



Pedro "Pete" M. Sanchez, Mayor
Mike Hudson, Mayor Pro-Tem
Jane Day
Sam Derting
Michael A. Segala

First and Third Tuesday
Every Month

A G E N D A

**SPECIAL MEETING OF THE
SUISUN CITY COUNCIL
TUESDAY, NOVEMBER 20, 2012
6:00 P.M.**

SUISUN CITY COUNCIL CHAMBERS -- 701 CIVIC CENTER BOULEVARD -- SUISUN CITY, CALIFORNIA

ROLL CALL

Council / Board Members

PUBLIC COMMENT

(Requests by citizens to discuss any matter under our jurisdiction other than an item posted on this agenda per California Government Code §54954.3 allowing 3 minutes to each speaker).

CONFLICT OF INTEREST NOTIFICATION

(Any items on this agenda that might be a conflict of interest to any Councilmembers / Boardmembers should be identified at this time.)

CLOSED SESSION

Pursuant to California Government Code Section 54950 the Suisun City Council will hold a Closed Session for the purpose of:

City Council

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Pursuant to California Government Code Section 54956.8., the Suisun City Council will hold a Closed Session for the purpose of Conference with Real Property Negotiator.

Property Under Negotiation: Assessor Parcel Number 0174-160-070

Agency Negotiator: Suzanne Bragdon, City Manager, Ronald C. Anderson, Jr,
Assistant City Manager/Administrative Services, Jason Garben, Economic
Development Director

Negotiating Parties: Terry Kwong

Under Negotiations: Terms and payment

CONVENE OPEN SESSION

Announcement of Actions Taken, if any, in Closed Session.

ADJOURNMENT

DEPARTMENTS: AREA CODE (707)

ADMINISTRATION 421-7300 ■ PLANNING 421-7335 ■ BUILDING 421-7310 ■ FINANCE 421-7320
FIRE 425-9133 ■ RECREATION & COMMUNITY SERVICES 421-7200 ■ POLICE 421-7373 ■ PUBLIC WORKS 421-7340
SUCCESSOR AGENCY 421-7309 FAX 421-7366

A complete packet of information containing staff reports and exhibits related to each item for the open session of this meeting, and provided to the City Council, are available for public review at least 72 hours prior to a Council /Agency/Authority Meeting at Suisun City Hall 701 Civic Center Blvd., Suisun City. Agenda related writings or documents provided to a majority of the Council/Board/Commissioners less than 72 hours prior to a Council/Agency/Authority meeting regarding any item on this agenda will be made available for public inspection during normal business hours. An agenda packet is also located at the entrance to the Council Chambers during the meeting for public review. The City may charge photocopying charges for requested copies of such documents.

PLEASE NOTE:

1. The City Council/Agency/Authority hopes to conclude its public business by 11:00 P.M. Ordinarily, no new items will be taken up after the 11:00 P.M. cutoff and any items remaining will be agendaized for the next meeting. The agendas have been prepared with the hope that all items scheduled will be discussed within the time allowed.
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701 Civic Center Boulevard	621 Pintail Drive	318 Merganser Drive

CITY COUNCIL

Pedro "Pete" M. Sanchez, Mayor
Mike Hudson, Mayor Pro-Tem
Jane Day
Sam Derting
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CITY COUNCIL MEETING

First and Third Tuesday
Every Month

AGENDA

REGULAR MEETING OF THE SUISUN CITY COUNCIL

SUISUN CITY COUNCIL ACTING AS SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF SUISUN CITY, AND HOUSING AUTHORITY TUESDAY, NOVEMBER 20, 2012

7:00 P.M.

SUISUN CITY COUNCIL CHAMBERS -- 701 CIVIC CENTER BOULEVARD -- SUISUN CITY, CALIFORNIA

(Next Ord. No. – 723)

(Next City Council Res. No. 2012 – 83)

Next Suisun City Council Acting as Successor Agency Res. No. SA2012 – 14)

(Next Housing Authority Res. No. HA2012 – 04)

ROLL CALL

Council / Board Members
Pledge of Allegiance
Invocation

PUBLIC COMMENT

(Requests by citizens to discuss any matter under our jurisdiction other than an item posted on this agenda per California Government Code §54954.3 allowing 3 minutes to each speaker).

CONFLICT OF INTEREST NOTIFICATION

(Any items on this agenda that might be a conflict of interest to any Councilmembers / Boardmembers should be identified at this time.)

PRESENTATIONS/APPOINTMENTS

(Presentations, Awards, Proclamations, Appointments).

1. Introduction of new Suisun City Housing Specialist Gretchen Mayer and Account Clerk Sherrie Martin – (Wooden/Garben).
2. Presentation of Proclamation to Jonathan Harvey, Captain, The Salvation Army Proclaiming November 15, 2012 as "Very Cherry Red Kettle Kickoff Day" for the 2012 Campaign.

DEPARTMENTS: AREA CODE (707)

ADMINISTRATION 421-7300 ■ PLANNING 421-7335 ■ BUILDING 421-7310 ■ FINANCE 421-7320
FIRE 425-9133 ■ RECREATION & COMMUNITY SERVICES 421-7200 ■ POLICE 421-7373 ■ PUBLIC WORKS 421-7340
SUCCESSOR AGENCY 421-7309 FAX 421-7366

CONSENT CALENDAR**City Council**

3. Council Adoption of Resolution No. 2012-___: Approving the Submittal of the Application(s) for All CalRecycle Grants which the City of Suisun City is Eligible - (Kasperson).
4. Council Adoption of Resolution No. 2012-___: Approving the Application for Grant Funds from the Recreational Trails Program for McCoy Creek Bike Trail Phase II – (Kasperson).
5. Council Adoption of Resolution No. 2012-___: Authorizing the City Manager to Recruit and Appoint One Police Officer – (Dadisho).
6. Council Adoption of Resolution No. 2012-___: Authorizing the City Manager to Execute a Letter of Support for Fairfield-Suisun Unified School District Proposed Board Policy Regarding Relations with Local Agencies– (Wooden).
7. Adoption of Formal Policies regarding the Duties of the City Treasurer and City Clerk in Response to Solano County Grand Jury Recommendations – (Anderson)
 - a. Council Adoption of Resolution No. 2012-___: Adopting a Formal Policy regarding the Duties of the office of City Treasurer.
 - b. Council Adoption of Resolution No. 2012-___: Adopting a Formal Policy regarding the Duties of the office of City Clerk.
8. Council Adoption of Resolution No. 2012-___: Adopting a Conflict of Interest Code for the City Pursuant to the Provisions of the Political Reform Act Including Section 87303 of the California Government Code and Rescinding Resolution 2010-92 – (Anderson).

Joint City Council / Housing Authority

9. Technical and Administrative Updates to the Investment Policy – (Garben).
 - a. Council Adoption of Resolution No. 2012-___: Adopting a Revised City Investment Policy to Reflect Technical and Administrative Updates; and
 - b. Authority Adoption of Resolution No. HA 2012-___: Adopting a Revised Authority Investment Policy to Reflect Technical and Administrative Updates.

Joint City Council / Suisun City Council Acting as Successor Agency

10. Council/Agency Approval of the October 2012 Payroll Warrants in the amount of \$587,718.77. Council/Agency Approval of the October 2012 Payable Warrants in the amount of \$1,171,888.77 – (Finance).

Joint City Council / Suisun City Council Acting as Successor Agency / Housing Authority

11. Council/Agency/Authority Accept the Investment Report for the Quarter Ending September 30, 2012 – (Anderson).
12. Council/Agency Approval of the Minutes of the Regular and/or Special Meetings of the Suisun City Council, Suisun City Council Acting as Successor Agency, and Housing Authority held on October 16, 2012 – (Hobson).

GENERAL BUSINESS**City Council**

13. Council Adoption of Resolution No. 2012-___: Consider Accepting a Sobriety Checkpoint Grant – (Dadisho).
 - a. Council Adoption of Resolution No. 2012-___: Authorizing the Police Chief to Accept and Administer a Sobriety Checkpoint Grant Program from the State of California, Office of Traffic Safety.
 - b. Council Adoption of Resolution No. 2012-___: Adopting the Third Amendment to the Annual Appropriation Resolution No. 2012-53 to Appropriate Funds for a Sobriety Checkpoint Grant Program.
14. Consider Accepting a Distracted-Driving High-Visibility Enforcement Demonstration Project Grant – (Dadisho)
 - a. Council Adoption of Resolution No. 2012-___: Authorizing the Police Chief to Accept and Administer a Distracted-Driving High-Visibility Enforcement Demonstration Project Grant from the State of California, Office of Traffic Safety.
 - b. Council Adoption of Resolution No. 2012-___: Adopting the Second Amendment to the Annual Appropriation Resolution No. 2012-53 to Appropriate Funds for the Distracted-Driving High-Visibility Enforcement Demonstration Project Grant.
15. Council Adoption of Amended Fireworks Ordinance - (O'Brien/Wooden).
 - a. Council Adoption of Ordinance No. 722: Amending City Code Title 8, Chapter 8.04 – “Fireworks” to Permit the Sales of Safe and Sane Fireworks; and to Regulate other Fireworks Related Activities. (Ordinance was Introduced and Reading Waived on 10/16/12.)
 - b. Discussion of the 2012 Fireworks Sales Period and 2013 Implementing Resolution.
16. Council Reauthorization and Continuation of the Suisun City Historic Waterfront Business Improvement District – (Garben/Corey).
 - a. Council Adoption of Resolution No. 2012-___: Reauthorizing and Continuing the Suisun City Historic Waterfront Business Improvement District and the Assessment Levy for the District.
 - b. Council Adoption of Resolution No. 2012-___: Accepting the 2012 Annual Report, and Approving the Proposed Calendar Year 2013 Operating Budget for the Suisun City Historic Waterfront Business Improvement District.

PUBLIC HEARINGS:**REPORTS: (Informational items only.)**

17. City Manager/Executive Director/Staff
18. Mayor/Council -Chair/Boardmembers

ADJOURNMENT

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Office of the Mayor

Suisun City, California

Proclamation



WHEREAS, in December of 1891, a Salvation Army Captain in San Francisco resolved to provide a free Christmas dinner to the area's poor funded by red kettle donations; and

WHEREAS, kettles now are used in such distant lands as Korea, Japan, and Chile, and in many European countries enabling The Salvation Army to bring the spirit of Christmas to those who would otherwise be forgotten all year long including the aged and lonely, the ill, the inmates of jails and other institutions, the poor and unfortunate; and

WHEREAS, in the United States, the famous Red Kettles at Thanksgiving and Christmas time are a centerpiece, to raise monies to help The Salvation Army serve 30 million people throughout the year with food, clothing, utility services and hope; and

WHEREAS, The Salvation Army has been in existence in Solano County for more than 100 years and has provided more than 50,000 meals to families in Solano County during the past year; and

WHEREAS, The Salvation Army will prepare more than 400 food boxes this Thanksgiving, and will assist more than 1,000 families with food and toys this Christmas; and

WHEREAS, The Salvation Army has worked tirelessly this year to keep up with a growing demand for help from families in Solano County and our programs continue to expand.

NOW, THEREFORE, BE IT RESOLVED, THAT I, Pete Sanchez, by virtue of the authority vested in me as Mayor of the City of Suisun City, do hereby proclaim Thursday, November 15, 2012, as the official Kick Off for:

THE SALVATION ARMY RED KETTLE CAMPAIGN

in the City of Suisun City, California, and urge the citizens of Suisun City to recognize and participate in the Salvation Army Red Kettle Campaign to be held in our community and throughout Solano County until Christmas Day.

In witness whereof I have hereunto set my hand and caused this seal to be affixed.

Pete Sanchez, Mayor

ATTEST: _____

DATE: November 15, 2012

AGENDA TRANSMITTAL

MEETING DATE: November 20, 2012

CITY AGENDA ITEM: Council Adoption of Resolution No. 2012-___: Approving the Submittal of the Application(s) for All CalRecycle Grants which the City of Suisun City is Eligible.

