

Folsom City Council Staff Report

MEETING DATE:	12/8/2020
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10564 – A Resolution of the City Council Accepting Open Space within the Parkway Phase II Subdivision for Public Use and Bicycle/Pedestrian Trails
FROM:	Parks and Recreation Department

RECOMMENDATION / CITY COUNCIL ACTION

The Parks and Recreation Department recommends that the City Council approve Resolution No. 10564 – Accepting Open Space within the Parkway Phase II Subdivision for Public Use and Bicycle/Pedestrian Trails.

BACKGROUND / ISSUE

Section 2.17 of the 1996 Development Agreement between the City of Folsom and the developer of the Parkway subdivision (Parkway Venture) requires the developer to dedicate all required public lands, and the City to accept such dedications, upon completion of the improvements. Public lands include the Humbug-Willow Creek Parkway, and the City Council, pursuant to said section in the Development Agreement, adopted Resolution No. 8224 on January 8, 2008 and accepted Phase I of the Humbug-Willow Creek Parkway.

Within Parkway Phase II there is approximately 130± acres of open space that is currently owned by the developer that are ready to be deeded to the City of Folsom. The City has received notice from the developer of full and complete satisfaction of the 404 Permit requirements.

POLICY / RULE

California Government Code Section 37351 provides that, “The legislative body may purchase, lease, exchange, or receive such personal property and real estate situated inside or outside the City limits as is necessary or proper for municipal purposes. It may control, dispose of, and convey such property for the benefit of the City.”

ANALYSIS

Parkway Phase II includes six parcels of open space totaling 130.339 acres that is currently owned by Parkway Company LLC. The open space includes riparian, creek, and tree covered areas that exist along both Humbug Creek and Willow Creek corridors (Attachment 2).

The open space land remained in the ownership of Parkway from 1992 until now as there were mitigation and monitoring requirements set forth in the Section 404 Permit by the Army Corp of Engineers (Permit number SPK-1900-00047).

The mitigation requirements set forth in the approved plan referred to as the Parkway at Blue Ravine; Parkway and Resource Mitigation Plan dated July 1992 required the establishment of 1.47 of constructed vernal pools, 8.64 acres of seasonal and perennial wetlands, and 17.35 acres of riparian areas. The City is in receipt of a letter received by the Army Corp of Engineers dated January 16, 2015 that states that the performance criteria were successfully met and that monitoring can be discontinued.

The City of Folsom has been managing and maintaining the over 6 miles of trails, numerous bridges, and main drainage ways since 2005. With the recent receipt of documentation of completion of the Section 404 requirements, the City is now ready to receive all parcels to continue to conserve in perpetuity the natural habitat and recreational and educational values of these properties.

FINANCIAL IMPACT

Acceptance of these parcels will require routine weed abatement, tree care, and ladder fuel maintenance equating to approximately \$30,000 per year. This will be a general fund expense.

ENVIRONMENTAL REVIEW

The proposed action to continue maintain and operate existing facilities (including bicycle and pedestrian trails), as well as to preserve open space and natural conditions and, as such, is Categorically Exempt from the California Environmental Quality Act pursuant to Sections 15301 and 15325 of the CEQA Guidelines.

ATTACHMENTS

1. Resolution No. 10564 – A Resolution of the City Council Accepting Open Space within the Parkway Phase II Subdivision for Public Use and Bicycle/Pedestrian Trails
2. Location of Open Space Parcels to be Deeded

Submitted,

Lorraine Poggione, Parks and Recreation Director

ATTACHMENT 1

Resolution No. 10564

RESOLUTION NO. 10564

A RESOLUTION OF THE CITY COUNCIL ACCEPTING OPEN SPACE WITHIN THE PARKWAY PHASE II SUBDIVISION FOR PUBLIC USE AND BICYCLE/PEDESTRIAN TRAILS

WHEREAS, in 1996, the City and the developer of the Parkway subdivision entered into a Development Agreement where the developer is required to dedicate all required public lands, and the City is required to accept such dedications, upon completion of the required improvements; and

WHEREAS, public lands in the Development Agreement include the Humbug-Willow Creek Parkway; and

WHEREAS, pursuant to the Development Agreement, the City Council passed and adopted Resolution No. 8224 on January 8, 2008 and accepted Phase I of the Humbug-Willow Creek Parkway; and

WHEREAS, Phase II of the Humbug-Willow Creek Parkway consists of approximately 130 acres of open space and bicycle/pedestrian trails, and having completely satisfied the mitigation responsibilities under the US Army Corps of Engineers 404 Permit (SPK-1900-00047), is ready to be deeded to the City; and

WHEREAS, acceptance of said Phase II open space is an enhancement to the City's open space palette and further provides protected habitat and resources along with continued bicycle and pedestrian trail access for the benefit of the community; and

WHEREAS, sufficient funds are available in the General Fund (Fund 010) to maintain the open space acres at the approximate cost of \$30,000 per year.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Folsom authorizes the City Manager to accept Phase II of the Humbug-Willow Creek Parkway in fee title, consisting of six Grant Deeds totaling 130.339 acres, located within the Parkway subdivision.

