.
 - (1) The lack of legislative guidance has resulted in uncertainty and inconsistent application of this act, which discourages the use of assessments to fund needed improvements, maintenance, and activities in property-based districts, contributing to blight and other underutilization of property.
 - (2) Activities undertaken for the purpose of conferring special benefits upon property to be assessed inherently produce incidental or collateral effects that benefit property or persons not assessed. Therefore,

for special benefits to exist as a separate and distinct category from general benefits, the incidental or collateral effects of those special benefits are inherently part of those special benefits. The mere fact that special benefits produce incidental or collateral effects that benefit property or persons not assessed does not convert any portion of those special benefits or their incidental or collateral effects into general benefits. (3) It is of the utmost importance that property-based districts created under this act have clarity regarding restrictions on assessments they may levy and the proper determination of special benefits. Legislative clarity with regard to this act will provide districts with clear instructions and courts with legislative intent regarding restrictions on property-based assessments, and the manner in which special benefits should be determined.

36602. Purpose of part

The purpose of this part is to supplement previously enacted provisions of law that authorize cities to levy assessments within property and business improvement districts, to ensure that those assessments conform to all constitutional requirements and are determined and assessed in accordance with the guidance set forth in this act. This part does not affect or limit any other provisions of law authorizing or providing for the furnishing of improvements or activities or the raising of revenue for these purposes.

36603. Preemption of authority or charter city to adopt ordinances levying assessments

Nothing in this part is intended to preempt the authority of a charter city to adopt ordinances providing for a different method of levying assessments for similar or additional purposes from those set forth in this part. A property and business improvement district created pursuant to this part is expressly exempt from the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 (Division 4 (commencing with Section 2800)).

36603.5. Part prevails over conflicting provisions

Any provision of this part that conflicts with any other provision of law shall prevail over the other provision of law, as to districts created under this part.

36604. Severability

This part is intended to be construed liberally and, if any provision is held invalid, the remaining provisions shall remain in full force and effect. Assessments levied under this part are not special taxes.

ARTICLE 2. Definitions

36606. “Activities”

“Activities” means, but is not limited to, all of the following that benefit businesses or real property in the district:

- (a) Promotion of public events.
- (b) Furnishing of music in any public place.
- (c) Promotion of tourism within the district.
- (d) Marketing and economic development, including retail retention and recruitment.
- (e) Providing security, sanitation, graffiti removal, street and sidewalk cleaning, and other municipal services supplemental to those normally provided by the municipality.
- (f) Other services provided for the purpose of conferring special benefit upon assessed real property or specific benefits upon assessed businesses located in the district.

36606.5. “Assessment”

“Assessment” means a levy for the purpose of acquiring, constructing, installing, or maintaining improvements and providing activities that will provide certain benefits to properties or businesses located within a property and business improvement district.

36607. “Business”

“Business” means all types of businesses and includes financial institutions and professions.

36608. "City"

"City" means a city, county, city and county, or an agency or entity created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code, the public member agencies of which includes only cities, counties, or a city and county, or the State of California.

36609. "City council"

"City council" means the city council of a city or the board of supervisors of a county, or the agency, commission, or board created pursuant to a joint powers agreement and which is a city within the meaning of this part.

36609.4. "Clerk"

"Clerk" means the clerk of the legislative body.

36609.5. "General benefit"

"General benefit" means, for purposes of a property-based district, any benefit that is not a "special benefit" as defined in Section 36615.5.

36610. "Improvement"

"Improvement" means the acquisition, construction, installation, or maintenance of any tangible property with an estimated useful life of five years or more including, but not limited to, the following:

- (a) Parking facilities.
- (b) Benches, booths, kiosks, display cases, pedestrian shelters and signs.
- (c) Trash receptacles and public restrooms.
- (d) Lighting and heating facilities.
- (e) Decorations.
- (f) Parks.
- (g) Fountains.
- (h) Planting areas.
- (i) Closing, opening, widening, or narrowing of existing streets.
- (j) Facilities or equipment, or both, to enhance security of persons and property within the district.
- (k) Ramps, sidewalks, plazas, and pedestrian malls.
- (l) Rehabilitation or removal of existing structures.

36611. "Management district plan"; "Plan"

"Management district plan" or "plan" means a proposal as defined in Section 36622.

36612. "Owners' association"

"Owners' association" means a private nonprofit entity that is under contract with a city to administer or implement improvements, maintenance, and activities specified in the management district plan. An owners' association may be an existing nonprofit entity or a newly formed nonprofit entity. An owners' association is a private entity and may not be considered a public entity for any purpose, nor may its board members or staff be considered to be public officials for any purpose. Notwithstanding this section, an owners' association shall comply with the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code), at all times when matters within the subject matter of the district are heard, discussed, or deliberated, and with the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1 of the Government Code), for all records relating to activities of the district.

36614. "Property"

"Property" means real property situated within a district.

36614.5. “Property and business improvement district”; “District”

“Property and business improvement district,” or “district,” means a property and business improvement district established pursuant to this part.

36614.6. “Property-based assessment”

“Property-based assessment” means any assessment made pursuant to this part upon real property.

36614.7. “Property-based district”

“Property-based district” means any district in which a city levies a property-based assessment.

36615. “Property owner”; “Business owner”; “Owner”

“Property owner” means any person shown as the owner of land on the last equalized assessment roll or otherwise known to be the owner of land by the city council. “Business owner” means any person recognized by the city as the owner of the business. “Owner” means either a business owner or a property owner. The city council has no obligation to obtain other information as to the ownership of land or businesses, and its determination of ownership shall be final and conclusive for the purposes of this part. Wherever this part requires the signature of the property owner, the signature of the authorized agent of the property owner shall be sufficient. Wherever this part requires the signature of the business owner, the signature of the authorized agent of the business owner shall be sufficient.

36615.5. “Special benefit”

(a) “Special benefit” means, for purposes of a property-based district, a particular and distinct benefit over and above general benefits conferred on real property located in a district or to the public at large. Special benefit includes incidental or collateral effects that arise from the improvements, maintenance, or activities of property-based districts even if those incidental or collateral effects benefit property or persons not assessed. Special benefit excludes general enhancement of property value.

(b) “Special benefit” also includes, for purposes of a property-based district, a particular and distinct benefit provided directly to each assessed parcel within the district. Merely because parcels throughout an assessment district share the same special benefits does not make the benefits general.

36616. “Tenant”

“Tenant” means an occupant pursuant to a lease of commercial space or a dwelling unit, other than an owner.

ARTICLE 3. Prior Law**36617. Alternate method of financing certain improvements and activities; Effect on other provisions**

This part provides an alternative method of financing certain improvements and activities. The provisions of this part shall not affect or limit any other provisions of law authorizing or providing for the furnishing of improvements or activities or the raising of revenue for these purposes. Every improvement area established pursuant to the Parking and Business Improvement Area Law of 1989 (Part 6 (commencing with Section 36500) of this division) is valid and effective and is unaffected by this part.

CHAPTER 2. Establishment**36620. Establishment of property and business improvement district**

A property and business improvement district may be established as provided in this chapter.

36620.5. Requirement of consent of city council

A county may not form a district within the territorial jurisdiction of a city without the consent of the city council of that city. A city may not form a district within the unincorporated territory of a county without the consent of the board of supervisors of that county. A city may not form a district within the territorial jurisdiction of another city without the consent of the city council of the other city.

36621. Initiation of proceedings; Petition of property or business owners in proposed district

- (a) Upon the submission of a written petition, signed by the property or business owners in the proposed district who will pay more than 50 percent of the assessments proposed to be levied, the city council may initiate proceedings to form a district by the adoption of a resolution expressing its intention to form a district. The amount of assessment attributable to property or a business owned by the same property or business owner that is in excess of 40 percent of the amount of all assessments proposed to be levied, shall not be included in determining whether the petition is signed by property or business owners who will pay more than 50 percent of the total amount of assessments proposed to be levied.
- (b) The petition of property or business owners required under subdivision (a) shall include a summary of the management district plan. That summary shall include all of the following:
- (1) A map showing the boundaries of the district.
 - (2) Information specifying where the complete management district plan can be obtained.
 - (3) Information specifying that the complete management district plan shall be furnished upon request.
- (c) The resolution of intention described in subdivision (a) shall contain all of the following:
- (1) A brief description of the proposed improvements, maintenance, and activities, the amount of the proposed assessment, a statement as to whether the assessment will be levied on property or businesses within the district, a statement as to whether bonds will be issued, and a description of the exterior boundaries of the proposed district, which may be made by reference to any plan or map that is on file with the clerk. The descriptions and statements do not need to be detailed and shall be sufficient if they enable an owner to generally identify the nature and extent of the improvements, maintenance, and activities, and the location and extent of the proposed district.
 - (2) A time and place for a public hearing on the establishment of the property and business improvement district and the levy of assessments, which shall be consistent with the requirements of Section 36623.

36622. Contents of management district plan

The management district plan shall include, but is not limited to, all of the following:

- (a) If the assessment will be levied on property, a map of the district in sufficient detail to locate each parcel of property and, if businesses are to be assessed, each business within the district. If the assessment will be levied on businesses, a map that identifies the district boundaries in sufficient detail to allow a business owner to reasonably determine whether a business is located within the district boundaries. If the assessment will be levied on property and businesses, a map of the district in sufficient detail to locate each parcel of property and to allow a business owner to reasonably determine whether a business is located within the district boundaries.
- (b) The name of the proposed district.
- (c) A description of the boundaries of the district, including the boundaries of benefit zones, proposed for establishment or extension in a manner sufficient to identify the affected property and businesses included, which may be made by reference to any plan or map that is on file with the clerk. The boundaries of a proposed property assessment district shall not overlap with the boundaries of another existing property assessment district created pursuant to this part. This part does not prohibit the boundaries of a district created pursuant to this part to overlap with other assessment districts established pursuant to other provisions of law, including, but not limited to, the Parking and Business Improvement Area Law of 1989 (Part 6 (commencing with Section 36500)). This part does not prohibit the boundaries of a business assessment district created pursuant to this part to overlap with another business assessment district created pursuant to this part. This part does not prohibit the boundaries of a business assessment district created pursuant to this part to overlap with a property assessment district created pursuant to this part.
- (d) The improvements, maintenance, and activities proposed for each year of operation of the district and the estimated cost thereof. If the improvements, maintenance, and activities proposed for each year of operation are the same, a description of the first year's proposed improvements, maintenance, and activities and a statement that the same improvements, maintenance, and activities are proposed for subsequent years shall satisfy the requirements of this subdivision.
- (e) The total annual amount proposed to be expended for improvements, maintenance, or activities, and debt service in each year of operation of the district. If the assessment is levied on businesses, this amount may be estimated based

upon the assessment rate. If the total annual amount proposed to be expended in each year of operation of the district is not significantly different, the amount proposed to be expended in the initial year and a statement that a similar amount applies to subsequent years shall satisfy the requirements of this subdivision.

(f) The proposed source or sources of financing, including the proposed method and basis of levying the assessment in sufficient detail to allow each property or business owner to calculate the amount of the assessment to be levied against their property or business. The plan also shall state whether bonds will be issued to finance improvements.

(g) The time and manner of collecting the assessments.

(h) The specific number of years in which assessments will be levied. In a new district, the maximum number of years shall be five. Upon renewal, a district shall have a term not to exceed 10 years. Notwithstanding these limitations, a district created pursuant to this part to finance capital improvements with bonds may levy assessments until the maximum maturity of the bonds. The management district plan may set forth specific increases in assessments for each year of operation of the district.

(i) The proposed time for implementation and completion of the management district plan.

(j) Any proposed rules and regulations to be applicable to the district.

(k)

(1) A list of the properties or businesses to be assessed, including the assessor's parcel numbers for properties to be assessed, and a statement of the method or methods by which the expenses of a district will be imposed upon benefited real property or businesses, in proportion to the benefit received by the property or business, to defray the cost thereof.

(2) In a property-based district, the proportionate special benefit derived by each identified parcel shall be determined exclusively in relationship to the entirety of the capital cost of a public improvement, the maintenance and operation expenses of a public improvement, or the cost of the activities. An assessment shall not be imposed on any parcel that exceeds the reasonable cost of the proportional special benefit conferred on that parcel. Only special benefits are assessable, and a property-based district shall separate the general benefits, if any, from the special benefits conferred on a parcel. Parcels within a property-based district that are owned or used by any city, public agency, the State of California, or the United States shall not be exempt from assessment unless the governmental entity can demonstrate by clear and convincing evidence that those publicly owned parcels in fact receive no special benefit. The value of any incidental, secondary, or collateral effects that arise from the improvements, maintenance, or activities of a property-based district and that benefit property or persons not assessed shall not be deducted from the entirety of the cost of any special benefit or affect the proportionate special benefit derived by each identified parcel.

(3) In a property-based district, properties throughout the district may share the same special benefits. In a district with boundaries that define which parcels are to receive improvements, maintenance, or activities over and above those services provided by the city, the improvements, maintenance, or activities themselves may constitute a special benefit. The city may impose assessments that are less than the proportional special benefit conferred, but shall not impose assessments that exceed the reasonable costs of the proportional special benefit conferred. Because one or more parcels pay less than the special benefit conferred does not necessarily mean that other parcels are assessed more than the reasonable cost of their special benefit.

(l) In a property-based district, a detailed engineer's report prepared by a registered professional engineer certified by the State of California supporting all assessments contemplated by the management district plan.

(m) Any other item or matter required to be incorporated therein by the city council.

36623. Procedure to levy assessment

(a) If a city council proposes to levy a new or increased property assessment, the notice and protest and hearing procedure shall comply with Section 53753 of the Government Code.

(b) If a city council proposes to levy a new or increased business assessment, the notice and protest and hearing procedure shall comply with Section 54954.6 of the Government Code, except that notice shall be mailed to the owners of the businesses proposed to be assessed. A protest may be made orally or in writing by any interested person. Every written protest shall be filed with the clerk at or before the time fixed for the public hearing. The city council may waive any irregularity in the form or content of any written protest. A written protest may be withdrawn in writing at any time before the conclusion of the public hearing. Each written protest shall contain a description of the business in which the person subscribing the protest is interested sufficient to identify the business and, if a person subscribing is not shown on the official records of the city as the owner of the business, the protest shall contain or be accompanied by written evidence that the person subscribing is the owner of the business or the authorized representative. A written protest that does not comply with this section shall not be counted in determining a majority protest. If written protests are received from the owners or authorized representatives of businesses in the proposed

district that will pay 50 percent or more of the assessments proposed to be levied and protests are not withdrawn so as to reduce the protests to less than 50 percent, no further proceedings to levy the proposed assessment against such businesses, as contained in the resolution of intention, shall be taken for a period of one year from the date of the finding of a majority protest by the city council.

(c) If a city council proposes to conduct a single proceeding to levy both a new or increased property assessment and a new or increased business assessment, the notice and protest and hearing procedure for the property assessment shall comply with subdivision (a), and the notice and protest and hearing procedure for the business assessment shall comply with subdivision (b). If a majority protest is received from either the property or business owners, that respective portion of the assessment shall not be levied. The remaining portion of the assessment may be levied unless the improvement or other special benefit was proposed to be funded by assessing both property and business owners.

36624. Changes to proposed assessments

At the conclusion of the public hearing to establish the district, the city council may adopt, revise, change, reduce, or modify the proposed assessment or the type or types of improvements, maintenance, and activities to be funded with the revenues from the assessments. Proposed assessments may only be revised by reducing any or all of them. At the public hearing, the city council may only make changes in, to, or from the boundaries of the proposed property and business improvement district that will exclude territory that will not benefit from the proposed improvements, maintenance, and activities. Any modifications, revisions, reductions, or changes to the proposed assessment district shall be reflected in the notice and map recorded pursuant to Section 36627.

36625. Resolution of formation

(a) If the city council, following the public hearing, decides to establish a proposed property and business improvement district, the city council shall adopt a resolution of formation that shall include, but is not limited to, all of the following:

- (1) A brief description of the proposed improvements, maintenance, and activities, the amount of the proposed assessment, a statement as to whether the assessment will be levied on property, businesses, or both within the district, a statement on whether bonds will be issued, and a description of the exterior boundaries of the proposed district, which may be made by reference to any plan or map that is on file with the clerk. The descriptions and statements need not be detailed and shall be sufficient if they enable an owner to generally identify the nature and extent of the improvements, maintenance, and activities and the location and extent of the proposed district.
- (2) The number, date of adoption, and title of the resolution of intention.
- (3) The time and place where the public hearing was held concerning the establishment of the district.
- (4) A determination regarding any protests received. The city shall not establish the district or levy assessments if a majority protest was received.
- (5) A statement that the properties, businesses, or properties and businesses in the district established by the resolution shall be subject to any amendments to this part.
- (6) A statement that the improvements, maintenance, and activities to be conferred on businesses and properties in the district will be funded by the levy of the assessments. The revenue from the levy of assessments within a district shall not be used to provide improvements, maintenance, or activities outside the district or for any purpose other than the purposes specified in the resolution of intention, as modified by the city council at the hearing concerning establishment of the district. Notwithstanding the foregoing, improvements and activities that must be provided outside the district boundaries to create a special or specific benefit to the assessed parcels or businesses may be provided, but shall be limited to marketing or signage pointing to the district.
- (7) A finding that the property or businesses within the area of the property and business improvement district will be benefited by the improvements, maintenance, and activities funded by the proposed assessments, and, for a property-based district, that property within the district will receive a special benefit.
- (8) In a property-based district, the total amount of all special benefits to be conferred on the properties within the property-based district.

(b) The adoption of the resolution of formation and, if required, recordation of the notice and map pursuant to Section 36627 shall constitute the levy of an assessment in each of the fiscal years referred to in the management district plan.

36627. Notice and assessment diagram

Following adoption of the resolution establishing district assessments on properties pursuant to Section 36625, the clerk shall record a notice and an assessment diagram pursuant to Section 3114. No other provision of Division 4.5 (commencing with Section 3100) applies to an assessment district created pursuant to this part.

36628. Establishment of separate benefit zones within district; Categories of businesses

The city council may establish one or more separate benefit zones within the district based upon the degree of benefit derived from the improvements or activities to be provided within the benefit zone and may impose a different assessment within each benefit zone. If the assessment is to be levied on businesses, the city council may also define categories of businesses based upon the degree of benefit that each will derive from the improvements or activities to be provided within the district and may impose a different assessment or rate of assessment on each category of business, or on each category of business within each zone.

36628.5. Assessments on businesses or property owners

The city council may levy assessments on businesses or on property owners, or a combination of the two, pursuant to this part. The city council shall structure the assessments in whatever manner it determines corresponds with the distribution of benefits from the proposed improvements, maintenance, and activities, provided that any property-based assessment conforms with the requirements set forth in paragraph (2) of subdivision (k) of Section 36622.

36629. Provisions and procedures applicable to benefit zones and business categories

All provisions of this part applicable to the establishment, modification, or disestablishment of a property and business improvement district apply to the establishment, modification, or disestablishment of benefit zones or categories of business. The city council shall, to establish, modify, or disestablish a benefit zone or category of business, follow the procedure to establish, modify, or disestablish a property and business improvement district.

36630. Expiration of district; Creation of new district

If a property and business improvement district expires due to the time limit set pursuant to subdivision (h) of Section 36622, a new management district plan may be created and the district may be renewed pursuant to this part.

CHAPTER 3. Assessments

36631. Time and manner of collection of assessments; Delinquent payments

The collection of the assessments levied pursuant to this part shall be made at the time and in the manner set forth by the city council in the resolution levying the assessment. Assessments levied on real property may be collected at the same time and in the same manner as for the ad valorem property tax, and may provide for the same lien priority and penalties for delinquent payment. All delinquent payments for assessments levied pursuant to this part may be charged interest and penalties.

36632. Assessments to be based on estimated benefit; Classification of real property and businesses; Exclusion of residential and agricultural property

- (a) The assessments levied on real property pursuant to this part shall be levied on the basis of the estimated benefit to the real property within the property and business improvement district. The city council may classify properties for purposes of determining the benefit to property of the improvements and activities provided pursuant to this part.
- (b) Assessments levied on businesses pursuant to this part shall be levied on the basis of the estimated benefit to the businesses within the property and business improvement district. The city council may classify businesses for purposes of determining the benefit to the businesses of the improvements and activities provided pursuant to this part.
- (c) Properties zoned solely for residential use, or that are zoned for agricultural use, are conclusively presumed not to benefit from the improvements and service funded through these assessments, and shall not be subject to any assessment pursuant to this part.

36633. Time for contesting validity of assessment

The validity of an assessment levied under this part shall not be contested in an action or proceeding unless the action or proceeding is commenced within 30 days after the resolution levying the assessment is adopted pursuant to Section 36625. An appeal from a final judgment in an action or proceeding shall be perfected within 30 days after the entry of judgment.

36634. Service contracts authorized to establish levels of city services

The city council may execute baseline service contracts that would establish levels of city services that would continue after a property and business improvement district has been formed.

36635. Request to modify management district plan

The owners' association may, at any time, request that the city council modify the management district plan. Any modification of the management district plan shall be made pursuant to this chapter.

36636. Modification of plan by resolution after public hearing; Adoption of resolution of intention

(a) Upon the written request of the owners' association, the city council may modify the management district plan after conducting one public hearing on the proposed modifications. The city council may modify the improvements and activities to be funded with the revenue derived from the levy of the assessments by adopting a resolution determining to make the modifications after holding a public hearing on the proposed modifications. If the modification includes the levy of a new or increased assessment, the city council shall comply with Section 36623. Notice of all other public hearings pursuant to this section shall comply with both of the following:

(1) The resolution of intention shall be published in a newspaper of general circulation in the city once at least seven days before the public hearing.

(2) A complete copy of the resolution of intention shall be mailed by first class mail, at least 10 days before the public hearing, to each business owner or property owner affected by the proposed modification.

(b) The city council shall adopt a resolution of intention which states the proposed modification prior to the public hearing required by this section. The public hearing shall be held not more than 90 days after the adoption of the resolution of intention.

36637. Reflection of modification in notices recorded and maps

Any subsequent modification of the resolution shall be reflected in subsequent notices and maps recorded pursuant to Division 4.5 (commencing with Section 3100), in a manner consistent with the provisions of Section 36627.

CHAPTER 3.5. Financing**36640. Bonds authorized; Procedure; Restriction on reduction or termination of assessments**

(a) The city council may, by resolution, determine and declare that bonds shall be issued to finance the estimated cost of some or all of the proposed improvements described in the resolution of formation adopted pursuant to Section 36625, if the resolution of formation adopted pursuant to that section provides for the issuance of bonds, under the Improvement Bond Act of 1915 (Division 10 (commencing with Section 8500)) or in conjunction with Marks-Roos Local Bond Pooling Act of 1985 (Article 4 (commencing with Section 6584) of Chapter 5 of Division 7 of Title 1 of the Government Code). Either act, as the case may be, shall govern the proceedings relating to the issuance of bonds, although proceedings under the Bond Act of 1915 may be modified by the city council as necessary to accommodate assessments levied upon business pursuant to this part.

(b) The resolution adopted pursuant to subdivision (a) shall generally describe the proposed improvements specified in the resolution of formation adopted pursuant to Section 36625, set forth the estimated cost of those improvements, specify the number of annual installments and the fiscal years during which they are to be collected. The amount of debt service to retire the bonds shall not exceed the amount of revenue estimated to be raised from assessments over 30 years.

(c) Notwithstanding any other provision of this part, assessments levied to pay the principal and interest on any bond issued pursuant to this section shall not be reduced or terminated if doing so would interfere with the timely retirement of the debt.

CHAPTER 4. Governance

36650. Report by owners' association; Approval or modification by city council

(a) The owners' association shall cause to be prepared a report for each fiscal year, except the first year, for which assessments are to be levied and collected to pay the costs of the improvements, maintenance, and activities described in the report. The owners' association's first report shall be due after the first year of operation of the district. The report may propose changes, including, but not limited to, the boundaries of the property and business improvement district or any benefit zones within the district, the basis and method of levying the assessments, and any changes in the classification of property, including any categories of business, if a classification is used.

(b) The report shall be filed with the clerk and shall refer to the property and business improvement district by name, specify the fiscal year to which the report applies, and, with respect to that fiscal year, shall contain all of the following information:

- (1) Any proposed changes in the boundaries of the property and business improvement district or in any benefit zones or classification of property or businesses within the district.
- (2) The improvements, maintenance, and activities to be provided for that fiscal year.
- (3) An estimate of the cost of providing the improvements, maintenance, and activities for that fiscal year.
- (4) The method and basis of levying the assessment in sufficient detail to allow each real property or business owner, as appropriate, to estimate the amount of the assessment to be levied against his or her property or business for that fiscal year.
- (5) The estimated amount of any surplus or deficit revenues to be carried over from a previous fiscal year.
- (6) The estimated amount of any contributions to be made from sources other than assessments levied pursuant to this part.

(c) The city council may approve the report as filed by the owners' association or may modify any particular contained in the report and approve it as modified. Any modification shall be made pursuant to Sections 36635 and 36636.

The city council shall not approve a change in the basis and method of levying assessments that would impair an authorized or executed contract to be paid from the revenues derived from the levy of assessments, including any commitment to pay principal and interest on any bonds issued on behalf of the district.

36651. Designation of owners' association to provide improvements, maintenance, and activities

The management district plan may, but is not required to, state that an owners' association will provide the improvements, maintenance, and activities described in the management district plan. If the management district plan designates an owners' association, the city shall contract with the designated nonprofit corporation to provide services.

CHAPTER 5. Renewal

36660. Renewal of district; Transfer or refund of remaining revenues; District term limit

(a) Any district previously established whose term has expired, or will expire, may be renewed by following the procedures for establishment as provided in this chapter.

(b) Upon renewal, any remaining revenues derived from the levy of assessments, or any revenues derived from the sale of assets acquired with the revenues, shall be transferred to the renewed district. If the renewed district includes additional parcels or businesses not included in the prior district, the remaining revenues shall be spent to benefit only the parcels or businesses in the prior district. If the renewed district does not include parcels or businesses included in the prior district, the remaining revenues attributable to these parcels shall be refunded to the owners of these parcels or businesses.

(c) Upon renewal, a district shall have a term not to exceed 10 years, or, if the district is authorized to issue bonds, until the maximum maturity of those bonds. There is no requirement that the boundaries, assessments, improvements, or activities of a renewed district be the same as the original or prior district.

CHAPTER 6. Disestablishment

36670. Circumstances permitting disestablishment of district; Procedure

(a) Any district established or extended pursuant to the provisions of this part, where there is no indebtedness, outstanding and unpaid, incurred to accomplish any of the purposes of the district, may be disestablished by resolution by the city council in either of the following circumstances:

(1) If the city council finds there has been misappropriation of funds, malfeasance, or a violation of law in connection with the management of the district, it shall notice a hearing on disestablishment.

(2) During the operation of the district, there shall be a 30-day period each year in which assesses may request disestablishment of the district. The first such period shall begin one year after the date of establishment of the district and shall continue for 30 days. The next such 30-day period shall begin two years after the date of the establishment of the district. Each successive year of operation of the district shall have such a 30-day period. Upon the written petition of the owners or authorized representatives of real property or the owners or authorized representatives of businesses in the district who pay 50 percent or more of the assessments levied, the city council shall pass a resolution of intention to disestablish the district.

The city council shall notice a hearing on disestablishment.

