



CITY OF
FOLSOM
DISTINCTIVE BY NATURE

Agenda

City Council Regular Meeting

City Council Chambers, Folsom City Hall

November 28, 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

City Council Regular Meeting
City Council Chambers, Folsom City Hall
www.folsom.ca.us

Tuesday, November 28, 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: Aquino, Chalamcherla, Kozlowski, Rohrbough, Rodriguez

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

PLEDGE OF ALLEGIANCE

AGENDA UPDATE

BUSINESS FROM THE FLOOR:

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

SCHEDULED PRESENTATIONS:

- 1.** Folsom Cordova Unified School District Updates: Feasibility Study on District Reorganization, Facilities, and Potential Funding Options
- 2.** Presentation by the Public Works Department Regarding Fleet Conversion to Electric Vehicles
- 3.** Presentation by the Public Works Department Regarding Current Operations at the Wye Property Located at the Corner of Bidwell Street and Folsom Boulevard

CONSENT CALENDAR:

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

4. Approval of October 24, 2023 Regular Meeting Minutes
5. Resolution No. 11132 - A Resolution Authorizing the City Manager to Execute an Agreement with EKC Inc. for the City of Folsom Building Access System Replacement and Appropriation of Funds
6. Resolution No. 11133 – A Resolution Authorizing the City Manager to Execute a Contract Change Order with All Phase Construction, Inc. for the Natoma Street Drainage Improvement Project Phase 2, Project No. PW1901, State Project No. 5288(047) and Appropriation of Funds
7. 1014 Sibley Street Rezone
 - i. Ordinance No. 1340 - An Uncodified Ordinance of the City of Folsom to Amend the Zoning Designation for the 0.87-Acre Project Site (APN: 071-0200-056-0000) from R-M PD (Residential Multifamily Dwelling District, Planned Development) and R-4 (General Apartment District) to R-1-M PD (Residential, Single-Family Dwelling, Small Lot District, Planned Development) for the 1014 Sibley Street Project (Second Reading and Adoption)

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.*

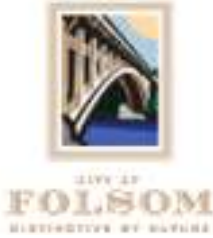
As presiding officer, the Mayor has the authority to preserve order at all City Council meetings, to remove or cause the removal of any person from any such meeting for disorderly conduct, or for making personal, impertinent, or slanderous remarks, using profanity, or becoming boisterous, threatening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



Folsom City Council Staff Report

MEETING DATE:	11/28/2023
AGENDA SECTION:	Scheduled Presentations
SUBJECT:	Folsom Cordova Unified School District Updates: Feasibility Study on District Reorganization, Facilities, and Potential Funding Options
FROM:	City Clerk's Department

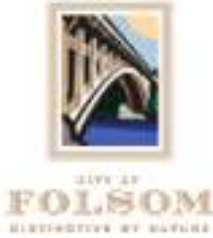
CITY COUNCIL ACTION

Representatives from the Folsom Cordova Unified School District will provide an update regarding the feasibility study on district reorganization, facilities, and potential funding options. No action is requested of the City Council.

Respectfully submitted,

Christa Freemantle, CMC
City Clerk

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Folsom City Council Staff Report

MEETING DATE:	11/28/2023
AGENDA SECTION:	Scheduled Presentations
SUBJECT:	Presentation by the Public Works Department Regarding Fleet Conversion to Electric Vehicles
FROM:	Public Works Department

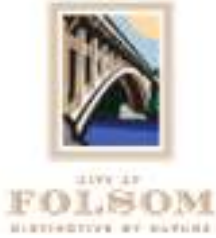
RECOMMENDATION/COUNCIL ACTION

The Public Works Department will give a presentation on staff's efforts to comply with the State's Advanced Clean Trucks and Advanced Clean Fleet regulations, which mandate that local agency fleets must be at least 50 percent Zero Emission Vehicles (ZEVs) by 2035.

Submitted,

Mark Rackovan, PUBLIC WORKS DIRECTOR

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Folsom City Council Staff Report

MEETING DATE:	11/28/2023
AGENDA SECTION:	Scheduled Presentations
SUBJECT:	Presentation by the Public Works Department Regarding Current Operations at the Wye Property Located at the Corner of Bidwell Street and Folsom Boulevard
FROM:	Public Works Department

RECOMMENDATION/COUNCIL ACTION

The Public Works Department will give a presentation on current operational activities that occur on the property known as the “Wye,” located at the corner of Bidwell Street and Folsom Boulevard, and the challenges associated with relocating those operations to other City-owned properties.