PASSED AND ADOPTED this 8th day of December 2020, by the following roll-call vote:

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

MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

ATTACHMENT 2

Location of Open Space Parcels to be Deeded

Parcel 1
APN 071-1410-097

Parcel 2
APN 071-1410-089

Parcel 3
APN 071-1410-011

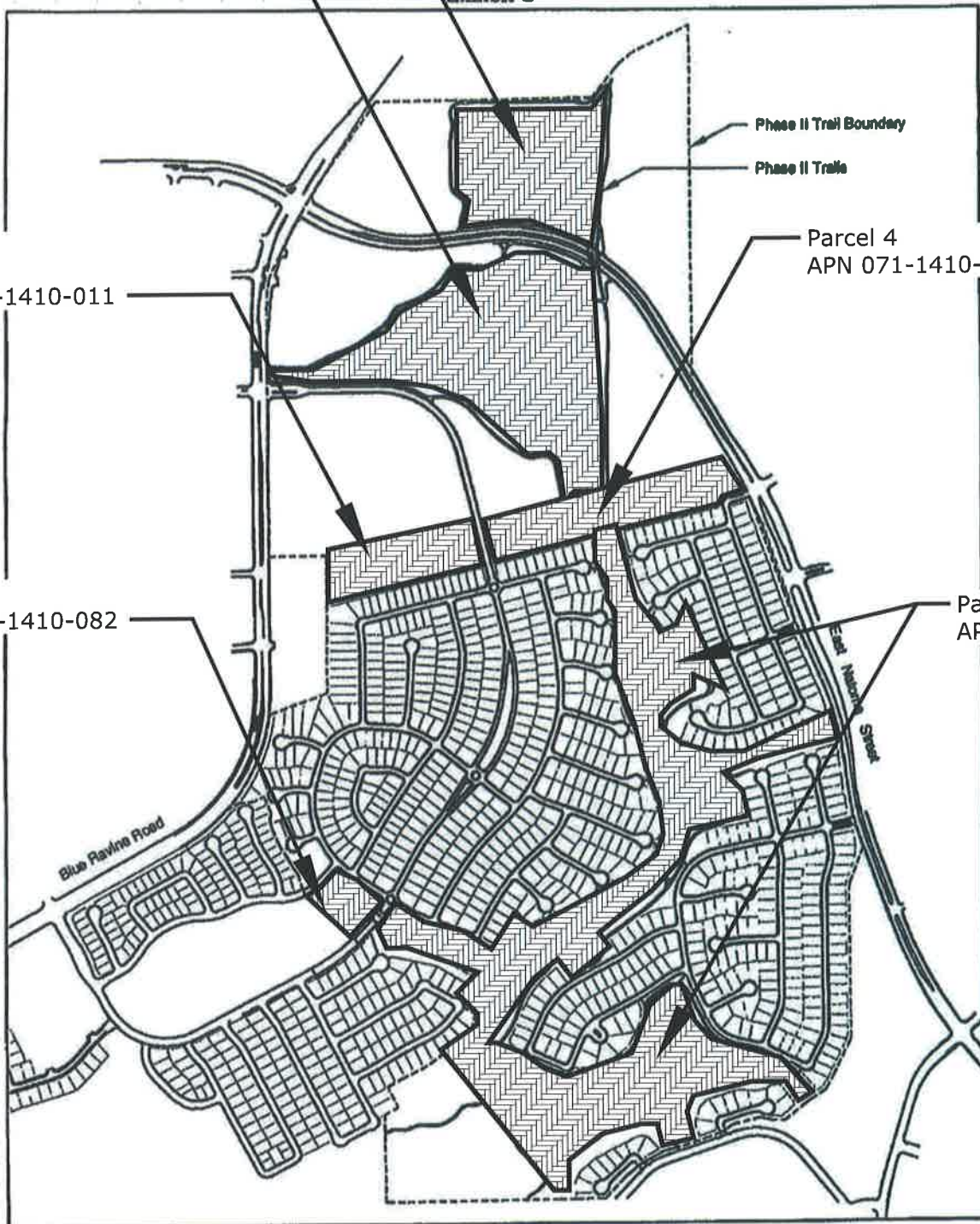
Parcel 6
APN 071-1410-082

Phase II Trail Boundary

Phase II Trails

Parcel 4
APN 071-1410-040

Parcel 5
APN 071-1410-11



Parkway Phase II - Open Space Parcels