



CITY OF
FOLSOM
DISTINCTIVE BY NATURE

Agenda

Utility Commission Regular Meeting

City Council Chambers | 50 Natoma Street, Folsom CA 95630

February 18, 2025

6:30 PM

REGULAR UTILITY COMMISSION AGENDA

CALL TO ORDER

ROLL CALL

Utility Commission Members:

Hla Elkhatib, Lisa Ladd, Mark Menz, Amy McBride, Amanda Ross, Aaron Silva, Tad Widby

REPORT ON POSTING OF AGENDA

Agendas for the Utility Commission are posted at the Folsom City Hall and City website. (Pursuant to California Government Code Section 54954.2, the agenda for this meeting was properly posted on or before 6:30 p.m. on February 14, 2025).

BUSINESS FROM THE FLOOR

This item is intended for comments or suggestions from the public for presentation to the Utility Commission. Any matters discussed before the Utility Commission which are not on the agenda cannot be acted upon by the Commission.

OATH OF OFFICE

ELECTION OF CHAIR AND VICE CHAIR

MINUTES

1. Approval of the Minutes of the November 19, 2024, Regular Meeting
2. Approval of the Minutes of the January 21, 2025, Regular Meeting

DIRECTORS' REPORTS

NEW BUSINESS

1. Ethics Training
2. Utility Commission Purpose and Functions
3. Brown Act
4. Utility Commission Roster
5. Topics for the Year
6. Public Works Department Overview
7. Environmental and Water Resources Department Overview

Future Meetings

March 18, 2025	6:30 pm	Regular Meeting	City Hall
April 15, 2025	6:30 pm	Regular Meeting	City Hall
May 20, 2025	6:30 pm	Regular Meeting	City Hall

Copies of the written documentation relating to each item of business described above are on file in the Environmental and Water Resources Department, Folsom City Hall, 50 Natoma St., Folsom, California and are available for public inspection during regular office hours which are 8:00 a.m. to 5:00 p.m., Monday through Friday. We request advance notification to facilitate your requests. Copies of documents may be purchased for \$0.10 per page.

Pursuant to State law, this agenda was posted at least 72 hours prior to the meeting at the Folsom City offices, and City website. The City Hall phone number is 916-461-6000. To contact City Hall using a telecommunication device for the deaf (TDD), please call (800) 735-2929 and an operator will assist you.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Environmental and Water Resources Department at 916-461-6162. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Please mute or turn off cellular phones, tablets, and other electronic devices during the meeting.

Oath of Office
Utility Commission
Meeting Date: 2/18/25

DATE: February 7, 2025
TO: Utility Commissioners
FROM: Marcus Yasutake, Environmental and Water Resources Director
SUBJECT: **UTILITY COMMISSION OATH OF OFFICE FOR NEW AND RE-APPOINTED UTILITY COMMISSIONERS**

BACKGROUND

New Utility Commissioners are required to take an oath of office prior to assuming official duties.

DISCUSSION

City staff will present the oath of office to the new and re-appointed Utility Commissioners. This date also starts the 30-day window for each to file their statement of economic interests.

ACTION

Each new and re-appointed Utility Commissioner will complete the oath of office.

Election
Utility Commission
Meeting Date: 2/18/25

DATE: February 11, 2025
TO: Utility Commissioners
FROM: Marcus Yasutake, Environmental and Water Resources Director
SUBJECT: **ELECTION OF CHAIR AND VICE-CHAIR**

BACKGROUND

Per Folsom Municipal Code Section 3.23.050 the officers of the commission shall be the chairperson and vice chairperson. The chairperson and the vice chairperson of the commission shall be elected by the commission every two years, following general election, at the first meeting in February by majority vote of the full commission.

DISCUSSION

The chairperson or, in the absence of the chairperson, the vice chairperson, shall take the chair at the hour appointed for the meeting and shall call the commission to order. In the absence of the chairperson, the vice chairperson shall perform the duties and obligations of the chairperson. In the absence of the chairperson and vice chairperson, the utilities director or his/her representative shall call the commission to order, whereupon a temporary chairperson will be elected from among the members present. Upon the arrival of the chairperson or vice chairperson, the temporary chairperson shall relinquish the chair upon the conclusion of the item before the commission.

ACTION

Utility Commission shall elect a chair and vice-chair.



Utility Commission Regular Meeting

Draft Minutes

City Council Chambers | 50 Natoma Street, Folsom CA 95630
November 19, 2024
6:30 PM

Call to Order

The meeting was called to order at 6:29 p.m.