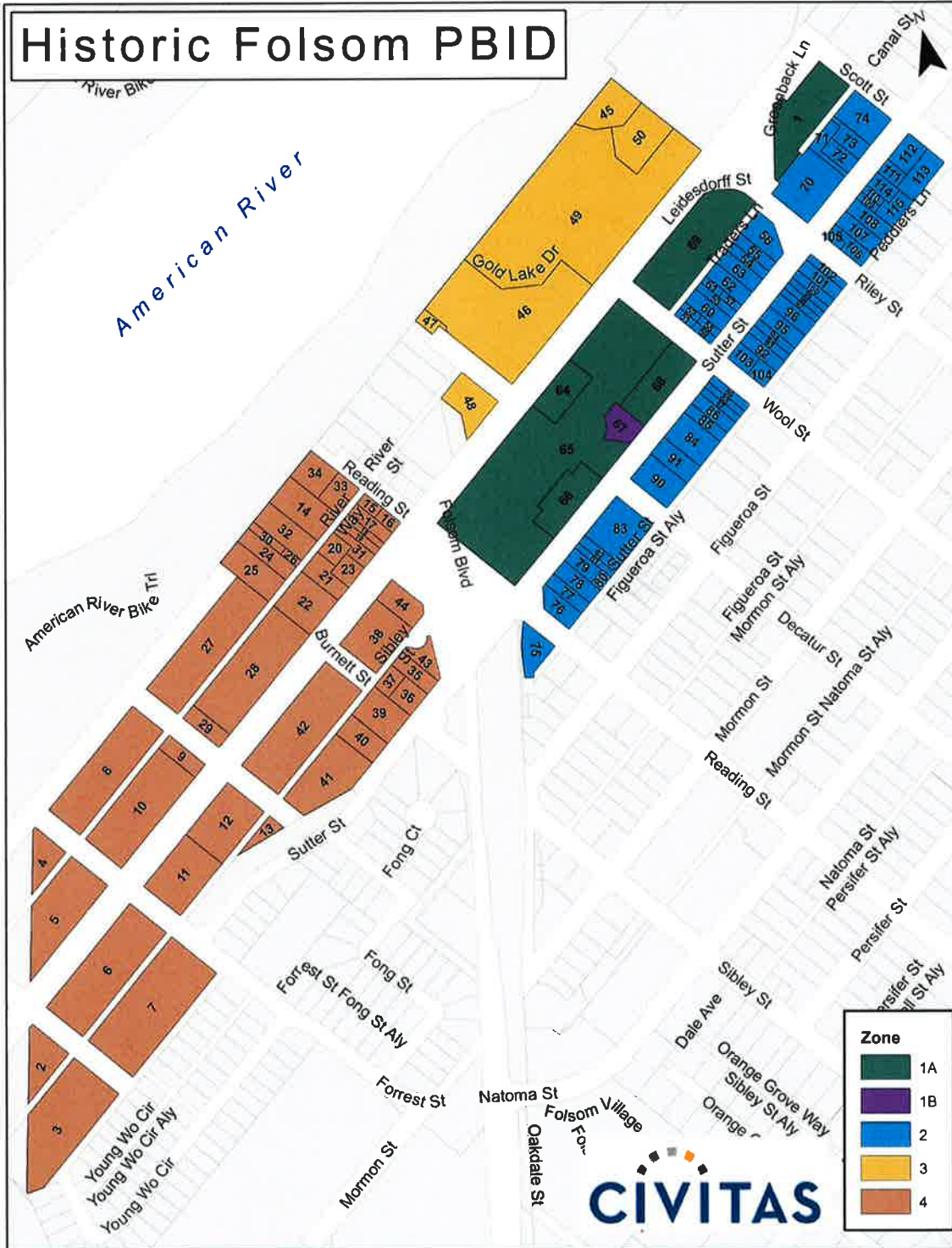
(b) The city council shall adopt a resolution of intention to disestablish the district prior to the public hearing required by this section. The resolution shall state the reason for the disestablishment, shall state the time and place of the public hearing, and shall contain a proposal to dispose of any assets acquired with the revenues of the assessments levied within the property and business improvement district. The notice of the hearing on disestablishment required by this section shall be given by mail to the property owner of each parcel or to the owner of each business subject to assessment in the district, as appropriate. The city shall conduct the public hearing not less than 30 days after mailing the notice to the property or business owners. The public hearing shall be held not more than 60 days after the adoption of the resolution of intention.

36671. Refund of remaining revenues upon disestablishment or expiration without renewal of district; Calculation of refund; Use of outstanding revenue collected after disestablishment of district

(a) Upon the disestablishment or expiration without renewal of a district, any remaining revenues, after all outstanding debts are paid, derived from the levy of assessments, or derived from the sale of assets acquired with the revenues, or from bond reserve or construction funds, shall be refunded to the owners of the property or businesses then located and operating within the district in which assessments were levied by applying the same method and basis that was used to calculate the assessments levied in the fiscal year in which the district is disestablished or expires. All outstanding assessment revenue collected after disestablishment shall be spent on improvements and activities specified in the management district plan.

(b) If the disestablishment occurs before an assessment is levied for the fiscal year, the method and basis that was used to calculate the assessments levied in the immediate prior fiscal year shall be used to calculate the amount of any refund.

APPENDIX 3 – MAP



APPENDIX 4 – PARCEL ASSESSMENT CALCULATIONS

MapKey	APN	Lot SqFt	Rate	Assessment	Zone	COEF
1	07000100170000	38,180	0.15	\$5,727.00	1A	COM
2	07000320020000	12,632	0.075	\$947.40	4	COM
3	07000320050000	62,726	0.075	\$4,704.45	4	COM
4	07000330020000	10,454	0.075	\$784.05	4	COM
5	07000330030000	50,094	0.075	\$3,757.05	4	COM
6	07000340010000	56,192	0.075	\$4,214.40	4	COM
7	07000340020000	69,260	0.075	\$5,194.50	4	COM
8	07000410010000	47,916	0.075	\$3,593.70	4	COM
9	07000410020000	7,405	0.075	\$555.38	4	COM
10	07000410030000	49,223	0.075	\$3,691.73	4	COM
11	07000420010000	27,007	0.075	\$2,025.53	4	COM
12	07000420020000	27,443	0	\$0.00	4	SFR / NA
13	07000420030000	6,534	0	\$0.00	4	SFR / NA
14	07000450030000	18,600	0	\$0.00	4	SFR / NA
15	07000450060000	2,800	0	\$0.00	4	SFR / NA
16	07000450070000	2,800	0	\$0.00	4	SFR / NA
17	07000450080000	5,600	0	\$0.00	4	SFR / NA
18	07000450090000	2,800	0	\$0.00	4	SFR / NA
19	07000450100000	3,500	0	\$0.00	4	SFR / NA
20	07000450130000	5,250	0	\$0.00	4	SFR / NA
21	07000450140000	8,750	0	\$0.00	4	SFR / NA
22	07000450150000	19,602	0.075	\$1,470.15	4	COM
23	07000450170000	5,250	0	\$0.00	4	SFR / NA
24	07000450190000	9,148	0	\$0.00	4	SFR / NA
25	07000450200000	15,246	0	\$0.00	4	SFR / NA
26	07000450230000	1,750	0	\$0.00	4	SFR / NA
27	07000450260000	52,708	0.075	\$3,953.10	4	COM
28	07000450270000	54,014	0.075	\$4,051.05	4	COM
29	07000450280000	6,970	0.075	\$522.75	4	COM
30	07000450290000	2,325	0	\$0.00	4	SFR / NA
31	07000450310000	5,250	0	\$0.00	4	SFR / NA
32	07000450320000	13,950	0	\$0.00	4	SFR / NA
33	07000450370000	7,500	0	\$0.00	4	SFR / NA
34	07000450380000	11,100	0	\$0.00	4	SFR / NA

35	07000460140000	7,000	0	\$0.00	4	SFR / NA
36	07000460150000	7,055	0	\$0.00	4	SFR / NA
37	07000460160000	4,565	0	\$0.00	4	SFR / NA
38	07000460210000	24,500	0	\$0.00	4	SFR / NA
39	07000460220000	15,120	0	\$0.00	4	SFR / NA
40	07000460230000	10,500	0	\$0.00	4	SFR / NA
41	07000460240000	28,125	0	\$0.00	4	SFR / NA
42	07000460260000	56,192	0	\$0.00	4	SFR / NA
43	07000460330000	6,052	0	\$0.00	4	SFR / NA
44	07000460340000	10,376	0	\$0.00	4	SFR / NA
45	07000510320000	16,840	0	\$0.00	3	SFR / NA
46	07000510420000	96,703	0.085	\$8,219.76	3	COM
47	07000510430000	3,217	0.085	\$273.45	3	COM
48	07000510500000	15,489	0.085	\$1,316.57	3	COM
49	07000510570000	168,577	0.085	\$14,329.05	3	COM
50	07000510580000	9,913	0	\$0.00	3	SFR / NA
51	07000520010000	1,742	0.085	\$148.07	2	TE/NP/R
52	07000520020000	1,625	0.085	\$138.13	2	TE/NP/R
53	07000520050000	3,500	0.17	\$595.00	2	COM
54	07000520090000	4,200	0.17	\$714.00	2	COM
55	07000520100000	4,900	0.17	\$833.00	2	COM
56	07000520110000	9,921	0.17	\$1,686.57	2	COM
57	07000520120000	1,750	0.17	\$297.50	2	COM
58	07000520130000	1,875	0.17	\$318.75	2	COM
59	07000520140000	1,875	0.17	\$318.75	2	COM
60	07000520150000	7,000	0.17	\$1,190.00	2	COM
61	07000520170000	1,750	0.17	\$297.50	2	COM
62	07000520180000	7,000	0.17	\$1,190.00	2	COM
63	07000520190000	7,000	0.17	\$1,190.00	2	COM
64	07000520220000	15,611	0.15	\$2,341.65	1A	COM
65	07000520230000	192,100	0.15	\$28,815.00	1A	COM
66	07000520240000	21,092	0.15	\$3,163.80	1A	COM
67	07000520250000	7,952	0.17	\$1,351.84	1B	COM
68	07000520260000	23,943	0.15	\$3,591.45	1A	COM
69	07000520270000	55,757	0.15	\$8,363.55	1A	COM
70	07000610100000	26,060	0.17	\$4,430.20	2	COM
71	07000610110000	5,394	0.17	\$916.98	2	COM
72	07000610130000	4,812	0.17	\$818.04	2	COM
73	07000610140000	5,527	0.17	\$939.59	2	COM

74	07000610150000	14,000	0.17	\$2,380.00	2	COM
75	07000940120000	5,473	0.17	\$930.41	2	COM
76	07001010010000	7,260	0.17	\$1,234.20	2	COM
77	07001010020000	5,600	0.17	\$952.00	2	COM
78	07001010030000	7,000	0.17	\$1,190.00	2	COM
79	07001010040000	5,250	0.17	\$892.50	2	COM
80	07001010050000	1,750	0.17	\$297.50	2	COM
81	07001010060000	2,660	0.17	\$452.20	2	COM
82	07001010070000	4,060	0.17	\$690.20	2	COM
83	07001010290000	21,649	0.17	\$3,680.33	2	COM
84	07001030050000	13,510	0.17	\$2,296.70	2	COM
85	07001030060000	4,830	0.17	\$821.10	2	COM
86	07001030070000	5,663	0.17	\$962.71	2	COM
87	07001030080000	3,220	0.17	\$547.40	2	COM
88	07001030090000	2,800	0.17	\$476.00	2	COM
89	07001030100000	3,640	0.17	\$618.80	2	COM
90	07001030170000	13,440	0.17	\$2,284.80	2	COM
91	07001030190000	8,960	0.085	\$761.60	2	TE/NP/R
92	07001050020000	5,600	0.17	\$952.00	2	COM
93	07001050030000	3,500	0.17	\$595.00	2	COM
94	07001050040000	3,500	0.17	\$595.00	2	COM
95	07001050050000	7,000	0.17	\$1,190.00	2	COM
96	07001050060000	7,000	0.17	\$1,190.00	2	COM
97	07001050070000	2,800	0.17	\$476.00	2	COM
98	07001050080000	2,800	0.17	\$476.00	2	COM
99	07001050090000	2,800	0.17	\$476.00	2	COM
100	07001050100000	3,906	0.17	\$664.02	2	COM
101	07001050110000	5,628	0.17	\$956.76	2	COM
102	07001050120000	3,066	0.17	\$521.22	2	COM
103	07001050180000	4,610	0.17	\$783.70	2	COM
104	07001050190000	3,808	0.17	\$647.36	2	COM
105	07001110010000	1,549	0.17	\$263.33	2	COM
106	07001110020000	5,451	0.17	\$926.67	2	COM
107	07001110030000	7,000	0.17	\$1,190.00	2	COM
108	07001110040000	7,000	0.17	\$1,190.00	2	COM
109	07001110050000	1,750	0.17	\$297.50	2	COM
110	07001110060000	1,750	0.17	\$297.50	2	COM
111	07001110090000	3,700	0.17	\$629.00	2	COM
112	07001110100000	7,400	0.17	\$1,258.00	2	COM

113	07001110110000	9,900	0	\$0.00	2	SFR / NA
114	07001110170000	4,313	0.17	\$733.21	2	COM
115	07001110190000	6,250	0	\$0.00	2	SFR / NA

APPENDIX 5 – TOTAL ESTIMATED MAXIMUM COST OF IMPROVEMENTS, MAINTENANCE, AND ACTIVITIES

The estimated maximum cost of the line items below was developed based on the estimated costs of providing services in the proposed HFPBID. The costs below are estimated; the actual line item costs will fluctuate. The table below shows expenditures from assessment and non-assessed funds. Assessment funds are governed by Section VI. There is no limit on reallocation of non-assessment funds by the Owners' Association. The total maximum budget may exceed the maximum listed in this table if parcel ownership changes result in parcels being assessed at a higher rate due to a higher estimated benefit.

Year	Advocacy & Program Coordination	Image Enhancement	Enhanced Maintenance	Contingency / Reserve	County/City Fee	Total
2024	\$63,153.43	\$60,926.47	\$43,006.93	\$7,186.54	\$5,389.90	\$179,663.27
2025	\$65,048.03	\$62,754.26	\$44,297.14	\$7,402.14	\$5,551.60	\$185,053.17
2026	\$66,999.47	\$64,636.89	\$45,626.05	\$7,624.20	\$5,718.15	\$190,604.76
2027	\$69,009.45	\$66,576.00	\$46,994.83	\$7,852.93	\$5,889.69	\$196,322.90
2028	\$71,079.73	\$68,573.28	\$48,404.67	\$8,088.52	\$6,066.38	\$202,212.58
2029	\$73,212.12	\$70,630.48	\$49,856.81	\$8,331.18	\$6,248.37	\$208,278.96
2030	\$75,408.48	\$72,749.39	\$51,352.51	\$8,581.12	\$6,435.82	\$214,527.32
2031	\$77,670.73	\$74,931.87	\$52,893.09	\$8,838.55	\$6,628.89	\$220,963.13
2032	\$80,000.85	\$77,179.83	\$54,479.88	\$9,103.71	\$6,827.76	\$227,592.03
2033	\$82,400.88	\$79,495.22	\$56,114.28	\$9,376.82	\$7,032.59	\$234,419.79
Total	\$723,983.17	\$698,453.69	\$493,026.19	\$82,385.71	\$61,789.15	\$2,059,637.91

APPENDIX 6 – BASELINE SERVICES PROVIDED

The City of Folsom will continue to provide a baseline level of services throughout the District, consistent with services provided to parcels outside the District. The tables below show the baseline level of services as of August 2022; these services may only be reduced in the event of a city-wide service reduction.

SAFETY, POLICING & SECURITY			
Activity	Responsible Party	Level of Service	Comments
Police: Patrol	City of Folsom Police Department	Patrol services will be provided as directed by an established patrol staffing plan.	
Police: Special Problems Units	City of Folsom Police Department	Special enforcement units handle issues involving gangs and the selling of drugs in the City of Folsom, as needed	
Police: Graffiti Abatement	City of Folsom Police Department	When observed, officers advise City crews of abatement needed.	Private property clean-up is the responsibility of the property owner.
Police: Parking Enforcement	City of Folsom Police Department	Officers patrol the Historic District as part of their standard tour of duty. This includes enforcement of parking regulations for vehicles utilizing public parking lots and on-street parking.	Historic District has restricted parking (time limits and residential permits) and receives regular patrols from parking enforcement. Provisions exist to allow employee parking in some time-limited parking lots
Police/Fire: Special Events	City of Folsom Police Department and Fire Department	Police and Fire Department staff review request for special events, and provide personnel as outlined/required in the Special Event Permits.	Unless waived by the City Council, special events require the promoter/sponsor to pay Police and/or Fire Department expenses.
Security Guards	None Provided		
Private Security	Individual Property Owners	Hiring own security for localized security services in parking lots, garages, building interiors and perimeters.	

Activity	Responsible Party	Level of Service	Comments
Historic Folsom Station Plaza	City of Folsom	Ongoing clean-up, landscaping maintenance	Event impacts paid by sponsor and as also specified in Special Event permit conditions
Parking Garage	City of Folsom	Ongoing maintenance	
Public Restrooms Security Issues	City of Folsom	Ongoing maintenance	Event impacts paid by sponsor and as also specified in Special Event permit conditions
Signage – street signs and interpretive amenities	City of Folsom	Ongoing maintenance	Changeable content of signage managed by FHDA
Street Lighting	City of Folsom	Lights changed on an as-needed basis. The Public Works Department is responsible for upkeep and maintenance of street lighting.	
Graffiti Removal	City of Folsom Code Enforcement	As identified and response based.	On public property
Sidewalks General	City of Folsom Public Works Department	Make necessary repairs when needed for safety and aesthetics	
Sidewalk Receptacles and Benches	City of Folsom Parks and Recreation Department	Install, replace & maintain benches, receptacles and recycling receptacles in the historic area, as needed.	
Drinking Fountains, Public Art and other Street furniture	City of Folsom Parks and Recreation Department	Ongoing Maintenance	
Alley	City of Folsom Public Works Department	Respond to service requests on an as-needed basis.	
Maintenance: Vacant lots	City of Folsom Code Enforcement	Property owners can report owners who do not upkeep their lots. (e.g. junk and debris, weeds)	If delinquent, City may pursue lawful means to correction violation

Activity	Responsible Party	Level of Service	Comments
Parking: Off-street Public Lots	City of Folsom Public Works Department	Street crews clean trash and debris monthly or by location with Service Request. Potholes and bumper repairs are performed on an as-needed basis.	
Parking: On-street	City of Folsom Public Works Department	Maintain parking spaces, on as needed basis.	Cleaning scheduled to avoid disrupting parking demand.
Street: General Maintenance	City of Folsom Public Works Department	Respond to Service Requests as needed for trash, debris, accidents and potholes. Skin patching, base repairs and as-scheduled or coordinated with other projects.	Routine pothole patching with cold patch during raining weather. Skin patch and base repair when clear and in warmer weather. City shall continue to be responsible for all street maintenance.
Street: Sweeping	City of Folsom Public Works Department	Arterials and Collectors Downtown: 2 times per year Parking lots and alleys: 2-3 times per year	
Trash Collection: Business	Property Owners	Each owner shall be responsible for trash collection to ensure a clean and tidied trash area.	
Trash Collection: Sidewalk receptacles	City of Folsom Public Works Department	Provide trash collection for sidewalk containers 3 days per week	Service is provided only in Sutter Street commercial core area
Trash Collection: Removal of Signs on Public Poles	City of Folsom Code Enforcement	On an as-needed basis on City owned Facilities	Code enforcement is the responsible party as most signs are for yard and garage sales, which is covered by ordinance.
Landscaping: Planters	City of Folsom Parks and Recreation Department	Maintain landscaping in public ROW	Other landscaping is the responsibility of the property owner.

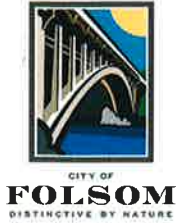
Activity	Responsible Party	Level of Service	Comments
Landscaping: Tree Trimming	City of Folsom Parks and Recreation Department	Provide tree trimming annually for trees in the public ROW. Respond to hazard tree calls as needed. Perform Right-of-Way clearance, as needed. Perform tree removals as needed.	Trees on private property that encroach in ROW, are owner's responsibility to maintain as needed or requested by City Staff.
Street decorations	FHDA	Banners and other seasonal elements (corn stalks, ribbons on poles, etc)	Covered thru BID and other FHDA fund raising. Decorations and banners to comply with City codes, guidelines, or Special Event permit conditions.
Trash collection for special events (Craft fairs, TNM, Cattle Drive, etc)	City of Folsom Public Works Department	Event sponsor responsible for placing loose trash in receptacles. City responsible for emptying receptacles within 24 hours of event	

OTHER SERVICES			
Activity	Responsible Party	Level of Service	Comments
Decorations: Special Events	Event sponsors in collaboration with FHDA	Seasonal decorations provided by FHDA can be supplemented for special events	Decorations: Special Events
Public Works: Special Events	City of Folsom Public Works Department	Public Works Department staff review request for special events, and provide traffic control personnel as outlined/required in the Special Event Permits.	Unless waived by the City Council, special events require the promoter/sponsor to pay Public Works Department expenses.

*This page intentionally left blank
to facilitate double-sided printing.*



CITY OF
FOLSOM
DISTINCTIVE BY NATURE



Folsom City Council Staff Report

MEETING DATE:	6/13/2023
AGENDA SECTION:	Public Hearing
SUBJECT:	Appeal by Bob Delp of Decisions by the Historic District Commission Approving the Demolition for the Cabin at 608 Bridge Street (DRCL23-00016) and Determination that the Project is Exempt from CEQA
FROM:	Community Development Department

RECOMMENDATION / CITY COUNCIL ACTION

For the reasons described in this report, staff recommend that the Council deny the appeal by Mr. Bob Delp of Decisions by the Historic District Commission Approving the Demolition for the Cabin at 608 Bridge Street (DRCL23-00016) and Determination that the Project is Exempt from CEQA.

BACKGROUND

This is an appeal of the decision by the Historic District Commission for the demolition of a cabin located at 608 Bridge Street (refer to Attachment 1). The appellant, Mr. Bob Delp is requesting that the Council reverse the Commission’s approval of the cabin demolition and direct staff to gather additional information on the history and historic character of the cabin before taking it back to the Commission for a decision.

The existing 420-square-foot log cabin is located at 608 Bridge Street on the same parcel as five other residential structures. The exact date of construction is unknown, but based on staff research the structure was likely built sometime prior to 1942. The log cabin has been modified over the years on both the interior and exterior, including a small wood siding porch entrance, foundation, shingle roofing and brick wainscotting. Based on age alone the structure is eligible to be listed as a historic resource; however, it does not meet the other criteria set out in the City’s Historic Preservation Master Plan and as a result was never placed on the City’s Cultural Resource Inventory List.

There have been two code enforcement cases opened about the cabin in 2001 and 2006. The 2006 case resulted in an official notice from the City's Chief Building Official on July 12, 2006 that declared the cabin a public nuisance and considered it a substandard and dangerous building. The cabin was ordered to be vacated and the substandard conditions and code violations were to be fixed within 60 days. Staff confirmed that the building was vacated and in a subsequent meeting with City Code Enforcement, Building, and Police staff, the property owner was told that the cabin could only be used for storage and should be secured, and weather proofed. A new code enforcement case was opened on May 10, 2023 as a result of a citizen complaint regarding the cabin due to the presence of a broken window.

On February 4, 2023, the applicant (Jennifer Jennings) submitted an application for approval for the demolition of the log cabin at 608 Bridge Street. The official address for the cabin is 504 ½ Persifer Street. The City received one comment letter (Attachment 2 within the original staff report) from the Historic Folsom Residents Association (HFRA) asking for clarification on the structure and the construction date of the shed. The comment letter is attached to this report and the original staff report provided to the Historic District Commission. Consistent with longstanding practice, City staff circulated project information to other groups requesting comment/input on the proposed demolition application including the Historic Preservation League but did not receive any other responses prior to the hearing before the Commission.

The Historic District Commission reviewed the project at its May 3, 2023 meeting. At this meeting, there was no public participation. The Historic District Commission engaged in a discussion focused on the fact the staff report incorrectly noted that the cabin was constructed in the 1950s when the documentation that staff had demonstrated that the cabin had existed prior to 1957, but the actual date of construction date was not known. The primary issues discussed by the Commission were: 1) without knowing the date of construction or who lived there, how would staff know whether the cabin was a historical resource or not; 2) whether the cabin should be demolished since it could be a significant historical resource; and 3) what amount of research should be required of the applicant before approval of the demolition.

The applicant addressed the Commission and stated that she inherited the property from her father and was told that the cabin might have been constructed from leftover materials that were available from the Great Depression but was not sure. The applicant also mentioned that the City of Folsom had provided a letter to her back in 2006 about how the building had been declared substandard. This letter was not provided at the time of submission but has been included as Attachment 3 of this report. The applicant has also provided a response letter addressing Mr. Delp's appeal, and that has been included as Attachment 12.

Planning staff followed the procedures set out in the Folsom Municipal Code for the demolition of structures in the Historic District (refer to [FMC Section 17.52.660](#)). The section requires that prior to authorizing the demolition of a structure that is considered historically significant, the applicant is to provide documentation of the structure for the historical record. Documentation includes photographs of all sides of the structure, details of unique or representative construction features, and any history of the structure known to, or

reasonably obtained, by the applicant. The applicant provided photographs and information as part of the application, but nothing provided or found at the time by staff led to staff to determine that the cabin was a historic resource that should be preserved, which is why staff recommended demolition. Given the concerns raised by some of the Commission, staff offered to also photograph and document the structure prior to demolition in accordance with FMC Section 17.52.660.

The Commission did not move forward with staff's offer, but ultimately decided that more research should be done on the structure and regardless of what the research uncovered, the structure should still be demolished. As a result, the Commission added an additional condition of approval (Condition No. 7) as described:

- **Staff shall do additional research with the Heritage Preservation League and Folsom History Museum within four weeks or sooner of the Historic District Commission approval date. If the finding is historically significant, then staff will measure and record with photographs prior to demolition of the structure. If it is determined the structure is not to be historically significant, then the structure can be demolished without recordation.**

At the conclusion of the May 3, 2023, Historic District Commission meeting, the Commission expressed their support for the proposed project with the previously described modifications to the conditions of approval and adopted a motion. Five Commissioners voted yes (Cabrera, Cole, Pena, West) to approve the cabin demolition at 608 Bridge Street (DRCL23-00016) while one Commissioner voted no (Lane). Two Commissioners (Dascallos and Felts) were absent.

Since that decision, staff conducted research on the cabin and reached out to both the Folsom History Museum and the Historic Preservation League. The information received and the results of that research are provided in Attachments 4 through 11. While the cabin is eligible based on age alone to be listed as a historic resource, nothing in the research demonstrated that it would meet the criteria to be listed as a historic or cultural resource. Given its condition and substantial modification, staff continue to recommend demolition. No demolition permit has been issued for the cabin pending the resolution of the appeal.

POLICY / RULE

As set forth in Section 17.52.700 of the Folsom Municipal Code actions of the Historic District Commission may be appealed to the City Council. The appeal shall be in writing, shall state the specific reason for the appeal and grounds asserted for relief, and shall be filed no later than 10 calendar days after the date of the action being appealed.

APPEALS/ANALYSIS

On May 11, 2023, Bob Delp submitted a timely appeal of the decision of the Historic District Commission approving the demolition of the cabin. In summary, Mr. Delp expressed

concerns that the amount of staff research was insufficient for the Commission to make a decision and that any action on the project should be postponed until such time that more information could be provided to the Historic District Commission so that they could make a more informed decision.

While staff acknowledges that the description of the age of the cabin was not clear or correct, staff followed the procedures set forth in the FMC and the issues raised in the appeal do not change staff's recommendation for demolition of the cabin based on the following reasons:

1. Building Condition: As stated in the 2006 Notice and Order to Abate a Public Nuisance, the cabin is a substandard and dangerous building. The owner has mentioned that animals have gotten into the cabin and that homeless individuals have attempted to enter the cabin. There is an active code case for a broken window on the side facing the alley.
2. Building Modifications: The cabin has been significantly modified over the years including the replacement of portions of the exterior with T-111 wood siding, a new roof, new slab foundation, brick wainscoting, etc. rendering the original cabin transformed into a structure with a mix of older and newer materials.
3. Not Listed on City's Cultural Resources List: While staff recognizes that the structure is quite old, it is not currently on the City's Cultural Resources Inventory nor does it meet the criteria for listing as set forth in the City's Historic Preservation Master Plan.
4. Consistency of Approach: In a similar case at 512 Persifer Street in 2022, the Historic District Commission unanimously approved the demolition of a similar, but larger cabin that was dilapidated and had also been declared a public nuisance by the Chief Building Official. The cabin had deteriorated and, according to discussion with Code Enforcement staff, had been occupied by squatters over the years (refer to Attachment 7 for that staff report). The cabin was photographed prior to demolition in accordance with FMC Section 17.52.660.