Submitted,

Mark Rackovan, PUBLIC WORKS DIRECTOR

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City Council Regular Meeting

MINUTES

October 24, 2023

CALL TO ORDER

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

ROLL CALL:

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

Councilmembers Absent: None

PLEDGE OF ALLEGIANCE

The pledge of allegiance was recited.

AGENDA UPDATE

City Attorney Steven Wang announced that additional information was provided regarding item 3.

BUSINESS FROM THE FLOOR:

None

SCHEDULED PRESENTATIONS:

1. Proclamation of the Mayor of the City of Folsom Proclaiming October 2023 as Hindu Heritage Month in the City of Folsom

Mayor Rosario Rodriguez presented the proclamation.

- 2. Declaration of the Folsom City Council Reaffirming its Commitment to Promoting an Inclusive, Safe Environment for All

Mayor Rosario Rodriguez read the declaration.

Speaker Rabbi Yossi Grossbaum addressed the City Council.

CONSENT CALENDAR:

- 3. Approval of October 10, 2023 Regular Meeting Minutes
- 4. Resolution No. 11112 – A Resolution Accepting Fiscal Year 2023-24 Department of Alcoholic Beverage Control’s Grant Program Funded by the Office of Traffic Safety Through the National Highway Traffic Safety Administration and Appropriation of Funds
- 5. Resolution No. 11113 – A Resolution Authorizing the City Manager to Execute an Agreement with Folsom Lake Ford for the Purchase of Two F550 Trucks and Installation of Dump Beds on Both
- 6. Resolution No. 11114 – A Resolution Authorizing the City Manager to Execute a Purchase Agreement with Braun Industries, Inc. for One Type 1 Ambulance
- 7. Resolution No. 11115 - A Resolution Authorizing the Public Works Department to Install All-Way Stop Sign Control at the Intersection of Stone Ranch Drive and Gopher Ridge Drive/Rock Hearth Drive
- 8. Pulled for comment
- 9. Resolution No. 11117 – A Resolution Authorizing the City Manager to Execute a Subdivision Improvement Agreement and Accept Offers of Dedication for the Toll Brothers at Folsom Ranch Phase 2A Subdivision, and Approval of the Final Map for the Toll Brothers at Folsom Ranch Phase 2A Subdivision
- 10. Resolution No. 11118 – A Resolution of the City Council Approving an Acquisition and Shortfall Agreement for the Community Facilities District No. 23 Improvement Area No. 2 (Mangini Ranch Phase 1C)
- 11. Resolution No. 11119 – A Resolution of the City Council Approving an Acquisition and Shortfall Agreement for the Community Facilities District No. 23 Improvement Area No. 4 (Mangini Ranch Phase 3)

Motion by Councilmember Sarah Aquino, second by Councilmember Mike Kozlowski to approve Consent Calendar items 3-7 and 9-11. The motion passed by the following roll-call vote:

AYES: Rohrbough, Aquino, Chalamcherla, Kozlowski, Rodriguez
NOES: None
ABSENT: None
ABSTAIN: None

CONSENT CALENDAR ITEM PULLED FOR COMMENT:

8. Resolution No. 11116 – A Resolution Authorizing the City Manager to Execute a Contract with Sacramento Tree Foundation for Tree Programs and Tree Planting and Maintenance for Three Years Commencing 2023

Vice Mayor YK Chalamcherla pulled this item to ask for additional information regarding scope of work and the roll of volunteers. Community Development Director Pam Johns responded.

Motion by Vice Mayor YK Chalamcherla, seconded by Councilmember Anna Rohrbough to pull this item and bring it back at a future Council meeting. The motion passed by the following roll-call vote:

- AYES:** Rohrbough, Aquino, Chalamcherla, Kozlowski, Rodriguez
- NOES:** None
- ABSENT:** None
- ABSTAIN:** None

PUBLIC HEARING:

- 12. Community Facilities District No. 23 (Folsom Ranch) Amended Improvement Area No. 6
 - i. Resolution No. 11120 - A Resolution of the City Council of the City of Folsom Calling a Special Mailed-Ballot Election Related to Change Proceedings for Improvement Area No. 6 within City of Folsom Community Facilities District No. 23 (Folsom Ranch)
 - ii. Resolution No. 11121 – A Resolution of Change of the City Council of the City of Folsom Relating to Improvement Area No. 6 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch)
 - iii. Ordinance No. 1339 – An Uncodified Ordinance Levying a Special Tax for the Fiscal Year 2023-2024 and Following Fiscal Years Solely within and Relating to Improvement Area No. 6 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch) (Introduction and First Reading)

Finance Director Stacey Tamagni made a presentation.