Roll Call

PRESENT:	L. Ladd, M. Menz, A. Ross, A. Silva, B. Vempati.
ABSENT:	Z. Akhter, T. Widby
STAFF PRESENT:	Marcus Yasutake: Environmental & Water Resources Director Mark Rackovan: Public Works Director Emma Atkinson: Management Analyst, EWR

Business from the Floor

None.

Minutes

Approval of the Minutes of the October 15, 2024, Regular Meeting.

Motion by Commissioner Silva, second by Commissioner Ross to approve the Minutes of the October 15, 2024, regular meeting. Motion passed by the following roll-call vote:

AYES:	Commissioners Menz, Silva, Vempati.
ABSTAIN:	Commissioners Ladd, Ross.
ABSENT:	Commissioners Akhter, Widby.

Directors' Reports

Public Works:

- The City wide re-route of waste collection has been successful, with the community being well informed and placing cans out according to the new schedule, for new services and one time transition services. The re-route has effectively balanced workloads over the work week, leaving room for growth in the Folsom Ranch area. Management is closely monitoring routes and load compliance. Further balancing of routes within the new service areas will take place over the next several months and if necessary, schedule changes and new positions will be considered.
- Public Works will soon be requesting authorization from City Council to contract with Agromin, our current organics processor, for long term services from July 2027 through June 2042.
Commissioners requested more detail about the proposed contract, including an explanation of the length of the contract, the associated costs, any built-in cost increase, if there is an exit clause, and whether any other contractors were considered for the contract. In response, Director Rackovan offered to bring the item to the Utility Commission for review before taking it to Council.
- Public Works would like to replace the body on a waste collection vehicle; the mechanics of the vehicle are fine, but the chassis needs repair. City Council has granted authorization to proceed.
- Four residential collection vehicles, one roll-off and one front loader have been ordered. To date all but the roll off have been received. These are the last vehicles to be ordered before

having to comply with Advanced Clean Fleet (ACF) regulations, which became effective in Calendar Year 2024.

Commissioners engaged in a discussion about ACF regulations, asking about the consequences of non-compliance, the availability of zero emission vehicles, the reliability of electric heavy-duty vehicles, and ACF reporting requirements. Director Rackovan reported that electric garbage trucks ordered in FY22-23 have still not been delivered and there is no estimate for when they will be delivered. The electric rear loader that was delivered a couple of weeks ago had to be rejected due to mechanical issues. The City can be audited by the State and lists of vehicles need to be available on demand.

- The Collections team has experienced several months of staff shortages, due to open refuse driver positions and various medical absences. Director Rackovan summarized the difficulties experienced during a 6-month recruitment process. All full-time positions have now been filled, but recruitment of part-time staff is ongoing, and the division is still impacted by one long term medical absence. Additionally, the Admin team is currently working on replacement of one Office Assistant.
- The Recycling team has completed a route review, fulfilling a requirement of SB1383. Following an outreach campaign, including social media postings and newsletter articles, staff checked trash containers to evaluate program participation. Based on findings, 'Good Job' tags or educational material was attached to the container. No enforcement action was taken and generally, there was a positive reaction from residents.

EWR:

- Staff is currently working on 2 Requests for Proposals that will be issued early next year.
 - Rate Study Analysis for Water and Wastewater: The last Rate Study was finalized in 2019. The new rate study will provide an opportunity to look at the cost of service. Work will start in early 2025, with 3 possible dates identified during the summer for rate study discussion at Utility Commission meetings.
 - Sewer Master Plan: This is a new waste discharge requirement. Work on this is likely to start in summer next year.
- Director Yasutake thanked the Commission for their time this year. There will be no meeting in December due to the change in City Council and consequent change of Utility Commission members. The new City Council will be sworn in on December 9, and it is anticipated that all commission/committee appointments will be known by January 14th, the first meeting of 2025.
- City Manager Elaine Andersen has announced her retirement. Her last day in office is December 13, and Director Yasutake passed along an invitation to all Commissioners to attend a retirement gathering on December 11.

Commissioners engaged in a discussion on various topics related to EWR:

Rates:

- Commissioners asked when rates were last increased, what those increases were, whether increases should be expected based on the new rate study, and how Folsom rates compared to others.
- Director Yasutake responded that the last public hearing for rates was completed in November 2019, with rates increases taking effect in January 2020 and July 2022. There was an average \$4 increase each time. In the Sacramento region, Folsom's rates are nearly the lowest for water and are mid-range for the total amount charged to citizens for wastewater service (total wastewater charge takes into account both the Regional San and City charges). When based solely on collection system charges (without Regional San charges) Folsom is one of the lowest. Director Yasutake explained the Utility Commission's involvement in the Rate Study process, that the new Rate Study will likely identify a need for additional increases, but that a large part of the study is to focus on funding for CIPs (to analyze different approaches for budgeting and investment in CIPs) and solidifying a reserve policy (evaluation of best practice for reserves for water & wastewater utilities).