FISCAL IMPACT: There would be no fiscal impact. Approval of this resolution would not authorize any expenditure of funds at this time. The details of any future project that is funded through a CalRecycle grant and the award of any contracts associated with any future project would be brought back to the Council for specific approval.

STAFF REPORT: Periodically, the Department of Resources Recycling and Recovery (CalRecycle) receives funds that are then made available as grants to fund projects that further the State's efforts to reduce, recycle, and reuse solid waste generated in the State. These types of grants help to preserve landfill capacity and protect public health and safety, as well as the environment. It is beneficial to the City to take advantage of this funding for needed projects. All grant applications to CalRecycle require an approved resolution from the City Council authorizing the submittal of the application.

The adoption of the attached resolution would authorize the City to apply for and manage any CalRecycle grants for which the City is eligible over a period of five fiscal years. The last year covered by the resolution will be Fiscal Year 2016-17. The approval of this resolution will facilitate a more expedient pursuit of all available CalRecycle grants. Should staff be successful in obtaining approval for any grant funding, the use of that funding and the related project will be brought before Council for specific approval before acceptance of that grant by the City.

RECOMMENDATION: Adopt Resolution No. 2012-___: Approving the Submittal of the Application(s) for All CalRecycle Grants which the City of Suisun City is Eligible.

ATTACHMENTS:

1. Resolution No. 2012-___: Approving the Submittal of the Application(s) for All CalRecycle Grants which the City of Suisun City is Eligible.

PREPARED BY:

REVIEWED/APPROVED BY:

Amanda Dum, Management Analyst I
 Daniel Kasperson, Building & Public Works Director
 Suzanne Bragdon, City Manager

RESOLUTION NO. 2012- _____

~~A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY~~
**APPROVING THE SUBMITTAL OF THE APPLICATION(S) FOR ALL
CALRECYCLE GRANTS WHICH THE CITY OF SUISUN CITY IS ELIGIBLE**

WHEREAS, Public Resources Code Section (PRC) 40000 *et seq.* authorize the Department of Resources Recycling and Recovery (CalRecycle), to administer various Grant Programs (grants) in furtherance of the State of California's (State) efforts to reduce, recycle and reuse solid waste generated in the State thereby preserving landfill capacity and protecting public health and safety and the environment; and

WHEREAS, in furtherance of this authority CalRecycle is required to establish procedures governing the application, awarding, and management of the grants; and

WHEREAS, CalRecycle grant application procedures require, among other things, an Applicant's governing body to declare by Resolution certain authorizations related to the administration of CalRecycle grants.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Suisun City authorizes the submittal of application(s) to CalRecycle for all grants which the City of Suisun City is eligible; and

BE IT FURTHER RESOLVED, that the City Manager or his/her designee is hereby authorized and empowered to execute in the name of the City of Suisun City all grant documents, including but not limited to, applications, agreements, amendments and requests for payment, necessary to secure grant funds and implement the approved grant project; and

BE IT FURTHER RESOLVED, that these authorizations are effective for five (5) fiscal years from the date of adoption of this Resolution and will expire at the end of Fiscal Year 2016-17.

PASSED AND ADOPTED by a Regular Meeting of said City Council of the City of Suisun City duly held on Tuesday, the 20th of November 2012, by the following vote:

AYES:	COUNCILMEMBERS	_____
NOES:	COUNCILMEMBERS	_____
ABSTAIN:	COUNCILMEMBERS	_____
ABSENT:	COUNCILMEMBERS	_____

WITNESS my hand and the seal of the City of Suisun City this 20th of November 2012.

Linda Hobson, CMC
City Clerk

AGENDA TRANSMITTAL

MEETING DATE: November 20, 2012

CITY AGENDA ITEM: Council Adoption of Resolution No. 2012-____: Approving the Application for Grant Funds from the Recreational Trails Program for McCoy Creek Bike Trail Phase II.

FISCAL IMPACT: There is no fiscal impact at this time. The resolution would simply authorize the City to apply for the grant. If the grant application is awarded, the City will be responsible for up to a 12% match (\$210,000). A probable source of funding for the match requirement is the Park Development Fund or other grant funding. Approval of this resolution would not authorize any additional expenditures at this time. The details of the project and award of contracts would be brought back to the Council for specific approval.

STAFF REPORT: The Recreational Trails Program (RTP) provides funds to the states to develop and maintain recreational trails and trail-related facilities for both motorized and non-motorized recreational trail uses. In 2005, Congress reauthorized the RTP nationwide for \$60 million in Federal Fiscal Year (FFY) 2005, \$70 million in FFY 2006, \$75 million in FFY 2007, \$80 million in FFY 2008, and \$85 million in FFY 2009. Seventy percent (70%) of the funds received by California will be available for non-motorized projects on a competitive basis to cities, counties, districts, state agencies, federal agencies, and nonprofit organizations over public lands.

Staff would like to use this opportunity to apply for funding to complete Phase II of the overall McCoy Creek Bike Trail Project. Phase II would start on the north side of Pintail Drive, would run northward along the western bank to the juncture of McCoy Creek and Laurel Creek, cross over Laurel Creek via a bridge to the northern bank of Laurel Creek, and then run westward to Blossom Avenue where it would end for this phase of the overall trail project. If awarded, grant funds would allow the City to complete a major section of the McCoy Creek Bike Trail Project which would allow the residents of Suisun City better, more efficient access to different areas of the City. It would also provide an additional recreational activity and education opportunity for residents and visitors alike. As an additional component of the project, the City would like to revisit Phase I of the McCoy Creek Bike Trail, as well as the Central County Bikeway and install benches and signs along the trails to further enhance the public's experience in that portion of the trail. The project is currently estimated to cost \$1.75 million.

The grant application requires an approved resolution from the City Council authorizing the submittal of the application. Adoption of the attached resolution authorizes the City Manager or her designee to conduct all negotiations, execute and submit all documents, including, but not limited to applications, agreements, amendments, payment requests and so on, which may be necessary for the grant. Approval of this resolution does not authorize any additional expenditures at this time. The details of the project and award of contracts will be brought back to the Council for specific approval.

PREPARED BY:

REVIEWED/APPROVED BY:

Amanda Dum, Management Analyst I

 Daniel Kasperson, Building & Public Works Director

Suzanne Bragdon, City Manager 

RECOMMENDATION: It is recommended that the City Council adopt Resolution No. 2012-____: Approving the Application for Grant Funds from the Recreational Trails Program for McCoy Creek Bike Trail Phase II.

ATTACHMENTS:

1. Resolution No. 2012-____: Approving the Application for Grant Funds from the Recreational Trails Program for McCoy Creek Bike Trail Phase II.

RESOLUTION NO. 2012-__

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY SUISUN CITY
APPROVING THE APPLICATION FOR GRANT FUNDS FROM THE
RECREATIONAL TRAILS PROGRAM FOR MCCOY CREEK BIKE TRAIL PHASE II.**

WHEREAS, the “Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users” provides funds to the State of California for Grants to federal, state, local and non-profit organizations to acquire, develop and/or maintain motorized and non-motorized trail Projects; and

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility for the administration of the program within the State, setting up necessary procedures governing Project Application under the program; and

WHEREAS, said procedures established by the State Department of Parks and Recreation require the Applicant to certify by resolution the approval of Application(s) before submission of said Application(s) to the State; and

WHEREAS, the Applicant will enter into a Contract with the State of California to complete the Project(s).

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Suisun City hereby:

1. Approves the filing of an Application for the Recreational Trails Program; and
2. Certifies that the Project is consistent with the Applicant’s general plan or the equivalent planning document; and
3. Certifies that said Applicant has or will have available prior to commencement of any work on the Project(s) included in this Application, sufficient funds to operate and maintain the Project(s); and
4. Certifies that the Applicant has reviewed, understands, and agrees to the General Provisions contained in the Contract shown in the Procedural Guide; and
5. Appoints the City Manager as agent to conduct all negotiations, execute and submit all documents, including, but not limited to Applications, agreements, amendments, payment requests and so on, which may be necessary for the completion of the Project; and
6. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.

PASSED AND ADOPTED by a Regular Meeting of said City Council of the City of Suisun City duly held on Tuesday, the 20th of November by the following vote:

AYES:	Councilmembers	_____
NOES:	Councilmembers	_____
ABSTAIN:	Councilmembers	_____
ABSENT:	Councilmembers	_____

WITNESS my hand and the seal of the City of Suisun City this 20th day of November.

Linda Hobson, CMC
City Clerk

AGENDA TRANSMITTAL

MEETING DATE: November 20, 2012

CITY AGENDA ITEM: Council Adoption of Resolution No. 2012 - __: Authorizing the City Manager to Recruit and Appoint One Police Officer.

FISCAL IMPACT: Because this recruitment would be replacing an officer who is leaving City service at Step "E", the Department would be saving approximately \$16,000 for the balance of the current fiscal year (December 2012 to June 3, 2013), which would be about \$27,000 on an annualized basis.

BACKGROUND: With the adoption of the FY 2011-12 Annual Budget, the City Council established a policy of having the Council review and approve any requests to fill vacant positions. This item would authorize the recruitment and hiring of a Police Officer.

STAFF REPORT: On November 4, 2012, Police Officer Platzner resigned from the Department to accept a police officer position with the Richmond Police Department.

The Police Chief has established minimum staffing levels in the General Orders which is one sergeant and two officers on every shift. With the Department already having three frozen positions, if this position were not authorized to be filled, the Department's need for overtime would be significantly increased. Currently most of the overtime needs are met on a voluntary basis, however, by not filling a position that is necessary for basic patrol coverage, officers would be more likely to be assigned mandatory Overtime to ensure minimum staffing levels. The Department is currently working the 3/12 schedule. Any forced Overtime could have an impact on officer fatigue and morale.

For all of these reasons, staff is requesting the authority to establish a Police Officer eligibility list, and to fill this position sooner rather than later.

RECOMMENDATION: It is recommended that the City Council adopt Resolution No. 2012 - __: Authorizing the City Manager to Recruit and Appoint One Police Officer.

ATTACHMENTS:

1. Resolution No. 2012 - __: Authorizing the City Manager to Recruit and Appoint One Police Officer.

PREPARED BY:

REVIEWED/APPROVED BY:

Ed Dadisho, Police Chief 
Suzanne Bragdon, City Manager 

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RESOLUTION NO. 2012-__

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY
AUTHORIZING THE CITY MANAGER TO RECRUIT AND
APPOINT ONE POLICE OFFICER**

WHEREAS, with the resignation of Officer Platzner, the Police Department will have one Police Officer vacancy effective November 4, 2012; and

WHEREAS, the Police Department has established minimum staffing levels within its General Orders of one Police Sergeant and two Police Officers for each shift; and

WHEREAS, the Department will have to use Overtime to backfill the Police Sergeant vacancy if unfilled, increasing the potential for officer fatigue; and

WHEREAS, filling this vacancy permanently would enable the Department to continue to provide the current level of services to the community.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby authorizes the City Manager to recruit and appoint one Police Officer to fill the vacant position.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Suisun City duly held on Tuesday, the 20th day of November 2012, by the following vote:

AYES:	Councilmembers:	_____
NOES:	Councilmembers:	_____
ABSENT:	Councilmembers:	_____
ABSTAIN:	Councilmembers:	_____

WITNESS my hand and the seal of said City this 20th day of November 2012.

Donna Pock, CMC
Deputy City Clerk

AGENDA TRANSMITTAL

MEETING DATE: November 20, 2012

CITY AGENDA ITEM: Resolution No. 2012-___: Authorizing the City Manager to Execute the Attached Letter of Support for Fairfield-Suisun Unified School District Proposed Board Policy Regarding Relations with Local Agencies.

FISCAL IMPACT: None associated with this item.