The public hearing was opened. Hearing no speakers, the public hearing was closed.

Motion by Councilmember Sarah Aquino, second by Vice Mayor YK Chalamcherla to approve Resolution No. 11120. The motion passed by the following roll-call vote:

- AYES:** Rohrbough, Aquino, Chalamcherla, Kozlowski, Rodriguez
- NOES:** None
- ABSENT:** None
- ABSTAIN:** None

Motion by Councilmember Sarah Aquino, second by Vice Mayor YK Chalamcherla to approve Resolution no. 11121. The motion passed by the following roll-call vote:

AYES: Rohrbough, Aquino, Chalamcherla, Kozlowski, Rodriguez
NOES: None
ABSENT: None
ABSTAIN: None

Motion by Councilmember Sarah Aquino, second by Vice Mayor YK Chalamcherla to introduce Ordinance No. 1339. The motion passed by the following roll-call vote:

AYES: Rohrbough, Aquino, Chalamcherla, Kozlowski, Rodriguez
NOES: None
ABSENT: None
ABSTAIN: None

NEW BUSINESS:

13. Consideration of Potential Sales Tax Measure and Direction to Staff

City Manager Elaine Andersen made a presentation.

The following speakers addressed the City Council:

- Dennis Haglan
- Eli Smith
- Andy Morin
- Jackie Sellitti
- Mike Sellitti
- Bruce Cline
- Dan Carson, Folsom Fire Fighters, Local 522
- Sally Kalaghan, along with youth Max, Friends of Folsom Parkways
- Mike Lemberg, Cycle Folsom
- Rochelle Barcellona, Friends of the Folsom Zoo Sanctuary
- Dean Willaims, Folsom Athletic Association
- Christine Braid, Folsom Sea Otters
- Iain Fraser, Folsom Lake Surf Soccer Club
- Ryan Kahn, Vista Talons Basketball
- Jason Anderson, Folsom American Little League
- Justin Raithel, Choose Folsom
- Robert Goss
- Doug Scalzi
- Sam Spiegel

The City Council discussed the potential sales tax measure. Finance Director Stacey Tamagni, City Attorney Steven Wang and City Manager Elaine Andersen responded to questions from the City Council.

Motion by Councilmember Mike Kozlowski to have the City Manager bring back to the Council – no later than January – ballot language for a 1 cent general tax and also language for a 1 cent special tax [focusing on how the priorities would be incorporated into a special tax]; either or both should incorporate a citizens advisory committee and how that would be structured.

Councilmember Sarah Aquino clarified that the motion’s reference to a citizens advisory committee meant that the committee would be formed if a sales tax measure was approved by the voters.

Councilmember Sarah Aquino seconded the motion.

The City Council discussed the potential sales tax measure and the budget.

The motion passed by the following roll-call vote:

- AYES: Rohrbough, Kozlowski, Rodriguez**
- NOES: Aquino, Chalamcherla**
- ABSENT: None**
- ABSTAIN: None**

COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS:

Mayor Rosario Rodriguez suggested a future discussion related to school district issues. The Council did not agree to add this to a future agenda.

Councilmember Anna Rohrbough requested a future discussion related to formation of an action plan for homelessness in Folsom. There was consensus to bring this matter back.

CITY MANAGER REPORTS:

City Manager Elaine Andersen congratulated both Steve Krahn and Lydia Konopka on their upcoming retirement, thanking them each for their many years of service. She also spoke of the Police Department’s drug takeback program and the Traders Lane parking lot project.

COUNCIL COMMENTS:

Councilmember Anna Rohrbough congratulated Lydia Konopka on her retirement.

Vice Mayor YK Chalamcherla urged people to be careful during Halloween and congratulated Lydia Konopka on her retirement.

Councilmember Mike Kozlowski spoke of a recent SACOG meeting, funding for transportation projects and congratulated Lydia Konopka on her retirement.

Councilmember Sarah Aquino congratulated Steve Krahn and Lydia Konopka on their retirement. She spoke of Regional Sanitation rate increase. She asked that the meeting be adjourned in memory of local teacher Michelle McDonald.

Mayor Rosario Rodriguez commended the Police Foundation Board event and spoke of upcoming Historic District events.

ADJOURNMENT

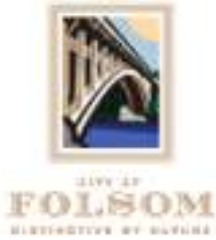
There being no further business to come before the City Council, the meeting was adjourned at 10:04 pm in memory of Michelle McDonald.