- Commissioners asked if the Rate Study will again cover 5 years, if there is a current reserve policy and engaged in discussion about planning and management of infrastructure, specifically in relation to life expectancy of pipes, and the risks associated with various approaches.
- Director Yasutake responded that the rate study will again cover a 5-year period. There has been a reserve fund policy, but a written policy will be developed using consultant knowledge of best practice, in collaboration with City Finance staff. Director Yasutake explained current practice of considering infrastructure condition assessment in combination with age, strategically balancing work on older sections without operational issues with work to address challenges experienced in newer sections. The Consultant will be asked to complete an analysis, and factor in depreciation, to figure out best approach.

Lead Assessment:

- Commissioners asked about the recent letter issued relating to the Lead Assessment Program.
- Director Yasutake provided a detailed explanation of the program, and required action of the city to comply with regulations.

Fluoride:

- Chair Menz asked about reports of recent changes to standards relating to fluoride in drinking water, and whether the City has been keeping up on this new information.
- Director Yasutake responded that the City, like most local agencies, does not include fluoride in the water system, so there is no need to make any changes at this time.

Staff Appreciation:

- Commissioner Ross acknowledged EWR staff who recently worked in her neighborhood. She reported that all staff were friendly, kind and willing to share information about work being performed.

New Business

• **Environmental and Water Resources Draft Fiscal Year 2023-24 Operating Budget Recap**

Director Yasutake presented draft financial figures comparing the Fiscal Year 2023-24 approved operating budget and the FY 2023-24 actual operating budget. The presentation was informational only, and no action as required.

Chair Menz requested a copy of the line-item budget for FY24-25.

Adjournment

The meeting was adjourned at 7:45 p.m.

Respectfully Submitted:

Emma Atkinson, Management Analyst

Approved:

Utility Commission Chair



FOLSOM
DISTINCTIVE BY NATURE

Utility Commission Regular Meeting Draft Minutes

Folsom Police Department Training Room | 46 Natoma Street, Folsom
CA 95630

January 21, 2025

6:30 PM

Call to Order

The meeting was called to order at 6:35 p.m.

Roll Call

PRESENT:	H.Elkhatib, L.Ladd, M.Menz, A.McBride, A.Ross, A.Silva, T.Widby
STAFF PRESENT:	Marcus Yasutake: Environmental & Water Resources Director
	Emma Atkinson: Management Analyst, EWR

Business from the Floor

None.

Directors' Reports

None.

New Business

- **Folsom Water Vision:**

In this workshop the City presented an overview of the recommended water supply portfolio. There was discussion of how it addresses the City's key challenges and the preliminary implementation plan.

Adjournment

The meeting was adjourned at 8:14 p.m.

Respectfully Submitted:

Emma Atkinson, Management Analyst

Approved:

, Utility Commission Chair

NEW BUSINESS
Item 1
Utility Commission
Meeting Date: 2/18/25

DATE: February 11, 2025
TO: Utility Commissioners
FROM: Marcus Yasutake, Environmental and Water Resources Director
SUBJECT: **AB 1234 ETHICS TRAINING**

BACKGROUND

Each new or re-appointed Utility Commissioner is required to complete Ethics Training.

DISCUSSION

The City provided several different options to the Utility Commissioners, new and re-appointed, for completing the required Ethics Training as a Commissioner. The City Attorney's office will be in contact with each commissioner to complete the required Ethics Training.

ACTION

No action required. Informational update only.

DATE: February 11, 2025
TO: Utility Commissioners
FROM: Marcus Yasutake, Environmental and Water Resources Director
SUBJECT: **UTILITY COMMISSION – PURPOSE AND FUNCTIONS**

BACKGROUND

The City of Folsom Municipal Code Section 3.23 describes the purpose and functions of the Utility Commission.

DISCUSSION

The purpose of the city utility commission is to establish a forum to provide advice to the city council and the city manager regarding utility rates; the necessity and function of city utilities; and the associated costs to operate and maintain these city functions. The city utility commission is created and shall study and make recommendations to the city council and city manager on matters related to the cost of utility service studies; the scope, costs, and nature of utility services provided by the city; and staff proposals for future rate changes. Staff support to the commission shall be provided as designated by the city manager or his or her designee. Staff designated to support the commission shall not be considered an officer or member of the commission.