Finally, the reason that this item was not continued was because the motion by Commissioner Lane to continue the item was not seconded by the Commission. Furthermore, staff expressed concerns about the continuance due to the following issues:

- a) Action on this item had already been delayed by a month because the prior Historic District Commission in April had been cancelled;
- b) The applicants were not available on the date of the June 7 Historic District Commission meeting; and
- c) The applicant had made arrangements with a contractor to build an accessory dwelling unit this summer to replace the cabin that, as noted earlier, had been declared a public nuisance.

CONCLUSION

Based on the forgoing information as well as the results of the research and information included in the attachments to this report, staff respectfully requests that the City Council **DENY** the appeal by Mr. Delp of the Decision by the Historic District Commission Approving the demolition of the shed structure at 608 Bridge Street project (DRCL23-00016) and is exempt from CEQA.

ATTACHMENTS

1. Letter of Appeal from Bob Delp, dated May 11, 2023
2. Historic District Commission Staff Report, dated May 3, 2023
3. Notice and Order to Abate a Public Nuisance Letter, dated July 12, 2006
4. Additional Background Information
5. Detailed Appeal Analysis
6. Interior and Exterior Photos of the Cabin
7. 512 Persifer Street Demo Staff Report and HDC Minutes from September 18, 2002
8. Heritage Preservation League email and attachment dated May 11, 2023
9. Responses Received from the Folsom History Museum
10. Images from Rumsey Map dated 1904
11. Correspondence and Photos from Folsom Prison Museum staff from May 2023
12. Appeal Response from the Applicant

Submitted,



Pam Johns
Community Development Director

Attachment 1

Letter of Appeal from Mr. Bob Delp, dated May 11, 2023

CITY OF FOLSOM

APPEAL FORM

NAME OF APPELLANT: Bob Delp

MAILING ADDRESS: [REDACTED]
Folsom, CA 95630

Interest in Matter: City of Folsom Historic District resident and property owner.

Daytime Phone: [REDACTED]

Action Being Appealed: Historic District Commission (HDC) approval of 608 Bridge Street Cabin Demolition (DRCL23-00016)

Date of Decision or Date Project was Heard: May 3, 2023

Reason for Appeal: The HDC's decision to allow demolition of the log cabin was based on insufficient information regarding the history and potential historical significance of the structure. The HDC's condition of approval requiring some level of additional review of historic character, but while allowing demolition regardless of the outcome of the additional review, provides insufficient protection of Folsom's Historic District resources and character. This appeal requests that the City Council reverse the HDC's approval and direct staff to assemble additional information and return to the HDC with a recommendation based on a more complete understanding of the cabin's history, historic character, and potential contribution to understanding Folsom's history. (See attached May 11, 2023, letter for additional information.)

[Signature]
Appellant's Signature

May 11, 2023
Date

STAFF USE ONLY:

Date Received: 5/11/2023

Fee Paid: \$495.00

Planning Comm. or Historic District Comm. Decision Appeal

Admin. (staff decision) Appeal

Type of Project/fee:
- Owner Occupied/Single Family Dwelling \$246
- All Others \$495

Type of Project/fee:
- Owner Occupied \$239
- All Other \$479

Tentative Hearing Date: _____

Time Limit Waived: _____

Copies to: Community Development Director _____
City Manager _____
City Attorney _____
City Clerk _____

Received by: Jennifer J.

Appeal fees set by City Council Resolution No. 10479 approved 7/1/2020.

May 11, 2023

City of Folsom City Clerk's Office
50 Natoma Street
Folsom, CA 95630

Hand Delivered and via email to: CityClerkDept@folsom.ca.us for filing and for distribution to City Council

SUBJECT: Appeal to City Council of Historic District Commission (HDC) approval of 608 Bridge Street Cabin Demolition (DRCL23-00016)

Dear City Council:

On May 3, 2023, the Historic District Commission (HDC) held a public hearing and approved the "608 Bridge Street Cabin Demolition" (DRCL23-00016). After much deliberation, in its approval the HDC added a condition of approval requiring staff to coordinate with the Heritage Preservation League of Folsom (HPL) and the Folsom History Museum for additional investigation of the history of the structure. However, as prescribed in the HDC's decision, the demolition approval is definite – meaning, regardless of the outcome of additional investigations, the structure can be demolished.

An approach that approves the demolition of the structure regardless of information the additional investigation might yield is insufficient for consideration and protection of Folsom's Historic District resources. Therefore, this appeal requests that the City Council reverse the HDC's approval, and direct staff to assemble additional information about the history and historic quality of the structure and return to the HDC with a recommendation based on a more complete understanding of the cabin's history, historic character, and potential contribution to understanding Folsom's history.

Within a week of the HDC meeting, basic research identified a 2002 letter documenting a Folsom resident's recollection of the history of the subject property (see Attachment A). Contrary to the May 3, 2023, staff report which states the cabin was "constructed in the 1950s," the 2002 letter indicates that the log cabin existed sometime prior to 1942. The 2002 letter is addressed to the Folsom City Planning Department, but was not included or referenced in the May 3, 2023, staff report. It appears that neither staff nor the applicant performed reasonable due diligence in assessing the history and historic character of the cabin. Further investigation may provide additional information related to the history of the structure and others like it that have already been removed or demolished. Approving demolition prior to assembling and reviewing such information is premature.

During the May 3, 2023, HDC hearing, the applicant informed the HDC that the City had ordered demolition of the structure in a 2006 letter. Neither that letter nor discussion of its content was provided in the staff report, and as of this writing I do not know the actual content of the letter. Staff and the applicant further indicated that the structure is in disrepair and is inhabited by skunks or other critters. The structure's current state of disrepair was acknowledged by the HDC, and appeared to be a factor in their decision that the structure could be approved for demolition regardless of the outcome of additional research into its history. However, deferred maintenance and the present condition of the structure is not sufficient information to assess a structure's historic character or its history.

May 11, 2023

Additionally, at the sound recommendation of one HDC Commissioner, the HDC discussed the option of delaying a decision on the demolition until the HDC's next meeting (early June 2023) to allow more time for staff to assemble and return to the HDC with additional information. However, in apparent deference to the applicant's concerns with a month's delay, the HDC rejected postponement. Regardless of the applicant's schedule motivations, I am baffled by the notion that, after sitting in ill repair for some 17 years, an additional month cannot be accommodated to allow meaningful historical research *before* a demolition decision is made.

In recognition of the importance of reasonable measures to protect the integrity of Folsom's Historic District and on behalf of myself and other community members whom I know share similar concerns, I request that the City Council reverse the HDC's approval and allow for a process of meaningful assessment, complete recordation of the structure, and *then* an informed decision by the HDC of whether to approve demolition or to require a management strategy that might be appropriate for the structure.

I reserve the right to bring additional information and argument to the Council for the appeal hearing.

Sincerely,



Bob Delp
Historic District
Folsom, CA 95630

LIST OF ATTACHMENTS

Attachment A. September 2002 letter from Ellen J. (Duvall) Hester to Folsom City Planning Department, subject "Log Cabins – 512 and 506 Persifer Street"

May 11, 2023

Attachment A

September 2002 letter from Ellen J. (Duvall) Hester to Folsom City Planning Department,
subject "Log Cabins – 512 and 506 Persifer Street"

TO: FOLSOM CITY PLANNING DEPARTMENT
 Natoma Street
 Folsom, California

**LOG CABINS
 512 and 506 PERSIFER STREET**

Two historical log cabins are located in the 500 block of Persifer Street between Bridge Street and Scott Street. As long as I can remember they have been there. In 1942 when I was 4 years old, they had already been there for years and seemed very old and outdated. I lived at **508 Persifer Street**, and my parents built a white duplex at 510 Persifer in 1948/49.

While I was growing up I visited the owner of **512 Persifer Street**, Mrs. Wilma Harness, a widow. She was a piano player, as her upright piano sat on a moist, well-compacted, mud floor. Her entire house had mud floors which were pleasantly cool in the hot summers. Even though the floors were uneven, it didn't seem to affect the sound of the piano.

Mrs. Harness had two granddaughters who visited her every year all summer. I looked forward to playing with Phyllis and Patsy Youtsey as they were about my age. We spent a lot of time climbing in my large spreading Oak tree at 508 Persifer Street. There was another family name living in the same log cabin: **Manseau** (Man-saw); Ross and Paula Manseau lived there with Mrs. Harness. A street has been named after Manseau who was in the Fire Department, I believe.

Another log cabin is located on the other side of my childhood home. The property is at the corner at **506 Persifer Street** where there are five or six cottages in a Court. They were formerly owned by Mr. and Mrs. Slaybaugh from Missouri, who lived in the largest one in the front, next to my former home. They rented the other cottages. One of the cottages is still a log cabin, now painted silvery gray. Logs can still be seen from the **alley** between Scott and Bridge Streets. The cabin's dimensions are approximately 13' wide at the alley, and 25' long. It is still located at the rear of the (506 Persifer St.) property approximately 50' from the area where my Father, W. Brown Duvall, had a large garden (508 Persifer St.).

My father was the first Assistant City Manager, with Cy Thomas being the City Manager. He was Public Works Director, and as such he mapped out the completed water and sewer systems showing all lot numbers and house numbers, water mains, hydrants, and service connections. He attained the highest water treatment certification of Grade Five. A street in the Brynoliff area was named after him: "Brown Duvall Lane". Before working for the City he was the Chief Amalgamator for Natomas Gold Dredging Company at Natoma. He was active in many activities and functions of the City, then retired in 1975 still living at his home at 508 Persifer Street.

Submitted by

Ellen J. Hester
 Ellen J. (Duvall) Hester
 September, 2002

Attachment 2
Historic District Commission Staff Report
May 3, 2023



CITY OF
FOLSOM
DISTINCTIVE BY NATURE

AGENDA ITEM NO. 1
Type: Public Hearing
Date: May 3, 2023

Historic District Commission Staff Report

50 Natoma Street, Council Chambers
Folsom, CA 95630

Project: 608 Bridge Street Cabin Demolition
File #: DRCL23-00016
Request: Building Demolition
Location: 608 Bridge Street
Parcel(s): 070-0164-008-0000
Staff Contact: Brianna Gustafson, Associate Planner, 916-461-6238
bgustafson@folsom.ca.us

Property Owner/Applicant

Name: Jennifer Jennings
Address: 12926 Pinnacle Loop
Truckee, CA 96161

Recommendation: Conduct a public meeting, and upon conclusion staff recommends approval of an application to demolish a 420-square-foot cabin structure located at 608 Bridge Street, as illustrated on Attachment 5 for the 608 Bridge Street Cabin Demolition project (DRCL23-00016) based on the findings included in this report (Findings A-G) and subject to the attached conditions of approval (Conditions 1-6).

Project Summary: The proposed project includes the demolition of a 420-square-foot cabin structure constructed in the 1950's at 608 Bridge Street (shown as 504 ½ Persifer Street on the attached site plan). The property and structure are not listed on the City of Folsom's Cultural Resources Inventory. The cabin structure is also not considered historically significant and contains no historically significant building materials. Therefore, staff supports demolition of the structure.

Table of Contents:

- 1 - Description/Analysis
- 2 - Background
- 3 - Proposed Conditions of Approval
- 4 - Vicinity Map
- 5 - Existing Site Plan
- 6 - Project Summary
- 7 - Photos
- 8 - Historic Aerial Imagery
- 9 - Comment Letter from HFDA dated March 2, 2023



CITY OF
FOLSOM
DISTINCTIVE BY NATURE

AGENDA ITEM NO. 1
Type: Public Hearing
Date: May 3, 2023

Submitted,

PAM JOHNS
Community Development Director

ATTACHMENT 1 DESCRIPTION/ANALYSIS

APPLICANT'S PROPOSAL

The applicant, Jennifer Jennings, is proposing to demolish the 420-square-foot cabin building between 506 Persifer Street and 608 Bridge Street. There are currently six existing residential structures on the lot, and after the demolition of the cabin, there will be five structures that will remain.

POLICY/RULE

Section 17.52.660 of the FMC states that the demolition of a structure located in the Historic District is subject to the review and approval of the Historic District Commission. Before demolition is authorized, the applicant must provide documentation of the structure for the historical record, to the extent that the history of the structure is known to, or reasonably obtainable by, the applicant. If the structure is considered historically significant, the Historic District Commission shall consider several factors before authorizing the demolition. Section 4.13 of the Historic District Design and Development Guidelines (DDGs) makes clear that demolition may be more readily approved for structures that do not comply with the goals, policies, and regulations of FMC Chapter 17.52 and the DDGs themselves.

ANALYSIS

Section 4.13 of the DDGs explains that demolition of structures with historic value should be approved only when all other options have been exhausted by the property owner and the City. On the other hand, Section 4.13 also makes clear that demolition may be more readily approved for structures which do not comply with the goals, policies, and regulations of FMC Chapter 17.52 and the DDGs themselves.

The existing 420-square-foot residential structure proposed to be demolished (shown in the photographs in Attachment 6) consists of wood siding and shingle roofing. Based on the attached project narrative, the building has not been inhabited since at least 2006 as it has been considered substandard and dangerous due to its poor structural condition. The applicant has indicated that it is not structurally or financially feasible to make the building habitable, therefore, they are proposing to demolish it. The applicant purchased the property in 2007, and does not know when the cabin was constructed, but City staff found historic aerial images that show that it has been in existence since at least 1957. The structure is not considered historically significant and contains no historically significant building materials. In addition, the residence, property, and structure are not listed on the City of Folsom's Cultural Resources Inventory list. Therefore, staff supports the demolition of the accessory structure.

Historic District Commission
608 Bridge Street Cabin Demolition (DRCL23-00016)
May 3, 2023

PUBLIC COMMENTS

A public notice was posted on the project site five days prior to the Historic District Commission meeting of May 3, 2023, that met the requirements of FMC Section 17.52.320. The application was also routed to the Folsom Heritage Preservation League and Historic Folsom Residents Association. Staff did receive a comment from Historic Folsom Residents Association about the clarification of the residential structure being an accessory structure or a residential structure. This letter (Attachment 9) has been included in the staff report.

ENVIRONMENTAL REVIEW

The project is categorically exempt under Section 15301(l) Existing Facilities of the California Environmental Quality Act (CEQA). Based on staff's analysis of this project, none of the exceptions in Section 15300.2 of the CEQA Guidelines apply to the use of the categorical exemption in this case.

RECOMMENDATION

Staff recommends approval of the proposed project, subject to the conditions of approval included with the report.

HISTORIC DISTRICT COMMISSION ACTION

Move to approve the demolition of a 420-square-foot residential structure located at 608 Bridge Street (DRCL23-00016), based on the findings below (Findings A-G) and subject to the attached conditions of approval (Conditions 1-6).

GENERAL FINDINGS

- A. NOTICE OF HEARING HAS BEEN GIVEN AT THE TIME AND IN THE MANNER REQUIRED BY STATE LAW AND CITY CODE.
- B. THE PROJECT IS CONSISTENT WITH THE GENERAL PLAN, THE ZONING CODE OF THE CITY, AND THE HISTORIC DISTRICT DESIGN AND DEVELOPMENT GUIDELINES.

CEQA FINDINGS

- C. THE PROJECT IS CATEGORICALLY EXEMPT FROM ENVIRONMENTAL REVIEW UNDER SECTION 15301(l) EXISTING FACILITIES OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES.
- D. THE CUMULATIVE IMPACT OF SUCCESSIVE PROJECTS OF THE SAME TYPE IN THE SAME PLACE, OVER TIME IS NOT SIGNIFICANT IN THIS CASE.

Historic District Commission
608 Bridge Street Cabin Demolition (DRCL23-00016)
May 3, 2023

- E. NO UNUSUAL CIRCUMSTANCES EXIST TO DISTINGUISH THE PROPOSED PROJECT FROM OTHERS IN THE EXEMPT CLASS.
- F. THE PROPOSED PROJECT WILL NOT CAUSE A SUBSTANTIAL ADVERSE CHANGE IN THE SIGNIFICANCE OF A HISTORICAL RESOURCE.

DEMOLITION FINDING

- G. THE STRUCTURE PROPOSED TO BE DEMOLISHED IS NOT CONSIDERED HISTORICALLY SIGNIFICANT.

Historic District Commission
608 Bridge Street Cabin Demolition (DRCL23-00016)
May 3, 2023

**ATTACHMENT 2
BACKGROUND**

BACKGROUND

The existing project site has six residential structures, ranging in square footages. With the proposed demolition, there will be five residential structures still on-site. The 420-square-foot cabin structure was constructed sometime before 1957.

GENERAL PLAN DESIGNATION

SFHD (Single-Family High Density) within the Historic District

ZONING

R-1-M/CEN, (Two-Family Residential/Central Subarea of the Historic Residential Primary Area)

ADJACENT LAND USES/ZONING

North: Commercial with Natoma Street beyond in the Figueroa subarea (R-1-M/NAT-RIL-BID)
South: Persifer Street with Folsom Cordova Unified School District Beyond (R-1-M)
East: Existing residences (R-2/CEN)
West: Existing residences (R-1-M/CEN)

SITE CHARACTERISTICS

The 17,500-square-foot project site currently contains six residential structures, trees and driveways. After the demolition, there will be five structures still on-site.

APPLICABLE CODES

FMC Chapter 15.52; HD, Historic District
FMC section 17.52.660, Demolition
Historic District Design and Development Guidelines

Historic District Commission
608 Bridge Street Cabin Demolition (DRCL23-00016)
May 3, 2023

HDC Staff Report Attachment 3 Proposed Conditions of Approval

Historic District Commission
 608 Bridge Street Cabin Demolition (DRCL23-00016)
 May 3, 2023

**CONDITIONS OF APPROVAL FOR
 608 BRIDGE STREET BUILDING DEMOLITION
 (DRCL23-00016)**

GENERAL REQUIREMENTS

Cond. No.	Mitigation Measure		When Required	Responsible Department
1.		Issuance of demolition permit is required.	B	CD (B)
2.		Compliance with all local, state and federal regulations pertaining to building and demolition is required.	OG	CD (B)
3.		The project approval granted under this staff report shall remain in effect for two years from final date of approval (May 3, 2025). Failure to obtain the relevant demolition permit within this time, without the subsequent extension of this approval, shall result in the termination of this approval.	B	CD (P)
4.		Compliance with Noise Control Ordinance and General Plan Noise Element shall be required. Hours of construction operation shall be limited from 7:00 a.m. to 6:00 p.m. on weekdays and 8:00 a.m. to 5:00 p.m. on Saturdays. No construction is permitted on Sundays or holidays. In addition, construction equipment shall be muffled and shrouded to minimize noise levels.	I, B	CD (P)(E)
5.		If any archaeological, cultural, or historical resources or artifacts, or other features are discovered during the course of construction anywhere on the project site, work shall be suspended in that location until a qualified professional archaeologist assesses the significance of the discovery and provides recommendations to the City. The City shall determine and require implementation of the appropriate mitigation as recommended by the consulting archaeologist. The City may also consult with individuals that meet the Secretary of the Interior’s Professional Qualifications Standards before implementation of any recommendation. If agreement cannot be reached between the project applicant and the City, the Historic District Commission shall determine the appropriate implementation method.	G, I, B	CD (P)(E)(B)
6.		In the event human remains are discovered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the county coroner has made the necessary findings as to the origin and disposition pursuant to Public Resources Code 5097.98. If the coroner determines that no investigation of the cause of death is required and if the remains are of Native American Origin, the coroner will notify the Native American Heritage Commission, which in turn will inform a most likely decedent. The decedent will then recommend to the landowner or landowner’s representative appropriate disposition of the remains and any grave goods.	G, I, B	CD (P)(E)(B)

Historic District Commission
608 Bridge Street Cabin Demolition (DRCL23-00016)
May 3, 2023

RESPONSIBLE DEPARTMENT		WHEN REQUIRED	
CD	Community Development Department (P) Planning Division (E) Engineering Division (B) Building Division (F) Fire Division	I	Prior to approval of Improvement Plans
(P)		M	Prior to approval of Final Map
(E)		B	Prior to issuance of first Building Permit
(B)		O	Prior to approval of Occupancy Permit
(F)		G	Prior to issuance of Grading Permit
PW	Public Works Department	DC	During construction
PR	Park and Recreation Department	OG	On-going requirement
PD	Police Department		

Historic District Commission
608 Bridge Street Street Cabin Demolition (DRCL23-00016)
May 3, 2023

HDC Staff Report Attachment 4 Vicinity Map



Historic District Commission
608 Bridge Street Street Cabin Demolition (DRCL23-00016)
May 3, 2023

**HDC Staff Report
Attachment 5
Existing Site Plan**

Bridge St

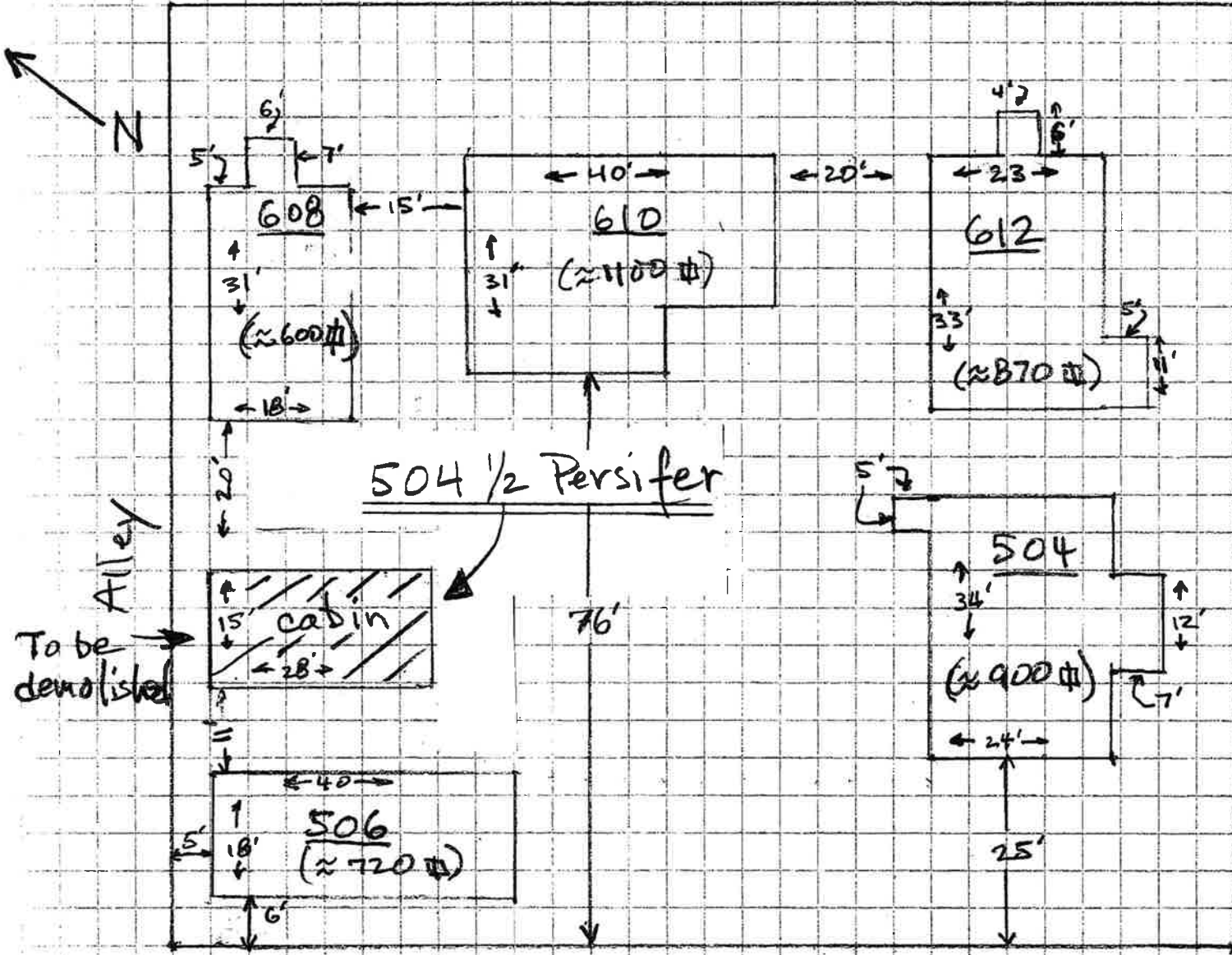
Site Plan

APN 070-0164-008-0000

□ ≈ 5'

← 40' →

Known as
608 Bridge St



Alley
To be demolished

504 1/2 Persifer

Alley

Total area
≈ 17,500 sq ft

Existing structures w/o cabin
≈ 4,190 sq ft

(All dimensions are approximate)

Historic District Commission
608 Bridge Street Street Cabin Demolition (DRCL23-00016)
May 3, 2023

HDC Staff Report Attachment 6 Project Summary

Project Summary

The building we propose to demolish is 420 sq. ft. and is listed in City records as 504 1/2 Persifer St. We do not know when the building was built. We purchased the property in 2007. In 2006, the building was found by the City to be substandard and dangerous. Since 2006, the building has been unoccupied and has attracted skunks and other wildlife. It is structurally and financially infeasible to make the building habitable.

Historic District Commission
608 Bridge Street Street Cabin Demolition (DRCL23-00016)
May 3, 2023

HDC Staff Report Attachment 7 Photos



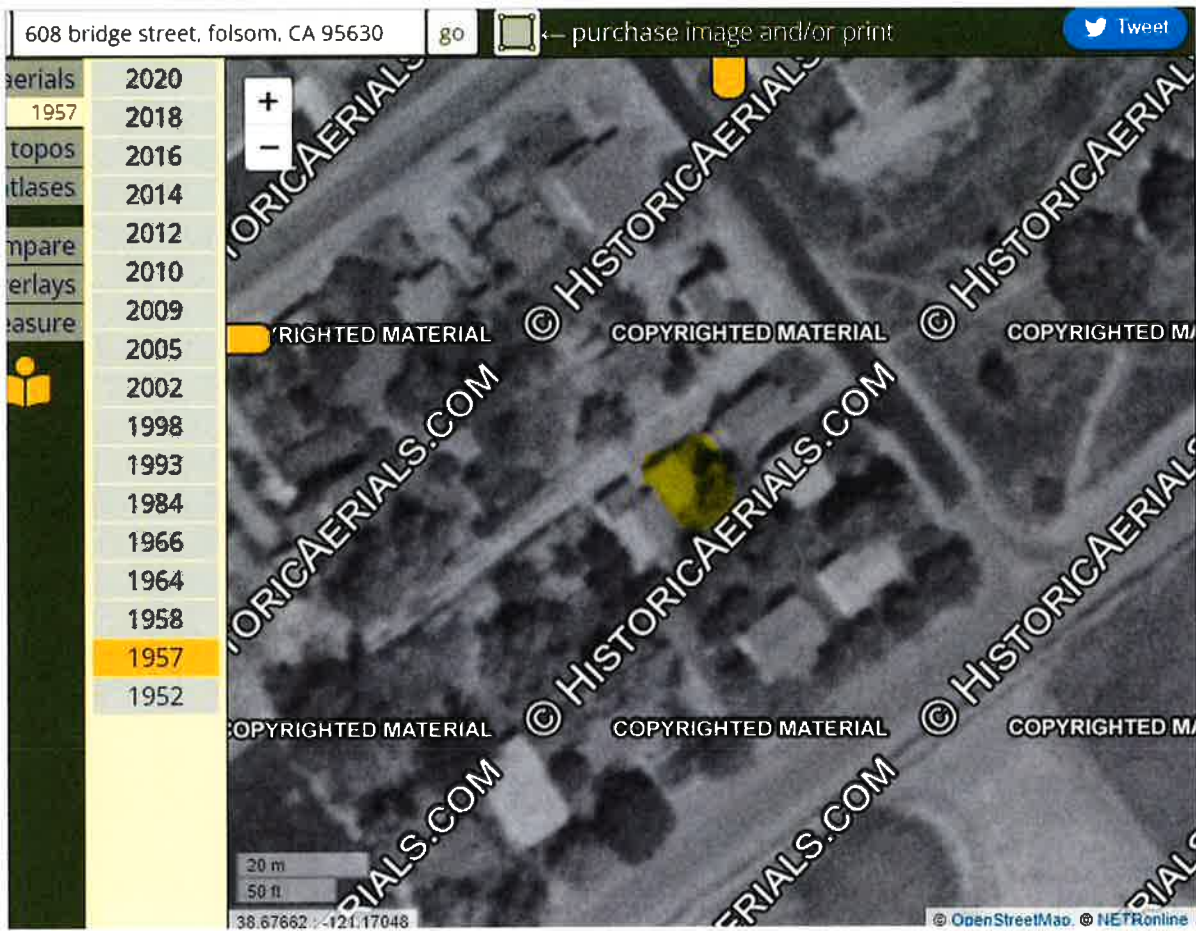






Historic District Commission
608 Bridge Street Street Cabin Demolition (DRCL23-00016)
May 3, 2023

**HDC Staff Report
Attachment 8
Historic Aerial Imagery**



Historic District Commission
608 Bridge Street Street Cabin Demolition (DRCL23-00016)
May 3, 2023

**HDC Staff Report
Attachment 9
Comment Letter from FHRA dated March 2, 2023**

Brianna Gustafson

From: JOAN WALTER [REDACTED]
Sent: Thursday, March 2, 2023 10:55 AM
To: Brianna Gustafson
Cc: [REDACTED]
Subject: Re: Request for Comments - 608 Bridge Street Cabin Demo DRCL23-00016
Attachments: Request for Comments 608 Bridge Street Cabin Demo DRCL23-00016.pdf; IMG_7878.jpg

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Brianna,

After reviewing the request for comments, it is noticeable that there is an inconsistency between the project description in the email (Cabin Demolition) and the project description in the request for comments on the attached distribution list (608 Bridge Street Shed Demolition). The site plan included in the email indicates the structure is an approximately 420 sq. ft. cabin (likely an old dwelling unit), not a shed. Also, the project description doesn't include any reference to the age of the structure; which in an historic district would be helpful to indicate, even if it is unknown. It would appear that the structure was built prior to 1973.