BACKGROUND: City staff and Fairfield-Suisun Unified School District (FSUSD) staff have communicated well over the years. For example, City staff has made sure to provide notice and opportunities to comment on new residential projects as they are processed. In response, FSUSD will provide City staff with a letter stating approximately how many school aged children to expect with the ultimate construction of the project. FSUSD staff has also taken part in the Suisun City General Plan Update Technical Advisory Committee (TAC) in order to provide feedback on the background report staff assembled for Community facilities.

STAFF REPORT: The Fairfield-Suisun Unified School District is requesting comments from the City of Suisun City regarding Board Policy 7131 (Attachment 1). District staff is suggesting that the City handle this by recommending that the City Council adopt a resolution that authorizes the City Manager to execute a letter of support for the board policy as it is consistent with the communication that the two agencies already are having.

RECOMMENDATION: It is recommended that the City Council adopt Resolution No. 2012-___: Authorizing the City Manager to Execute the Attached Letter of Support for Fairfield-Suisun Unified School District Proposed Board Policy Regarding Relations with Local Agencies.

ATTACHMENTS:

1. Fairfield-Suisun USD Proposed Board Policy Regarding Relations with Local Agencies.
2. Resolution No. 2012-___: Authorizing the City Manager to Execute the Attached Letter of Support for Fairfield-Suisun Unified School District Proposed Board Policy Regarding Relations with Local Agencies.
3. Draft Letter of Support

PREPARED BY:

REVIEWED/APPROVED BY:

John Kearns, Associate Planner JK
Suzanne Bragdon, City Manager SBJ

Fairfield-Suisun USD

Board Policy

Relations With Local Agencies

New Policy

BP 7131

Business and Noninstructional Operations

The Governing Board recognizes the importance of collaborating and communicating with other local agencies in order to provide the best possible school facilities and to allocate facility resources in an effective and efficient manner. The Board and district staff shall consult and coordinate with local agencies as required by law and whenever the expertise and resources of these agencies can assist the district in the planning, design and construction of facilities.

Following notification by a city or county of proposed action to adopt or substantially revise a general plan, the Board may request a meeting with the local planning agency to discuss possible methods of coordinating planning, design and construction of new school facilities and school sites. (Government Code 65352.2)

The Superintendent or designee shall monitor land development proposals within district boundaries and shall ensure that an exchange of accurate information is maintained with city/county planning staff regarding the impact of land development on the district's educational programs and facility needs.

(cf. 7150 - Site Selection and Development)

Recognizing that available funds may not suffice to eliminate overcrowding in district schools caused by new development, the Board urges the city/county to adopt in its general plan or other appropriate planning documents, to the extent permitted by law, a provision which ensures that adequate school facilities will be available.

(cf. 7210 - Facilities Financing)

(cf. 7211- Developer Fees)

Notifications to Other Local Agencies

The Board shall notify the city council or county board of supervisors whenever it finds, based on clear and convincing evidence: (Government Code 65971)

1. That conditions of overcrowding exist in one or more attendance areas within the district which will impair the normal functioning of the educational programs, and the reason for the existence of those conditions

2. **That all reasonable methods of mitigating conditions of overcrowding have been evaluated and no feasible method for reducing those conditions exists**

The above notice shall specify the mitigation measures considered by the district and shall include a completed application to the Office of Public School Construction for preliminary determination of eligibility for school construction under applicable state law. (Government Code 65971)

The Superintendent or designee shall notify the appropriate city or county planning agency of the adoption of a school facility needs analysis or facilities master plan, the acquisition of a school site, or other action regarding school facilities in accordance with law.

(cf. 7110 - Facilities Master Plan)

Legal Reference:

EDUCATION CODE

17280-17316 Approval of plans and supervision of construction

35275 New school planning; cooperation with recreation and park authorities

GOVERNMENT CODE

53090-53097.5 Compliance with city or county regulations

65300-65307 Authority for and scope of general plans

65352.2 Communication between cities, counties and school districts

65850-65863.11 Adoption of regulations

65970-65981 School facilities

65995-65998 Developer fees

PUBLIC RESOURCES CODE

21000-21177 California Environmental Quality Act of 1970

CODE OF REGULATIONS, TITLE 5

14010 Procedure for site acquisition

CODE OF REGULATIONS, TITLE 14

15000-15285 Implementation of California Environmental Quality Act of 1970

Management Resources:

WEB SITES

Office of Public School Construction: <http://www.opsc.dgs.ca.gov>

CDE, School Facilities Division: <http://www.cde.ca.gov/facilities>

Policy
adopted:

FAIRFIELD-SUISUN UNIFIED SCHOOL DISTRICT
Fairfield, California

RESOLUTION NO. 2012-__

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY
AUTHORIZING THE CITY MANAGER TO EXECUTE THE ATTACHED LETTER OF
SUPPORT FOR FAIRFIELD-SUISUN UNIFIED SCHOOL DISTRICT PROPOSED
POLICY REGARDING RELATIONS WITH LOCAL AGENCIES**

WHEREAS, the City of Suisun City and the Fairfield-Suisun Unified School District (FSUSD) have been community partners for many years; and

WHEREAS, the City of Suisun City agrees that continued collaboration with the FSUSD on both long-range planning documents, as well as individual project development is essential.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Suisun City supports the proposed board policy regarding relations with local agencies and authorizes the City Manager to provide the attached letter of support.

PASSED AND ADOPTED at a Regular Meeting of said City Council of the City of Suisun City duly held on Tuesday, the 20th of November 2012 by the following vote:

AYES:	Councilmembers:	_____
NOES:	Councilmembers:	_____
ABSENT:	Councilmembers:	_____
ABSTAIN:	Councilmembers:	_____

WITNESS my hand and the seal of said City this 20th day of November 2012.

Linda Hobson, CMC
City Clerk

CITY COUNCIL



CITY COUNCIL MEETING

Pedro "Pete" M. Sanchez, Mayor
Mike Hudson, Mayor Pro-Tem
Jane Day
Sam Derting
Michael A. Segala

First and Third Tuesday
Every Month

CITY OF SUISUN CITY

701 Civic Center Blvd.
Suisun City, California 94585
Incorporated October 9, 1868

November 20, 2012

Jacki Cottingham-Dias
Superintendent
Fairfield-Suisun Unified School District
2490 Hilborn Road, Fairfield, CA 94534

Subject: Fairfield-Suisun Unified School District Proposed Board Policy Regarding Relations with Local Agencies.

Dear Ms. Cottingham-Dias:

On behalf of the City Council of the City of Suisun City, I am writing to voice the Council's support for the proposed Board Policy Regarding Relations with Local Agencies. The City appreciates the opportunity to provide feedback on the proposed board policy. The issues addressed in this policy are very important to both the Board and the City Council, and the City agrees that providing a formal policy to address these issues is prudent.

The City and Fairfield-Suisun Unified School District (FSUSD) have collaborated well on projects and key issues in the past. One recent example of the two agencies working well together is on the General Plan Update Technical Advisory Committee. As part of this committee, FSUSD staff was instrumental in assisting the city in preparing background reports for its General Plan.

The City would be glad to assist in any way possible in implementing this policy and looks forward to continuing to collaborate and coordinate on key projects and issues related to school facilities and educational programs in the future.

Sincerely,

Suzanne Bragdon
City Manager

AGENDA TRANSMITTAL

MEETING DATE: November 20, 2012

CITY AGENDA ITEM: Adoption of Formal Policies regarding the Duties of the City Treasurer and City Clerk in Response to Solano County Grand Jury Recommendations:

- a. Council Adoption of Resolution No. 2012-__: Adopting a Formal Policy regarding the Duties of the office of City Treasurer; and
- b. Council Adoption of Resolution No. 2012-__: Adopting a Formal Policy regarding the Duties of the office of City Clerk.

FISCAL IMPACT: There would be no fiscal impact associated with the adoption of the attached resolutions.

BACKGROUND: The 2011-12 Solano County Grand Jury conducted a review of the function of City Treasurer in each of the cities in the county. (Please see Attachment 1.) Certain findings and recommendations were made regarding the city treasurer function in the City of Suisun City which are being addressed in this agenda item, as well as a companion item regarding the Investment Policy. The primary concern was that most of the duties of the City Treasurer are in fact performed by City staff, but no formal policy has been adopted to clarify the roles. Staff has noted that many of the duties of the City Clerk are also performed by City staff, and it would be appropriate to clarify these roles formally also.

STAFF REPORT: The attached resolutions would establish formal policies regarding the duties of the City Treasurer and the City Clerk, as well as those of City staff. These two resolutions reflect the past practices regarding these two roles.

City Treasurer

All investments of the idle funds of the City, Agency, and Authority have been invested by the Senior Accountant under the supervision of the Assistant City Manager/Administrative Services Director. All of these investments must be consistent with the adopted Investment Policy. Staff routinely reviews this policy and makes recommendations to the City Council for revisions when appropriate. The City Treasurer's role has been to review the investment reports which are forwarded to the City Council on a periodic basis (monthly and quarterly) and to sign these reports. No change in this past practice is being recommended.

City Clerk

The role of the City Clerk has been shared between the elected City Clerk and the Secretary to the City Manager/Deputy City Clerk. The City Clerk attends the City Council/Agency/Authority/Oversight Board meetings and prepares the minutes for these meetings. The City Clerk participates in the administration of the Political Reform Act of 1974, as well as the elections process including recall petitions. No change in this past practice is being recommended.

PREPARED BY:

Ronald C. Anderson, Jr., Assistant City Manager

REVIEWED/APPROVED BY:

Suzanne Bragdon, City Manager

RECOMMENDATION: It is recommended that the City Council adopt:

1. Resolution No. 2012-__: Adopting a Formal Policy regarding the Duties of the office of City Treasurer; and
2. Resolution No. 2012-__: Adopting a Formal Policy regarding the Duties of the office of City Clerk.

ATTACHMENTS:

1. City Treasurer Functional Review, Solano County Grand Jury 2011-12.
2. Resolution No. 2012-__: Adopting a Formal Policy regarding the Duties of the office of City Treasurer.
3. Resolution No. 2012-__: Adopting a Formal Policy regarding the Duties of the office of City Clerk.



SOLANO COUNTY GRAND JURY
2011-12

CITY TREASURER FUNCTIONAL REVIEW

CITY TREASURER FUNCTIONAL REVIEW

2011-12 Solano County Grand Jury

I. SUMMARY

The Grand Jury investigated Solano County city treasurers to determine and review treasurer duties, functions, and responsibilities and to ensure that treasurers complied with applicable state and local requirements. The Grand Jury concluded that, over time, most city treasurer tasks had migrated to other city staff, primarily finance directors. As a result, city treasurers in Solano County generally did not perform the tasks identified by state code. For example, California Government Code §41001 states, "The city treasurer shall receive and safely keep all money coming into his hands as treasurer." The Grand Jury found no city treasurer in Solano County who had "money coming into his hands" (receipt of funds was generally accomplished by the finance department); therefore, the requirement to "receive and safely keep all money" was not applicable to city treasurers.

The following table summarizes the city treasurer duties, functions, and responsibilities found in the California Government Code, and indicates whether those tasks were performed or were not applicable to a particular city:

Accomplishment of California Government Code: Results Summary

	§41001 Receive & Keep \$ Properly	§41002 Deposit & Secure \$ Properly	§41003 Properly Pay out \$ on Auth. Signature	§41004 Properly Submit Written Rpt.	§41005 Collect Taxes & Fees Properly	§41006 Appoint Deputies	§41007 Deputies Serve Treasurer
Benicia	NA	NA	Electronic Signature. No Review	No	NA	NA	NA
Dixon	NA	NA	NA	No	NA	NA	NA
Fairfield	NA	NA	Electronic Signature. No Review	No	NA	Yes	NA
Rio Vista	NA	NA	Hand Signature. W Review	No	NA	NA	NA
Suisun City	NA	NA	Electronic Signature. No Review	No	NA	NA	NA
Vacaville	NA	NA	NA	No	NA	NA	NA
Vallejo	❖	❖	❖	❖	❖	❖	❖

NA= Not Applicable. ❖= Not Relevant (as a charter city, Vallejo is not bound by these sections of State Code).