SUBMITTED BY:

Christa Freemantle, City Clerk

ATTEST:

Rosario Rodriguez, Mayor



Folsom City Council Staff Report

MEETING DATE:	11/28/2023
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No.11132 – A Resolution Authorizing the City Manager to Execute an Agreement with EKC Inc. for the City of Folsom Building Access System Replacement and Appropriation of Funds
FROM:	Parks and Recreation Department

RECOMMENDATION / CITY COUNCIL ACTION

Staff recommends the City Council approve Resolution No. 11132 – A Resolution Authorizing the City Manager to Execute an Agreement with EKC Inc. for the City of Folsom Building Access System Replacement and Appropriation of Funds

BACKGROUND / ISSUE

The Building Access Control System used at several City of Folsom facilities has existed for approximately 28 years. The system is no longer supported by the developer, and parts are difficult to locate. We have now reached the point where repairs to the system are no longer an option. Recently, the system partially failed at the Folsom Police Department and our service vendor struggled to obtain circuit boards. The situation has transitioned into an emergency, and we need to act before there is a complete system failure.

POLICY / RULE

In accordance with Chapter 2.36 of the Folsom Municipal Code, the City Manager shall make, or authorize others to make, emergency procurement of equipment when there exists a threat to public health, welfare, or safety.

ANALYSIS

The vendor providing support for access control (EKC Inc.) was asked to provide a proposal for the replacement of the existing Apollo Security System to support a PLS request for the 2023/2024 budget cycle. Staff asked two other vendors to provide proposals to ensure the City receives a competitive price for this critical infrastructure.

The Parks & Recreation Department received 3 proposals to support the PLS Request and award the project:

#	Contractor	Proposal
1.	EKC Inc.	\$253,922.00
2.	EyeP Solutions	\$263,383.26
3.	3D Technology	\$409,434,.00

The Scope of Work is to replace the Building Access Control System at the following facilities:

- City Hall
- Folsom Police Department
- Senior & Arts Center
- Folsom Library
- Folsom Corp Yard
- Folsom Sports Complex
- Folsom Police Department Palladio Sub-Station

FINANCIAL IMPACT

The emergency procurement was not anticipated in the FY 2023-24 General Fund (010) Operating Budget. Staff is requesting an additional appropriation in the General Fund for the amount of the agreement with EKC, Inc., \$253,922 along with a contingency of 15%, \$38,088, for a total amount not to exceed \$292,010.

ENVIRONMENTAL REVIEW

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

ATTACHMENTS

Resolution No. 11132-A Resolution Authorizing the City Manager to Execute an Agreement with EKC Inc. for the City of Folsom Building Access System Replacement and Appropriation of Funds

Submitted,

Kelley Gonzalez, Parks & Recreation Director

RESOLUTION NO. 11132

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH EKC INC. FOR THE REPLACEMENT OF THE CITY OF FOLSOM BUILDING ACCESS SYSTEM REPLACEMENT AND APPROPRIATION OF FUNDS

WHEREAS, The Parks & Recreation Department staff has validated that an Emergency condition exists, and that there is a need to replace the existing City of Folsom Building Access system; and

WHEREAS, staff has received three quotes to support a PLS during the 2023/2024 budget cycle for the replacement of the existing Building Access System; and

WHEREAS, EKC Inc. provided the lowest responsible bid, is our current security vendor, and is a member of the California Multiple Awards Schedule (CMAS); and

WHEREAS, the City Manager made a determination for emergency procurement for construction services under the existence of a threat to public health, welfare, and safety, pursuant to Folsom Municipal Code Section 2.36.150, Emergency Procurement; and

WHEREAS, sufficient funds are available in the General Fund (Fund 010); 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 ratify the City Manager’s emergency procurement of construction services for the emergency replacement of the existing City of Folsom Building Access system.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council of the City of Folsom authorizes the City Manager to execute an agreement with EKC Inc., for the amount of \$253,922, along with a contingency of 15%, \$38,088 and that the Finance Director is authorized to appropriate an amount not to exceed \$292,010, from the General Fund (Fund 010), from the current available fund balance for the City of Folsom Building Access system emergency replacement procurement.