ACTION

No action required. Informational update only.

ATTACHMENT

Section 3.23 of the Folsom Municipal Code.

Chapter 3.23 UTILITY COMMISSION

Sections:

[3.23.010 Purpose.](#)

[3.23.020 Creation of the utility commission—Functions of the commission.](#)

[3.23.030 Membership qualifications and appointment.](#)

[3.23.040 Terms of membership—Vacancies and replacement.](#)

[3.23.050 Officers.](#)

[3.23.060 Meetings.](#)

[3.23.070 Agendas—Order of business—Voting.](#)

3.23.010 Purpose.

The purpose of the city utility commission is to establish a forum to provide advice to the city council and the city manager regarding utility rates; the necessity and function of city utilities; and the associated costs to operate and maintain these city functions. (Ord. 1037 § 2 (part), 2005)

3.23.020 Creation of the utility commission—Functions of the commission.

- A. The city utility commission (“the commission”) is created and shall study and make recommendations to the city council and city manager on matters related to the cost of utility service studies; the scope, costs, and nature of utility services provided by the city; and staff proposals for future rate changes.
- B. Staff support to the commission shall be provided as designated by the city manager or his or her designee. Staff designated to support the commission shall not be considered an officer or member of the commission. (Ord. 1037 § 2 (part), 2005)

3.23.030 Membership qualifications and appointment.

- A. All members must be residents and registered voters of the city.
- B. Each council member shall appoint one commission member whose term shall run concurrently with that of the appointing council member. Two additional members shall be appointed at-large by a majority vote of the city council for two-year terms. (Ord. 1037 § 2 (part), 2005)

3.23.040 Terms of membership—Vacancies and replacement.

The city council may remove any member of the commission at any time by majority vote of the members of the

city council. No public hearing shall be required prior to removal of any member of the commission and no cause for removal need be shown. A commission member is subject to disqualification and removal from the commission if he or she has three unexcused absences from any regularly scheduled meetings. A vacancy resulting from death, resignation, removal, disqualification or any other cause shall be filled either by an appointment from the council member appointing the commission member whose membership is being replaced or the city council in the case of an at-large position. (Ord. 1037 § 2 (part), 2005)

3.23.050 Officers.

- A. The officers of the commission shall be the chairperson and vice chairperson.
- B. The chairperson and the vice chairperson of the commission shall be elected by the commission every two years, following general election, at the first meeting in February by majority vote of the full commission. If no successor is named by the conclusion of any officer's term, the officer shall continue in the office until a successor has been named. The chairperson or the vice chairperson can be replaced by majority vote of the full commission at any time. No public hearing shall be required prior to removal of the chairperson or the vice chairperson and no cause for removal need be shown.
- C. The chairperson and vice chairperson of the commission, or such other members as may be presiding in the aforementioned positions, shall not be deprived of any of the rights or privileges of any member by reason of his/her occupying the chair and may move, second, and debate from the chair, subject only to such limitations of debate as are by these rules imposed on all members.
- D. In the absence of the chairperson, the vice chairperson shall perform the duties and obligations of the chairperson. (Ord. 1037 § 2 (part), 2005)

3.23.060 Meetings.

- A. Regular meetings of the commission shall be held in City Hall, located at 50 Natoma Street, Folsom, California. Regular meetings shall be held on the third Tuesday of each month at 6:30 p.m. There shall be no minimum number of meetings per quarter. A regularly scheduled meeting may be canceled at any time. Special meetings may be called in the manner specified by applicable state law.
- B. Four members of the commission shall constitute a quorum. When there is no quorum at a regular meeting, the chairperson, or any member of said body, shall adjourn said meeting until the next regular meeting.
- C. The chairperson or, in the absence of the chairperson, the vice chairperson, shall take the chair at the hour appointed for the meeting and shall call the commission to order. In the absence of the chairperson and vice chairperson, the utilities director or his/her representative shall call the commission to order, whereupon a temporary chairperson will be elected from among the members present. Upon the arrival of the chairperson or vice chairperson, the temporary chairperson shall relinquish the chair upon the conclusion of the item before the commission. (Ord. 1037 § 2 (part), 2005)

3.23.070 Agendas—Order of business—Voting.

A. Commission members may place items on an agenda by contacting the chairperson or the utilities director. Agendas shall be approved by the chairperson prior to the start of the meeting. Citizens or interested parties may address the commission during public comment on agenda items or during the business from the floor portion of the meeting. Agendas shall be published as required by state law.

