



Folsom City Council Meeting

Additional Information Transmittal

MEETING DATE:	5/26/2026
AGENDA SECTION:	Old Business
STAFF REPORT TITLE	Consideration of Potential Ballot Measure(s) Amending the City Charter and/or the Folsom Municipal Code for the 2026 General Municipal Election and Direction to Staff
FROM:	City Manager's Office

Staff is providing the attached additional information for the above-referenced agenda item.

Instructions to staff: Deliver original and 30 stapled/double-sided copies to the City Clerk's Department; City Clerk's Department will distribute via email and hardcopy to City Council, City Manager, City Attorney, and City Clerk.

Updated: Jan 2026

From: Bob Delp <bdelp@live.com>
Sent: Monday, May 25, 2026 10:53 AM
To: Christa Freemantle; City Clerk Dept
Cc: Sari Dierking; Bryan Whitemyer; Barbara Leary; Justin Raithel; Sarah Aquino; Mike Kozlowski; Anna Rohrbough
Subject: Comments to Council re: Agenda Item 15 - City Charter

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Comments to the Folsom City Council for consideration of item No. 15 on the 5/26/2026 Regular Meeting Agenda

Dear City Council:

Regarding Agenda Item 15 of the Council's May 26, 2026, agenda, please reject the three items under consideration for placement on the November 2026 ballot.

Whereas your May 12 staff report for this matter provided an estimated cost of \$9,000 to place a measure on the ballot, your May 26 staff report now presents a vastly increased cost estimate of \$115,250. How staff mis-estimated the cost of a ballot initiative is unclear, and it is also unclear that the Charter Review Committee would have recommended that the Council pursue any amendments to the Charter had the Committee been aware of the substantial cost to the City.

The staff report suggests that the cost for the ballot measure is included in the City's 2026/2027 budget, but does not explain the public benefits that will be forgone by allocating \$115,000 of public funds to what will likely be a failed ballot measure seeking unnecessary and detrimental amendments to the City Charter and seeking to increase City Council campaign contribution limits. There are many beneficial uses to which the City could put \$115,000 and seeking to amend the Charter and/or increase campaign contribution limits does not warrant such an expenditure.

In addition to my May 12, 2026, comments (in email below), please consider the following in rejecting the three items up for further consideration:

1. Section 4.03 amendments would place the already challenging role of City Attorney directly under the thumb of the City Council. Amending the Charter to more directly cause the City Attorney to "serve at the pleasure of the City Council" would increase potential conflicts between the need for the City Attorney to provide sound legal advice and the need for the City Attorney to satisfy the Council or be at risk of termination. As with other department heads, the City Attorney should be retained by the City Manager and not serve at the whim of a particular City Council. Moreover, the additional provisions are unnecessary and will create the potential for complicated processes. For instance, proposed additional item H, "Restriction on Dismissal" would, upon installation of a new City Councilmember, establish a 90-day freeze on removal or

suspension of the City Attorney, but this provision fails to address the circumstance in which a dismissal action might already be in progress. If the Council thinks it is important to have the City Attorney serve at the pleasure of the Council, then a provision delaying dismissal due to an unrelated change in City Council composition makes no sense. Please abandon further consideration of this amendment.

2. Section 4.07 of the existing City Charter allows the Council to create boards and commissions but wisely restricts those boards and commissions to an advisory role. Such a structure is appropriate and need not be tampered with. The Charter's existing language is not an inadvertent block of authority and instead serves as an important and intentional check on the Council's ability to delegate decision-making. Please abandon further consideration of this amendment.

3. In 1994, through an initiative measure, the citizens of Folsom voted to establish campaign contribution limits codified in FMC 2.48. In doing so, the following purpose and intent was established by the voters as described in FMC 2.48.010: *"Inherent to the high cost of election campaigning is the problem of improper influence, real or potential, exercised by campaign contributions over elected officials. It is the purpose and intent of the people of the city in enacting the ordinance codified in this chapter to preserve an orderly political forum in which individuals may express themselves effectively; to place realistic and enforceable limits on the amounts of money that may be contributed to political campaigns in municipal elections; to limit contributions by organizations in order to develop a broader base of political efficacy within the community; to limit the use of loans and credit in the financing of municipal election campaigns; and to provide full and fair enforcement of all the provisions of this chapter. (Initiative measure passed by vote of the people 6/7/94)"* Further consideration of amending the campaign contribution limit should be abandoned by the Council for reasons that include the following:

a. By placing on the ballot a measure that would amend FMC 2.48.030 Campaign Contribution Limits, the Council would be attempting to undermine the 1994 vote of the citizens of Folsom. Should the citizens of Folsom choose to increase campaign contribution limits, the citizens may do so through the initiative process. The City Council should not expend City staff time or City funds toward amending the current campaign contribution limits.