PASSED AND ADOPTED this 28 day of November 2023, by the following roll-call vote:

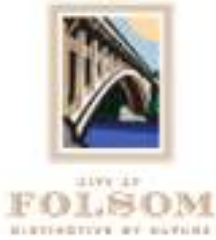
- AYES:** Councilmember(s):
- NOES:** Councilmember(s):
- ABSENT:** Councilmember(s):
- ABSTAIN:** Councilmember(s):

Rosario Rodriguez, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

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Folsom City Council Staff Report

MEETING DATE:	11/28/2023
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 11133 – A Resolution Authorizing the City Manager to Execute a Contract Change Order with All Phase Construction, Inc. for the Natoma Street Drainage Improvement Project Phase 2, Project No. PW1901, State Project No. 5288(047) and Appropriation of Funds
FROM:	Public Works Department

RECOMMENDATION / CITY COUNCIL ACTION

The Public Works Department recommends that the City Council pass and adopt Resolution No. 11133 – A Resolution Authorizing the City Manager to Execute a Contract Change Order with All Phase Construction, Inc. for the Natoma Street Drainage Improvement Project Phase 2, Project No. PW1901, State Project No. 5288(047) and Appropriation of Funds.

BACKGROUND / ISSUE

In early 2017, the City identified a collapsed segment of the storm drain system that flowed adjacent to Natoma Street between Bridge Street and Scott Street. The alignment of this drainage system weaved in and out of private property with very few access points for maintenance. In September of 2017, City Council authorized construction of Phase 1 to realign the storm drain system to keep it within public right of way as much as possible. Construction of the Phase 1 improvements were completed in April 2018.

During the design of the Phase 1 project, field investigations identified additional pipe offsets and corrosion issues with downstream segments of the storm drain system between Scott Street and Riley Street. Additional deficiencies included that the existing pipe alignment was on private property and there was a lack of access points for necessary inspections and maintenance. The City developed the Natoma Street Drainage Improvement Project Phase 2 to bring the system up to current standards and ensure it functions as designed. Phase 2 of the project installed approximately 900 linear feet of new storm drain pipe, abandoned and removed existing failing storm drain pipe, and added new standard manholes, drain inlets, and an outfall structure.

The construction contract for the Natoma Street Drainage Phase 2 Project was awarded by City Council to All Phase Construction, Inc. in May 2022. During construction, several unforeseen items of work were identified that required the issuance of contract change orders, including unstable soil conditions, unidentified utility conflicts, removal and replacement of a segment of water line, additional backfill material, additional grading and paving, and additional striping.

POLICY / RULE

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

ANALYSIS

Staff has reviewed the cost proposals for additional items and the Daily Extra Work Reports submitted by All Phase Construction, Inc., and has found them to be consistent with the inspection records for the work in question and consistent with the agreed upon pricing.

Additionally, Public Works staff coordinated with Environmental and Water Resources staff on the scope of improvements to the existing water lines in conflict with the proposed storm drain construction and agreed to share the cost of the additional work as noted in the Financial Impact section below.

FINANCIAL IMPACT

The City Council approved Resolution No. 10853 at the May 24, 2022, City Council meeting authorizing the City Manager to execute a construction agreement with All Phase Construction, Inc. for the Natoma Street Drainage Improvement Project Phase 2, Project No. PW1901, State Project No. 5288(047), in the amount of \$1,430,914, with a contingency amount of \$143,091 for a total amount not to exceed \$1,574,005.

During the course of construction, four change orders were approved by the Project Manager and Public Works Director within the \$143,091 contingency amount. The proposed change order is for \$38,607.45 and when combined with the previously approved change orders, exceeds the authorized contingency amount by \$18,745.

Once authorized, the proposed construction change order would increase the authorized project total by \$18,745, for a new agreement total amount not-to-exceed \$1,592,750.

Staff is requesting an appropriation of \$10,000 in the Water Operations Fund (Fund 520) and \$8,475 in the Drainage Capital Improvement Fund (Fund 448) for the cost of the improvements to the existing water lines in conflict with the storm drain construction. Funds are currently available in the Water Operations Fund (Fund 520) and the Drainage Capital Improvement Fund (Fund 448) for the respective additional appropriation.

ENVIRONMENTAL REVIEW

As part of the design phase, it was determined that construction of this project could be done under a Categorical Exemption classification of the CEQA Guidelines. The CEQA Notice of Exemption was filed with the County in March 2021, and no further environmental analysis is required.

