



Folsom City Council Meeting

Additional Information Transmittal

MEETING DATE:	1/28/2025
AGENDA SECTION:	Public Hearing
STAFF REPORT TITLE	Item No. 6: Folsom Town Center North LLTSM i. Resolution No. 11322 – A Resolution Determining that the Folsom Town Center North LLTSM Project is Exempt from CEQA and Approving Said Large Lot Tentative Subdivision Map
FROM:	Community Development Department

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

1. Email from Bob Delp, received January 28, 2025

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 2025

From: Bob Delp <bdelp@live.com>

Sent: Tuesday, January 28, 2025 9:36 AM

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

Cc: Sarah Aquino <saquino@folsom.ca.us>; Barbara Leary <bleary@folsom.ca.us>; Anna Rohrbough <annar@folsom.ca.us>; Justin Raithel <jraithel@folsom.ca.us>; Mike Kozlowski <mkozlowski@folsom.ca.us>; Pam Johns <pjohns@folsom.ca.us>

Subject: Comments for Council re Agenda Item 6 - Folsom Town Center North LLTSM

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For distribution to Folsom City Council.

Dear City Councilmembers,

Please consider the following comments with regard to 1/28/2025 Council Agenda Item No. 6, Folsom Town Center North LLTSM.

1. The proposed resolution includes Exhibit A, Large Lot Tentative Subdivision Map, (see Council packet pg. 118) and several other figures/exhibits that are illegible. The information on Exhibit A (the map as well as the legend, map information/notes, date, etc.) must be legible for the Council to make an informed decisions and for future reference.
2. The Staff Report and conditions of approval include several references to attachments that either do not exist (e.g., Attachments 8 and 9) or are incorrect (e.g., packet pg. 110 references Attachment 5 as the Large Lot Map, but Attachment 5 of the Staff Report is a comparison table). Especially with regard to conditions of approval, these errors need to be corrected. Additionally, where the Resolution's conditions of approval rely on other documents, those other documents should be made exhibits to the Resolution (and should be legible).
3. Condition of Approval 3 (packet pg. 121) unnecessarily imposes a burden *on the City* to identify improvements necessary to develop the subject parcels. This condition should be revised to require the *Applicant* for any small-lot subdivision to identify the improvements necessary to develop the subject parcels and to obtain City review and verification of the improvements as a part of the small-lot review and prior to approval, and the condition should also specify that the Applicant shall fund the City's staff time/cost for such review and verification.
4. Condition of Approval 4 (packet pg. 121) unnecessarily imposes an obligation on the City to pay for defense of legal challenge. The condition states that the "City...will cooperate fully in the defense" but then discusses that the City "may...participate in the defense...if the City bears its own attorney's fees and costs". First, if a lawsuit is filed against the City, the City cannot simply choose whether or not to be involved in the litigation, so the premise that the City *may* participate is flawed. Next, the first sentence of the condition requires the owner/applicant to indemnify the City. With that, the owner/applicant should be required to bear the owner/applicant's and the City's attorney's fees and cost and not impose the cost of the City's participation on the City.
5. Condition of Approval 22 (packet pg. 127) references an Attachment 9, but neither the proposed resolution nor the staff report contains an Attachment 9.
6. Condition of Approval 29 (packet pg 130) states, "*The applicant shall comply with conditions 1-18 of the attached letter from SMUD dated April 4, 2024, provided in Attachment 9.*" First, there is no Attachment 9, the SMUD report is Attachment 7 of the staff report and the SMUD letter is not an exhibit to the resolution. The conditions of approval matrix should be revised to add all of the relevant conditions of approval to be adopted by the Council, including those requested by SMUD as opposed to simply referencing a separate document. Additionally, conditions 7, 10, 12, 13 of the SMUD letter include requirements for dedication of easements and irrevocable offers of dedication for easements. Although some of those requirements might not be triggered until small-lot maps are developed, some appear to be relevant to the current large-lot map and should be confirmed and/or specified on the large-lot map prior to approval (since the proposed large-lot map is illegible, it's impossible to know if it includes the necessary easements). Some of those easements will necessarily affect the road right-of-way widths and if they are not included on the large-lot map, then the large-lot map should be revised to include the necessary easements *before* it is approved.

Thank you for your consideration.

-Bob

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