b. The campaign contribution limits recommended by the Charter Review Committee are excessive and unbalanced. In recommending changes to the City Council compensation structure, the Charter Review Committee gave weight to the consumer price index. However, in recommending an increase in campaign contribution limits from \$150 to \$750, the Charter Review Committee recommends an increase above any CPI index for the period 1994 to 2026. Using the CA Dept of Industrial Relations CPI California Index for the period 1994 (when the \$150 limit was established) to present 2026 dollars results in a CPI-commensurate increase of the \$150 to approximately \$350. An increase to \$750 would result in a 5-fold increase above the existing limit and is more than twice a CPI-indexed amount. Such an increase is excessive and would undermine the important and clearly specified intent of the contribution limits established by the voters in 1994.

c. FMC 2.48.060, "Violation-Penalties" established through the same 1994 voter initiative specifies a fine amount of not less than \$500 for violations of the provisions of FMC 2.48. Yet, although the Charter Review Committee recommended a 5-fold increase in campaign contribution limits, neither the Charter Review Committee's recommendation nor the amendment currently before the Council specifies any change in minimum fine amount. Any increase in the campaign contribution limit should be accompanied by a commensurate increase in the minimum fine amount. It would be irresponsible for the Council to seek increased campaign contribution limits while leaving the minimum fine at the amount established in 1994.

Thank you for considering my comments.

-Bob Delp

bdelp@live.com

From: Bob Delp <bdelp@live.com>

Sent: Tuesday, May 12, 2026 2:47 PM

To: Christa Freemantle <cfreemantle@folsom.ca.us>; City Clerk Dept <cityclerkdept@folsom.ca.us>

Cc: Sari Dierking <sdierking@folsom.ca.us>; Bryan Whitemyer <bwhitemyer@folsom.ca.us>; Barbara Leary <bleary@folsom.ca.us>; <Justin Raithel <jraithel@folsom.ca.us>; Sarah Aquino <saquino@folsom.ca.us>; Mike Kozlowski <mkozlowski@folsom.ca.us>; Anna Rohrbough <annar@folsom.ca.us>

Subject: Comments to Council re: Agenda Item 10 - City Charter

Comments to the Folsom City Council for consideration of item No. 10 on the 5/12/2026 Regular Meeting Agenda

Dear City Council:

Regarding Agenda Item 10 of tonight's agenda, please reject the ad hoc committee's recommended amendments to the City Charter and dissolve the committee.

The City Council established a seven-member committee, five of which committee members were each appointed by a Councilmember and the other two of which committee members are City Councilmembers. This composition suggests an ad hoc committee directly representative of the current Council and fails to reflect a meaningful effort for independent and objective review of the City Charter. This lack of independency will be exacerbated if the two Councilmembers who served on the ad hoc committee also participate in the Council's decision of whether to place the Charter amendments on the ballot.

The recommended Charter revisions have no benefit to the City's residents and would diminish responsible decision-making and transparency... and, while doing so, would also give the Council a guaranteed annual salary adjustment. The recommended amendments should be rejected by the Council.

Section 2.01(E), City Council Term Limit, amendment is unnecessary. Worse, it is self-serving to existing Councilmembers as it could be interpreted to allow Councilmembers who have already been on the Council for multiple terms to continue for three additional terms after 2026 enabling certain Councilmembers to serve more than the existing 4-term limit.

Section 2.06 amendments would establish an automatic adjustment of Councilmember annual salaries every year. While a maximum increase limited by the CPI and a 3% cap might make sense, an automatic adjustment of up to 3% per year should be rejected by the Council. The current Charter allows the City Council to consider and increase Council salaries through a transparent public hearing process that allows consideration of all relevant factors. The notion that the Charter should be amended to build in an automatic adjustment should be rejected.

Section 2.07(D) amendments would eliminate the voter approval requirement for changes to City owner utility/enterprises. This change should be rejected and is mischaracterized in the ad hoc committee's recommendation which states that, "to ensure transparency and public trust, any change to the authority for

contracted or franchise services must be presented as a standalone ballot question." In fact, the proposed amendment appears to eliminate any ballot questions by eliminating any voter approval requirement.

Section 4.03 amendments would place the already challenging role of City Attorney directly under the thumb of the City Council. Under current processes, the City Attorney may be under substantial pressure to give the Council advice that the City Attorney thinks the Council wants to hear creating potential conflicts with sound legal advice. As with other department heads, the City Attorney should be retained by the City Manager and not serve at the whim of a particular City Council.