ATTACHMENT

Resolution No. 11133 – A Resolution Authorizing the City Manager to Execute a Contract Change Order with All Phase Construction, Inc. for the Natoma Street Drainage Improvement Project Phase 2, Project No. PW1901, State Project No. 5288(047) and Appropriation of Funds

Submitted,

Mark Rackovan, PUBLIC WORKS DIRECTOR

RESOLUTION NO. 11133

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT CHANGE ORDER WITH ALL PHASE CONSTRUCTION, INC. FOR THE NATOMA STREET DRAINAGE IMPROVEMENT PROJECT PHASE 2, PROJECT NO. PW1901, STATE PROJECT NO. 5288(047) AND APPROPRIATION OF FUNDS

WHEREAS, the City Council approved contract 174-21 22-050 with All Phase Construction, Inc. for the Natoma Street Drainage Improvement Project Phase 2; and

WHEREAS, the City of Folsom desires to continue rehabilitation of the existing drainage system in the Natomas Street area; and

WHEREAS, during construction, numerous unforeseen items of work were identified that required the contractor to perform extra work resulting in construction change orders; and

WHEREAS, the total amount of the construction change order #5 is \$38,607.45; and

WHEREAS, an additional appropriation of funds in the amount of \$18,745 for a revised agreement amount not to exceed \$1,592,750 and sufficient funds are available in the Water Operating Fund (Fund 520) of \$10,000 and the Drainage Capital Improvement Fund (Fund 448) of \$8,745 for the additional appropriation; 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 Contract Change Order for \$38,607.45 with All Phase Construction, Inc. for the Natoma Street Drainage Improvement Project Phase 2, Project No. PW1901, State Project No. 5288(047).

NOW, THEREFORE BE IT FURTHER RESOLVED that the Chief Financial Officer is authorized to appropriate \$18,745 for this agreement. The appropriation will be from the Water Operating Fund (Fund 520) in the amount of \$10,000 and from the Drainage Capital Improvement Fund (Fund 448) in the amount of \$8,745 for a total agreement amount not to exceed \$1,592,750.

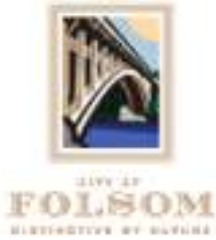
PASSED AND ADOPTED this 28th day of November 2023, by the following roll-call vote:

- 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:	11/28/2023
AGENDA SECTION:	Consent Calendar
SUBJECT:	<p>1014 Sibley Street Rezone</p> <p>Ordinance No. 1340 - An Uncodified Ordinance of the City of Folsom to Amend the Zoning Designation for the 0.87-Acre Project Site (APN: 071-0200-056-0000) from R-M PD (Residential Multifamily Dwelling District, Planned Development) and R-4 (General Apartment District) to R-1-M PD (Residential, Single-Family Dwelling, Small Lot District, Planned Development) for the 1014 Sibley Street Project (Second Reading and Adoption)</p>
FROM:	Community Development Department

RECOMMENDATION / CITY COUNCIL ACTION

Staff forwards the Planning Commission’s recommendation that the City Council take the following action:

1. Conduct a second reading of and move to adopt Ordinance No. 1340 to Amend the Zoning Designation for the 0.87-Acre Project Site (APN: 071-0200-056-0000) from R-M PD (Residential Multifamily Dwelling District, Planned Development) and R-4 (General Apartment District) to R-1-M PD (Residential, Single-Family Dwelling, Small Lot District, Planned Development) for the 1014 Sibley Street Project (Second Reading and Adoption)

BACKGROUND / ISSUE

The applicant, David Storer, is requesting approval of a rezone of the existing 0.87-acre property located at 1014 Sibley Street. The project site currently has split zoning (R-M PD- Residential Multifamily Dwelling District, Planned Development and R-4- General Apartment District) and is proposed to be rezoned to R-1-M PD (Residential, Single-Family Dwelling, Small Lot District). The project site has a General Plan designation of SFHD (Single-Family High Density). The Planning Commission considered this project at its regular meeting on October 18, 2023 and unanimously recommended City Council approval. City Council approved a Vesting Tentative

Subdivision Map, Planned Development Permit and Design Review for the 1014 Sibley Street Subdivision project and conducted a first reading of the proposed rezone ordinance at its November 14, 2023 meeting. Approval of the entitlements is contingent upon the second reading and approval of the rezone ordinance, which would be effective 30 days after ordinance adoption. No permits will be issued for the proposed project until the ordinance is final.

POLICY / RULE

The applicant is seeking to rezone the split-zoned property from R-M PD and R-4 to R-1-M PD to allow for the development of single-family residences. Folsom Municipal Code (FMC) Section 17.68.050 requires that applications for rezones be forwarded to the City Council for final action. City Council approval of a rezone occurs via ordinance.