As reflected by the table, although most provisions were not applicable, the section of code related to submitting a monthly written report was not accomplished by any city treasurer in Solano County. In addition, the Grand Jury noted several issues and concerns, including the following:

- The duties, functions, responsibilities, and organizational reporting structure for city treasurers were not accurately, clearly, and/or succinctly reflected in city documents. Weaknesses were identified in all seven cities. However, the City of Benicia passed an ordinance (see attachment) during the course of the review that could serve as a model for formalizing city treasurer duties, functions, and responsibilities.
- Documentation supporting public notice of committee meetings attended by city treasurers did not exist or were not accurate in four cities, indicating possible non-compliance with the Ralph M. Brown Act. As a best practice, City of Rio Vista meeting agendas contained a certified statement that attested to the date, time, and location of public notice.

II. INTRODUCTION

City treasurer is an officer within city government. A city treasurer may be elected or appointed depending on the prevailing laws of the city. Although a public treasurer is generally responsible for “managing the revenue and cash flow of the agency, banking, collection, receipt, reporting, custody, investment or disbursement of ... funds,”¹ over the years, many of the duties and responsibilities originally performed by city treasurers have been transferred to other officers and staff of the city. As a result, in many cases the city treasurer has little or no responsibility or authority.

California cities are generally classified as either charter or general law.² Charter cities have flexibility in the way they are governed. General law cities (i.e., cities that do not establish a charter) are bound by California Government Code. According to the League of California Cities, as of July 1, 2011, there were 482 cities in California, of which 120 (25 percent) were charter cities. In Solano County, Vallejo is the only charter city.

Among other things, charter cities can determine if a city treasurer is required, if the position is elected or appointed, minimum requirements/qualifications for the post, and the duties associated with the job. As a city’s needs change, the charter can be revised (by voter approval), to update (or in fact delete) the City Treasurer position.

¹ www.en.wikipedia.org

² The lone exception to the general law or charter designation is the consolidated City and County of San Francisco

By default, city treasurers in general law cities are elected. Voter approval is needed to make the position appointive.³ As of April 29, 2010, the League of California Cities reported that 173 (36 percent) of California cities had elected city treasurers, leaving 309 (64 percent) with either an appointed treasurer or no treasurer at all.

By ordinance, a general law city may opt to delete the position of city treasurer by transferring the functions of the position to the County Treasurer;⁴ however, the fees associated with such a transfer (1/4 of one percent of money collected by the County Tax Collector⁵) make this option less than desirable.

No specialized training, background, or professional certification is required to be a city treasurer in a general law city. The only requirement is that the treasurer be a registered voter residing within the city limits.⁶

Compensation for the city treasurer is determined by the city council.⁷

Duties, functions, and responsibilities of city treasurers in general law cities are identified in California Government Code §§41001-41007. General law cities may add functions to those required by state code. For example, some cities in Solano County require their city treasurer to sit on the City's Investment or Finance Committee. Some cities utilize the treasurer's electronic signature on their checks, while other cities require city treasurer approval/authorization to open bank accounts.

Meetings of a city's investment, finance, or other like organizations /committees are generally considered public meetings and must adhere to the Ralph M. Brown Act (Brown Act). The Brown Act is California's open meeting law. In part, the law requires published agendas for public meetings. An agenda must list all items that will be discussed or acted upon, and must be written in such a way as to allow the general public to understand the nature of the meeting and to make an informed decision to attend the meeting or not. The Brown Act further requires that agendas for regular meetings be posted in an area accessible to the public at least 72-continuous hours prior to the meeting. Meetings designated as "special" require a minimum 24-hour public notice.⁸

³ The process for making the City Treasurer an appointed position is identified in California Government Code §§36508-36509

⁴ California Government Code §51501

⁵ California Government Code §51515

⁶ California Government Code §36502

⁷ California Government Code §36517

⁸ California Government Code §§54950-54962

The Grand Jury conducted this investigation to identify and review the functions, duties, and responsibilities of city treasurers within Solano County, and to determine if city treasurers complied with prevailing state and local requirements.

III. METHODOLOGY

The scope of the review focused on the functions, duties, and responsibilities performed by city treasurers in Solano County. The scope did not extend to treasurer activities that had migrated to other city officers or staff. For example, where cities utilized automated bill-paying processes to issue warrants/checks, the Grand Jury simply noted if the treasurer's signature was administratively used (embedded in the check-writing software, for example) and if the treasurer reviewed support documents to ensure that checks were appropriate and authorized. The Grand Jury did not review the compensating checks and balances that may have occurred in other city offices and departments, such as the Finance Department. The methodology used by the Grand Jury included:

- Interviews and discussions with the City Treasurers of
 - Benicia
 - Dixon
 - Fairfield
 - Rio Vista
 - Suisun City
 - Vacaville
 - Vallejo
- Interviews and discussions with various city officials, including, but not limited to, city managers, city attorneys, and finance directors for some or all of cities listed above.
- Review of California Government Code
- Examination and analysis of local codes, ordinances, policies, and memorandums
- Review and analysis of agendas and minutes of local committees attended by city treasurers
- Review of city websites
- Analysis of records maintained by the Solano County
 - Registrar of Voters
 - Assessor
 - Tax Collector
- Research of Internet articles and reports
- Inspection of various city documents including, but not limited to:
 - Investment records
 - Bank statements
 - Revenue and expenditure reports
 - Organization charts
 - Financial Reports

IV. STATEMENT OF FACTS

California Government Code §§41001-41007 identifies the functions, duties, and responsibilities of city treasurers in general law cities. The specific code, and what the Grand Jury discovered regarding compliance with that code by Solano County city treasurers, is as follows:

- §41001: “The city treasurer shall receive and safely keep all money coming into his hands as treasurer.”

The Grand Jury found no city treasurer who received money.

- §41002: “He shall comply with all laws governing the deposit and securing of public funds and the handling of trust funds in his possession.”

The Grand Jury found no city treasurer who made deposits or handled trust funds.

- §41003: “He shall pay out money only on warrants signed by legally designated persons.”

The Grand Jury found three cities (Benicia, Fairfield, and Suisun City) that administratively utilized their treasurer’s electronic signature on all city warrants/checks. None of the three treasurers reviewed support documents to ensure that warrants/checks bearing their signature were appropriate and approved by legally designated persons.

The Grand Jury identified one treasurer (Rio Vista) who physically signed checks as an alternate signatory. The treasurer stated that checks were not signed unless they were properly approved and adequately supported.

- §41004: “Regularly, at least once each month, the city treasurer shall submit to the city clerk a written report and accounting of all receipts, disbursements, and fund balances. He shall file a copy with the legislative body.”

The Grand Jury found no city treasurer who provided a written accounting as required by the provision.⁹

- §41005: “The city treasurer shall perform such duties relative to the collection of city taxes and license fees as are prescribed by ordinance.”

The Grand Jury found no city treasurer who collected city taxes and license fees, nor did the Grand Jury identify any local ordinance that required said collection.

⁹ The Grand Jury requested the accounting reports for May, June, and July 2011. No city was able to provide a report that satisfied the criteria of “accounting of all receipts, disbursements, and fund balances.”

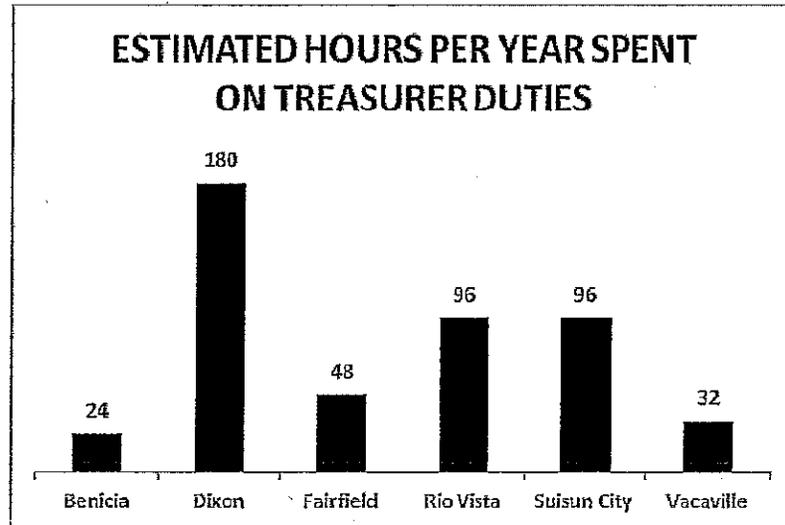
- §41006: “The city treasurer may appoint deputies for whose acts he and his bondsmen are responsible.”

The Grand Jury found one city treasurer (Fairfield) who appointed deputies. However, the appointing document was nearly eight-years old, and, two of the three appointed deputies were no longer associated with the city, including one who was deceased.

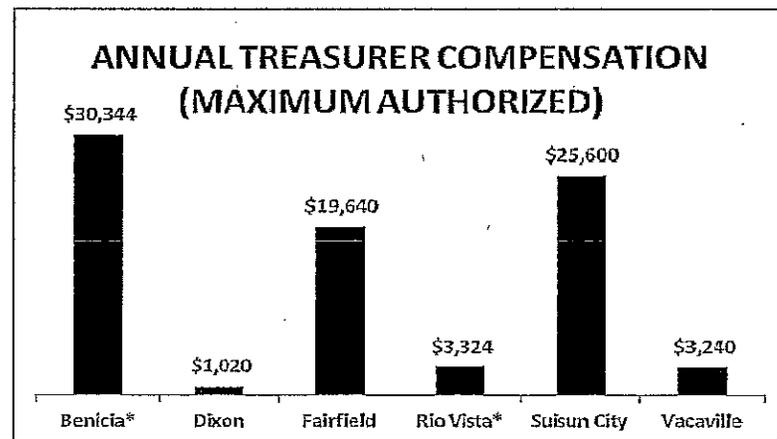
- §41007: “The deputies shall hold office at the pleasure of the city treasurer and receive such compensation as is provided by the legislative body.”

The Grand Jury found no deputy city treasurer who received compensation.

As part of the investigation, the Grand Jury obtained compensation information for each of the six elected treasurers in Solano County. In addition, estimates of time spent performing treasurer duties was gathered. Comparison of time spent performing duties and authorized compensation found no correlation between effort and pay.¹⁰



Source: Interview



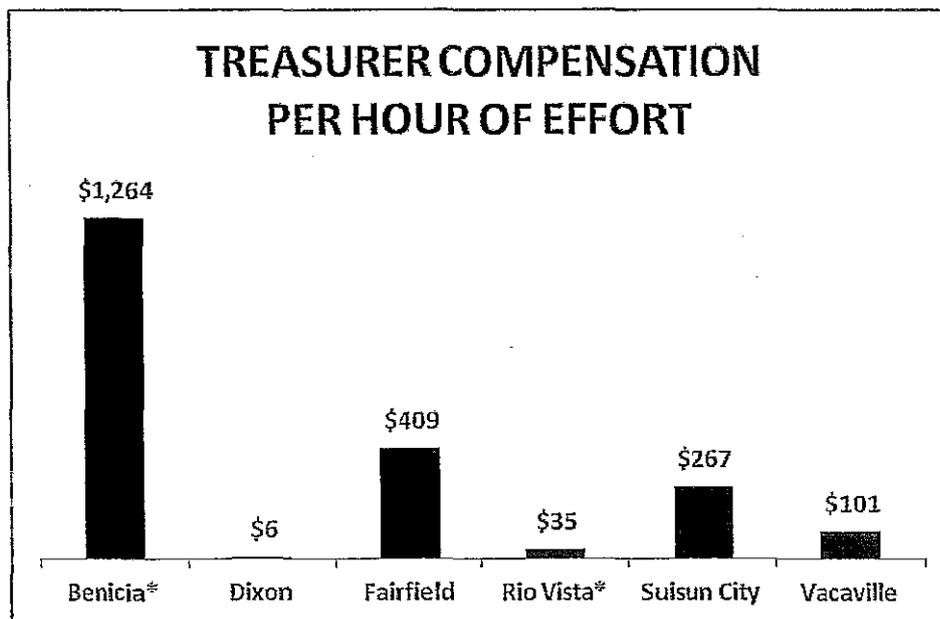
Source: Written submission

*Footnote 10 applies

¹⁰ Compensation information reflects what was in effect at the time each city treasurer was interviewed. The Benicia City Treasurer was interviewed on September 15, 2011. At the time of interview, the Benicia City Council was considering an ordinance to reduce the treasurer's compensation. The ordinance was passed on September 20, 2011, and established a maximum annual entitlement of \$2,400 plus a related retirement benefit. In addition, no compensation information was available for the City of Rio Vista because City staff was unable to locate an ordinance or other document that detailed the City Treasurer's compensation package. As a result, the Grand Jury used actual compensation information obtained from the City of Rio Vista's 2011-12 budget for a period (2007-08) wherein the City Treasurer did not appear to waive compensation.