It may be worthwhile to correct these inconsistencies in the project review. The HFRA has no additional comments on the cabin demolition. Thank you for the opportunity to comment.

Joan Walter
 HFRA Board Member

On 02/27/2023 8:42 AM Brianna Gustafson <bgustafson@folsom.ca.us> wrote:

Please see the attached request for comments for the cabin demolition at 608 Bridge Street (DRCL23-00016). Please let me know what comments you have by March 13, 2023.

Thank you so much for your time!



Brianna Gustafson
 Associate Planner



City of Folsom
 50 Natoma Street, Folsom, CA 95630



CITY OF
FOLSOM
DISTINCTIVE BY NATURE



bgustafson@folsom.ca.us
916-461-6238



www.folsom.ca.us

Attachment 3
Notice and Order to Abate a Public Nuisance Letter
July 12, 2006



CITY OF FOLSOM
NEIGHBORHOOD SERVICES DEPARTMENT

Building Inspection Code Enforcement Redevelopment
 Plan Check/Permitting Landscaping & Lighting

**NOTICE AND ORDER
 TO ABATE A PUBLIC NUISANCE**

TO: Jennings Family Limited Partnership, P. O. Box 978, Fair Oaks, CA 95628
Anne Jennings, 2321 H Street, Sacramento, CA. 95816 (Property Manager)
 (First Class & Certified Mail, Return Receipt Requested, (7004 2510 0002 6796 5495))

Date of Notice: July 12, 2006 **Case #** 06-1263

Location of Property: 504 ½ Persifer Street, Folsom, CA 95630

Assessor's Parcel Number: 070-0164-008-0000

NOTICE IS HEREBY GIVEN: that the Building Official, Police Department and Code Enforcement Division of the City of Folsom, acting pursuant to the California Health and Safety Code (HSC), Division 13, Housing; Part 1.5, Regulation of Buildings Used for Human Habitation; Chapter 2, Rules and Regulations; Section 17920.3, Substandard buildings, has inspected the structure on real property situated in the City of Folsom, County of Sacramento, State of California, described as follows: 504 ½ Persifer Street, APN: 070-0164-008-0000. The building was found to be a substandard and dangerous building, creating a public nuisance, in which there exists the potential for endangerment of life, limb, health, property, safety, and welfare of the occupants and adjacent properties, based on the following conditions:

Exterior:

1. Accumulation of junk, rubbish, abandoned materials and garbage, which constitutes a fire, health, or safety hazard throughout property. [HSC Section 17920.3 j] [Folsom Municipal Code Section (FMC) [8.34.028, 8.37.080]
2. Outside storage of combustible materials shall not be located within 10 feet of a property line. [Uniform Fire Code Section (UFC) 1103.3.5]
3. Faulty weather protection; Deteriorated or ineffective waterproofing of exterior walls and roof. [HSC Section 17920.3 G 1, 2]
4. Improperly installed air conditioning unit at window. [FMC 14.04.050]

Interior:

1. Storage of combustible materials in buildings shall be orderly. [UFC Section 1103.3.2.1]
2. Storage shall be maintained 2 feet or more below the ceiling in non-sprinklered areas of buildings. [UFC Section 1103.3.2.2]
3. Means of egress shall not be obstructed in any manner and shall remain free of any material

1

or matter where its presence would obstruct or render the means of egress hazardous. [UFC Section 1203]

4. Improperly installed electric water heater in kitchen. [FMC Section 14.04.050]
5. All wiring, except that which conformed with all applicable laws in effect at the time of installation if it is currently in good and safe condition and working properly including all electrical outlets. [HSC Section 17920.3 d]
6. Lack of adequate heating source. [HSC Section 17920.3 a, 6]
7. Improperly installed ceiling vent at kitchen. [HSC Section 17920.3]
8. General dilapidation or improper maintenance of dwelling unit. [HSC Section 17920.3]
9. Dwelling must meet minimum occupancy standards. [UBC Section 310]
10. Lack of improper water closet/lavatory from existing dwelling. [HSC Section 17920.3 a, 1]
11. Lack of required smoke detector in dwelling unit. [UBC Section 310]

YOU ARE THEREFORE HEREBY ORDERED: to vacate and remediate the aforementioned substandard conditions and Uniform Fire Code violations. Any and all permits required to comply with this order shall be pulled within 30 days and repairs complete within 60 days of this Notice.

YOU ARE FURTHER NOTIFIED: that if the work ordered herein is not accomplished within the times specified in this Notice and Order or within time frames established in subsequent meetings with staff, the City of Folsom's Enforcement Authority; the Building Official may proceed to abate the premises and assess the cost thereof against the property.

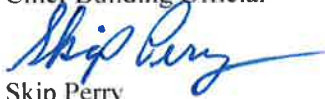
Failure or refusal to obey this Notice and Order after it has become final, either by decision of a hearing or by failure to file a timely appeal, shall subject you to criminal prosecution or the Building Official may institute such action to abate the above building as a public nuisance, per Folsom Municipal Code Section 1.08.030.

Further information concerning this Notice and Order may be obtained from the Neighborhood Services Department, by calling Code Enforcement at City Hall, (916) 355-7316.

ANY PERSON HAVING ANY RECORD, TITLE OR INTEREST IN THE BUILDING OR BUILDINGS SUBJECT TO THIS NOTICE AND ORDER MAY APPEAL FROM THIS NOTICE AND ORDER TO THE OFFICE OF THE CITY CLERK OF THE CITY OF FOLSOM PROVIDED SUCH APPEAL IS MADE IN WRITING IN THE MANNER PROVIDED IN FOLSOM MUNICIPAL CODE AND FILED WITH THE BUILDING OFFICIAL WITHIN THIRTY (30) DAYS FROM THE DATE OF SERVICE OF THE NOTICE AND ORDER.

NOTICE TO TAXPAYERS: In accordance with Sections 17274 and 24436.5 of the Revenue and Taxation Code, a tax deduction may not be allowed for interest, taxes, depreciation, or amortization paid or incurred in the taxable year.

City of Folsom
Chief Building Official



Skip Perry

Cc Amy Feagans, Neighborhood Services Director
Pete Piccardo, Senior Code Enforcement Officer
Jeff John, Code Enforcement Officer
Jason Browning, Detective, Folsom Police Department
Greg Soliz, Building Inspections Supervisor

Attachment 4
Additional Background Information

ATTACHMENT 4 ADDITIONAL BACKGROUND INFORMATION

Historic District Demolition Requirements

Under the current requirements of the FMC, City staff are required to evaluate the following criteria set out in FMC Section 17.52.660 to determine whether a structure should be demolished.

- A. Whether the public health, safety and/or welfare warrant the demolition;
- B. What accommodations can be provided to the owner of the property to make it feasible for the owner to preserve the property;
- C. Whether the owner of the property is willing to sell the property to a buyer who wishes to preserve the property;
- D. Whether a public entity wishes to acquire the property through exercise of the power of eminent domain in order to preserve the property.

In addition, FMC Section 17.52.660 states that “prior to the authorization of demolition, the applicant shall provide documentation of the structure for the historical record. Documentation shall include photographs of all sides of the structure, details of unique or representative construction features, and any history of the structure known to, or reasonably obtainable by, the applicant.”

Applicant Provided Information and Initial Staff Research

The applicant provided photographs of the cabin as well as the details about the history of the cabin as known by the applicant, who is the current property owner. The applicant stated that she acquired the property in 2007 and did not know when the cabin was built. She also stated that in 2006, the cabin was found by the City to be substandard and dangerous. She mentioned that the building has been unoccupied since that time and has attracted skunks and other wildlife. She stated that it was structurally and financially infeasible to make the building habitable. Based on the information that was provided by the applicant, staff determined that due to the condition of the cabin, it was considered a health and safety hazard and likely infeasible to restore.

As mentioned previously in this staff report, a Notice and Order to Abate a Public Nuisance was sent to the applicant on July 12, 2006 by the City of Folsom. This notice was not in the previous staff report provided to the Historic District Commission for review, but the applicant has now provided it (refer to Attachment 3). As part of the order, the Building Official found that the building was substandard and dangerous resulting in improper living conditions (lack of lavatory, smoke detector, safe condition electrical outlets, improperly installed water heater, hazardous egress, faulty weather protection, and the accumulation of junk, rubbish and abandoned materials which constituted as a fire and safety hazard).

Since the applicant did not know when the cabin was built, staff did additional research to try and determine when the cabin was constructed. As shown in Attachment 8 (Historic Aerial) of Attachment 2 (original HDC staff report), it was determined that the cabin was built at least prior to 1957 based on aerial photos from the Historic Aerials website and a search through the City's digital records.

Additional Research

Given the concerns expressed by Commissioner Lane and in order to fulfill the condition of approval approved by the Historic District Commission on May 3, 2023, staff conducted additional research between May 4 and June 1, 2023 in order to determine whether the cabin was historically significant. Staff research included the following:

- Reviewed the Sanborn Fire Insurance Maps from 1891, 1899, and 1910.
- Reviewed the 1904 Rumsey map of Folsom to determine if the cabin structure was present on the property at that time.
- Requested an archive search from the Folsom History Museum for the cabin including related addresses.
- Contacted the Historic Preservation League and received the same 2002 letter from Ms. Ellen Hester related to the 512 and 506 Persifer Street properties that was included in Mr. Delp's appeal. No other documentation was provided.
- Contacted the Folsom Prison Museum given that the original owners of the property had been a Folsom Prison guard and there suggestions from Folsom History Museum staff and others that one of the cabins constructed at Folsom Prison might have been relocated to this site.
- Contacted the owner again requesting any additional information that Ms. Jennings or her family could provide regarding the history of the structure.
- Researched Building, Planning and Code Enforcement records to see if there was any information there.
- Revisited the cabin and took photos of both the interior and exterior of the cabin.

Research Results

Based on the information collected by staff it was determined that the cabin structure was built many years prior to 1942, but the exact date of construction is still unknown. Based on discussions and information from the Folsom Prison Museum it was determined that the cabin was not a structure built at the prison and relocated to the 608 Bridge Street property (refer to Attachment 11).

After reviewing information provided by the Folsom History Museum and the 1855 Theodore Judah map of Folsom, Block 80 where the parcel is located was purchased in 1886 from Jacob Gable by C. L. Ecklon, who was an important figure in Folsom's history (refer to Attachment 9).

However, staff could find no mention of a cabin and no cabin or other structure was shown on the 1904 Rumsey map of Folsom (refer to Attachment 10). Unfortunately, the Sanborn maps did not show anything south of Mormon Street so staff could not use those to see if the cabin existed before 1910.

Based on the letter from Ms. Ellen Hester, the property at some point was owned by Mr. and Mrs. Slaybaugh from Missouri. She stated that the cabin must have been built many years before 1942 and seemed “very old and outdated” (refer to Attachments 1, 7 and 8). According to Ms. Hester the Slaybaugh’s rented out the cabin. Later the property was owned by James R. Stephens and Mary R. Stephens who owned it until 1972. James Stephens was believed to be a correctional officer at the Folsom Prison between 1946 and 1969. It was then acquired by the current applicant’s father, Martin Jennings, who deeded it to his daughter, Jennifer Jennings, the current owner in 2007.

The applicant, Ms. Jennings, addressed the Commission and stated that she inherited the property from her father and was told that the cabin might have been constructed from leftover materials that were available from the Great Depression but was not sure. The applicant also mentioned that the City of Folsom had provided a letter to her back in 2006 about how the building had been declared substandard. This letter was not provided at the time of submission but has been included as Attachment 3 of this report. The applicant also provided a response letter addressing Mr. Delp’s appeal, and that has been included as Attachment 12.

Staff visited the cabin and took photos of the interior and exterior which are included in Attachment 6. Based on information from the applicant and City Code Enforcement staff, the structure has not been inhabited since July 2006, as it was considered substandard, dangerous, and dilapidated. While the structure was originally a log cabin, many additions and modifications were made to the cabin along the way. Vertical wood siding was made for a porch entry, which according to the property owner, was originally enclosed. There is a concrete slab and brick wainscoting around the exterior of the building. There is shingle roofing that is concaved around portions of the roof. There are currently broken windows on the elevation facing the alleyway. Internally, the structure has concrete flooring, drywall, and boards covering the windows. As the structure was deemed uninhabitable, it has been being utilized as storage for building materials and furniture. As mentioned by the applicant during the Commission meeting, they have been having problems with homeless individuals and animals damaging the residence.

Additional research and discussions with the City’s Code Enforcement Division revealed that there have been two past complaints and one active complaint submitted by residents regarding the condition of the cabin and people living there in substandard conditions. There was a complaint in 2001 followed by another in 2006, which resulted in the Notice and Order to Abate A Public Nuisance. No one was allowed to live there after July 2006 and the property owner at the time, Martin Jennings, began using it as a storage shed. The most recent code enforcement complaint was received on May 10, 2023 regarding a broken window on the side of the cabin facing the alley.

In conclusion, based on the materials researched and received, staff was not able to find any information that would connect the cabin was associated with any key events in Folsom's history nor was it associated with anyone of historic significance.

Historic Evaluation

On November 5, 1998, the Folsom City Council approved the Historic Preservation Mater Plan (HDMP). This document established goals and objectives for historic preservation within the City of Folsom, identified a process for the listing of locally significant historic sites and structures, and authorized the Historic District Commission to determine the eligibility of sites nominated for listing. As part of the approved HDMP, 73 locally significant historic sites were listed and identified on a map. The HDMP also specified that properties that have been determined eligible for the National Register of Historic Places, or the California Register of Historical Resources are automatically eligible for local listing.

For the purposes of listing, a "cultural resource" includes, but is not limited to, any object, building, structure, site, area or place which is historically or archeologically significant, or is significant in the architectural engineering, scientific, economic, agricultural, educations, social, political, military or cultural annals of Folsom.

The HDMP includes the following criteria for listing a resource in the City's Cultural Resources Inventory, and in order to qualify, must meet one of the following:

- 1) Property is associated with events that have made a significant contribution to the broad patterns of our history;
- 2) Property is associated with the lives of persons significant in our past;
- 3) Property embodies distinctive characteristics of a type, period, region, or construction method, or represent the work of a creative individual; or
- 4) Property has yielded, or is likely to yield, information important in Folsom's prehistory or history.

None of the structures or addresses that are on parcel 070-0164-008-0000 (608 Bridge St.) are listed within the City's Cultural Resources Inventory list, including the cabin in question. There is also no record of previous City planning staff recommending any of the structures on this parcel for listing on the City's Cultural Resources Inventory. Furthermore, using the four criteria listed above, staff determined that the cabin structure does not meet the criteria based on the research and information staff obtained.

Demolition Evaluation

As noted earlier, staff and the Commission are required to evaluate the criteria in FMC Section 17.52.660 (A through D) prior to approving a demolition.

- A. Whether the public health, safety and/or welfare warrant the demolition;

Staff Evaluation: Based on the 2006 Notice and Order to Abate A Public Nuisance the cabin was deemed a substandard and dangerous building. This is further supported by the three Code Enforcement cases against the cabin as well as the photo documentation from the applicant and from staff's visit.

- B. What accommodations can be provided to the owner of the property to make it feasible for the owner to preserve the property;

Staff Evaluation: Given the current condition of cabin, the significant modifications made to the cabin in the past altering its original design. There are also numerous building and fire code violations on the cabin. The applicant has stated and staff agree that it would be infeasible for the owner to preserve or restore the cabin.

- C. Whether the owner of the property is willing to sell the property to a buyer who wishes to preserve the property;

Staff Evaluation: The property owner is not willing to sell the property. Though the owner may be willing to sell the cabin, Building staff do not believe the structure would survive relocation given its condition.

- D. Whether a public entity wishes to acquire the property through exercise of the power of eminent domain in order to preserve the property.

Staff Evaluation: The City has no interest in acquiring the property or the cabin.

As a result of the information, this is why staff continue to recommend demolition of the cabin.

Attachment 5
Detailed Appeal Analysis

ATTACHMENT 5 DETAILED APPEALS ANALYSIS

The following provides a detailed analysis and response to the issues raised in the appeal and letter provided by Mr. Delp.

1. The first paragraph of Mr. Delp's letter summarizes the events of the Historic District Commission's decision to add an additional condition of approval to the project in regards to coordinating with the Heritage Preservation League of Folsom (HPL) and Folsom History Museum for additional information, but ultimately, regardless of the finding, the structure would be demolished.

City Staff Response:

The appeal is limited to "any determination made by the historic district commission." (Folsom Municipal Code § 17.52.700(A).) This portion of the appeal is not directed toward any determination made by the Historic District Commission. It simply provides context for the appeal letter.

2. The first major issue stated in the second paragraph of Mr. Delp's letter requests that the Council rescind the HDC's approval of demolition and for staff to perform additional research before bringing it back to the Historic District Commission with a recommendation based on a complete understanding of the cabin's history.

Staff Response: As discussed in Attachment 4, staff followed the requirements of FMC Section 17.52.660 and collected photographs and information from the applicant on the history of the cabin. Based on that information, staff determined that the cabin could be demolished and recommended demolition to the Historic District Commission. Staff understands that Mr. Delp feels that this was inadequate, but staff followed the procedures set out in the FMC. If Mr. Delp, the HDC, or the Council would like a different process, staff would recommend changes to FMC Section 17.5.660 to require more research prior to demolitions of older structures in the Historic District.

3. As stated in the third paragraph of his appeal letter, Mr. Delp referenced the letter from 2002, which he attached, documenting a Folsom resident's recollection of the subject property and that cabin existed sometime prior to 1942. Mr. Delp is concerned that if further investigation is not done, then it may be premature to demolish the cabin.

Staff Response: The letter attached to Mr. Delp's appeal was from Ellen J. Hester (formally Duvall). This letter was sent to the City of Folsom as a comment letter regarding a neighboring property, 512 Persifer Street, where they proposed to demolish a similar log cabin in 2002 (PN02-457). The project was approved for demolition by the Historic District Commission on September 18, 2002 (refer to Attachment 7).

The letter states that while Ellen Hester was a child in 1942, the cabin was already considered rather old. This letter was not included with the original staff report since it was

associated with the 2002 demolition approval for the home and cabin at 512 Persifer Street and referenced a cabin at 506 Persifer and not 504½ Persifer or 608 Bridge Street. When staff retrieve the staff report file from off-site storage and reviewed the letter, it was determined that the cabin noted in the letter at 506 Persifer was in fact the same cabin now listed as 504 ½ Persifer. The letter does not provide any additional information about the construction date nor does it indicate that the cabin was historically significant.

In addition, staff routes all project submittals in the Historic District to the Heritage Preservation League (HPL) for comment at the same time the projects are sent out to internal departments and external agencies as well as neighborhood groups. No comment was provided by HPL. At the Historic District Commission meeting, one of the Commissioners expressed concerns that they were not receiving the request from comments from the staff, as they were unaware of the project. However, staff did confirm that the project was emailed to HPL on February 27, 2023. Based on the lack of response from HPL and out of concern that HPL might have additional insight about the history of the cabin, the conditions of the approval were modified to include additional coordination with HPL to see if they had any concerns with the proposed project and if they had any additional information. Staff requested information on May 8, 2023 after the Commission meeting. Staff heard from HPL representative, Beth Kelly, after the appeal had been made and she provided the same 2002 letter that Mr. Delp provided. The comment letter and email are attached to this report as Attachment 8.

4. In the third paragraph of his appeal letter, Mr. Delp also states that there is a need for further investigation about the cabin and others like it in the Historic District before approval of demolition.

Staff Response: This issue was addressed by the Historic District Commission in the conditions of approval that they added to the project. The Commission directed staff to conduct additional research to determine the history of the cabin and whether it was historic. As noted in Attachment 4, staff conducted that research and determined that while it was very old it did not meet the criteria in the Historic Preservation Master Plan for listing in the Cultural Resources Inventory nor was any information found to suggest it was associated with a key individual or significant event in Folsom's history.

5. In the fourth paragraph, Mr. Delp questions why the 2006 Notice and Order to Abate a Public Nuisance was not included in the staff report.

Staff Response: The notice was not provided by the applicant to staff and was not included in the staff report. The notice has been included here in Attachment 3. The notice simply confirms the information that the applicant stated in her application, which is that the cabin is substandard and dangerous.

6. In the fourth paragraph, Mr. Delp also states that the deferred maintenance and the current condition of the cabin is not sufficient to determine the history of the cabin.

Staff Response: Staff agrees, but FMC Section 17.52.660 states that “the applicant shall provide documentation of the structure for the historical record.” The information provided by the applicant and the initial research performed by City staff confirmed that the cabin was very old but did not indicate that this was a historical resource. Additional research over the past four weeks supports staff’s original conclusion.

7. In paragraph five, Mr. Delp applauds one of the Commissioner’s recommendations to continue the project and does not understand why an additional month delay would cause upset.

Staff Response: The Historic District Commission voted on the continuance of the item to the next meeting in June, but this motion was defeated with only one vote in support.

Attachment 6
Interior and Exterior Photos of the Cabin





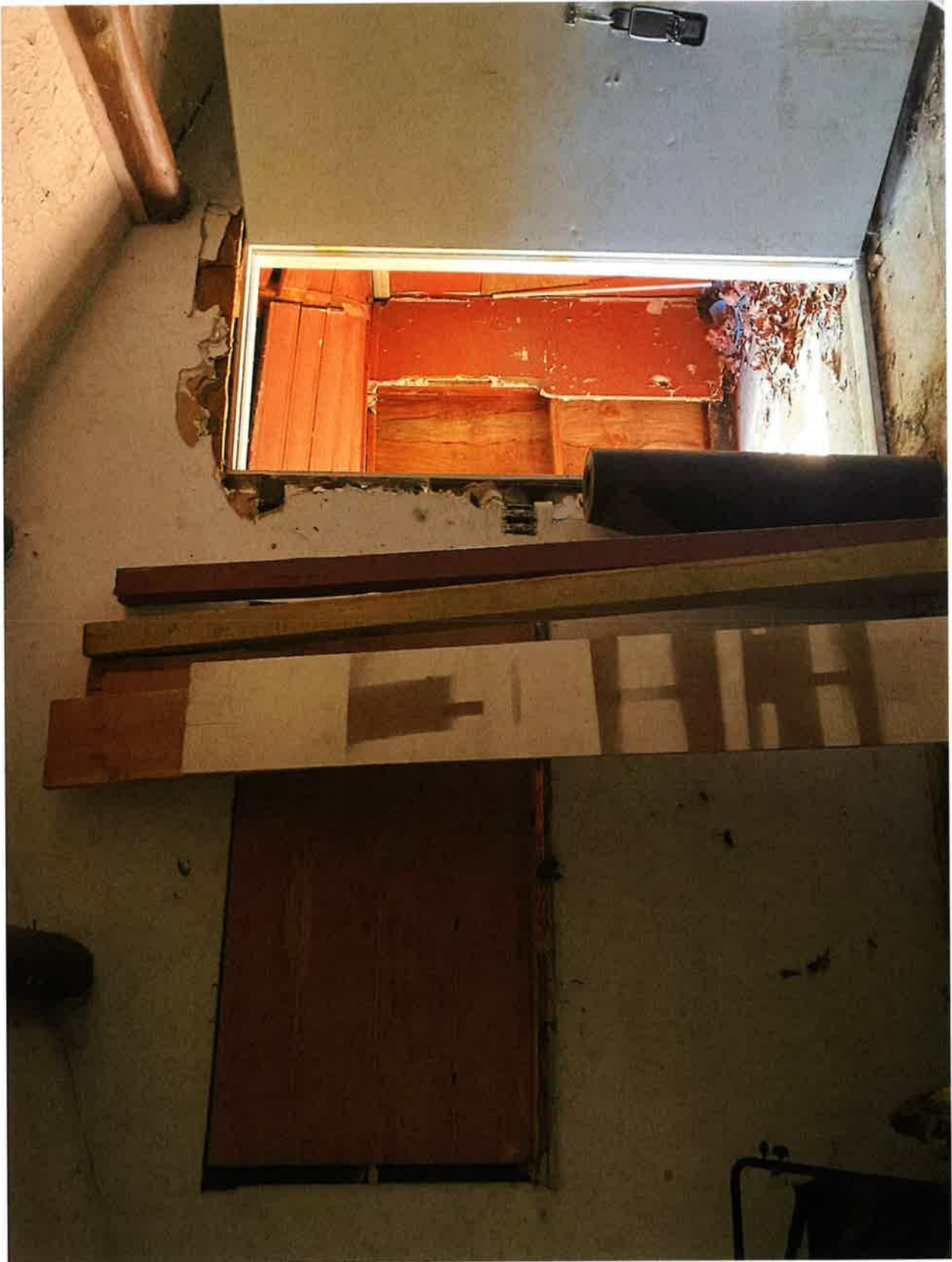


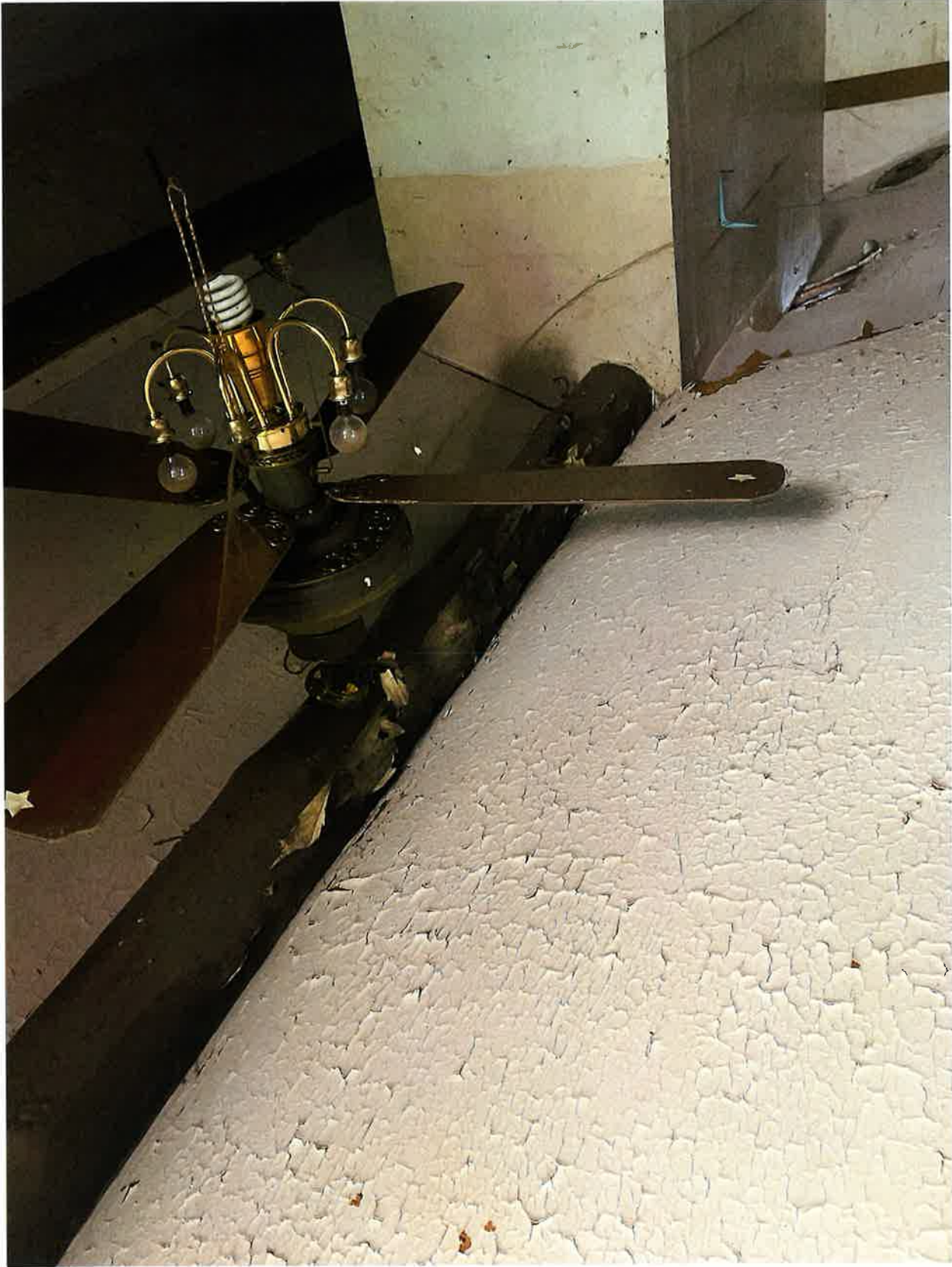
































Attachment 7
512 Persifer Street Demo Staff Report and HDC Minutes
September 18, 2002

Attachment 7

Agenda Item No. 1
PN02-457
HDC Mtg.09-18-02

PN02-457, Zandian Property Demolition 512 Persifer Street in the Central Subarea of the Historic District

Proposal

James Zandian is requesting approval to demolish the existing log-cabin type residence located at 512 Persifer Street. The Chief Building Official condemned the structure in 2001, because it was (and remains) in disrepair and considered a public health hazard. The applicant intends to build a new single-family residence on the project site, as well as a detached accessory structure.