Section 4.07 amendments appear to be an unnecessary knee-jerk reaction to the City's recent defeat in Sac Superior Civil Case 23WM000125 resulting from the City Council and City Attorney's refusal to respect the plain language of this section of the Charter. In adopting the Charter, the citizens of Folsom allowed that the Council may create boards and commissions, but wisely restricted those boards and commissions to an advisory role. Such a structure is appropriate and need not be tampered with. The ad hoc committee's report discusses that "the adjustment would ensure the Charter does not inadvertently block the Council from empowering commissions and committees to take direct action on specialized matters." However, the Charter's existing language is not an inadvertent block of such power, it serves as an important intentional check on the Council's ability to delegate away decision-making that should fall squarely on the City Council. Additionally, textually the ad hoc committee recommendation adds "or Committee" in the last sentence, but as written (original and proposed) the section is limited to the creation and roles boards and commissions. Adding a single reference to Committee will create confusion and potential inconsistent interpretations.

FMC 2.48.030 - The Council established an ad hoc committee to explore the City Charter, yet, the committee's recommendations include an increase in the campaign contribution limit which is not part of the Charter. The committee says this is necessary to balance the influence of political action committees and special interests on local elections. I disagree. The current limits are appropriate and should not be increased. Moreover, a recommended change to contribution limits exceeds the role assigned to the Charter review committee and should be rejected.

For these and other reasons, please reject the ad hoc committee's recommended amendments to the City Charter and dissolve the committee.

Thank you,
- Bob Delp

bdelp@live.com

**Additional Information from Tom Aceituno, Vice Chair
of the
Ad Hoc Charter Review Committee**

Folsom Campaign Contributions

What the data shows:

2022

Candidate Committees:

Dist. 1 - **\$9,737** vs \$5,247 (Winner vs 2nd place)

Dist. 3 - **\$21,638** vs. 3,211

Dist. 5 - **\$7,677** v. \$598

PAC's

Dist. 1 - **\$23,169** vs. \$1,787

Dist. 3 - **\$17,154** vs. \$0

Dist. 5 - **\$1,451** vs. \$35,286

2024

Candidate Committees

Dist. 2 - **\$30, 633** vs. \$18,950 vs. \$34, 095

Dist. 4 - **\$22,080** vs. \$14,679 vs. \$24,392

PAC's

Dist. 2 - **\$84,820 (plus \$18,595 in opposition)** vs. \$15,000

Dist. 4 - **\$0** vs \$101,517 (including opposition).

Grand Total 2022 \$48,118 candidate vs. **\$78,947 PAC**

Grand Total 2024 \$156,046 candidate vs. **\$210,337 PAC**

Folsom Campaign Contributions

Major PAC donors (Over \$5,000)

2022	Donor A	\$40,000
	Donor B	\$40,000
	Donor C	\$9,100
2024	Donor D	\$30,000
	Donor E	\$10,000
	Six donors	\$40,000

Note - Two reports didn't disclose candidate
- \$9,275 and \$5,000

Folsom Campaign Contributions

Candidate v PAC Summary

2022 - Dist. 1 - **\$9,737** plus \$23,169

Dist. 3 - **\$21,638** plus \$17,154

Dist 5. - **\$7,677** plus \$1,451 (\$35,386 for opponent)

2024 - Dist . 2 - **\$30,633** plus \$84,820

Dist. 4 - **\$22,080** plus \$0. (\$101,517 against)

Folsom Campaign Contributions

Additional facts:

1. Contributors limited to \$150

In 2022, there were 26 individuals who contributed \$150 to a candidate (12 for one **candidate**)

In 2024, there were 26 individuals who contributed \$150 to a candidate (13 for one candidate)

2. Cost of Living Equivalent

The \$150 limit in 1994 would be equivalent to \$337 today.

Folsom Campaign Contributions

Conclusions:

1. PAC money generally dominates.
2022 - IE's = \$78,947 vs Candidate = \$48,118
2024 - IE's = \$201,337 vs Candidate - \$156,046
2. PAC money usually supports the winner
(District 1, District 2, District 3)
3. PAC money sometimes supports the loser.
(District 4, District 5)
4. PAC money raised in large donations:
2022 - four donors contributed over \$5,000 (\$40,000 from one donor)
2022 - eight donors contributed over \$5,000 (\$30,000 from one donor)

Folsom Campaign Contributions

So, now what:

Individual campaign limits are obsolete. Should be eliminated.
May even be unconstitutional.

Voters unlikely to support elimination.

So, raise limit, but keep it reasonable.