Using the compensation data and the estimated hours of effort, the Grand Jury calculated the hourly rate for each treasurer. Although the results provide an interesting comparison, the following cautions and or notes apply:

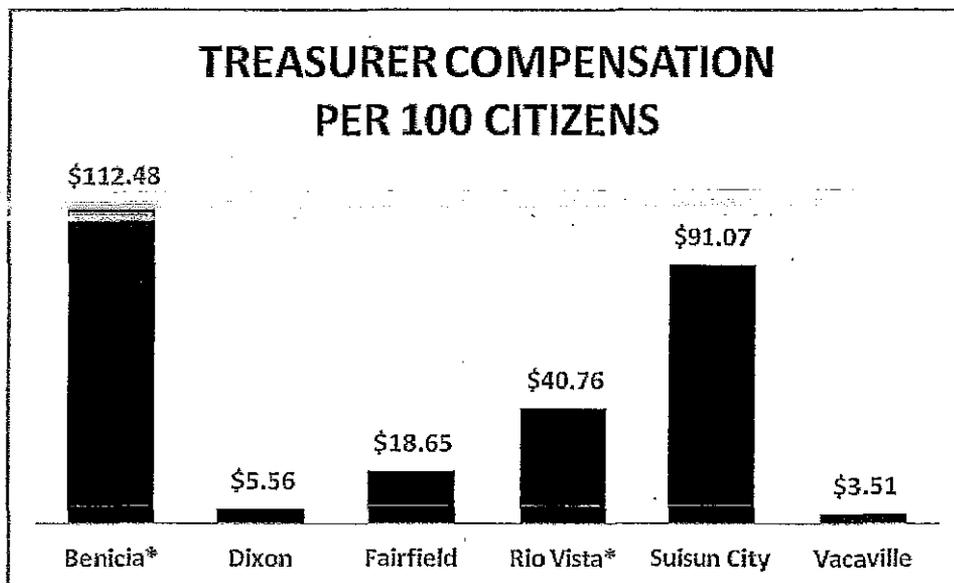
- Compensation reflects the maximum a city treasurer was authorized, and may not reflect what an incumbent actually received (e.g., two incumbents waived all compensation).
- Compensation data represents what was in place at the time each city treasurer was interviewed.
- The City Council of Benicia reduced the City Treasurer's maximum compensation package to \$229 per month effective October 20, 2011. Based on the estimate of two hours of effort per month, the revised package reflects a rate of \$115 per hour, not \$1,264 per hour as indicated by the following graph.
- Hours of work are an unsubstantiated estimate.
- Rio Vista officials were unable to determine the authorized compensation package for the City Treasurer. Therefore, the Grand Jury used actual compensation information obtained from the City of Rio Vista's 2011-12 budget for a period (2007-08) wherein the City Treasurer did not appear to waive compensation.



* Footnote 10 applies

Utilizing 2010 census information, the Grand Jury calculated each city treasurer's maximum authorized compensation package per 100 citizens. Readers are reminded that:

- The City Council of Benicia reduced the City Treasurer's maximum compensation package to \$229 per month (\$2,748 per year) effective October 20, 2011. Using the new compensation figure, the cost per 100 citizens for the City Treasurer of Benicia is \$10.19, not \$112.48 as shown on the following graph.
- Rio Vista officials were unable to determine the authorized compensation package for the City Treasurer. Therefore, the Grand Jury used actual compensation information obtained from the City of Rio Vista's 2011-12 budget for a period (2007-08) wherein the City Treasurer did not appear to waive compensation.



*Footnote 10 applies

Benicia

The elected Treasurer died in office. As a result, a treasurer was appointed by the City Council to complete the term. The Grand Jury confirmed that the City Treasurer was a registered voter and resided within the City. At the time of inquiry (September 15, 2011), the incumbent had served approximately one year.

The Treasurer's functions and duties were not formalized. The Grand Jury ascertained that the following functions were performed:

- Attend monthly meetings of the City's Finance Committee
- Countersign warrants

The provisions of California Government Code §§41001-41007 were not applicable except as follows:

- §41003: The City utilized the Treasurer's electronic signature on all City warrants. However, the Grand Jury determined that the incumbent did not review support documents to ensure that warrants bearing the Treasurer's signature were appropriate and approved by legally designated persons.
- §41004: During the review period, monthly accounting reports were neither prepared nor submitted as required.

Accomplishment of Treasurer duties required approximately two hours per month (i.e., attending the Finance Committee meeting). At the time of the Grand Jury's inquiry, the City Treasurer was authorized an annual compensation package up to \$30,344;¹¹ however, the Treasurer had waived all compensation.

Review of Finance Committee agendas found that they appeared to be properly posted as required by the Brown Act.

Of note is that on September 20, 2011, the Benicia City Council passed Ordinance 11-09 (see attachment), which did four things that impacted the City Treasurer position:

- Transferred all statutory duties to other city officers and staff.
- Formalized the duties; i.e., countersign warrants and serve on the Finance Committee.
- Reduced annual compensation beginning in October 2011 to \$2,400 (\$200 per month) with related retirement benefits.

¹¹ The rounded compensation package totals included monthly benefits for salary (\$583), retirement (\$108), health/dental/vision insurance (up to \$1,836), and life insurance (\$2).

- Identified a list of desirable qualifications (e.g., knowledge of municipal revenue sources and ability to invest idle funds in a wise and prudent manner).

City of Benicia Summary (Data Date September 15, 2011)

REQUIREMENT	DESCRIPTION	REQUIREMENT MET
CGC §41003	Pay approved warrants	*
CGC §41004	Submit monthly accounting report	NO ¹²

* The Grand Jury did not review processes and controls that were not directly managed by the Treasurer.

ESTIMATED HOURS WORKED PER MONTH	2
ANNUAL PAY AND BENEFITS (AUTHORIZED)	\$ 30,344 ¹³
ANNUAL PAY AND BENEFITS (ACTUAL)	\$ 0

¹² City of Benicia Ordinance 11-09 (approved on September 20, 2011) transferred all “statutory duties and responsibilities” from the City Treasurer to the City Manager, the Finance Director, or the City Clerk. Per discussion with city officials, the monthly reporting requirement was not being accomplished.

¹³ City of Benicia Ordinance 11-09 (approved on September 20, 2011) revised the authorized pay and benefits beginning in October 2011 to \$2,400 per year plus related retirement benefits.

Dixon

The elected Treasurer resigned and a replacement was appointed by City Council. The Grand Jury confirmed that the appointed City Treasurer was a registered voter and resided within the City. At the time of inquiry (September 22, 2011), the incumbent had served approximately eighteen months.

The City of Dixon did not have a single document that clearly and succinctly identified the functions, duties, and responsibilities of the City Treasurer. Instead, City Treasurer functions, duties, and responsibilities were found in portions of at least two City documents:

- Ordinance 99-003: Various duties and functions of the City Treasurer were found throughout the ordinance. Specifically:
 - “The Treasurer’s Funds and Unrestricted Funds shall be delivered to the City Treasurer for deposit.”
 - “The City Treasurer has the statutory authority to select the depository or depositories for the Treasurer’s Funds and the Unrestricted Funds.”
 - Submit quarterly investment reports to the City Manager and City Council as required by California Government Code §53646(b)(1).¹⁴
 - Submit monthly reports to the City Manager and City Council as required by California Government Code §41004.
 - Serve on the Investment Oversight Committee.
- City of Dixon Statement of Investment Policy for FY 2011-12:
 - “The City Treasurer will be an active member of the Investment Committee as well as performing for the City those depository and investment functions as to the funds of the City which come into his or her hands as said depository and investment duties are provided for by statute, regulation, ordinance or resolution.”
 - “Reports on the status and performance of the City’s investment program will be provided by the Treasurer to the City Manager and the City Council within four weeks after the end of each quarter.”

The Grand Jury ascertained that the following functions were performed:

- Oversee City banking

¹⁴ California Government Code §53646(b)(1) states that “The treasurer or chief fiscal officer may render a quarterly report to the chief executive officer, the internal auditor, and the legislative body of the local agency. The quarterly report shall be so submitted within 30 days following the end of the quarter covered by the report.”

- Serve on Dixon's Investment Committee (the committee meets at least quarterly)
- Review the City's investment policy

The provisions of California Government Code §§41001-41007 were not applicable except as follows:

- §41004: During the review period, monthly accounting reports were neither prepared nor submitted as required.

Accomplishment of Treasurer duties required approximately fifteen hours per month. The Dixon Treasurer received annual compensation totaling \$1,020 (\$85 per month) with no other benefits.

The Grand Jury was advised that Investment Committee agendas were posted in compliance with the Brown Act.

At least one investment report was not submitted to the City Manager and City Council within four weeks following the end of the quarter as required by City of Dixon Statement of Investment Policy for FY 2011-12 and within 30 days of quarter's end as required by California Government Code §53646(b)(1). Specifically, at the time of the Grand Jury's request for information (August 18, 2011), the investment report for the quarter ended June 30, 2011 was scheduled to be submitted at the September 2011 City Council meeting.

The Grand Jury ascertained that no monthly reports were prepared or submitted during the period of review as required by both California Government Code §41004 and City of Dixon Ordinance 99-003.

The City of Dixon Statement of Investment Policy for FY 2011-12 states that the Investment Committee "will meet at least quarterly." In part, the Grand Jury's request for information dated August 18, 2011 asked for agendas and minutes of the last two meetings of Dixon's Investment Committee. In response, the Grand Jury received agendas and minutes for a meeting held on June 24, 2010 and an agenda for a meeting scheduled for November 10, 2010.

The City of Dixon organization chart¹⁵ indicated that the City Treasurer reported to the City Council. As an elected official, the City Treasurer answers to the voters. In addition, the organization chart reflected that the City Treasurer was responsible for finance, information technology, and administrative services. With the exception of the organization chart, the Grand Jury reviewed no document and heard no testimony to support that the City Treasurer was responsible for the day-to-day operation of any City department.

¹⁵ The organization chart was obtained from the City of Dixon's website on October 16, 2011.

City of Dixon Summary (Data Date September 22, 2011)

REQUIREMENT	DESCRIPTION	REQUIREMENT MET
CGC §41004	Submit monthly accounting report	NO
Ordinance 99-03	Establish bank accounts	YES
Ordinance 99-03	Deposit Treasurer and Unrestricted funds	NO
Ordinance 99-03	Submit quarterly investment reports within 30 days	NO
Ordinance 99-03	Submit monthly accounting report	NO
Ordinance 99-03	Serve on Investment Committee	YES
Invest. Policy 2011-12	Perform depository and investment duties	YES
Invest. Policy 2011-12	Submit quarterly investment reports within 4 weeks	NO

ESTIMATED HOURS WORKED PER MONTH	15
ANNUAL PAY AND BENEFITS (AUTHORIZED)	\$ 1,020
ANNUAL PAY AND BENEFITS (ACTUAL)	\$1,020

Fairfield

The City Treasurer for Fairfield has held the position continuously since 1995. The Grand Jury confirmed that the City Treasurer was a registered voter and resided within the City.