Site Information

The residence is located on the north side of Persifer Street. The property is bounded by an alley to the north, a single-family residence to the east, Persifer Street to the south, and an undeveloped residential parcel to the west. The front of the parcel is level, and the grade drops gently towards the rear of the property.

Analysis

The log-cabin type residence is a unique type of architecture within the City of Folsom. The Rumsey map of 1904 does not indicate any buildings on the 500 block of Persifer Street at that time. The adjacent 600 block, however, indicates a slaughter house and barn were present at that time. Staff is researching the history of the log cabin for documentation of the building.

The Chief Building Official has condemned this structure because it is in disrepair and is a Public Health Hazard (Attachment 4). The site is currently fenced because of the hazardous condition of the structure.

Staff supports the request for demolition of the log cabin. Staff is conditioning the applicant to return to the Historic District Commission for review of any future development plans of the site.

Environmental Review

The project is categorically exempt from environmental review under Section 15301 (Existing Facilities) of the CEQA Guidelines.

Attached Reference Material

1. Vicinity Map
2. Existing and Future Site Plans
3. Letter from applicant, dated 7/29/02
4. Code Enforcement Record of Condemnation
5. Photographs of structure

Project Planner

Jane Talbot, Assistant Planner

Staff Recommendation

Approval of a permit to demolish the log cabin structure based on FMC 17.52.660, with finding and conditions:

Findings

A. The demolition is appropriate to meet public health, safety and/or welfare concerns.

Conditions

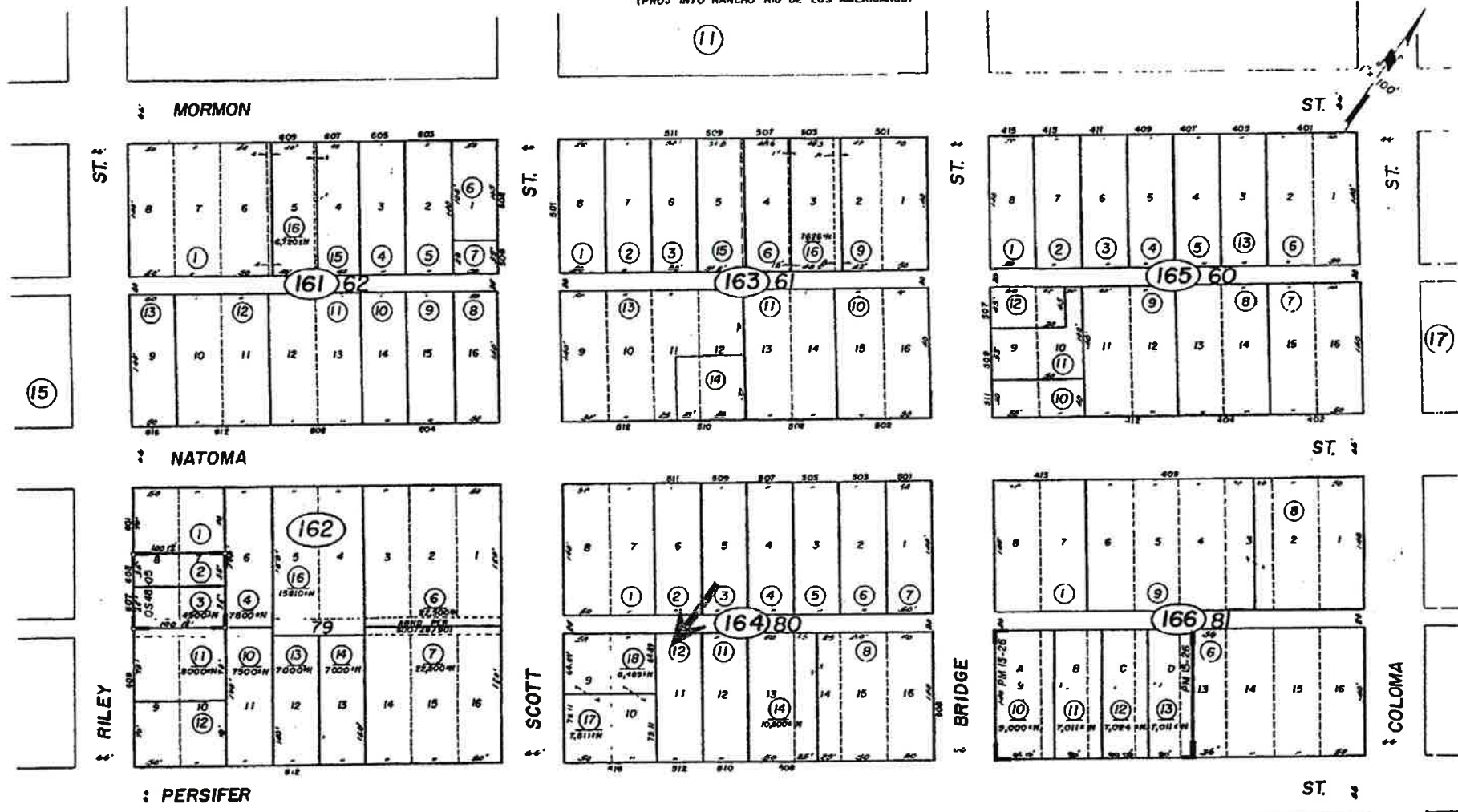
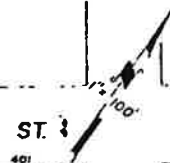
1. The existing log-cabin type structure can be demolished after obtaining a demolition permit from the Planning, Inspections, and Permitting Department.
2. The applicant shall return to the Historic District Commission for review of any future development plans.

Vicinity Map

POR. SEC. 35 & 36, T.10N., R.7E., M.D.B.&M.
(PROJ INTO RANCHO RIO DE LOS AMERICANOS)

Tax Area Code

70-16



Folsom, R.M. Bk. I, Pg. 7
Record of Survey, O.S. Bk. 48 Pg. 15 (R. 22 201)

Bk. 71

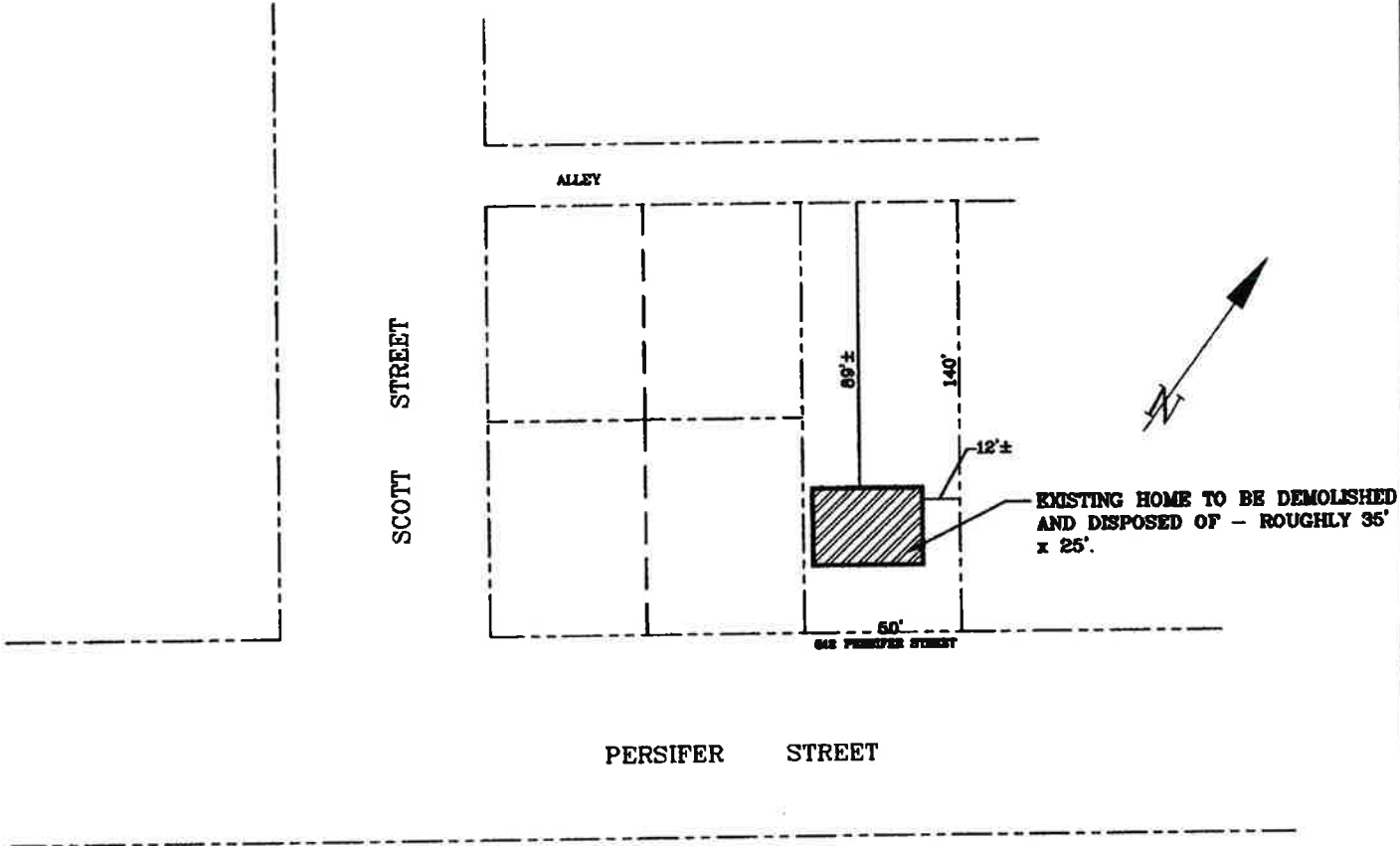
NOTE - Assessor's Block Numbers Shown in Ellipse
Lot Numbers Shown in Circles

CITY OF FOLSOM
Assessor's Map Bk. 70 - Pg. 16
County of Sacramento, Calif.

JUL 06 2000

'NOTICE This is neither a plat nor a survey it is furnished merely as a convenience to aid you in locating the land indicated hereon with reference to streets and other land No liability is assumed by reason of any reliance hereon

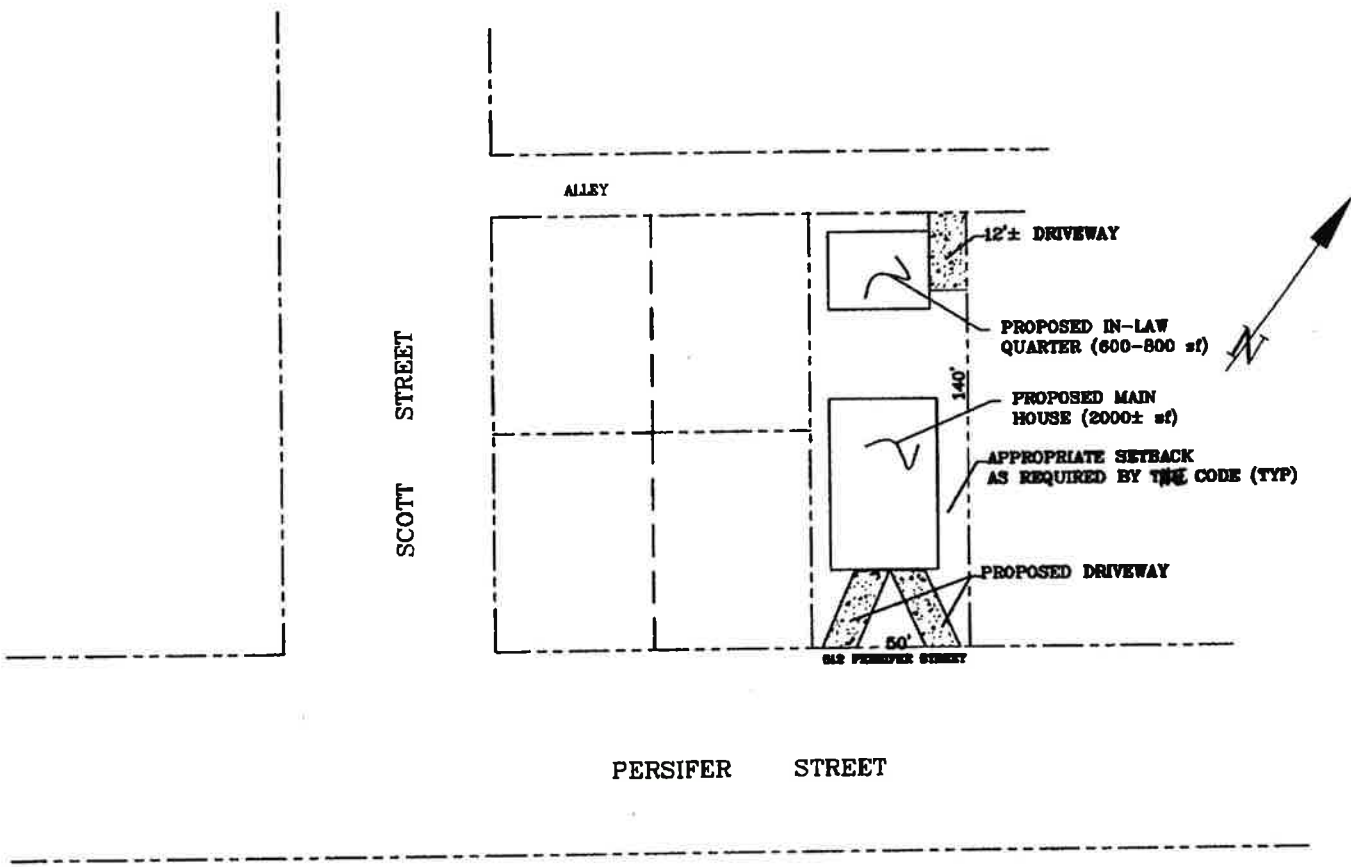
Existing and Future Site Plans



EXISTING HOME TO BE DEMOLISHED
AND DISPOSED OF - ROUGHLY 35'
x 25'.

APN 070-0184-012
512 PERSIFER STREET
TYPE OF WORK BEING PROPOSED:
EXISTING HOME TO BE DEMOLISHED
AND DISPOSED OF - ROUGHLY 35' x 25'.

SITE PLAN OF EXISTING HOME



PROPOSED SITE PLAN

APN 070-0184-012
612 PERSIFER STREET

Letter from Applicant, dated 7/29/02

07/29/02

Demolition of the house at 512 Persifer Street.

The existing house being slated for demolition is located in the City of Folsom, within the Historical District. Its physical address is know as 512 Persifer Street – the APN is 070-0164-012.

The demolition of this house is in order due to the following factors observed by the City of Folsom and the owner of the property. Last year, due to the public health hazard imposed by the aged and decrepit structure, the house was partially condemned by the City. As a result, the utility services to the property was disconnected under direction of the City of Folsom. The previous property owner was warned of the health hazard and was asked to not to occupy the existing house. The house was in such conditions that the City of Foslom felt that there would be a direct danger for anyone to occupy the property. It is not clear to the current owner whether the City of Folsom condemned the property or not.

From the outside, the existing house appears to be taken over by termites. All the exterior walls are severely damaged to a non-repairable state. At some areas on the exterior walls, portions of the wall are completely rotted away. From the inside, the walls have all failed and the ceiling has partially caved in. The entire inside of the house is completely rotted and heavily damaged. The piled up debris in the rooms have created a perfect habitat for rodents and mildew. The windows are all partially dislodged and are no longer in a working condition. The flooring of the house is severely damaged and is no longer capable of serving its function. There does not appear to be any engineered footing beneath the house. At the easterly side of the house, it appears that there is a shallow fractured concrete footing-like structure. The utility systems inside the house are beyond repairable condition. Overall the existing house has experienced significant damage and it is well beyond any reasonable repairs.

The existing house poses a significant health hazard and should be demolished and disposed of as soon as it is financially possible by the owner of the property. I, as the owner of the property, am requesting permission of the commission to remove the existing house from the land. The existing house has significant damage well beyond any reasonable repair.

My goal is to have the existing house be demolished and removed from the land, and then build possibly two structures – one signal family home and an small in-law quarter, as the code allows. I have enclosed a possible proposed site plan for your review.

Sincerely,
James Zandian

Code Enforcement Record of Condemnation

Address: 512 Persiphan St.
 Apt # 12/7/01

SUBSTANDARD BUILDINGS

SECTION 1001 -- DEFINITION

1001.1 - General. Any building or portion thereof which is determined to be an unsafe building in accordance with Section 102 of the Building Code; or any building or portion thereof, including any dwelling unit, guest room or suite of rooms, or the premises on which the same is located, in which there exists any of the conditions referenced in the section to an extent that endangers the life, limb, health, property, safety or welfare of the public or the occupants thereof shall be deemed and hereby are declared to be substandard buildings.

1001.2 - Inadequate Sanitation. Buildings or portions thereof shall be deemed substandard when they are unsanitary. Inadequate sanitation shall include, but not be limited to, the following:

- 1. Lack of, or improper water closet, lavatory, bathtub or shower in a dwelling unit or lodging house.
- 3. Lack of, or improper kitchen sink in a dwelling unit.
- 5. Lack of hot and cold running water to plumbing fixtures in a dwelling unit or lodging house.
- 6. Lack of adequate heating facilities.
- 7. Lack of, or improper operation of required ventilating equipment.
- 8. Lack of minimum amounts of natural light and ventilation required by this code.
- 9. Room and space dimensions less than required by this code.
- 10. Lack of required electrical lighting.
- 11. Dampness of habitable rooms.
- 12. Infestation of insects, vermin or rodents as determined by the health officer.
- 13. General dilapidation or improper maintenance.
- 14. Lack of connection to required sewage disposal system.
- 15. Lack of adequate garbage and rubbish storage and removal facilities as determined by the health officer.

1001.3 - Structural Hazards. Buildings or portions thereof shall be deemed substandard when they are or contain structural hazards. Structural hazards shall include but not be limited to the following:

- 1. Deteriorated or inadequate foundations.
- 2. Defective or deteriorated flooring or floor supports.
- 3. Flooring or floor supports of insufficient size to carry imposed loads with safety.
- 4. Members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration.
- 5. Members of walls, partitions or other vertical supports that are of insufficient size to carry imposed loads with safety.
- 6. Members of ceilings, roofs, ceiling and roof supports or other horizontal members which sag, split or buckle due to defective material or deterioration.
- 7. Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that are of insufficient size to carry imposed loads with safety.
- 8. Fireplaces or chimneys which list, bulge or settle due to defective material or deterioration.
- 9. Fireplaces or chimneys which are of insufficient size or strength to carry imposed loads with safety.

- 1001.4 - Nuisance
- 1001.5 - Hazardous Electrical Wiring
- 1001.6 - Hazardous Plumbing
- 1001.7 - Hazardous Mechanical Equipment
- 1001.8 - Faulty Weather Protection
- 1001.9 - Fire Hazard
- 1001.10 - Faulty Materials of Construction
- 1001.11 - Hazardous or Unsanitary Premises
- 1001.12 - Inadequate Exits
- 1001.13 - Inadequate Fire-protection or Firefighting Equipment
- 1001.14 - Improper Occupancy

→ FNC 8-38-030 — DMULLER WITH VEG.

PREPARED 12/12/01, 13:44:51
 PROGRAM CE200L
 City of Folsom

CASE HISTORY REPORT
 CASE NUMBER 01-00001522

PAGE 2

CASE TYPE	DATE ESTBL	STATUS	STATUS DATE
Parcel Number	INSPECTOR	TENANT NAME	TENANT NBR
ADDRESS			
PUBLIC NUISANCE 070-0164-012-0000 512 PERSIFER ST FOLSOM	11/13/01	ACTIVE	11/13/01
CA 95630	PETE PICCARDO	POSSIBLE VOA	
11/14/01 INITIAL CONTACT	COMPLETED	11/14/01 JOHN, JEFF	
RQST TEXT: JJ PLS GO SEE POSSIBLE VOA. R/P IS ANON CALLER.			11/13/01
RSLT TEXT: S/I. NOTED VEHICLE IN DRIVEWAY W/LIC#4HMM618 - A PLYMOUTH			11/14/01
MINIVAN. QUITE A BIT OF OVERGROWTH OF VEGETATION ON			11/14/01
PROPERTY. NO SIGNS OF DOGS ON PREMISES LOOSE. WILL CONTACT			11/14/01
PROPERTY OWNER & ADVISE OF VIOLATION. FU 111401.			11/14/01
11/14/01 INITIAL INSPECTION	COMPLETED	12/06/01 JOHN, JEFF	
RQST TEXT: JJ PLS ATTEMPT TO MAKE CONTACT WITH PROPERTY OWNER, CALVIN P			11/14/01
ERRY.			11/14/01
RSLT TEXT: S/I. NO CONTACT MADE AT RESIDENCE. LEFT BUSINESS CARD. HOME			12/06/01
HAS SOME SERIOUS STRUCTURAL DAMAGE. SERIOUS DRYROT DAMAGE			12/06/01
TO EXTERIOR OF HOME. PPMX ISSUES - OVERGROWTH OF			12/06/01
VEGETATION. WILL MAKE CONTACT WITH PROPERTY OWNER. FU			12/06/01
120701.			12/06/01
12/07/01 REINSPECTION	COMPLETED	12/10/01 PETE PICCARDO	
RQST TEXT: JJ PLS ATTEMPT TO MAKE CONTACT WITH PROPERTY OWNER RE: PPMX			12/06/01
ISSUES & STRUCTURAL DAMAGE.			12/06/01
RSLT TEXT: REVISITED--SEE CASE NARR			12/10/01
12/11/01 OFFICE ACTION	COMPLETED	12/11/01 PETE PICCARDO	
RQST TEXT: UTILITES ACTION?? DRAFT LTR			12/10/01
RSLT TEXT: utilites co will meet in filed to inspect-and possibly			12/11/01
disconnect..			12/11/01
12/11/01 REINSPECTION	COMPLETED	12/11/01 PETE PICCARDO	
RQST TEXT: GO SEE WITH INSPECTION TEAM			12/11/01
RSLT TEXT: DECISION MADE TO DISCONNECT BOTH UTILITIES--BOTH HAVE BEEN			12/11/01
DISCONNECTED--NEXT ACTION WILL DECIDE..			12/11/01

VIOLATIONS:	DATE	DESCRIPTION	QTY	CODE	STATUS	RESOLVED
	11/14/01	FMC 7.08.030	1	ANIMALS, KEEPING	ACTIVE	
		LOCATION: No horse, mule, burro, cow, bull, goat, sheep, hog, or donkey shall be kept or maintained in the City within 75 feet of any dwelling or public building.				