ANALYSIS

General Plan and Zoning Consistency

The General Plan land use designation for the project site is SFHD (Single-Family High-Density) and the current zoning classifications for the site are R-M PD (Residential, Multifamily Dwelling District, Planned Development District) and R-4 (General Apartment District). The applicant is proposing a rezone to change the zoning designation from R-M PD and R-4 to R-1-M PD (Single-Family Small Lot, Planned Development District). The proposed R-1-M zone is consistent with the General Plan land use designation of SFHD. The project is consistent with the proposed Zoning designation for the site, as single-family residential development is identified as a permitted land use within the R-1-M zoning district (FMC Section 17.13). The SFHD General Plan land use designation is intended for single-family detached and attached homes and allows a density between 4 to 7 dwelling units per acre. The project proposes six single-family residences at an overall density of 6.9 dwelling units per acre, thereby meeting the requirements of the General Plan designation. While six additional ADUs are proposed as part of the project, FMC Section 17.105.010(B)(2) states that ADUs that meet the standards of FMC Chapter 17.105 shall not be deemed to exceed the allowable density for the parcel on which the ADU is located. As such, the ADUs do not cause the project to exceed the required maximum density of 7 units per acre. At the same time, the proposed project is maximizing the amount of housing to be developed on the site, consistent with policy direction from the State of California.

Rezone

The applicant is proposing that the project site, which currently has a split zoning of R-M PD and R-4, be rezoned to R-1-M PD. In evaluating the request for approval of a rezone, City staff took into consideration the compatibility of the proposed land use in relation to the existing land uses in the immediate project vicinity. As described previously, the project site is located on a partially developed parcel located on the southwest side of Sibley Street. The project site is bounded by the single-family Diamond Glen (formerly Suncountry) development, to the south and west (zoned R-M PD), a single-family residence to the north (zoned R-4), and Sibley Street to the northeast with multi-unit residential development (zoned R-4) beyond. Based on its location and the recent prevalence of single-family residential development in the immediate vicinity of the project site,

staff has determined that the proposed project is compatible with existing land uses in the project area.

The General Plan density of the project site allows for up to six primary units to be built on the lot. However, the description for the existing SHFD General Plan designation states that it provides for “single-family detached homes and single-family attached homes that include duplexes, halfplexes, and zero-lot-line homes.” The proposed rezone to R-1-M PD would allow for the creation of six lots that accommodate single-family detached homes. Therefore, this zoning change would both remove the split zoning on the parcel and allow for six separate lots to be utilized for single-family residences. Furthermore, the applicant proposes six ADUs on these lots which may provide more affordable rental housing opportunities.

Recent changes to state law including but not limited to Government Code section 66300 limit the City’s ability to downzone residential property. Downzoning often results in reducing a site’s residential development capacity, so the policy behind these rules aims to increase the development of housing in general and to prevent the development of projects at lower densities by restricting downzoning. In this case, the rezone is technically a down zone of the subject property, particularly the change from R-4 to R-1-M. However, this proposed project is actually maximizing the residential development capacity on the project site given the General Plan designation that sets a maximum density of 7 dwelling units per acre. By rezoning the project site to allow construction of six single family homes and six ADUs, this project allows greater density than would have occurred without the rezone and also facilitates the development of housing. Government Code section 66300(f) contains a carve-out for zoning changes that allow greater density, facilitate the development of housing, and further other policy goals. This project meets those criteria and as such the proposed rezone is permissible under state law.

Staff has determined that the proposed rezone is consistent with the existing General Plan designation. Because it is both compatible with the existing land uses in the project area and consistent with the existing General Plan designation, staff supports the proposed rezone.

Conformance with Relevant General Plan Goals and Policies

The City of Folsom General Plan (2035) outlines a number of goals, policies, and implementation programs designed to guide the physical, economic, and environmental growth of the City. Staff has determined that the proposed project is consistent with the General Plan goals and policies as outlined and discussed below:

GP GOAL LU 1.1 (Land Use/Growth and Change)

Retain and enhance Folsom’s quality of life, unique identity, and sense of community while continuing to grow and change.

GP POLICY LU 1.1.1 (Zoning Ordinance)

Ensure that the Folsom Zoning Ordinance is consistent with the policies and programs of the General Plan.

Analysis: The proposed project is consistent with this policy in that the project includes rezoning the project site from R-M PD and R-4 to R-1-M PD. The General Plan designation of SFHD allows for 4 to 7 dwelling units per acre. On the 0.87-acre project site, this equates

to between 3.48 and 6.09 dwelling units. By subdividing the project site into six parcels and building six single-family residences on each parcel, the project would meet the density range for SFHD. Changing the zoning on the project site to R-1-M both cleans up the error of two zoning designations on one lot and allows for the type of use that is described in the SFHD designation (single-family detached and attached homes).