The City of Fairfield did not have a single document that clearly and succinctly identified the functions, duties, and responsibilities of the City Treasurer. Review of City documents found one reference to a function of the City Treasurer: City of Fairfield Internal Investment Instructions dated July 9, 1998 stated, "No bank accounts shall be opened without written authorization from the City Treasurer." However, this requirement was contradicted by City of Fairfield Investment Instructions to Investment Manager dated January 10, 1989 and revised on February 29, 2003, which stated, "No bank accounts shall be opened without written authorization from the Director of Finance." Upon inquiry by the Grand Jury, an official for the City of Fairfield stated that, in fact, the City Treasurer (or an assigned deputy) was the only person authorized to open bank accounts for the City.

The Grand Jury ascertained that the following functions were performed:

- Open and close all city bank, investment, and trust accounts
- Sign checks (Note: The treasurer's signature was embedded in the check-writing software)
- Monitor investment portfolio and meet quarterly with investment managers

Subsequent review of city documents found no requirement for City Treasurer involvement in the investment process. To the contrary, City of Fairfield Internal Investment Instructions dated July 9, 1998 stated, "Investment Committee – A committed [sic] comprised of the Director of Finance, Assistant Finance Director, Revenue Officer, and Principal Accountant shall meet no less than quarterly to review investment markets, strategies and performance." However, the Grand Jury was advised that, in fact, the City Treasurer was a member of the Investment Committee.

The provisions of California Government Code §§41001-41007 were not applicable except as follows:

- §41003: The City utilized the Treasurer's electronic signature on all City checks. However, the Grand Jury determined that the incumbent did not review support documents to ensure that checks bearing the Treasurer's signature were appropriate and approved by legally designated persons.
- §41004: During the review period, monthly accounting reports were neither prepared nor submitted as required.

- §41006: A Finance Department memorandum dated December 5, 2003 appointed three city employees as City Treasurer deputies. Grand Jury inquiries revealed that:
 - Deputies were required to perform treasurer functions if the incumbent was to become incapacitated.
 - Two of the three deputies were no longer associated with the city.
- §41007: The Grand Jury was advised that deputies received no compensation or other benefit for their assignment.

Accomplishment of Treasurer duties required approximately two hours per month. However, the estimate was increased to eight hours on months when the Investment Committee met. The City Treasurer received an annual salary of \$2,280 (\$190 per month), and approximately \$1,000 in various benefits such as payment of professional dues and training. Although the Treasurer was entitled to City paid health/dental/vision insurance up to \$16,377 per year, that entitlement was waived by the incumbent.

The Grand Jury was advised that the Investment Committee prepared neither agendas nor minutes of meetings. As a result, the Grand Jury was unable to validate the attendance at, or the frequency of, committee meetings. In addition, the absence of publically posted agendas may be a violation of the Brown Act.

City of Fairfield Summary (Data Date September 30, 2011)

REQUIREMENT	DESCRIPTION	REQUIREMENT MET
CGC §41003	Pay approved warrants	*
CGC §41004	Submit monthly accounting report	NO
CGC §41006	Assign deputies	YES
CGC §41007	Pay deputies	NA
Investment Instr.	Open bank accounts	YES

* The Grand Jury did not review processes and controls that were not directly managed by the Treasurer.

ESTIMATED HOURS WORKED PER MONTH	2-8
ANNUAL PAY AND BENEFITS (AUTHORIZED)	\$19,640
ANNUAL PAY AND BENEFITS (ACTUAL)	\$3,263

Rio Vista

The City Treasurer of Rio Vista was elected in 2008. The Grand Jury confirmed that the incumbent was a registered voter and resided within the City.

The City of Rio Vista did not have a single document that clearly and succinctly identified the functions, duties, and responsibilities of the City Treasurer. Review of City documents found the functions and duties of the City Treasurer scattered throughout a single document. Specifically, City of Rio Vista, California, Statement of Investment Policy 2010-11 stated that the Treasurer will manage the City's investment program. The investment policy reflected that the City Treasurer will:

- Establish written procedures for the operation of the investment program
- Be responsible for all investment transactions
- Establish a system of controls for the investment program
- Designate a third-party custodian for investments
- Provide quarterly investment reports to the City Council
- Chair the Investment Planning and Review Committee

The Grand Jury ascertained that the following functions were performed:

- Convene and oversee the semi-annual Investment Committee meetings
- Provide quarterly summaries of the City's investments to the City Council
- Submit monthly Funds Balance Reports to the City Council
- Provide monthly Revenue and Expenditures Reports to the City Council

The Grand Jury determined that in lieu of the quarterly investment report, the Treasurer provided monthly bank balance reports to the City Council. In addition, the Treasurer provided neither monthly Funds Balance Reports nor monthly Revenue and Expenditures Reports required by California Government Code §41004 because the Treasurer was not authorized access to the City's automated financial information system.

Except as discussed in the preceding paragraph, the provisions of California Government Code §§41001-41007 were not applicable.

Accomplishment of Treasurer duties required approximately eight hours per month. The Grand Jury was advised the position paid \$225 per month (\$2,700 per year) with no benefits. Grand Jury review of the State Controller's website found that for calendar year 2009, maximum salary

for the City of Rio Vista City Treasurer was reported as \$1,049 (approximately \$87 per month). Review of Rio Vista's approved 2011-2012 budget found that during 2007-2008, the City Treasurer received a compensation package that totaled \$3,324, which included \$2,859 for salary (\$238.25 per month) and \$456 for benefits. City of Rio Vista staff could not determine the source of the salary information reported by the State Controller and was unable to locate an ordinance or other City document that defined the City Treasurer's compensation package. As a result, the Grand Jury was unable to verify the compensation authorized for the City Treasurer of Rio Vista. Whatever the package, all compensation was waived by the incumbent.

The Grand Jury's request for information dated August 18, 2011 asked for agendas and minutes of the last two meetings of Rio Vista's Investment Committee. In response, the Grand Jury received minutes for meetings held on September 2, 2010 and February 16, 2011; however, the only agenda provided was for the September 2010 meeting. Although the agenda indicated it was for a "special" meeting, review of the minutes revealed that the meeting was nothing more than the committee's regular semi-annual meeting. The agenda for the September 2, 10 a.m. meeting, was certified by the City Clerk as being posted on the City Hall bulletin board on 30 August at 5:00 p.m., 65 hours prior to the meeting, a possible violation of the Brown Act.

City of Rio Vista Summary (Data Date September 27, 2011)

REQUIREMENT	DESCRIPTION	REQUIREMENT MET
CGC §41004	Submit monthly accounting report	NO
Investment Policy	Establish written procedures for investments	NO
Investment Policy	Responsible for investments	YES
Investment Policy	Establish of controls for investments	NO
Investment Policy	Designate third-party custodian for investments	NO
Investment Policy	Provide quarterly investment reports	YES
Investment Policy	Chair Investment Committee	YES

ESTIMATED HOURS WORKED PER MONTH	8
ANNUAL PAY AND BENEFITS (AUTHORIZED)	Unknown*
ANNUAL PAY AND BENEFITS (ACTUAL)	\$ 0

* City staff was unable to determine the pay and benefits authorized for the City Treasurer.

Suisun City

The Suisun City Treasurer has served continuously for 27 years, having first been elected in 1984. The Grand Jury confirmed that the incumbent was a registered voter and resided within the City.

The City of Suisun City did not have a single document that clearly and succinctly identified the functions, duties, and responsibilities of the City Treasurer. A single duty was found in the City of Suisun City Investment Policy dated April 20, 2010: "The Treasurer shall submit a quarterly investment report to the City Council."

The Grand Jury ascertained that the following functions were performed:

- Sign the quarterly investment report
- Attend two City Council meetings per month

The provisions of California Government Code §§41001-41007 were not applicable except as follows:

- §41003: The City utilized the Treasurer's electronic signature on all City checks. However, the Grand Jury determined that the incumbent did not review support documents to ensure that checks bearing the Treasurer's signature were appropriate and approved by legally designated persons.
- §41004: During the review period, monthly accounting reports were neither prepared nor submitted as required.

Accomplishment of Treasurer duties required approximately eight hours per month. The City Treasurer received an annual compensation package of \$25,600.¹⁶

Review of the City's quarterly investment reports found them titled, "Financial Officer's Investment Report." At the bottom of the report was a City Treasurer Statement that read, "I hereby certify that I have examined the records and find this report to be correct, that all investments are made in accordance with the investment policy, and the City will be able to meet its obligations for the next six months." The Grand Jury determined that the process used to ensure the correctness of the investment report was to compare the current report to the previous report to identify abnormalities.

¹⁶ The compensation package included monthly benefits for salary (\$200), retirement (\$41), health/dental/vision insurance (up to \$1,547), life insurance (\$42), and deferred compensation matching (up to \$303).

City of Suisun City Summary (Data Date September 12, 2011)

REQUIREMENT	DESCRIPTION	REQUIREMENT MET
CGC §41003	Pay approved warrants	*
CGC §41004	Submit monthly accounting report	NO
Investment Policy	Submit quarterly investment report	NO

* The Grand Jury did not review processes and controls that were not directly managed by the Treasurer.

ESTIMATED HOURS WORKED PER MONTH	8
ANNUAL PAY AND BENEFITS (AUTHORIZED)	\$25,600
ANNUAL PAY AND BENEFITS (ACTUAL)	\$25,600

Vacaville

The City Treasurer resigned, and a replacement was appointed by City Council. At the time of inquiry (September 23, 2011), the Treasurer had served approximately one year. The Grand Jury confirmed that the incumbent was a registered voter and resided within the City.

The City of Vacaville did not have a single document that clearly and succinctly identified the functions, duties, and responsibilities of the City Treasurer. When asked for a position description or like document, City of Vacaville staff provided an unreferenced document (i.e., no title and no date) that stated in part, "The responsibility of the City Treasurer is to assure the proper handling and recording of all municipal funds and overseeing the investment of these funds in accordance with the California Government Code." The document further stated, "Other responsibilities of the City Treasurer include review of the City's investment activity to ensure that the Investment Policy of the City of Vacaville remains consistent with the City's Investment Policy objectives, current law and economic trends. The Investment Policy is reviewed annually by the City Treasurer and the Finance Director." The Grand Jury later determined that the document quoted above was used to advertise and recruit candidates for the vacant City Treasurer position. According to City officials, the document was only used to recruit candidates and was not a true reflection of the functions, duties, and responsibilities of the Vacaville City Treasurer position.

The Grand Jury found one document that identified a duty of the Treasurer. City of Vacaville Investment Policy of June 2011 stated, "The City Treasurer will submit an annual Investment Policy to the City Council." The June 2011 policy was, in fact, submitted by the City Treasurer to the City Council.

The Grand Jury ascertained that the following functions were performed:

- Receive and review monthly cash-flow projections
- Receive monthly investment reports
- Attend budget workshops
- Review and propose the City's annual investment policy

The provisions of California Government Code §§41001-41007 were not applicable except as follows:

- §41004: During the review period, monthly accounting reports were neither prepared nor submitted as required.

Accomplishment of Treasurer duties required approximately four hours per month. The Treasurer received entitlements totaling \$3,240 per year: \$70 per month in salary, and \$200 per month as a vehicle allowance.

The City's organization chart¹⁷ indicated the City Treasurer reports to the City Council. As an elected official, the City Treasurer answers to the voters.