PREPARED 12/12/01, 13:44:51
PROGRAM CE200L
City of Folsom

CASE HISTORY REPORT
CASE NUMBER 01-00001522

CASE TYPE	DATE ESTBL	STATUS	STATUS DATE
Parcel Number	INSPECTOR	TENANT NAME	TENANT NBR
ADDRESS			
PUBLIC NUISANCE	11/13/01	ACTIVE	11/13/01
070-0164-012-0000	PETE PICCARDO	POSSIBLE VOA	
512 PERSIFER ST			
FOLSOM CA 95630			

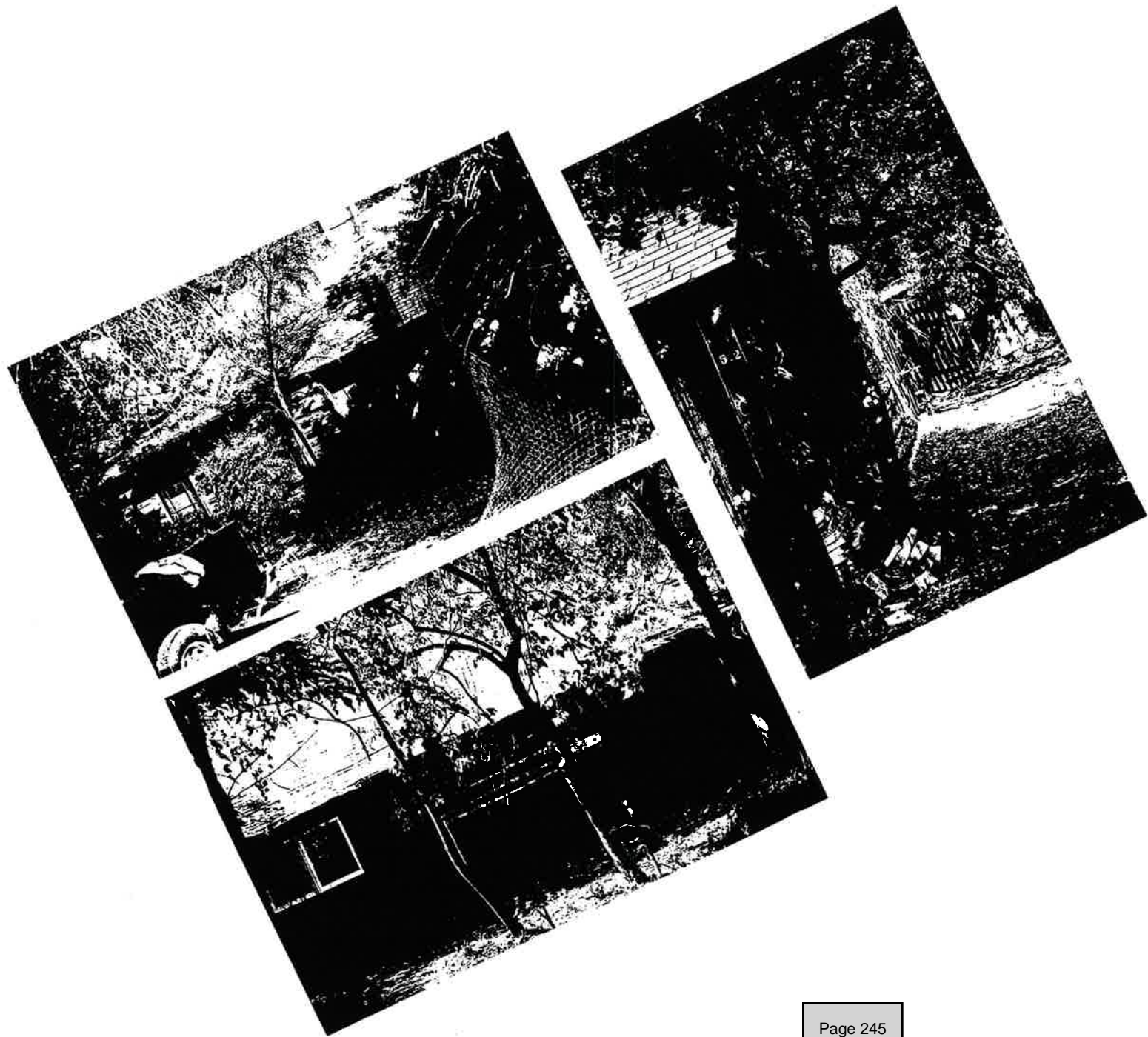
CASE DATA: ADDITIONAL INFO
 ADDITIONAL INFO
 ADDITIONAL INFO
 ADDITIONAL INFO
 COMPLAINANT 1 ADDRESS N/A
 COMPLAINANT 1 NAME N/A
 COMPLAINANT 1 TEL#S N/A
 MISC NUISANCE TYPE POSSIBLE VOA
 NAME OF PERSON CONTACTED
 NATURE OF COMPLAINT
 NAV #/DATE/TIME/DAY/AMOUNT
 NOA #/DATE/TIME/DAY OF WEEK
 NOC #/DATE/TIME/DAY OF WEEK

NARRATIVE: 111301--ANON CALLER IN COMPLAINT OF POSSIBLE VOA. ALSO FIRE 12/11/01
 DANGER DUE TO OVERGROWTH OF VEGETATION. 12/11/01
 111301--S/I. JJ NOTED VEHICLE IN DRIVEWAY W/LIC#4HMM618 - A 12/11/01
 PLYMOUTH MINIVAN. QUITE A BIT OF OVERGROWTH OF VEGETATION 12/11/01
 ON PROPERTY. NO SIGNS OF DOGS ON PREMISES LOOSE. WILL 12/11/01
 CONTACT PROPERTY OWNER & ADVISE OF VIOLATION. FU 111401. 12/11/01
 PROPERTY OWNER IS CALVIN PERRY//512 PERSIFER 12/11/01
 STREET//FOLSOM//CA//95630. VEHICLE IS A 2000 PLYMOUTH. 12/11/01
 120601--S/I. NO CONTACT MADE AT RESIDENCE. LEFT BUSINESS 12/11/01
 CARD. HOME HAS SOME SERIOUS STRUCTURAL DAMAGE. SBRIOUS DRY 12/11/01
 ROT DAMAGE TO EXTERIOR OF HOME. PPMX ISSUES - OVERGROWTH OF 12/11/01
 VEGETATION. WILL MAKE CONTACT WITH PROPERTY OWNER. FU 12/11/01
 120701. 12/11/01
 12/10/2001 10:04 AM JJOHN 12/11/01
 121001--PP REVISTED WITH SKIP, JJ, AND MCCLLOUD---GAS METER 12/11/01
 AND ELEC METER OF CONCERN BOTH UTILITIES CONTACTED TO MEET 12/11/01
 FOLSOM INSPECTION ON SITE TO REVIEW--PER CBO--UTILITES MAY 12/11/01
 BE TERMINATED--INSPECTIONS SCHEDULED FOR 12/11/01--CE WILL 12/11/01
 UPDATE 121101--inspection team w/cbo met with utility co. 12/11/01
 both have disconnected the gas and elec to home--pp and mr 12/11/01
 will meet with attorneys office to review case and to 12/11/01
 discuss further action--utilities were disconnected due to 12/11/01
 hazards found on inspections.. 12/11/01

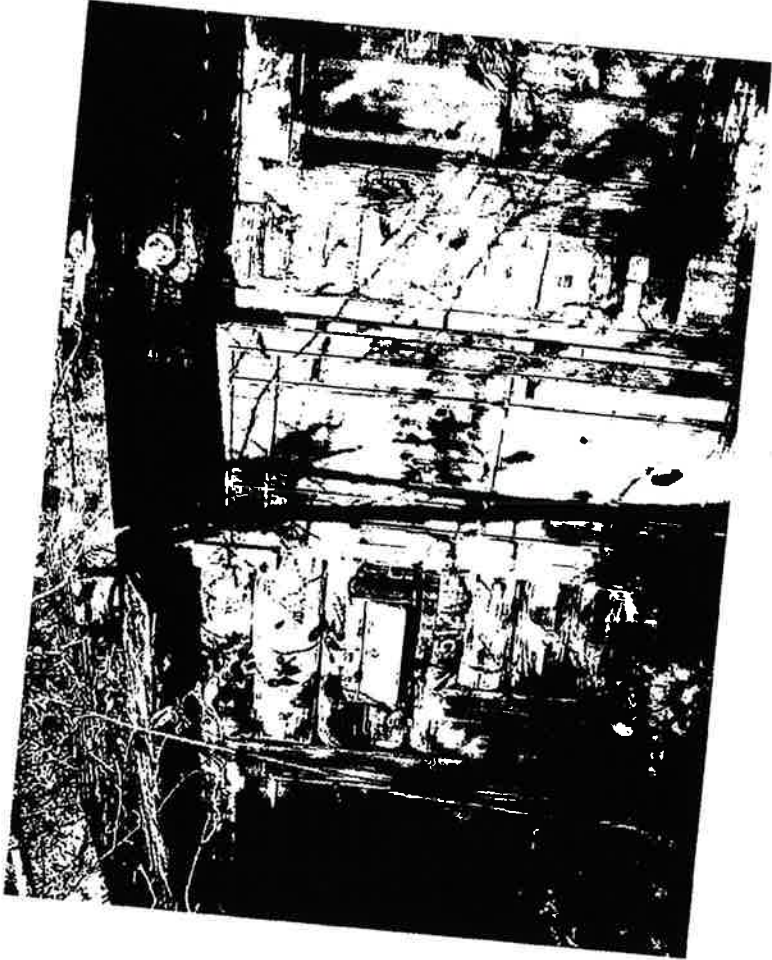
NOTICE NAMES: PERRY CALVIN OWNER

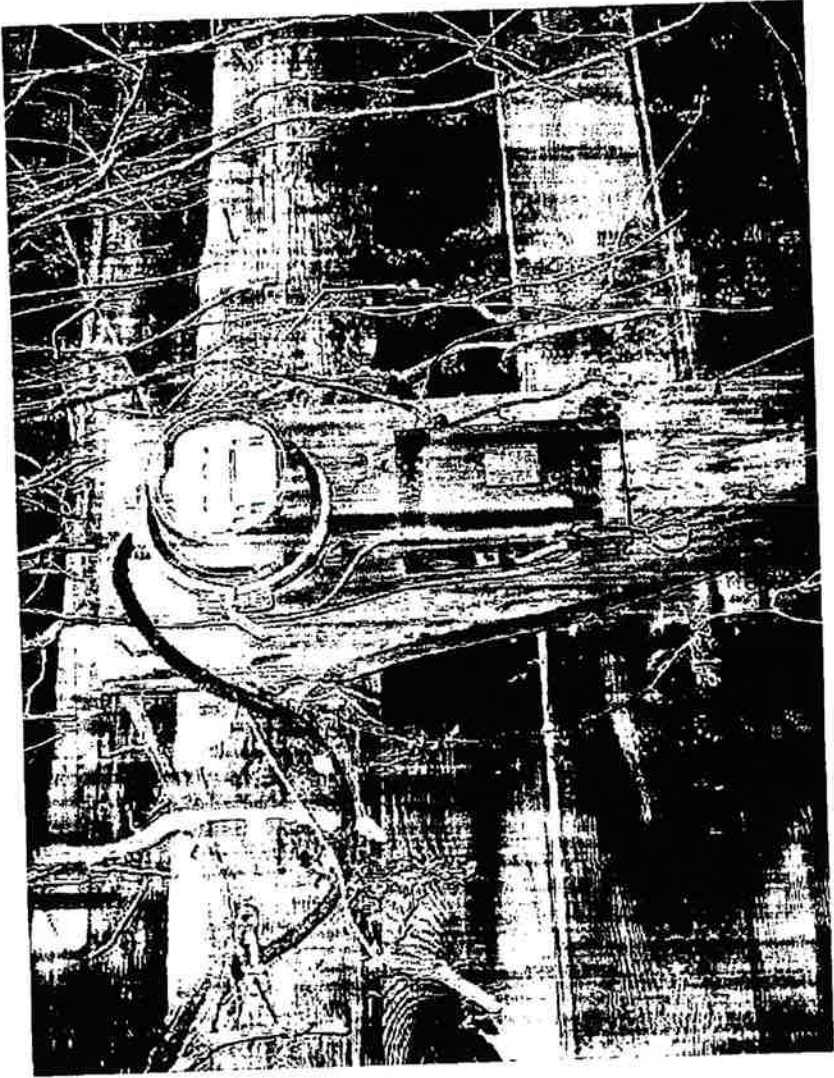
HISTORY:	SCHEDULED ACTION	STATUS	RESULTED	INSPECTOR
	11/14/01 INITIAL CONTACT	COMPLETED	11/14/01	JOHN, JEFF

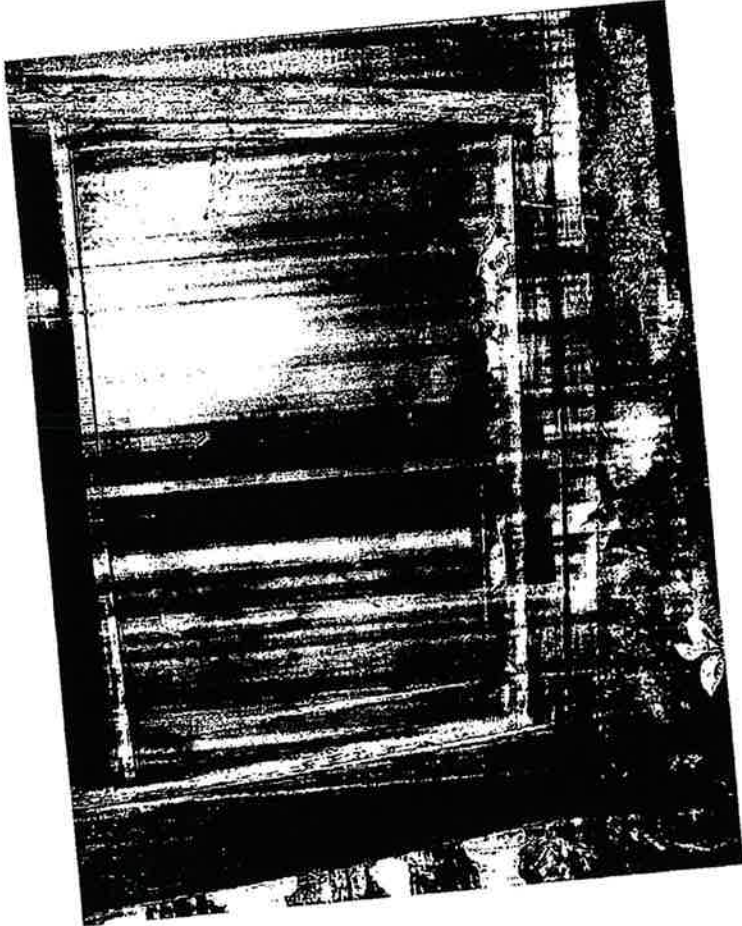
Photographs of Structure











**CITY OF FOLSOM
HISTORIC DISTRICT COMMISSION MINUTES
September 18, 2002**

CALL TO ORDER HISTORIC DISTRICT COMMISSION: Chair Jeff Ferreira-Pro; Vice Chair Dan McNeil; Commissioners Dan Burgoyne; Mary Hegarty; Candy Miller

ABSENT: Commissioners Fry, Messner

CITIZEN COMMUNICATION:

John W. Harkins, 1113 Knopfler Circle, voiced concern regarding the appearance of the Historic District.

MINUTES: The minutes of September 4, 2002 were approved as submitted.

AGENDA ITEMS CONTINUED TO FUTURE MEETINGS:

1. PN02-467, 625 Sutter Street, Sign Variance

This item was continued to the October 2, 2002 Historic District Commission meeting.

NEW BUSINESS:

2. PN02-457, 512 Persifer Street, Demolition of Existing Home

Assistant Planner Jane Talbot gave the staff report, stating that James Zandian was requesting approval to demolish the existing log-cabin type residence located at 512 Persifer Street. The Chief Building Official condemned this structure in 2001, because it was and remains in disrepair and considered a public health hazard. This structure, along with a small-detached accessory structure on the site, does not have any historic significance. The applicant has been informed that when he has plans ready for a new house, he will have to come back before this Commission.

Staff recommends approval of the demolition.

In response to Commissioner Hegarty, Assistant Planner Talbot replied that the lot was 50' x 140'.

Chair Ferreira-Pro opened the Public Hearing; no one came forward to speak so the Public Hearing was closed.

Commissioner Miller requested that photographs be retained of the structure before the demolition.

COMMISSIONER MILER MOVED TO APPROVE A PERMIT TO DEMOLISH THE LOG CABIN STRUCTURE BASED ON FMC 17.52.660 WITH FINDINGS AND CONDITIONS:

FINDINGS

- A. The demolition is appropriate to meet public health, safety and/or welfare concerns.

CONDITIONS

1. The existing log-cabin type structure can be demolished after obtaining a demolition permit from the Planning, Inspections and Permitting Department.
2. The applicant shall return to the Historic District Commission for review of any future development plans.
3. Photographs of the structure will be taken and retained before demolition.

COMMISSIONER BURGOYNE SECONDED THE MOTION WHICH CARRIED WITH THE FOLLOWING VOTE:

AYES: BURGOYNE, FERREIRA-PRO, HEGARTY, MCNEIL, MILLER
NOES: NONE
ABSTAIN: NONE
ABSENT: FRY, MESSNER

3. Draft Environmental Impact Report for the Folsom Redevelopment Plan Amendment (SCH # 2001032116)

Redevelopment Agency Manager Amy Feagans, introduced this item explaining that staff was in the process of amending their current Redevelopment Plan to extend the life of the plan; not to expand the boundaries or change any of the permitted uses. They were expanding the list of projects that the Agency will be doing. The purpose of the meeting is to receive comments from the Commission and the public on the draft EIR for the Redevelopment Plan Amendment. She added that the review period for comments end on October 14, 2002. Staff will be back before the Commission at its next meeting requesting a recommendation on the actual amendment and extension of the Plan.

Commissioner Miller noted that there were some impacts that she wanted to make sure were mitigated.

Chair Ferreira-Pro opened the Public Hearing; no one came forward to speak so the Public Hearing was closed.

Chair Ferreira-Pro commented on the working relationship between the Historic District Commission and the Redevelopment Agency, stating that there have been discussions over the years about improvements that could be done in the Historic District and the Commission was not in the position to follow through on those because they didn't have the financial means to do them. He suggested a joint brainstorming session on how the two entities might be able to collaborate to make improvements.

Commissioner McNeil added that the Merchant's Association felt the same frustration and needed to be involved as well.

4. Emergency Shelters

Principal Planner Johnson introduced this item, stating that the purpose of this ordinance was to implement the Housing Element Program 18i, which requires that the City establish Emergency Shelter Zoning. Program 18i states that shelters shall be expressly permitted in conjunction with religious facilities, as well as permitted with a Conditional Use Permit in the City's Industrial zones. The City's Housing Element Update identified an existing homeless population within the City, and this ordinance provides the opportunity for shelters to be located in the City to address the needs of that population. However, at this time, there are no emergency shelters proposed.

On September 5, 2002, the City held a workshop to discuss the proposed draft ordinance, in addition to placing notices in the *Telegraph* and *Sacramento Bee*, City staff contacted existing religious organizations and interested individuals to invite them to attend the workshop.

For the purpose of the ordinance, Emergency Shelter has been defined as a temporary residential facility, which provides overnight accommodations and incidental services for homeless persons and/or families on a short-term basis. The goal of the shelter is to address the acute needs of individuals and families by providing basic residential facilities and may include programs that help residence find available social services.

The ordinance expressly permits Emergency Shelters in conjunction with religious facilities. In that instance, if a religious facility came forward, no City permits would be required to operate that facility other than submitting a Shelter Management Plan. Emergency Shelters would also be allowed in Industrial zones with a Conditional Use permit, which would go before the approving authority to receive permission to institute that use.

The ordinance does establish some location criteria and in staff's research of other jurisdictions, they found a common standard that has been placed on these projects is to try to address the concern of the concentration of these types of facilities. Staff has included a standard of 1,000-foot separation from similar facilities. Other standards that have been addressed in the ordinance are to limit the number of beds and rooms per facility. Twenty beds would be the maximum allowed if it were in conjunction with a religious institution, and 40 beds would be allowed should a Conditional Use Permit be approved for a site in an Industrial Zone. There would also be a limited term of stay that would be imposed on the operator of the facility and their responsibility to make sure residents would only be in the facility for six months in a consecutive 12-month period. Hours of operation would be limited to 7:00 a.m. to 10:00 p.m.

Commissioner Burgoyne clarified that any church could just start providing this service and the other scenario would be in an Industrial Zone. He asked how many Industrial zones were there.

Principal Planner Johnson stated that Industrial Zones are shown in areas of purple on the map.

Commissioner Hegarty asked who would likely apply for a permit outside of a church facility in an Industrial area.

Principal Planner Johnson replied that there may some non-profits such as the Twin Lakes Food Bank.

Chair Ferreira-Pro asked if there were any Industrial areas within the Historic District.

It was brought out there was area on Sibley Street, Bidwell Street, and JWA Landscaping site.

In response to Chair Ferreira-Pro, Principal Planner Johnson stated that if a shelter was built in conjunction with a church, there were no noticing requirements for the neighbors; it would be considered a permitted use.

Commissioner Hegarty asked if there were safety issue concerns since there were no notification requirements.

Principal Planner Johnson replied that the City would be notified and will need to receive the management plan. He added that there would most likely be a Tenant Improvement that would be associated with the use, and the City would be in position to review plans and inspect to make sure the facilities are appropriate per building and fire codes. In response to Commissioner Burgoyne, he stated the management plan was more informational, but staff wanted to see the plan come in on an annual basis to see if there were need for changes and to make sure that the objectives of the ordinance were included in the management plan. If the management plan were not followed, it would lead to inspection of the facility. In response to Commissioner Hegarty, he replied that to his knowledge, the State did not oversee these kinds of facilities.

Assistant Director Johnson stated that conformance with State and local building codes were the mechanism that would allow the City to ensure that there was adequate space for the number of beds provided, adequate bathroom and shower facilities and exits. This all ties into the management plan.

Commissioner Burgoyne asked if there was a State law that was compelling the City to create the ordinance.

Principal Planner Johnson explained that in the Housing Element and State law, there was an obligation for the City to provide these types of facilities.

In response to Commissioner Hegarty, Principal Planner Johnson stated that most cities have a need for these facilities. Staff was surprise to learn that there were approximately 50-60 homeless people within the City of Folsom.

Assistant Director Johnson added that staff has not come across any agencies that provide facilities that exceed their need. Typically, enough beds are provided that meet the need for the community.

Commissioner Hegarty asked if there were 50-60 homeless persons in the community, were they looking at approximately three facilities to meet that need?

Assistant Director Johnson stated that the City does not have any pending applications for an emergency shelter.

Commissioner Hegarty asked if there were a ceiling on the number of homeless shelters the City is required to have based on its population.

Assistant Director Johnson stated that there is no mandate that there be a specific number of beds, and the City can't compel churches to provide them. The City is providing the vehicle to allow these facilities.

In response to Chair Ferreira-Pro, Principal Planner Johnson replied that Code Enforcement would address problems with the facility that wasn't living up to the standards of the management plan.

In response to Commissioner Burgoyne regarding existing public transportation routes, Assistant Director Johnson explained that the City does offer a dial-a-ride program that has flexibility. Should a church have this type of facility, Public Works would consider adjusting their bus route to accommodate the need.

Chair Ferreira Pro opened the Public Hearing.

June Hose, 1340 Young Wo Circle, voiced concern about neighbors not being notified of this type of facility coming into the neighborhoods.

Commissioner McNeil asked if there was a reason that notification wasn't included in the ordinance.

Principal Planner Johnson replied that the goal was to incorporate this use similar to the other uses that have been established as permitted uses.

Commissioner Miller asked if notification could be included as part of the management plan.

Assistant Director Johnson stated that if making notification part of the management plan was the desire of the Commission, staff could look into it before the ordinance goes before the City Council.

There was a brief discussion regarding the uniqueness of this use in Folsom and the importance of noticing neighborhoods that would be affected.

Joan Saxton, 1211 Sutter Street, asked who would supervise these facilities. She shared her experience with the homeless in Sacramento.

Principal Planner Johnson stated that the management plan would require that the church provide on-site supervision at all times.

Assistant Director Johnson added that it would be the City's responsibility to review the management plan and make a determination as to whether the responsible agency is capable of managing and providing the services that are proposed.

Joan Saxton, 1211 Sutter Street, added that once these facilities were in place, they would attract more homeless than there will be room for.

Commissioner Miller pointed out that the City of Folsom was not going to build emergency shelters; it was just giving churches the opportunity to provide them if they so desire. State law requires that this mechanism be put in place.

Assistant Director Johnson added that staff's research shows that because there are limited social services available in the City, the potential for increase in population is very limited.

Kent Rasmussen, 1382 Young Wo Circle, asked if Tenant Improvements were not needed, would there not be an opportunity to inspect the facilities.

Principal Planner Johnson replied that the facility would still have to submit a management plan.

Commissioner Hegarty interjected that the management plan could include a physical floor plan, as well as pictures.

Maribeth Leineke, 1308 Fong Street, stated that she was pleased that there was drug/alcohol abuse program component. She added that a majority of the homeless have psychological problems or drug/alcohol addicted. She voice concern about existing problems on the bike trail and the possible increase in these problems. She felt that the homeless population would increase when light rail comes to Folsom. She asked who would monitor and protect the bike trail. In response to Chair Ferreira-Pro, she stated that for many of the homeless, it was a choice of lifestyle.

Commissioner McNeil commented that the bike trail Ms. Leineke was referring to was State property. The State would have to provide services to monitor and patrol the area.

Chair Ferreira-Pro pointed out that the bike trails and light rail were facts outside the realm of this ordinance. If they don't pass the ordinance, the homeless don't go away. Not having this ordinance is not an option.

Ms. Leineke asked if there was going to be someone to make sure the bike trail was a safe place for everyone in the community. If the homeless choose not to use the shelters, how would the bike trail be monitored so that it would be safe for everyone?

Chair Ferreira-Pro felt that Ms. Leineke's concerns regarding the monitoring of the bike trail was a legitimate concern, however, it was not related to the approval of the ordinance.

Principal Planner Johnson referred Ms. Lieneke to Jim Micheaels of State Parks.

Joanna Stanfield added that they did have a neighborhood meeting with the Police Department and representatives of State Parks about two or three months ago because of problems occurring with the bike trail. They were told by State Parks that they did not have staff to do anything extra.

Commissioner McNeil commented that as more people come forward with complaints, the State might decide to take another look at the problem.

Director:

Assistant Director Johnson clarified that the proposal on Emergency Shelters will be considered by the City Council on September 24, 2002, at 6:30 p.m. should anyone in attendance want to attend that meeting.

There being no further business, the meeting was adjourned at 6:07 p.m.

RESPECTFULLY SUBMITTED,



Omega Deppe, Administrative Assistant

APPROVED:



CHAIR JEFF FERREIRA-PRO

Attachment 8
Heritage Preservation League Email and Attachment
May 11, 2023

Brianna Gustafson

From: Beth [REDACTED]
Sent: Thursday, May 11, 2023 1:39 PM
To: Brianna Gustafson
Cc: Loretta Hettinger; [REDACTED]; Karen Pardieck; Steven Banks; Desmond Parrington; Pam Johns; Sari Dierking; Lisbet Gullone
Subject: Re: Request for Comments - 608 Bridge Street Cabin Demo DRCL23-00016 - review by HPL
Attachments: Ellen (Duvall) Hester_Log Cabins Letter_Sept 2002.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Brianna,

Based on your email and the Historic District Commission (HDC)'s May 3 condition of approval of the demolition of the log cabin at 608 Bridge Street, HPL made an initial inquiry at the Folsom History Museum. Rodi Lee is the historian there and she was able to find this 2002 letter addressed to the City of Folsom Planning Department that describes the log cabin and some history around it (see attached). This letter is a summary prepared by Ellen (Duval) Hester of two log cabins she recalls from her youth, including what appears to be the subject cabin identified in the letter as 506 Persifer Street. The letter indicates that the log cabin was at the property several years prior to 1942, so it is likely at least 100 years old. It's unclear whether and what other information might be found with additional research. This was very easily found and does document an element of historic significance of this cabin. Apparently, there are a few other similar style log cabins in Folsom in the vicinity dating back to 1920's and used at one time as tourist cabins and earlier as residences. It would be a shame to lose all of them and the City should explore opportunities to preserve at least one of them, perhaps even relocating one to a public space in the City with some interpretive information. HPL suggests that the subject cabin should be inspected by an architectural historian or similarly qualified researcher, and consider options other than demolition – perhaps moving it to a park setting, restored, and documented. Of course, we would not expect this to be the current owner's obligation but do think it's reasonable that the current owner be restricted from demolishing it until an assessment and consideration of options takes place.

Please understand that HPL is an all-volunteer organization and we are not always available to research every project. Additionally, HPL's silence upon receiving a notice of opportunity to comment on a project is not an endorsement of the project. Respectfully, the present situation underscores an apparent lack of due diligence by the City and this applicant in researching potential historic properties and features since background information was very easily found and should have been in the City's own records. Certainly, a log cabin should be a red flag that it might be historical despite the condition.

Frankly, it was very disappointing to see how staff encouraged and the HDC essentially disregarded this potentially historical feature and so easily voted to allow its destruction without even accepting a minor delay to allow an assessment of it's history and potential historic significance.

We hope in the future staff will spend the time to research projects thoroughly in the historic district, and that HDC will take the information seriously for the protection of Folsom's history.

Please share this information with the HDC members as their email addresses are not readily available on the Folsom website.

Thank you,

Beth Kelly

HPL Board President

On 5/11/23 12:23 PM, Brianna Gustafson wrote:

Good morning Beth,

I just wanted to follow up, as my understanding that you met yesterday. Do you have any information about the cabin structure at 608 Bridge Street?

Thank you so much and I appreciate your time!

Best regards,



Brianna Gustafson
Associate Planner



City of Folsom
50 Natoma Street, Folsom, CA 95630
bgustafson@folsom.ca.us
916-461-6238



www.folsom.ca.us

From: Beth Kelly [REDACTED]
Sent: Monday, May 8, 2023 12:55 PM
To: Brianna Gustafson <bgustafson@folsom.ca.us>
Cc: Loretta Hettinger [REDACTED] L Folsom [REDACTED]
 [REDACTED] Karen Pardieck [REDACTED] Steven Banks
 <sbanks@folsom.ca.us>; Desmond Parrington <dparrington@folsom.ca.us>; Pam Johns
 <pjohns@folsom.ca.us>; Sari Dierking <sdierking@folsom.ca.us>
Subject: Re: Request for Comments - 608 Bridge Street Cabin Demo DRCL23-00016

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank you. HPL Board meets this Wednesday and we will discuss it and get back to you.
Beth Kelly
HPL President

Sent from my iPhone

On May 8, 2023, at 10:56 AM, Brianna Gustafson <bgustafson@folsom.ca.us> wrote:

Good morning,

During the Historic District Commission meeting on May 3, 2023 for the demolition of a cabin at 608 Bridge Street, the Commissioners added a condition of approval that staff do some additional research with the Folsom Historic Museum and reach back out to the Heritage Preservation League to see any groups were aware of any the cabin structure being historically significant. We had routed the project for comment from your group back in February when we initially requested for comments, but hadn't heard anything back. Is your team aware of anything that might be historically significant for the structure?