B. At the regular meetings of the commission, the following shall be the order of business:

1. Roll call;
2. Review of summary/minutes (if applicable);
3. Business from the floor/good of the order;
4. Agenda of the utility commission;
5. Adjournment.

C. On all matters acted upon by the commission, the voting shall be a roll-call vote of the members present. The “ayes” and “noes” of the members shall be recorded upon the summary of the meeting. Except for the election of the chairperson and vice chairperson, all actions of the commission shall require an affirmative vote of the majority of the commission present and eligible to vote at the particular meeting where action is to take place.

D. All rules of order not herein provided shall be determined in accordance with Robert’s Rules of Order, Revised.

E. The commission may adjourn any regular or special meeting to a time and place specified in the order of adjournment, whether or not a quorum has been established. If a quorum is not established, no business other than adjournment may be transacted. (Ord. 1037 § 2 (part), 2005)

DATE: February 11, 2025
TO: Utility Commissioners
FROM: Marcus Yasutake, Environmental and Water Resources Director
SUBJECT: **BROWN ACT**

BACKGROUND

The Brown Act states that the public commissions, boards and councils and the other public agencies in this State exist to aid in the conduct of the people's business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly. All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in the Brown Act. Attached is League of California Cities Guide to the Brown Act.

DISCUSSION

The Brown Act covers members of virtually every type of local government body, elected or appointed, decision-making or advisory. Some types of private organizations are covered, as are newly-elected members of a legislative body, even before they take office. Similarly, meetings subject to the Brown Act are not limited to face-to-face gatherings. They also include any communication medium or device through which a majority of a legislative body discusses, deliberates or takes action on an item of business outside of a noticed meeting. They include meetings held from remote locations by teleconference.

New communication technologies present new Brown Act challenges. For example, common email practices of forwarding or replying to messages can easily lead to a serial meeting prohibited by the Brown Act, as can participation by members of a legislative body in an internet chatroom or blog dialogue. Communicating during meetings using electronic technology (such as laptop computers, tablets, or smart phones) may create the perception that private communications are influencing the outcome of decisions; some state legislatures have banned the practice.

The express purpose of the Brown Act is to assure that local government agencies conduct the public's business openly and publicly. Courts and the California Attorney General usually broadly construe the Brown Act in favor of greater public access and narrowly construe exemptions to its general rules.

The Brown Act, however, is limited to meetings among a majority of the members of multimember government bodies when the subject relates to local agency business. It does not apply to independent conduct of individual decision-makers. It does not apply to social, ceremonial, educational, and other gatherings as long as a majority of the members of a body do not discuss issues related to their local agency's business. Meetings of temporary advisory committees — as distinguished from standing committees — made up solely of less than a quorum of a legislative body are not subject to the Brown Act.

ACTION

No action required. Informational update only.

NEW BUSINESS
Item 4
Utility Commission
Meeting Date: 2/18/25

DATE: February 11, 2025
TO: Utility Commissioners
FROM: Marcus Yasutake, Environmental and Water Resources Director
SUBJECT: **Utility Commission Roster and Contacts**

BACKGROUND

The Environmental and Water Resources Department maintains a roster and contact information for each of the Utility Commissioners.

ACTION

Staff requests each Utility Commissioner provides their contact information on the form that will be discussed during the meeting.

DATE: February 11, 2025
TO: Utility Commissioners
FROM: Marcus Yasutake, Environmental and Water Resources Director
SUBJECT: **UTILITY COMMISSION CALENDAR OF TOPICS**

BACKGROUND

The Utility Commission chair and vice-chair meets with the Environmental and Water Resources Director to develop the annual Calendar of Topics. Utility Commissioners can reach out to the Director or the chair or vice-chair to add discussion items to the UC agenda.

DISCUSSION

Staff will receive feedback during this meeting, if any, on any topics of interest for upcoming UC meetings. Below are some tentative placeholders for 2025.

UC Meeting	Topic
March 18, 2025	EWR & PW Fiscal Year 2025/26 Operations and Maintenance Budget
April 15, 2025	Folsom Water Vision Stakeholder Meeting No. 6
May 20, 2025	EWR & PW Fiscal Year 2025/26 Capital Improvement Budget
June 17, 2025	EWR Rate Study placeholder, SSMP Update
July 15, 2025	EWR Rate Study placeholder
<i>August</i>	<i>Recess to match City Council</i>
September 16, 2025	
October 21, 2025	
November 18, 2025	EWR Rate Study placeholder
December 16, 2025	

ACTION

Identify topics for future Utility Commission meetings for calendar year 2025.