City of Vacaville Summary (Data Date September 23, 2011)

REQUIREMENT	DESCRIPTION	REQUIREMENT MET
CGC §41004	Submit monthly accounting report	NO
Investment Policy	Submit annual investment policy	YES

ESTIMATED HOURS WORKED PER MONTH	4
ANNUAL PAY AND BENEFITS (AUTHORIZED)	\$3,240
ANNUAL PAY AND BENEFITS (ACTUAL)	\$3,240

¹⁷ The organization chart was included in the City of Vacaville's Comprehensive Annual Financial Report for the fiscal year ended June 30, 2010.

Vallejo

Vallejo is the only charter city in Solano County. The Grand Jury was told that the Finance Director served as the City Treasurer. This was supported by the Finance Director's classification specification, which included, "serve as the City Treasurer" in the position definition.

At the time of inquiry (September 14, 2011), the Finance Director/City Treasurer had been on the job approximately four months. The Grand Jury was unable to identify which, if any, functions accomplished by the Finance Director/City Treasurer were exclusive to City Treasurer. As a result, the hours spent performing City Treasurer duties could not be estimated. The Finance Director/City Treasurer received no additional pay for serving as the Treasurer.

The Vallejo Finance Director/City Treasurer did not vote or live in Vallejo. When the Grand Jury asked if the Vallejo City Charter included residency requirements for the City Treasurer, the Grand Jury was advised, "The City of Vallejo charter does not provide for a City Treasurer and, consequently, there is no specific residency requirement. The Vallejo Municipal Code provides for a Finance Department and a Finance Director. It does not contain a residency requirement for the Finance Director."

V. FINDINGS AND RECOMMENDATIONS

Benicia

Finding 1 – The City of Benicia Treasurer did not issue accounting reports required by California Government Code §41004 which states, “Regularly, at least once each month, the city treasurer shall submit to the city clerk a written report and accounting of all receipts, disbursements, and fund balances. He shall file a copy with the legislative body.”

On September 20, 2011, the City of Benicia passed Ordinance 11-09. In part, the ordinance transferred all statutory requirements from the City Treasurer to other City officers and staff. Although the reporting requirement associated with California Government Code §41004 is no longer the responsibility of the Benicia City Treasurer, it is still a treasurer function that was not being performed.

Recommendation 1 – City of Benicia ensure that the monthly reporting requirements identified by California Government Code §41004 are performed.

Dixon

Finding 2 – The City of Dixon did not have a single formal document that clearly and succinctly identified the functions, duties, and responsibilities of the City Treasurer. Specifically, Treasurer duties and responsibilities were found in various portions of at least two city documents. In addition, the documented duties and responsibilities were not consistent with those accomplished by the City Treasurer.

Recommendation 2 – City of Dixon identify and formalize in a single document the functions, duties, and responsibilities required of the City Treasurer.

Finding 3 – The City of Dixon Treasurer did not issue accounting reports required by both California Government Code §41004 and City of Dixon Ordinance 99-003. The specific requirement states, “Regularly, at least once each month, the city treasurer shall submit to the city clerk a written report and accounting of all receipts, disbursements, and fund balances. He shall file a copy with the legislative body.”

Recommendation 3 – City of Dixon Treasurer ensure that the monthly reporting requirements identified by California Government Code §41004 and City of Dixon Ordinance 99-003 are performed.

Finding 4 – The City of Dixon Treasurer did not submit quarterly investment reports to the City Council within the timeframes established by California Government Code §53646 (30 days following the end of the quarter) and City of Dixon Statement of Investment Policy for FY 2011-12 (four weeks following the end of the quarter). Specifically, the investment report for the quarter ended June 30, 2011 was scheduled to be submitted to the City Council in September 2011.

Recommendation 4 – City of Dixon Treasurer submit quarterly investment reports to the City Council within the timeframes established by City of Dixon Statement of Investment Policy for FY 2011-12.

Finding 5 – The City of Dixon Investment Committee did not meet quarterly as required by the City of Dixon Statement of Investment Policy for FY 2011-12. Specifically, documentation submitted to the Grand Jury in September 2011 indicated that the last two committee meetings were held in June and November 2010.

Recommendation 5 – City of Dixon ensure that the Investment Committee meets quarterly as required by City of Dixon Statement of Investment Policy for FY 2011-12.

Finding 6 – The City of Dixon’s organization chart incorrectly reflected the City Treasurer’s position and role in City government. Specifically, the organization chart obtained from the City of Dixon’s website on October 16, 2011, indicated that the City Treasurer reported to the City Council, not the electorate. In addition, the organization chart showed the City Treasurer with a direct line of authority to the organization responsible for finance, information technology, and administrative services.

Recommendation 6 – City of Dixon review, and revise as needed, the City’s organization chart to accurately reflect the City Treasurer’s position and role in City government.

Fairfield

Finding 7 – The City of Fairfield did not have a single formal document that clearly and succinctly identified the functions, duties, and responsibilities of the City Treasurer.

Recommendations 7 – City of Fairfield identify and formalize in a single document the functions, duties, and responsibilities required of the City Treasurer.

Finding 8 – City of Fairfield documents were contradictory and erroneous. Specifically:

- City of Fairfield Internal Investment Instructions dated July 9, 1998 stated, “No bank accounts shall be opened without written authorization from the City Treasurer.” However, this requirement was contradicted by City of Fairfield Investment Instructions to Investment Manager dated January 10, 1989 and revised on February 29, 2003, which stated, “No bank accounts shall be opened without written authorization from the Director of Finance.”
- City of Fairfield Internal Investment Instructions dated July 9, 1998 did not include the City Treasurer as a member of the City’s Investment Committee. According to a City of Fairfield official, the instruction was in error.

Recommendation 8 – City of Fairfield correct the contradiction regarding authority to open bank accounts found in City of Fairfield Internal Investment Instructions and City of Fairfield Investment Instructions to Investment Manager. In addition, revise the Internal Investment Instructions to include the City Treasurer as a member of the Investment Committee.

Finding 9 – The Fairfield City Treasurer did not issue accounting reports required by California Government Code §41004, which states, “Regularly, at least once each month, the city treasurer shall submit to the city clerk a written report and accounting of all receipts, disbursements, and fund balances. He shall file a copy with the legislative body.”

Recommendation 9 – City of Fairfield Treasurer ensure that the monthly reporting requirements identified by California Government Code §41004 are performed.

Finding 10 – The Fairfield City Treasurer appointed three deputies to serve in his absence. However, the duties and responsibilities of the deputies were undefined, and two of the three individuals were no longer associated with the City.

Recommendation 10 – City of Fairfield Treasurer determine if City Treasurer deputies are required. If required, define the duties and responsibilities of the deputies and issue a current appointment letter. If deputies are not required, cancel Finance Department memorandum dated December 5, 2003.

Finding 11 – The City of Fairfield Investment Committee may not have complied with the Ralph M. Brown Act by not providing public notice of scheduled meetings. Specifically, the City Treasurer stated that agendas were not prepared for quarterly meetings of the City’s Investment Committee.

Recommendation 11 – City of Fairfield ensure compliance with all requirements of the Ralph M. Brown Act.

Rio Vista

Finding 12 – The City of Rio Vista did not have a single formal document that clearly and succinctly identified the functions, duties, and responsibilities of the City Treasurer. In addition, the documented duties and responsibilities were not consistent with those accomplished by the City Treasurer.

Recommendation 12 – City of Rio Vista identify and formalize in a single document the functions, duties, and responsibilities required of the City Treasurer.

Finding 13 – The City of Rio Vista Treasurer did not issue accounting reports required by California Government Code §41004, which stated, “Regularly, at least once each month, the city treasurer shall submit to the city clerk a written report and accounting of

all receipts, disbursements, and fund balances. He shall file a copy with the legislative body.”

Recommendation 13 – City of Rio Vista Treasurer ensure that the monthly reporting requirements identified by California Government Code §41004 are performed.

Finding 14 – The Rio Vista Treasurer did not comply with City of Rio Vista, California, Statement of Investment Policy 2010-11. For example, the Treasurer neither established written procedures nor implemented a system of controls for the City’s investment program.

Recommendation 14 – City of Rio Vista Treasurer comply with City of Rio Vista, California, Statement of Investment Policy 2010-11.

Finding 15 – The City of Rio Vista Investment Committee may not have complied with the public notice requirements of the Ralph M. Brown Act. Specifically, the Investment Committee meeting of September 2, 2010, may have been improperly categorized as “special” to avoid the 72-hour notice requirement for regular meetings. In addition, no agenda was available for the meeting held on February 16, 2010.

Recommendation 15 – City of Rio Vista ensure compliance with all requirements of the Ralph M. Brown Act.

Suisun City

Finding 16 –The City of Suisun City did not have a single formal document that clearly and succinctly identified the functions, duties, and responsibilities of the City Treasurer.

Recommendation 16 – City of Suisun City identify and formalize in a single document the functions, duties, and responsibilities required of the City Treasurer.

Finding 17 – The City of Suisun City Treasurer did not issue accounting reports required by California Government Code §41004, which states, “Regularly, at least once each month, the city treasurer shall submit to the city clerk a written report and accounting of all receipts, disbursements, and fund balances. He shall file a copy with the legislative body.”

Recommendation 17 – City of Suisun City Treasurer ensure that the monthly reporting requirements identified by California Government Code §41004 are performed.

Finding 18 – City of Suisun City Investment Policy dated April 20, 2010 required the City Treasurer to submit quarterly investment reports to the City Council. Inspection found the report was actually compiled by the Senior Accountant and reviewed by the Financial Services Manager. The City Treasurer merely compared the current report with the previous report to identify obvious abnormalities.

Recommendation 18 – City of Suisun City review, and revise as needed, the City Treasurer’s reporting requirements identified in City of Suisun City Investment Policy dated April 20, 2010.

Finding 19 – The City of Suisun City Treasurer's quarterly audit of investment reports was not completed in sufficient detail to fulfill the review responsibilities identified in the certification statement (“I hereby certify that I have examined the records and find this report to be correct, that all investments are made in accordance with the investment policy, and the City will be able to meet its obligations for the next six months.”). Specifically, the comparative analysis performed by the City Treasurer was insufficient to ensure accuracy and compliance with the investment policy as attested to.

Recommendation 19 – City of Suisun City Treasurer either revise the certification statement on the quarterly investment reports to reflect work actually accomplished or refrain from signing the investment reports.

Vacaville

Finding 20 – The City of Vacaville does not have a single formal document that clearly and succinctly identified the functions, duties, and responsibilities of the City Treasurer.

Recommendation 20 – City of Vacaville identify and formalize in a single document the functions, duties, and responsibilities required of the City Treasurer.

Finding 21 – The City of Vacaville Treasurer did not issue accounting reports required by California Government Code §41004, which stated, “Regularly, at least once each month, the city treasurer shall submit to the city clerk a written report and accounting of all receipts, disbursements, and fund balances. He shall file a copy with the legislative body.”

Recommendation 21 – City of Vacaville Treasurer ensure that the monthly reporting requirements identified by California Government Code §41004 are performed.

Finding 22 – The City of Vacaville’s organization chart incorrectly showed the City Treasurer reporting to the City Council. As an elected official, the City Treasurer answers directly to the electorate.

Recommendation 22 – City of Vacaville review and revise, as needed, the City’s organization chart to accurately reflect the City Treasurer’s position and role in city government.

Vallejo

Finding 23 – The classification specification for the City of Vallejo Finance Director stated that the incumbent was to serve as the City Treasurer; however, the City of Vallejo charter does not provide for a City Treasurer.

Recommendation 23 – City of Vallejo remove reference to the City Treasurer from any and all City documents, including the Finance Director’s classification specification.

COMMENTS

By default, general law cities must have an elected treasurer; however, the legislature has provided a methodology for cities to make the position appointive, or to eliminate the position altogether. An elected treasurer offers independence; however, since California Government Code requires no specialized training, background, or professional certification to hold the office, some elected treasurers do not have the training, experience, and skills needed to accomplish financial and investment oversight. An appointed treasurer can have the skills, training, and experience needed to perform the tasks; however, an appointed treasurer may lack the independence that many citizens demand of the city treasurer. A strong argument can also be made that sophisticated accounting and auditing tools have made the treasurer position obsolete. The Grand Jury encourages each city council to identify what it expects from its city treasurer, and to set a course of action to bring that expectation to reality.