The date of construction for the cabin is unknown. While it was originally a log cabin, it has since been modified with wood siding with various unpermitted additions over the years. We found record from old aerial images that the structure was at least constructed prior to 1957. The homeowner had heard previously that the cabin was likely constructed sometime during the Great Depression with whatever leftover materials were available at the time. No one has been living in it since at least 2006 and has been used as storage since. The property has five other residences on the property.

We will be sending out one of our staff members to the Folsom Historic Museum later this week. If something is found as part of the additional research, then we will document prior to demolition by recording the structure with measurements, exterior and interior photographs. We are hoping to resolves this hopefully within the next week, as the homeowners are eager to demolish the structure. It is currently in substandard condition and they have a problem with animal infestations.

I really appreciate your time and review of the project. Thank you very much and I hope that your Monday is going well and please let me know if you have any questions or need any other information.

Best regards,

<image002.png>

Brianna Gustafson

Associate Planner

<image001.png>

<image003.png>

City of Folsom

50 Natoma Street, Folsom, CA 95630

<image004.png>

<image005.png> bgustafson@folsom.ca.us
916-461-6238

www.folsom.ca.us

From: Brianna Gustafson
Sent: Monday, February 27, 2023 8:43 AM
To: Pam Johns <pjohns@folsom.ca.us>; Steve Krahn <skrahn@folsom.ca.us>; Aimee Nunez <anunez@folsom.ca.us>; Pete Piccardo <ppiccardo@folsom.ca.us>; Daniel Wolfe <dwolfe@folsom.ca.us>; Bryan Holm <bholm@folsom.ca.us>; Scott Zangrando <szangrando@folsom.ca.us>; Scott Johnson <sjohnson@folsom.ca.us>; Steven Banks <sbanks@folsom.ca.us>; Desmond Parrington <dparrington@folsom.ca.us>; Stephanie Henry <shenry@folsom.ca.us>; Allison Konwinski <akonwinski@folsom.ca.us>; Josh Kinkade <jkinkade@folsom.ca.us>; Michelle L. Toledo <mtoledo@folsom.ca.us>; The Hfra <[REDACTED]> nie <[REDACTED]>

Subject: Request for Comments - 608 Bridge Street Cabin Demo DRCL23-00016

Please see the attached request for comments for the cabin demolition at 608 Bridge Street (DRCL23-00016). Please let me know what comments you have by March 13, 2023.

Thank you so much for your time!

<image002.png> Brianna Gustafson
Associate Planner

<image003.png>

<image001.png>

<image004.png> **City of Folsom**
50 Natoma Street, Folsom, CA 95630
bgustafson@folsom.ca.us
916-461-6238

<image005.png>

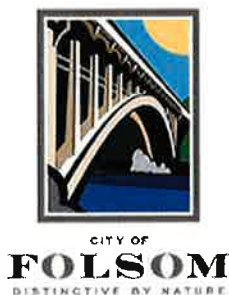
www.folsom.ca.us

<DRCL23-00016 Cabin Demo Plans.pdf>

Attachment 9
Responses Received from the Folsom History Museum

Hello,

Below is a copy of the email chain between Shelby Sorensen and I, and includes the emails I've gotten from Rodi



Nathan R. Stroud
Assistant Planner (Intern)



City of Folsom
50 Natoma Street, Folsom, CA 95630
nstroud@folsom.ca.us
o:916-461-6220



www.folsom.ca.us



From: Rodi Lee <[REDACTED]>
Sent: Thursday, May 11, 2023 2:30 PM
To: Nathan Stroud <nstroud@folsom.ca.us>
Subject: Fwd: Old Structure - Request for Information

You don't often get email from [REDACTED]. [Why this is important](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Nathan I just sent this to Shelby.

Rodi

Begin forwarded message:

From: Rodi Lee <[REDACTED]>
Date: May 11, 2023 at 2:26:43 PM PDT
To: Shelby Sorensen <[REDACTED]>
Subject: Re: Old Structure - Request for Information

Shelby,

I was searching the internet yesterday when I got home. Typed in "auto parks" one surfaced near the prison and another near the powerhouse in the late teens early twenties. Folks were buying cars and need places to stay as they traveled. Quick thinking people built cabins, cottages or created tent spaces on their property. They made extra money by charging the travelers. In Ellen Duvall-Hester's letter she notes that the log cabins were on a cuddle-sac. It might mean that there was a small auto-park on that block. It hasn't show up in any article. Perhaps there is something in an early city directory. It would make sense to have one there near Natoma Street a thorough-fair through town.

Sometimes tax reports have good descriptions of structures on properties. It would be interesting to see how the log structure was built. Whether there is care in house the logs were set one on top of the other (notched to fit firmly) or is it slapped together intended as a temporary shelter. And what of the foundation? What is it composed of? What of the window openings? I am curious, it would be nice to see it and take photos before it is demolished. Wonder if that would be possible?

Rodi

On May 11, 2023, at 2:04 PM, Shelby Sorensen [REDACTED] wrote:

Hi Nathan,

Rodi is the historian that I work with on Wednesdays actually. I've CC'ed her on this email for us to bring her into the official conversation.

Best,
Shelby

From: Nathan Stroud <nstroud@folsom.ca.us>
Sent: Thursday, May 11, 2023 2:02 PM
To: Shelby Sorensen [REDACTED]
Subject: RE: Old Structure - Request for Information

Hi Shelby,

I have some additional information which might be helpful.

Attached is a letter with an account detailing the existence of the cabins in the 1940s from Ellen Duvell-Hester, whose name was written on one of the documents you sent earlier. This document was provided by Rodi Lee who is a historian at the Folsom History Museum to the Heritage Preservation League of Folsom. Would it be possible for me to have Rodi's email address so we could connect to discuss the cabin?

Thanks,
Nathan



Nathan R. Stroud
Assistant Planner (Intern)



City of Folsom
50 Natoma Street, Folsom, CA 95630
nstroud@folsom.ca.us



o:916-461-6220
www.folsom.ca.us



CITY OF
FOLSOM
DISTINCTIVE BY NATURE



From: Shelby Sorensen <[REDACTED]>
Sent: Thursday, May 11, 2023 10:26 AM
To: Nathan Stroud <nstroud@folsom.ca.us>
Subject: RE: Old Structure - Request for Information

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Nathan,

Here are a few things that my historian and archivist were able to pull up on the property. I'll let you know if we find any more based on the information that you provided last night regarding the Prison.

Best,
Shelby

From: Nathan Stroud <nstroud@folsom.ca.us>
Sent: Wednesday, May 10, 2023 2:37 PM
To: Shelby Sorensen <[REDACTED]>
Subject: RE: Old Structure - Request for Information

Hi Shelby,

I have some additional information which might help narrow down the search for information on the cabin.

Folsom Prison guards often constructed their own housing near prison grounds since the prison's budget could not cover housing expenses, and it was common for prison guards, upon leaving their employment, to move these houses onto lots purchased in the town of Folsom. Considering that the property was owned by a former Folsom Prison guard between the 1940s and 1972, this cabin may have been one of those structures. If you have any photographs of housing on Folsom Prison grounds, we could compare and possibly match those photos to the pictures of the cabin at 608 Bridge Street. I have also reached out to the Folsom Prison Museum to see if they might also be of assistance.

Also, were you or your historian and archivist able found anything related to the cabin?

Thanks again for your help,
Nathan

<image001.png> [<image002.png>](#) **Nathan R. Stroud**
[<image003.png>](#) *Assistant Planner (Intern)*
[<image004.png>](#) **City of Folsom**
50 Natoma Street, Folsom, CA 95630
nstroud@folsom.ca.us
[o:916-461-6220](tel:916-461-6220)
www.folsom.ca.us
[<image005.png>](#)

From: Shelby Sorensen <[REDACTED]>
Sent: Monday, May 8, 2023 1:42 PM
To: Nathan Stroud <nstroud@folsom.ca.us>
Subject: RE: Old Structure - Request for Information

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Nathan,

I've reached out to my historian and archivist to see if they know any further information on the cabin. I'll let you know if we find anything that helps out! Always happy to be of service.

Best,
Shelby

Shelby Sorensen
Museum Manager



SHINE ON.

From: Nathan Stroud <nstroud@folsom.ca.us>
Sent: Monday, May 8, 2023 1:17 PM

To: Shelby Sorensen <[REDACTED]>
Subject: Old Structure - Request for Information

Hi Shelby,

I appreciate the help you provided me a few weeks ago when I was doing research on the early Chinese Community in Folsom. I have moved onto researching other topics, and I am currently having difficulties finding information on a specific structure in Folsom. I wanted to reach out to see if you would be able to help me, or direct me to someone who might have more information?

There is a cabin located at 608 Bridge Street (address of cabin was formerly 504 ½ Persifer Street) that appears to be very old. The earliest confirmed year of its existence is 1957 based on aerial photography, but I suspect this structure is significantly older than this. Attached are current pictures of the cabin.

Based on the 1855 Judah map, the property where the cabin lies extends over lots 16, 15, and the eastern half of lot 14 on Block 80. The property in its entirety currently lies at the corner of Bridge Street and Persifer Street. The cabin itself rests on what would be lot 15 along the Natoma Street – Persifer Street Alley.

The 1904 Rumsey Map does not list anything at this location, and the 1891, 1899, 1910, and 1925 Sanford Maps do not have a view of this portion of Folsom where the property lies. The earliest owner we have on record is James R. Stephens and Mary R. Stephens who sold the property in 1972. I believe James was a former prison guard at Folsom Prison.

The current owner is requesting the demolition of the cabin, but before that can proceed, I was tasked to do some research to see if the structure is historically significant. This is all the information I have thus far.

Would you know where I might be able to find more information? Any assistance is appreciated.

With appreciation,
 Nathan Stroud

P.S., also attached are the site plan and vicinity map, which may or may not be helpful.

<image001.png> [<image002.png>](#) **Nathan R. Stroud**
[<image003.png>](#) *Assistant Planner (Intern)*
[<image004.png>](#) **City of Folsom**
 50 Natoma Street, Folsom, CA 95630
nstroud@folsom.ca.us
[o:916-461-6220](tel:9164616220)
www.folsom.ca.us
[<image005.png>](#)



- Parcel Details
- Layers
- Measure
- Sea

Thomas Brothers Map	261 C 5	▲
Assessor Land Use Code	AG005B	
Assessor's Property Description	E 1/2 LOT 14 & ALL LOTS 15 & 16 BLK 80 FOLSOM	
Approx. Parcel Area	17500 sq ft / 0.4 acres	

ZONING ▼

Zoning: R-1-M - SINGLE FAMILY RESIDENTIAL - SMALL LOT

OWNER INFORMATION ▶

PROPERTY BUILDING INFORMA ▶

Gross Building Area	4092 sq ft
Net Rentable Area	4092 sq ft
Ground Floor Area	4092 sq ft
Year Built	1927
Effective Year	1977
Stories	1
Quality Class	Low CostD

608 BRIDGE ST, FOLSOM, CA 95630



- Details
- Layers
- Measure
- Search Results
- Select Parcels
- Recent Sales
- Legend
- Help

Information for Parcel:
070-0164-008-0000

[Our Data Disclaimer](#)

PROPERTY INFORMATION

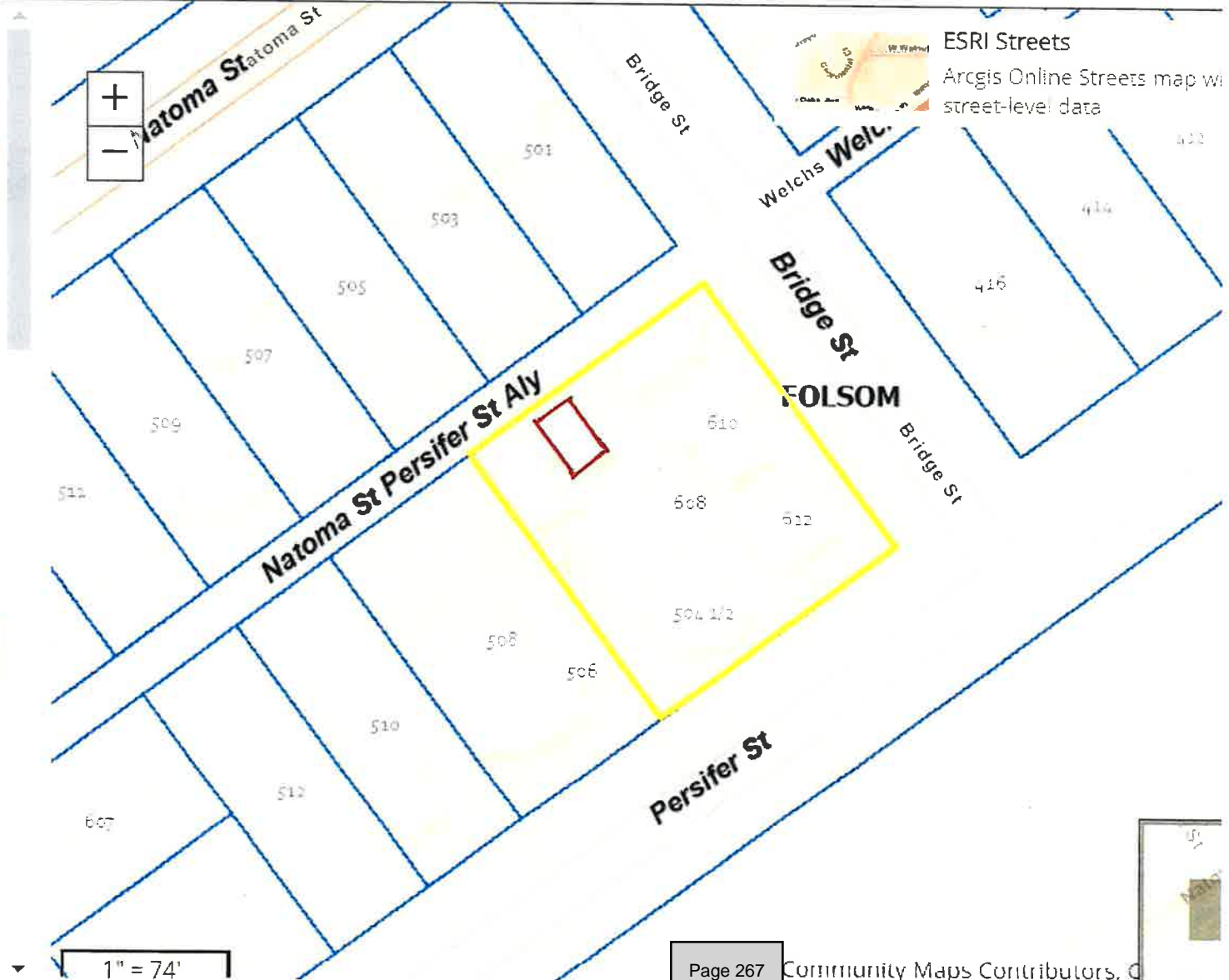
Parcel # 07001640080000
 608 BRIDGE ST
 FOLSOM 95630
 City of Folsom
 Supervisor Sue Frost - District 4

Roll Status ACTIVE
 Assessor's Map
 Book 070, Page 016

PROPERTY TAX BILL

Summary of the most recent property tax bill is available on PropTax site.

Area Code 04-018
 Used on FOLSOM
 Current Tax Roll



ESRI Streets
 Arcgis Online Streets map with street-level data

PARCELS ARE FOR TAX ASSESSMENT PURPOSES ONLY AND
DO NOT REPRESENT A VALID BUILDING SITE. THE COUNTY
HAS NO RESPONSIBILITY ARISING FROM USE OF THIS

POR. SEC. 35&36, T.10N., R.7E., M.D.B.& M.

70-16



olsom R.M. Bk.1 Pg.7
Record of Survey, O.S. Bk.48 Pg.15 (8-22-90)

Bk.
71

CITY OF FOLSOM
Assessor's Map Bk. 70 Pg. 16
County of Sacramento, Calif.

Persifer Street
BK 29D 506 Slaybaugh Court (Bungalows log cabin)
510 Harness/Mansour (log cabin) 1859

ON file at SARCCE
608 Bridge Street

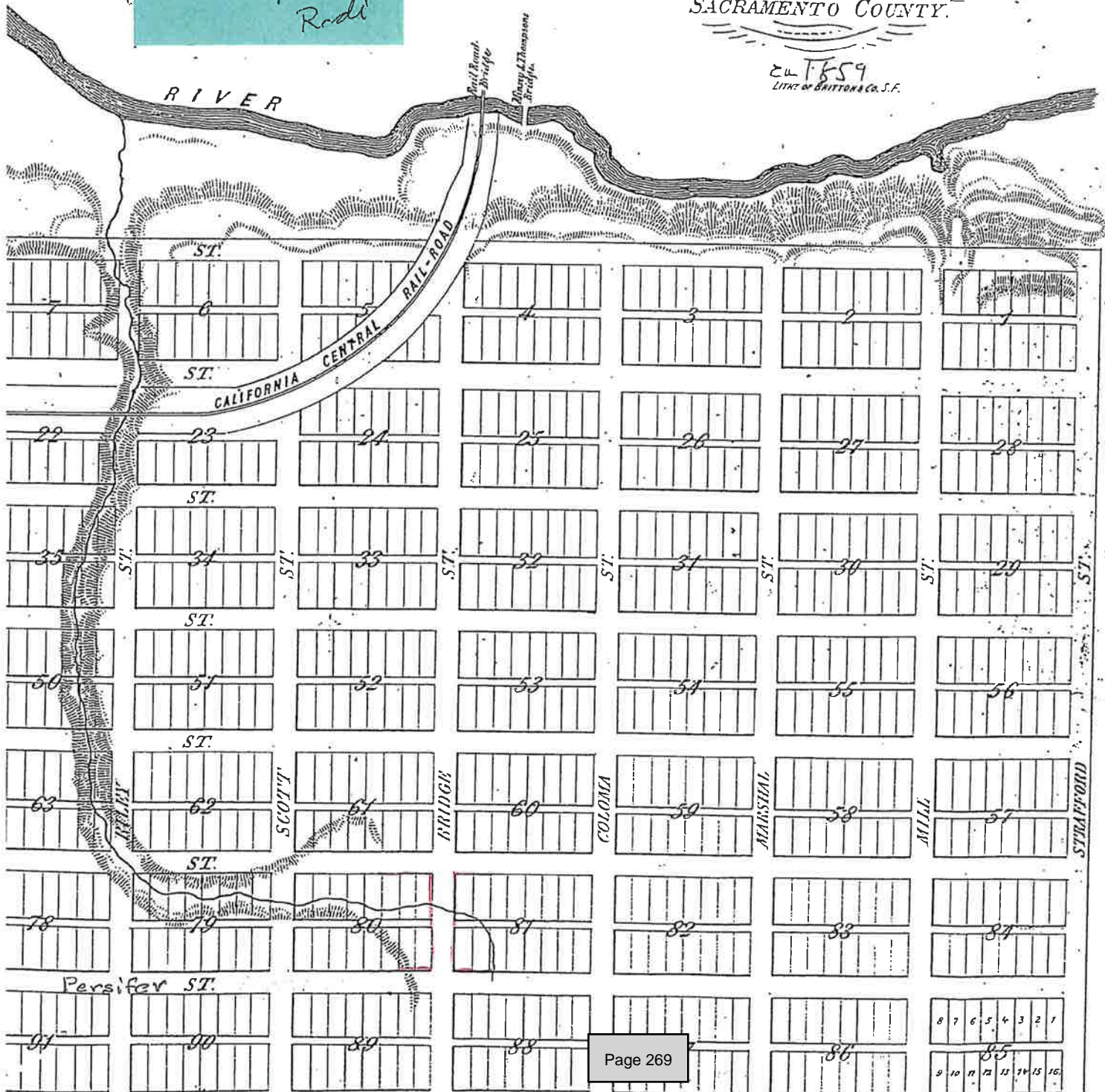
DESCRIPT
er as in Blo
by 140, except th
and excepting
ft. wide, except I
ft. wide.

Log house
deeds of
- Slaybaugh
- Harness/Mansour
Road

Map OF THE TOWN OF FOLSOM

SACRAMENTO COUNTY.

211559
LITZ & BRITTON & Co. S.F.



Lot #8: 615 Natoma St.; The Sanborn Fire Map shows a house on this lot in 1925.

Lot #9: 616 Persifer St.; The Sanborn Fire Map shows a house on this lot in 1925.

Lot #1 - 16: Lot 1 - 16 of Block 79

Jacob Gable to C.L. Ecklon dated 2 September 1886 (\$400 gold coin with Block 80)
(Deeds Book 118, page 5)

Lot #1 - 16: Lot 1 - 16 of Block 79

Estate of Joseph Folsom to William Dwyer date 3 May 1856 (\$52 w/ lots on Block 53)
(Deeds Book R, page 141)

BLOCK 80

Lot #1 - 16: Lot 1 - 16 of Block 80

Jacob Gable to C.L. Ecklon dated 2 September 1886 (\$400 gold coin with Block 79)
(Deeds Book 118, page 5)

Lot #1 - 8: Lot 1 - 8 of Block 80

Elijah Livermore to Frederick Holzinger dated 23 April 1861 (\$100)
(Deeds Book 29, page 503)

BLOCK 81

Lot #8 - 16: Lot 8 - 16 of Block 81

H.P. Livermore to Charles E. Livermore dated 16 November 1885 (\$5.00)
(Deeds Book 116, page 365)

1885 Tax Roll: Lot 6 & 7 of Block 81 belonged to D. Waters. Delinquent taxes.
Land value: \$80 Improvement value: 0

Ellen Davell-Nester remembers
the log cabins when she was a child in the 140s

Lot 8 - 16 of Block 81 belonged to Horatio Livermore. Taxes paid 12/28/1885. Land value: \$100 Improvement value: 0

BLOCK 82

Lot #1 - 16: Lot 1 - 16 of Block 82

Estate of H.G. Livermore to Charles E. Livermore dated 23, January 1882
(Deeds Book ??)

Lot #1 - 16: Lot 1 - 16 of Block 82

Amos P. Catlin to H.G. Livermore dated 11 April 1865 (\$200 w/ lots in Block 1 and Block 4) (Sales date: 11/13/1864)
(Deeds Book 36, page 794)

1885 Tax Roll: Lot 1 - 16 of Block 82 belonged to Charles E. Livermore. Taxes paid 12/28/1885. Land value: \$100 Improvement value: 0

Lot #1 - 16: Lot 1 - 16 of Block 82

Amos P. Catlin to Benjamin C. Quigley dated 20 March 1862 (\$1,300 w/ lots on Block 83, 63, 62, 6, & ?)
(Deeds book 32, page 165)

Lot #1 - 16: Lot 1 - 16 of Block 82

Estate of Joseph Folsom to Amos P. Catlin dated 25 March 1856 (\$320 w/ lots on Block 38, 58, 59, 68, 70, 71, 72, 83, 86, 76, & 98)
(Deeds Book R, page 13)

BLOCK 83

See Below

1885 Tax Roll: Lot 1 - 16 of Block 83 belonged to Arvilla Walker. Taxes paid 12/2/1885. Land value: \$160 Improvement value: 0

Lot #1 - 16: Lot 1 - 16 of Block 83

Amos P. Catlin to Benjamin C. Quigley dated 20 March 1862 (\$1,300 w/ lots on Block 82, 63, 62, 6 & ?)
(Deeds Book 32, page 165)

L1-3:

*J E Kepp gr to Durkuban Book 9/24/53
\$6500 (2.30 trans fee)*

111

DR 2482-947

L1-3

some or about 1857 to BJA 5/8/57

Attachment 10
Image from Rumsey Map dated 1904

FOLSOM, 1904

- 101. Church meeting house
- 102. Church building
- 103. Church building
- 104. Church building
- 105. Church building
- 106. Church building
- 107. Church building
- 108. Church building
- 109. Church building
- 110. Church building
- 111. Church building
- 112. Church building
- 113. Church building
- 114. Church building
- 115. Church building
- 116. Church building
- 117. Church building
- 118. Church building
- 119. Church building
- 120. Church building

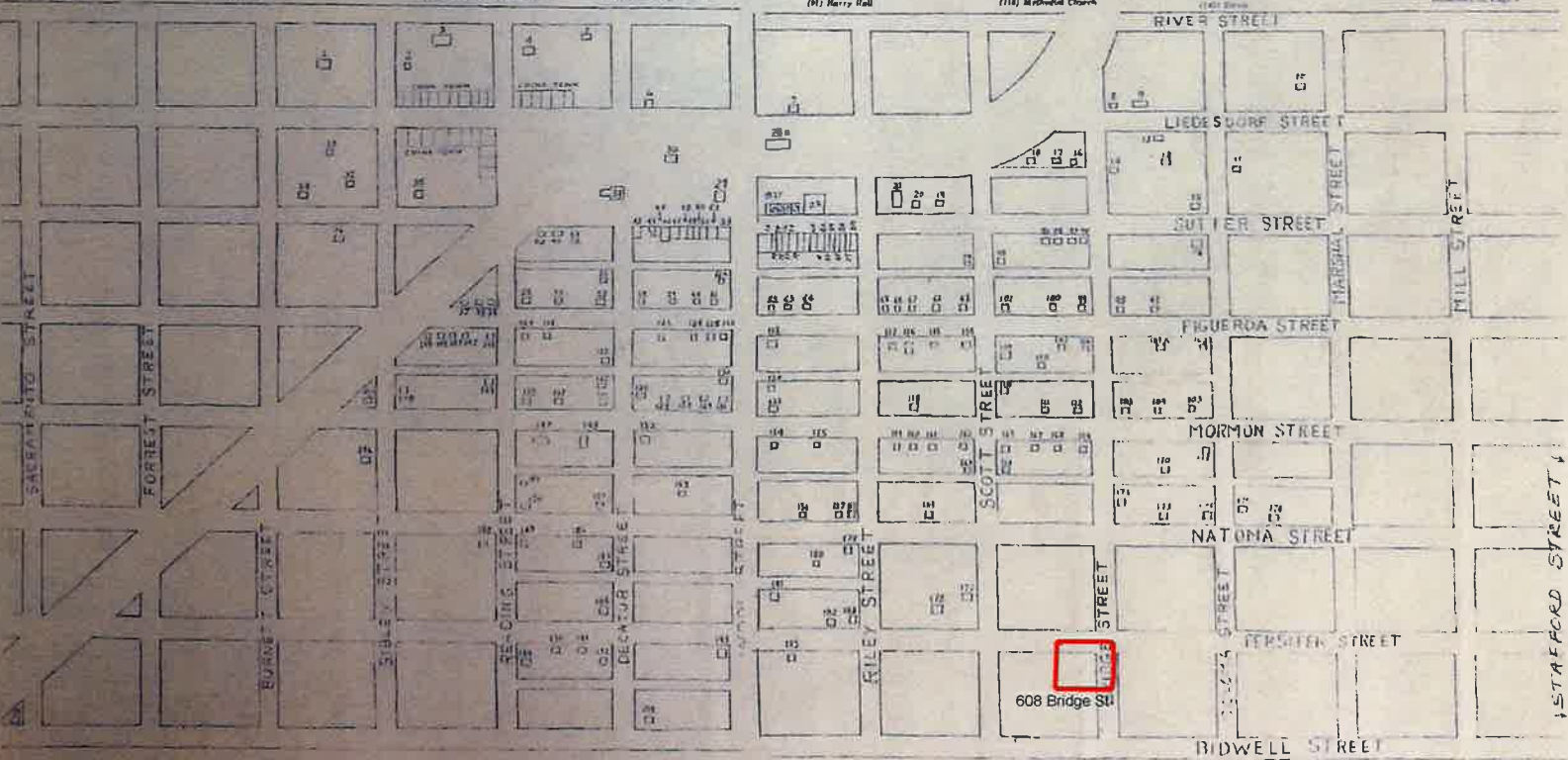
- 121. Church building
- 122. Church building
- 123. Church building
- 124. Church building
- 125. Church building
- 126. Church building
- 127. Church building
- 128. Church building
- 129. Church building
- 130. Church building
- 131. Church building
- 132. Church building
- 133. Church building
- 134. Church building
- 135. Church building
- 136. Church building
- 137. Church building
- 138. Church building
- 139. Church building
- 140. Church building

- 141. Church building
- 142. Church building
- 143. Church building
- 144. Church building
- 145. Church building
- 146. Church building
- 147. Church building
- 148. Church building
- 149. Church building
- 150. Church building
- 151. Church building
- 152. Church building
- 153. Church building
- 154. Church building
- 155. Church building
- 156. Church building
- 157. Church building
- 158. Church building
- 159. Church building
- 160. Church building

- 161. Church building
- 162. Church building
- 163. Church building
- 164. Church building
- 165. Church building
- 166. Church building
- 167. Church building
- 168. Church building
- 169. Church building
- 170. Church building
- 171. Church building
- 172. Church building
- 173. Church building
- 174. Church building
- 175. Church building
- 176. Church building
- 177. Church building
- 178. Church building
- 179. Church building
- 180. Church building

Rumsey Map

CLASSIFIED ADS
 ART-2018 FOL-10418
 DIVISION OF REVENUE AND TAXATION
 UPLAND COUNTY, CALIFORNIA



Attachment 11
Correspondence and Photos from Folsom Prison Museum
staff from May 2023

Attachment 11 Information from Folsom Prison Museum

From: Deal, Chad@CDCR [REDACTED]
Sent: Wednesday, May 24, 2023 12:34 PM
To: Nathan Stroud <nstroud@folsom.ca.us>
Subject: FW: Possible Former Guard House (608 Bridge Street)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

[From one of our history/photo buffs.](#)

Hello Mr. Stroud,

Chad forwarded this email to me, I am sure because I am obsessed with everything at the prison. I have a large amount of pictures that date back to when it was new. There weren't any buildings that looked similar to the 'cabin' in these photos. I have attached some photos of the first houses in the Valley. Hope this helps.