ENVIRONMENTAL REVIEW

Staff has prepared an Initial Study and Mitigated Negative Declaration (IS/MND) for the project in accordance with the California Environmental Quality Act (CEQA). Staff determined that with the proposed mitigation measures, the project will not have a significant effect on the environment.

A notice for the project and IS/MND was placed in the Sacramento Bee and mailed to property owners within 300 feet of the site prior to the Planning Commission hearing. Notices were also posted in the Folsom Telegraph and mailed to property owners within 300 feet of the project site prior to the first City Council hearing.

Pursuant to AB 52, before the release of the IS/MND for this project, the City began the process of consultation with California Native American tribes traditionally and culturally affiliated with the geographic area of the proposed project. The consultation was concluded and no changes to the project were required as a result of the consultation process. Mitigation measures regarding tribal and cultural resources were created in consultation with the Wilton Rancheria tribe.

ATTACHMENTS

1. Ordinance No. 1340 - An Uncodified Ordinance of the City of Folsom to Amend the Zoning Designation for the 0.87-Acre Project Site (APN: 071-0200-056-0000) from R-M PD (Residential Multifamily Dwelling District, Planned Development) and R-4 (General Apartment District) to R-1-M PD (Residential, Single-Family Dwelling, Small Lot District, Planned Development) for the 1014 Sibley Street Project (Second Reading and Adoption)

Submitted,



PAM JOHNS
Community Development Director

ORDINANCE NO. 1340

AN UNCODIFIED ORDINANCE OF THE CITY OF FOLSOM TO AMEND THE ZONING DESIGNATION FOR THE 0.87-ACRE PROJECT SITE (APN: 071-0200-056-0000) FROM R-M PD (RESIDENTIAL MULTIFAMILY DWELLING DISTRICT, PLANNED DEVELOPMENT) AND R-4 (GENERAL APARTMENT DISTRICT) TO R-1-M PD (RESIDENTIAL, SINGLE-FAMILY DWELLING, SMALL LOT DISTRICT, PLANNED DEVELOPMENT) FOR THE 1014 SIBLEY STREET PROJECT

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

SECTION 1. PURPOSE

The purpose of this Ordinance is to rezone a certain 0.87-acre property with split zoning (APN: 071-0200-056-0000), located at 1014 Sibley Street, from R-M PD (Residential Multifamily Dwelling District, Planned Development) and R-4 (General Apartment District) to R-1-M PD (Residential, Single-Family Dwelling, Small Lot District, Planned Development).

SECTION 2. FINDINGS

- A. The proposed rezoning is consistent with the objectives, goals and policies of the Folsom General Plan.
- B. The public necessity and convenience and the general welfare require the rezone in this case.
- C. A duly noticed public hearing was held before the Planning Commission on October 18, 2023.
- D. A Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program have been prepared for the project in accordance with the California Environmental Quality Act. The Initial Study, Negative Declaration, and the Mitigation Monitoring and Reporting Program are incorporated herein by reference.
- E. Notice of hearing before the City Council has been given in the form and in the manner required by State statute and Folsom City Code.

SECTION 3. CHANGE OF ZONING MAP DESIGNATION

The Zoning Map designations for the subject parcel are hereby amended from R-M PD (Residential Multifamily Dwelling District, Planned Development) and R-4 (General Apartment District) to R-1-M PD (Residential, Single-Family Dwelling, Small Lot District, Planned Development), as set forth on Exhibit A.

SECTION 4. NO MANDATORY DUTY OF CARE

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

SECTION 5. SEVERABILITY

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

SECTION 6. EFFECTIVE DATE

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

This ordinance was introduced and the title thereof read at the regular meeting of the City Council on November 14, 2023 and the second reading occurred at the regular meeting of the City Council on November 28, 2023.

On a motion by Council Member _____ seconded by Council Member _____, the foregoing ordinance was passed and adopted by the City Council of the City of Folsom, State of California, this 28 day of November, 2023, by the following roll-call vote:

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

Rosario Rodriguez, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK
Ordinance No. 1340
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Exhibit A

1014 Sibley Street - Rezone Exhibit



Existing Zoning Designation



Proposed Zoning Designation

Legend

- Residential, Small Lot District, Planned Development (R-1-M PD)
- Residential, Multifamily District, Planned Development (R-M PD)
- General Apartment District (R-4)
- General Apartment District, Planned Development (R-4 PD)
- Light Industrial District (M-1)
- Light Industrial District, Planned Development (M-1 PD)
- Industrial District, Silverbrooks Specific Plan Area (SP-INDUSTRIAL)
- Open Space District, Silverbrooks Specific Plan Area (SP-OS)



CITY OF FOLSOM
EXPLORING THE POSSIBLE