Have a fabulous day!

From: Deal, Chad@CDCR [REDACTED]
Sent: Wednesday, May 24, 2023 11:41 AM
To: Ervin, Jessica@CDCR [REDACTED]
Subject: FW: Possible Former Guard House (608 Bridge Street)

From: Nathan Stroud <nstroud@folsom.ca.us>
Sent: Wednesday, May 24, 2023 11:26 AM
To: Deal, Chad@CDCR [REDACTED]
Subject: Possible Former Guard House (608 Bridge Street)

CAUTION: This email originated from outside of CDCR/CCHCS. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Lt. Deal,

Attached are the exterior and interior photographs of the cabin that you requested.

Additional information:

James R. Stephens owned the property at 608 Bridge Street until 1972 and was suspected to have been a correctional officer and tower officer at Folsom Prison between 1946 and 1969. 1957 is the earliest confirmed year of the cabin's location at 608 Bridge Street, although some accounts state that it might

have existed there in the 1940s. It is believed that it might have possibly been a former guard house constructed on or near prison grounds, and later moved to its current location in the 1940s or 1950s.

Any photographs of guard houses at Folsom Prison before 1957 would help possibly match the cabin's origins.

Thank you for your assistance! If you need any help looking through documents or photographs, please let me know.

With appreciation,
Nathan Stroud



CITY OF
FOLSOM
DISTINCTIVE BY NATURE



Nathan R. Stroud

Assistant Planner (Intern)

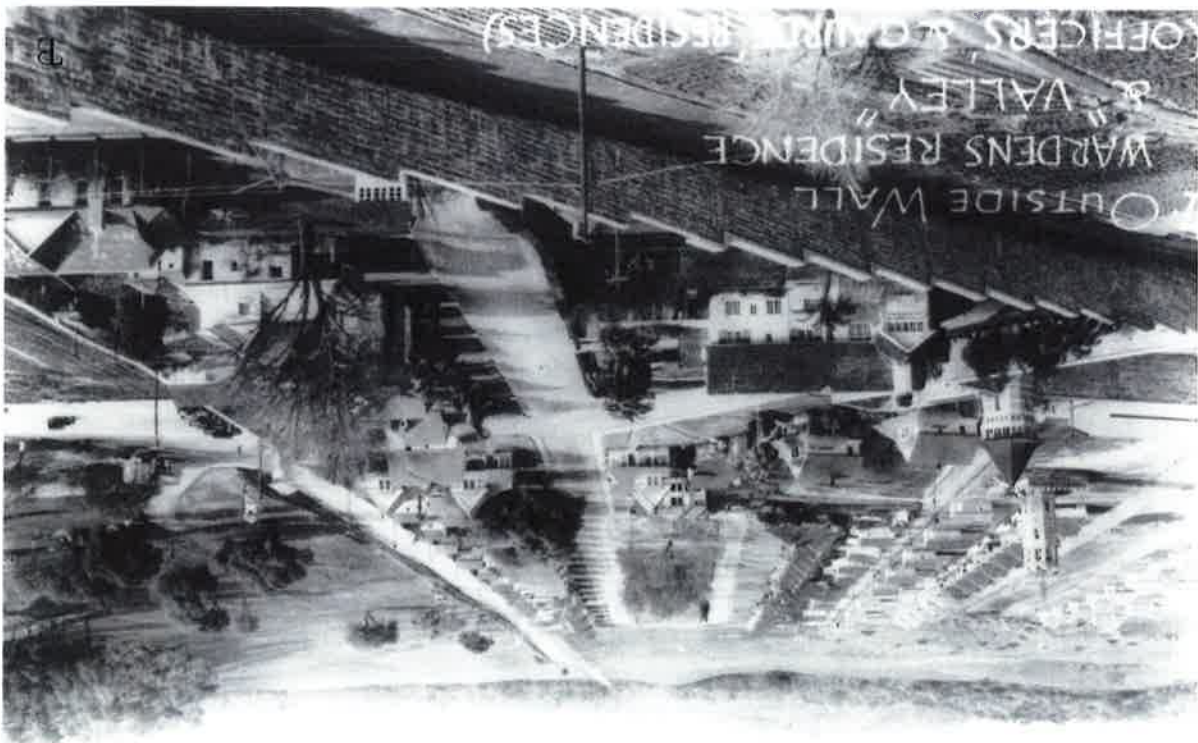
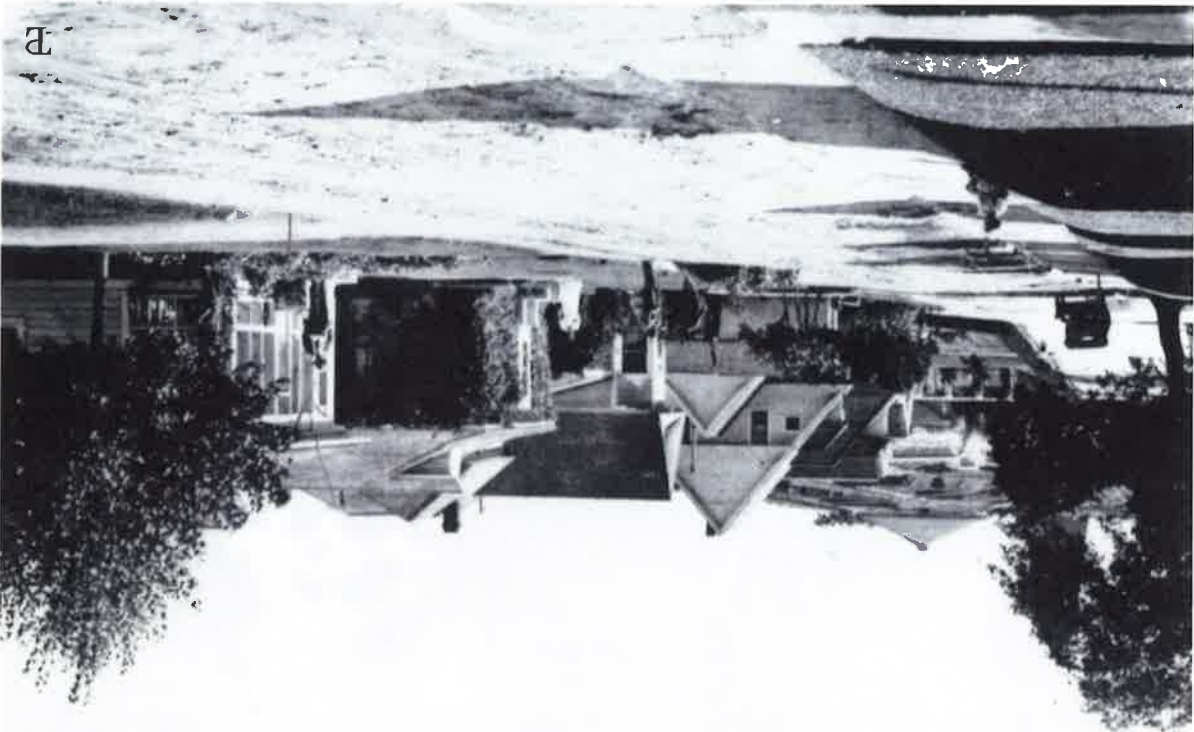
City of Folsom

50 Natoma Street, Folsom, CA 95630

nstroud@folsom.ca.us

o:916-461-6220

www.folsom.ca.us





Place
Design
Origin
Material

Total fl
Size: 3

a
b
c
d

Coal, N
Gas, N
Electric
Oil, N
S...



Attachment 12
Appeal Response from the Applicant

TO: City Council Members, City of Folsom

Planning Department, City of Folsom

FROM: Jennifer Jennings and Michael Bledsoe, Trustees, Jennings-Bledsoe Family Trust, Owners of Property Commonly Known as 608 Bridge Street

DATE: May 30, 2023

RE: Property Owners' Response to the Appeal of Historic District Commission Decision on DRCL23-00016

We urge the Council to deny Mr. Delp's appeal.

Mr. Delp's appeal of the Historic District Commission's (HDC) decision should be dismissed outright because he does not meet the fundamental requirement in the City's Municipal Code of having a property right that may be affected by the HDC decision. Folsom Municipal Code Section 17.52.700 provides: "If a permit applicant, permittee, or other **person whose property rights may be affected** is dissatisfied with any determination made by the historic district commission, such person(s) may appeal to the city council." (emphasis added) Mr. Delp fails to assert any of his property rights that would be affected by the HDC decision. Indeed, it is hard to imagine how the demolition of the subject structure could affect any other property in Folsom excepting those neighbors close enough to benefit from the demolition. The failure of Mr. Delp to identify any of his property rights at risk is a sufficient basis for the City Council to dismiss his appeal, and we urge the Council to do so.

Should the Council wish to proceed notwithstanding the disqualifying language in its ordinance described above, it should deny the appeal on the merits. The City staff report to the HDC recommended approval of the demolition permit. The Planning Department recommendation in its staff report to the HDC was that the cabin was not historically significant: "The property and structure are not listed on the City of Folsom's Cultural Resources Inventory. The cabin structure is also not considered historically significant and contains no historically significant building materials." HDC Staff Report, May 3, 2023, page 1.

We understand that the staff report was circulated in advance to City departments and groups devoted to Folsom's history. The Historic Folsom Resident's Association was the only group to respond; its written comment recommended that staff should indicate the age of the structure in the staff report, even if the age is unknown. There was no public comment on the matter at the HDC meeting – surprising given that Mr. Delp was at the meeting.

We did not (and do not) object to the action taken by HDC that required staff, within not more than four weeks, to do further research on the history of the structure and, if found to be historically significant, to measure and photographically record the structure. We have welcomed Planning staff to inspect and photograph the cabin. That inspection has occurred. We have no knowledge as to the age of the cabin. We presently understand from the Planning Department that the building did not appear on maps dated 1904. Mr. Delp submitted a 2002 letter (perhaps part of the record of HDC's consideration of the cabin at 512 Persifer Street, discussed below) in which the writer states the cabins at 512 and 506 Persifer (it is possible this is the cabin on our property) both existed in 1942. (Letter from Ellen J. (Duvall) Hester to the Folsom City Planning Department dated September 2002.) Ms. Hester reported she was four years old when she observed the cabins, so the 1942 date might not be rock solid. Suffice it to say that it seems likely the cabin was constructed sometime after 1904 and before 1950.

Finally, in his appeal Mr. Delp faults us for objecting to a continuance of the matter. Our concern, as expressed at the meeting, was that there was no certainty as to when the HDC would next meet. The Commission had held only two meetings in the first five months of 2023. We had no assurance as to when it would meet again. We applied for the permit on February 4 and the item was heard on May 3. It is our desire to move forward with the demolition and start construction of an accessory dwelling unit in the summer. A continuance of unknown length simply makes it more difficult to accomplish our objective this year.

Lastly, a brief note about the property and our plans for it. The cabin itself is dilapidated. It has no power, water, bathroom or kitchen facilities, all of which were removed before our purchase. It was once a dwelling but has not been occupied since sometime before 2006 when the City deemed it "a substandard and dangerous building, creating a public nuisance." (See Notice and Order To Abate a Public Nuisance, dated July 12, 2006, a copy of which has been provided to the Planning Department.) We note that the HDC approved the demolition of a somewhat larger log cabin structure at 512 Persifer Street in 2002. Like ours, the City had found that structure to be a public hazard due to its deterioration. (See HDC Minutes, Item 2 – PN02-457, September 18, 2002, and accompanying HDC Staff Report.) Removing a building found by the City to be a public nuisance is clearly a benefit to the community and advances your efforts to advance the public health, safety and welfare in Folsom.

We purchased the property on which the cabin is located in 2007. That property, known in City records as 608 Bridge Street, holds five small detached dwelling units on two and one-half lots. These units provide moderate cost housing. Despite its dilapidated condition, the cabin seems to be generally weather-tight and we have used it primarily to store old furniture. However, we have had continuing problems with skunks and other vermin living under the cabin. Further, the cabin represents an attractive nuisance to persons who might seek to occupy the building without our consent or knowledge. The advent of state laws promoting the development of additional housing encouraged us to consider building an accessory dwelling unit once we are

able to demolish the cabin. After talking with staff, we believe that an ADU can be successful on the site, enhancing our property and adding a new home for a family in Folsom.

In closing, we urge the City Council to dismiss or deny this appeal. Thank you for your consideration.

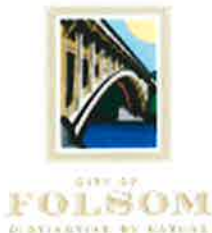

Jennifer Jennings


Michael Bledsoe

*This page intentionally left blank
to facilitate double-sided printing.*



CITY OF
FOLSOM
DISTINCTIVE BY NATURE



Folsom City Council Staff Report

MEETING DATE:	6/13/2023
AGENDA SECTION:	New Business
SUBJECT:	Workshop Regarding Traffic Safety along the Folsom Lake Corridor
FROM:	Public Works Department

BACKGROUND / ISSUE

At the March 14, 2023, City Council meeting, it was the consensus of the Council to have a future agenda item related to traffic safety along the Folsom Lake corridor. For the purposes of this item, the Folsom Lake corridor is defined as the sections of Folsom-Auburn Road from the Placer County line to Folsom Lake Crossing, the entire length of Folsom Lake Crossing, the section of East Natoma Street from Folsom Lake Crossing to Blue Ravine Road/Green Valley Road, and Green Valley Road from East Natoma Street to the El Dorado County line.

The agenda item will be in the form of a workshop and will be a joint meeting with the Traffic Safety Committee. The key elements of the workshop will include a review of traffic safety evaluation techniques used by staff, a discussion of speed survey principles, and a discussion about traffic engineering improvements that are and are not typically used to address traffic safety issues. After the review of general techniques and principles, the workshop will then turn to specific traffic safety analysis and findings related to the Folsom Lake corridor.

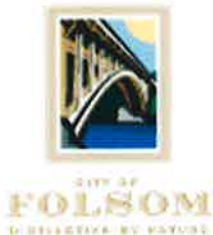
Submitted,

Mark Rackovan, PUBLIC WORKS DIRECTOR

*This page intentionally left blank
to facilitate double-sided printing.*



CITY OF
FOLSOM
DISTINCTIVE BY NATURE



Folsom City Council Staff Report

MEETING DATE:	6/13/2023
AGENDA SECTION:	Old Business
SUBJECT:	Resolution No. 11044 - A Resolution Authorizing the Formation of the River District Master Plan Citizens Advisory Committee
FROM:	Community Development Department

RECOMMENDATION / CITY COUNCIL ACTION

Staff recommends the City Council approve Resolution No. 11044 Authorizing the Formation of the River District Master Plan Citizens Advisory Committee, with direction to Community Development Department staff to integrate the Citizens Advisory Committee into the River District Master Planning process to review, comment and make recommendations to city staff, the consultant team and the City Council regarding master plan priorities, concepts, designs, and other River District issues.

BACKGROUND / ISSUE

The Folsom General Plan 2035 contains a specific goal and corresponding objectives providing for the preparation of a River District Master Plan:

Goal LU 5.1 - Support the appropriate enhancement of Folsom's riverfront areas for current and future residents in order to increase public access, recreational opportunities, and economic development in consultation with federal, state, and regional public land management agencies.

In support of this goal, on April 12, 2022 the City Council approved the use of American Recovery Plan Act (ARPA) funds in the amount of \$362,500 for project management services (\$62,500) and retention of a planning/environmental consultant (\$300,000). Contract approval for the selected planning/environmental consultant is being considered under a separate resolution on the June 13, 2023 City Council agenda.

The General Plan suggests that a specific long-range plan be established by “Engaging the community, stakeholders, and federal, state and regional land management agencies in establishing a vision for Folsom’s River District.” The Urban Land Institute (ULI) highly recommends the use

of advisory committees or ad hoc committees for complex community planning issues. The City Council has recently used this strategy to help inform, guide and make recommendations on challenging subjects like Historic District parking and the disposition of surplus City properties. At the January 24, 2023 meeting, the Council indicated that it favored the formation and use of a Citizens Advisory Committee (CAC) for the River District Master Plan process and provided general direction about categories of participants.

POLICY / RULE

Folsom Charter, Section 2.04.G – Duties of the Mayor, indicates the mayor may “Establish and dissolve ad hoc committees, subject to the approval of the Council, but no such committee shall exist for more than one year.”

Folsom Municipal Code, Section 2.35.040 – One Seat Limitation, states that “No person may hold more than one appointed commission, board, council or committee seat at a time. This one-seat limitation shall not apply to: (1) commission, board, council or committee members who are appointed to other commissions, boards, councils or committees as a result of, or by virtue of, their status as a member of a particular commission, committee, board or council; or (2) membership on ad hoc committees.”

ANALYSIS

Of key importance to the River District Master Plan process and highlighted in the General Plan is “robust community and stakeholder engagement.” The selected consultant has proposed a scope of work that includes the following community engagement opportunities:

- Up to eight (8) CAC meetings
- Use of a Social Pinpoint Interactive Map
 - open to all residents to comment on a variety of district planning issues
 - available for use on virtually all electronic devices
 - geo-locates comments within the district planning area
 - categorizes and manages comments
- Key stakeholder interviews (up to eight hours)
 - including potential project critics
- Community Open House

Formation of a CAC is contemplated in both the Folsom Charter and the Folsom Municipal Code as noted in the Policy/Rule section above. At the January 24th meeting, staff presented a list of stakeholders representing a wide range of interests in the River District planning area. The City Council indicated an interest in using a CAC for this project and supported the provided stakeholder list. The identified stakeholders are listed below and grouped within various categories of interest. Staff contacted each group to gauge participation interest, and all those invited are interested in participating. Staff recommends the City Council select up to two stakeholders from each category of stakeholder organizations from the table below (2 pages) for a total maximum of 12 stakeholder group members.

Stakeholder Category (designated representative)	Stakeholder Mission/Purpose/Relevance
Major Landowners (Select up to 2)	
CA State Parks (Devin Swartwood)	The contractual operating and managing partner for US Bureau of Reclamation of the Folsom Lake State Recreation Area (FLSRA)
US Bureau of Reclamation (representative TBD)	USBR is the major landowner (75%+) within River District and is responsible for operations at both Folsom Dam and Nimbus Dam.
Cultural Resources (Select up to 2)	
Friends of Folsom Preservation (Debra Grassl)	To advocate for the protection and preservation of Folsom's heritage, cultural resources, and the natural environment; and to advocate for land use planning.
Folsom History (Rita Mukherjee Hoffstadt)	To inspire an innovative future together by connecting Folsom to its inventive roots; founded in 1961; operates the Folsom History Museum and Pioneer Village in the Historic District, and the developing Chinese Heritage Museum.
Heritage Preservation League (Loretta Hettinger)	Dedicated to identifying, interpreting, and preserving the Folsom area's historic sites, and structures; acting as the community's voice in historic preservation matters; being part of the decision-making process; ensuring the city complies with historic preservation mandates, etc.
Shingle Springs Band of Miwok Indians (Krystal Moreno)	A federally recognized Indian tribe, will protect and enhance the quality of life of its members by preserving, protecting and promoting its history, culture and traditions...
Recreation Resources (Select up to 2)	
CSUS Aquatic Center (Brian Dulgar)	A cooperative operation of the Associated Students Inc. of CSUS, Sacramento, the University Union of Sac State, CA Div. of Boating and Waterways, and the CA Dept of Parks and Recreation, providing boating and safety programs through education, recreation, competition.
FATRAC – Folsom Auburn Trail Riders Action Coalition (Deborah Young)	Created in 1988, volunteer grassroots trail building and trail maintenance organization. Works to promote mountain bike experiences and education for an enhanced outdoor experience.
Lake Natoma Paddlers (Cindy Williamson Boquist)	A Facebook group with 8k members focused on recreational paddleboard, and other paddle watercraft activities on Lake Natoma.
Shadow Glen Riding Stable (Terry Howard)	A State Parks concessionaire providing equestrian activities, lessons, boarding, camps located in Orangevale on the north side of Lake Natoma, off Main Avenue.
Open Space Resources (Select up to 2)	
FOLFAN – Friends of Lakes Folsom and Natoma (Don Rose)	A non-profit cooperating association for the Folsom Lake State Recreation Area (FLSRA) with various initiatives and events such as the "loaner life jacket program," guided hikes, and educational hikes.
Friends of Folsom Parkways (Bruce Cline)	Advocating awareness, use and care of Folsom parkways, fund raising for parkway issues, education, development proposal influence to benefit parkways, identify parkway expansion where appropriate.
Historic District (Select up to 2)	
HFRA - Historic Folsom Residents Association (Mike Reynolds)	Focus is to preserve and protect the Folsom Historic District by forming a resident group that is large enough to be recognized and noticed when decisions are being made that affect the Historic District.
Sutter Street Merchants Association (Karen Holmes)	To preserve, protect, and enhance the Folsom Historic District and its historic and natural assets; to educate others...; to establish it as a destination for visitors and residents alike; etc.

Stakeholder Category (designated representative)	Stakeholder Mission/Purpose/Relevance
Economic Development Stakeholders (Select up to 2)	
River District Organizing Committee (Will Kempton)	To assist, promote, and monitor the development of a River District Master Plan for the City of Folsom which contributes to the city's economic development and results in benefits to all stakeholders.
Folsom Chamber of Commerce/Visit Folsom (Joe Gagliardi)	For nearly 80 years, the chamber has been a local business association advocating for businesses concerns, tourism and economic development within the city.
Folsom Auto Mall Dealers Association (John Sears)	The Auto Mall is within the General Plan River District boundaries and is a gateway to the city. It includes a long-empty dealership site with frontage on Alder Creek where it joins Lake Natoma.

The City Council also expressed interest in at-large public participation on the CAC at the January 24th meeting, noting that there could be representation from each of the recently formed Council districts. The following people have expressed interest in serving as an at-large CAC member or have been nominated by a Councilmember. Staff recommends that each Councilmember select (appoint) one person from the list below for a total of five at-large members. Individual Councilmembers may also appoint a person not on this list for an at-large member to represent the City on the CAC.

Name	City Council District	Stated Areas of Interest and Engagement
John Lane	1	HD Commissioner, HD resident, avid paddler
Jim Lofgren	1	River District resident, CA Apartment Association – gov't affairs
Jennifer Lane	1	HD resident, past Planning Commissioner, past HD Commissioner
Crystal Tobias	1	River District resident, State Parks volunteer, FOLFAN member
Pat Flynn	2	Civil engineer, former Public Works Director, 30-year Briggs Ranch resident
Brian Murch	2	20-year start-up entrepreneur, tech expert, 15-year yoga instructor
Jennifer Cabrera	3	HD Commissioner, State Parks staff architect
Srinivas Yanaprti	3	Folsom Ranch resident, construction/builder, analyst
Barbara Leary	4	Natoma Station resident, past Planning Commissioner
Lynne Bailey	5	Avid trail user, runner, and cyclist
Scott Muldavin	5	Retired consultant in RE development, financial feasibility, strategic assessment

According to the Urban Land Institute (ULI), community advisory committees, as being contemplated for the River District planning process, should comprise between eight and 14 members. While the recommended lists above could result in as many as 17 members of the CAC, staff is comfortable with the number and the broad stakeholder representation. The City Council may make changes to the proposed CAC composition, or it may reduce the number of stakeholders; however, staff does not recommend increasing the number or participants above a maximum of 17 members to ensure a workable group where all members are engaged and have ample opportunity to provide needed perspectives on the plan and process.

In order to allow for the most flexibility and utilization of the CAC, staff recommends the formal appointment commence July 15, 2023, and in accordance with the Folsom Municipal Code, extend to July 15, 2024 for a maximum of one year.

ENVIRONMENTAL REVIEW

The recommended action of the City Council is not a project as defined by the CEQA and therefore does not require environmental review.

FISCAL IMPACT

There is no additional fiscal impact as a result of the proposed action. Funds for both project management and retained consultants have already been budgeted and appropriated. The source of the funds is from federal allocations from the American Rescue Plan Act (ARPA).

ATTACHMENTS

1. Resolution No. 11044 – A Resolution Authorizing the Formation of the River District Master Plan Citizens Advisory Committee

Submitted,



PAM JOHNS
Community Development Director

RESOLUTION NO. 11044**A RESOLUTION AUTHORIZING THE FORMATION OF THE RIVER DISTRICT
MASTER PLAN CITIZENS ADVISORY COMMITTEE**

WHEREAS, the 2035 Folsom General Plan contains a specific goal and corresponding objectives providing for the preparation of a River District Master Plan; and,

WHEREAS, the 2035 Folsom General Plan also suggests that the plan be established by “Engaging the community, stakeholders, and federal, state and regional land management agencies in establishing a vision for Folsom’s River District;” and,

WHEREAS, the Urban Land Institute (ULI) recommends public agencies use citizens advisory committees to help inform, guide and make recommendations on challenging community planning issues; and,

WHEREAS, the Folsom Charter, section 2.04.G – Duties of the Mayor, indicates the mayor may “establish and dissolve ad hoc committees, subject to the approval of the Council, but no such committee shall exist for more than one year; and,

WHEREAS, the Folsom Municipal Code, section 2.35.040 – One Seat Limitation, indicates that it is permissible for councilmembers, commissioners or other committee members to participate on ad hoc committees; and,

WHEREAS, at its January 24, 2023 meeting, the City Council indicated it would utilize a citizens advisory committee (CAC) during the River District Master Plan process; and,

WHEREAS, there are a number of stakeholder organizations with various interests in River District issues and opportunities; and,

WHEREAS, the City Council has selected and appointed certain stakeholders from the list provided in the staff report along with one at-large member appointed by each Councilmember.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Folsom hereby authorizes the creation of the River District Citizens Advisory Committee; and,

BE IT FURTHER RESOLVED, that the Folsom River District Citizens Advisory Committee will be established effective July 15, 2023 and shall be dissolved effective July 14, 2024 in accordance with the Folsom Municipal Code.

PASSED AND ADOPTED this 13th day of June 2023, by the following roll-call vote:

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

Rosario Rodriguez, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

*This page intentionally left blank
to facilitate double-sided printing.*



CITY OF
FOLSOM
DISTINCTIVE BY NATURE