REQUIRED RESPONSES

City Treasurers for the Cities of:

- Benicia (Finding 1)
- Dixon (Findings 3 and 4)
- Fairfield (Findings 9 and 10)
- Rio Vista (Findings 13 and 14)
- Suisun City (Findings 17 and 19)
- Vacaville (Finding 21)

City Councils for the Cities of

- Benicia (Finding 1)
- Dixon (Findings 2, 5, and 6)
- Fairfield (Findings 7, 8, and 11)
- Rio Vista (Findings 12 and 15)
- Suisun City (Findings 16 and 18)
- Vacaville (Findings 20 and 22)
- Vallejo (Finding 23)

COURTESY COPIES

City Managers for the Cities of

- Benicia
- Dixon
- Fairfield
- Rio Vista
- Suisun City
- Vacaville
- Vallejo

Solano County Treasurer/Tax Collector

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BENICIA ADDING A NEW CHAPTER 2.48 (CITY TREASURER) TO DIVISION 1 (ORGANIZATION) OF TITLE 2 (ADMINISTRATION AND PERSONNEL) OF THE BENICIA MUNICIPAL CODE

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BENICIA DOES ORDAIN as follows:

Section 1.

Division 1 (Organization) of Title 2 (Administration and Personnel) of the Benicia Municipal Code is amended by adding a new Chapter 2.48 (City Treasurer) to read as follows:

Chapter 2.48

CITY TREASURER

Sections:

- 2.48.010 Powers and duties.
- 2.48.020 Compensation and benefits.
- 2.48.030 Qualifications.

2.48.010 Powers and duties. All statutory duties and responsibilities not heretofore transferred to the county, the city manager or the finance director which are now performed by the city treasurer are transferred to the city clerk, who is ordered to perform all such duties, including but not limited to, those duties required by law.

The city treasurer shall countersign warrants and serve on the Finance Committee.

2.48.020 Compensation and benefits. The city treasurer shall receive a two hundred dollar per month stipend and related retirement benefit but no other benefits.

2.48.030 Qualifications. The city treasurer is an elected position so the only qualifications are that the individual be a registered voter of the city. Therefore, following qualifications are desirable, but not required.

1. Knowledge of:

- A. Municipal revenue sources;
- B. Methods, practices and principles related to the investment of City idle funds;

- C. Basic assessment district and bond financing techniques; and
- D. Methods, practices and principles related to evaluating municipal cash flow needs.

2. Ability to:

- A. Invest City idle funds in a wise and prudent manner;
- B. Meet the public and provide required information pleasantly and efficiently;
- C. Communicate effectively and tactfully in both oral and written forms;
- D. Establish and maintain complex and extensive financial record keeping systems and files;
- E. Operate and use a variety of office equipment;
- F. Establish and maintain effective work relationships with those contacted in the performance of required duties;

Section 2.

Conflicting provisions. All ordinances or resolutions inconsistent or conflicting with any part of this ordinance are hereby repealed to the extent of such inconsistency or conflict.

Section 3.

Severability. If any section, subsection, phrase or clause of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

The City Council hereby declares that it would have passed this and each section, subsection, phrase or clause thereof irrespective of the fact that any one or more sections, subsections, phrase or clauses be declared unconstitutional on their face or as applied.

RESOLUTION NO. 2012 - ____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY
ADOPTING A FORMAL POLICY REGARDING THE DUTIES OF
THE OFFICE OF CITY TREASURER**

WHEREAS, the 2011-12 Solano County Grand Jury has recommended that the City adopt a formal policy regarding the duties of the office of City Treasurer; and

WHEREAS, the City Council is desirous of continuing the City's past practices regarding this office.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Suisun City that the duties of the office of City Treasurer shall be to review and approve monthly and quarterly investment reports. The Assistant City Manager/Administrative Services Director shall continue to assume all other investment functions of the City, including any functions that the "City Treasurer" is required to perform by state statute or the Suisun City Code.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Suisun City held on Tuesday the 20th day of November 2012 by the following vote:

AYES:	Councilmembers:	_____
NOES:	Councilmembers:	_____
ABSENT:	Councilmembers:	_____
ABSTAIN:	Councilmembers:	_____

WITNESS my hand and the seal of said City this 20th day of November 2012.

Linda Hobson, CMC
City Clerk

RESOLUTION NO. 2012 - ____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY
ADOPTING A FORMAL POLICY REGARDING THE DUTIES OF
THE OFFICE OF CITY CLERK**

WHEREAS, the City Council is desirous of adopting a formal policy regarding the duties of the office of City Clerk; and

WHEREAS, the City Council is desirous of continuing the City's past practices regarding this office.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Suisun City that the duties of the office of City Clerk shall be to attend meetings of the City Council/Agency/Authority/Oversight Board and to prepare the minutes for these meetings, to participate in the administration of the Political Reform Act of 1974, as well as the elections process including recall petitions. The Secretary to the City Manager/Deputy City Clerk shall continue to perform all other duties of the "City Clerk" function as provided in state statute or the Suisun City Code.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Suisun City held on Tuesday the 20th day of November 2012 by the following vote:

AYES:	Councilmembers:	_____
NOES:	Councilmembers:	_____
ABSENT:	Councilmembers:	_____
ABSTAIN:	Councilmembers:	_____

WITNESS my hand and the seal of said City this 20th day of November 2012.

Linda Hobson, CMC
City Clerk

AGENDA TRANSMITTAL

MEETING DATE: November 20, 2012

CITY AGENDA ITEM: Council Adoption of Resolution No. 2012-___: Adopting a Conflict of Interest Code for the City Pursuant to the Provisions of the Political Reform Act Including Section 87303 of the California Government Code and Rescinding Resolution No. 2010-92.

FISCAL IMPACT: There would be no fiscal impact associated with the adoption of the proposed Resolution.

BACKGROUND: The Political Reform Act requires every local government agency to review its Conflict of Interest Code biennially to determine whether it is accurate, or whether it must be amended to delete and/or add new positions and disclosure categories. The City's Conflict of Interest Code was last reviewed December 7, 2010.

STAFF REPORT: A review of the Conflict of Interest Code for the City of Suisun City revealed the need to amend/replace the current code with a new updated code. Changes to bring the City's Conflict of Interest Code up to date are the addition of members of the Successor Agency and Oversight Board.

The City Council designated the City of Suisun City to serve as the Successor Agency to the dissolved Redevelopment Agency of the City of Suisun City. As prescribed in AB 1X 26, a seven-member "Oversight Board" was established to perform a variety of functions in guiding the Successor Agency with the performance of its duties in the close out and wind down of the dissolved redevelopment agency.

The League of California Cities (LCC) requested advice from the Fair Political Practices Commission (FPPC) regarding AB 1X 26 as it relates to compliance requirements with the Political Reform Act/Conflict of Interest for both the Successor Agency and Successor Agency Oversight Board. FPPC responded that the Political Reform Act requires public officials to disclose information about their financial interests that can materially affect their official actions and may cause them to disqualify themselves from acting when there is a potential conflict of interest (Government Code Section 81002(c)). Successor agencies and Oversight Boards have control and oversight over obligations, assets and property and therefore require accurate financial disclosure. The FPPC concluded that the City Council may be the code-reviewing body for the Successor Agency and Oversight Board and may update existing Conflict of Interest Resolutions to add these agencies.

PREPARED BY:
REVIEWED BY:
APPROVED BY:

Linda Hobson, City Clerk
 Ronald C. Anderson, Jr., Assistant City Manager
 Suzanne Bragdon, City Manager

City staff has reviewed the FPPC documentation and recommends the adoption of the amended Conflict of Interest Code Resolution to add designated members of the Successor Agency and Oversight Board.

RECOMMENDATION: It is recommended that the City Council adopt Resolution No. 2012-___: Adopting a Conflict of Interest Code for the City Pursuant to the Provisions of the Political Reform Act Including Section 87303 of the California Government Code and Rescinding Resolution No. 2010-92.

ATTACHMENTS:

1. Resolution No. 2012-___: Adopting a Conflict of Interest Code for the City Pursuant to the Provisions of the Political Reform Act Including Section 87303 of the California Government Code and Rescinding Resolution 2010-92.

RESOLUTION NO. 2012-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY
ADOPTING A CONFLICT OF INTEREST CODE FOR THE CITY PURSUANT TO
THE PROVISIONS OF THE POLITICAL REFORM ACT INCLUDING
SECTION 87303 OF THE CALIFORNIA GOVERNMENT CODE AND
RESCINDING RESOLUTION NO. 2010-92**

WHEREAS, the Political Reform Act of 1974, Government Code Section 81000 *et seq.*, requires every city to adopt and promulgate a Conflict of Interest Code designating certain employees and what financial interest must be disclosed by those employees, and prohibiting participation by such employees in decisions in which they have a financial interest; and

WHEREAS, every local government agency must review its Conflict of Interest Code biennially to determine if it is accurate or if it must be amended to delete and/or add positions and disclosure categories; and

WHEREAS, the City of Suisun City previously adopted a revised Conflict of Interest Code by Resolution No. 2010-92, which needs to be rescinded and replaced with a new code in order to comply with regulations of the Political Reform Act of 1974.

NOW, THEREFORE, BE IT RESOLVED, THAT:

1. The Conflict of Interest Code, which is attached hereto as Exhibits "A" and "B" and is incorporated herein by this reference, is adopted as the Conflict of Interest Code for the employees of the City of Suisun City designated in such Code, and persons holding designated positions under said Code shall file statements of economic interest as required by said Code.
2. Resolution No. 2010-92 is hereby rescinded and replaced by this Resolution. Changes to the Conflict of Interest Code approved by Resolution No. 2010-92 are shown in the attached Exhibit A by the underlining of additions and striking out deletions.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Suisun City, duly held on the 20th day of November, 2012 by the following vote:

AYES:	Councilmembers:	_____
NOES:	Councilmembers:	_____
ABSENT:	Councilmembers:	_____
ABSTAIN:	Councilmembers:	_____

WITNESS my hand and the seal of said City this 20th day of November 2012.

Linda Hobson CMC
City Clerk

Exhibit “A”

Conflict of Interest Code

City of Suisun City and its Affiliated Agencies

The Political Reform Act, Government Code Sections 81000 *et seq.*, requires state and local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a regulation, Title 2 of the California Code of Regulations, Section 18730, which contains the terms of a standard Conflict of Interest Code. It can be incorporated by reference and may be amended by the Fair Political Reform Act. Therefore the terms of Title 2 of the California Code Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and, along with the attached appendix in which members and employees are designated and disclosure categories are set forth, constitute the Conflict of Interest Code of the City of Suisun City and its Affiliated Agencies.

Designated employees shall file statements of economic interest with the Suisun City Clerk, at 701 Civic Center Boulevard, Suisun City, California, who will make the statements available for public inspection and reproduction (Gov. Code Section 81008). The City Clerk will retain statements for all other designated employees.

APPENDIX A
Schedule of Designated Employees

This Appendix may be subject to revision from time to time based upon changes in job classification descriptions and responsibilities.

JOB CLASSIFICATION	DISCLOSURE CATEGORIES
Accountant	1, 2, 4
<u>Administrative Fire Captain</u>	<u>1, 2</u>
Assistant City Manager / Administrative Services Director	1, 2, 3, 4
Assistant City Engineer	1, 2, 3, 4
Assistant Planner	1, 2, 3
Associate Engineer	1, 2, 3, 4
Associate Planner	1, 2, 3, 4
Building & Public Works Director	1, 2, 3, 4
Chief Building Official	1, 2, 3, 4
Community Development Director	1, 2, 3, 4
Consultants*	*
Economic Development Director	1, 2, 3, 4
Financial Services Manager	1, 2, 3, 4
Fire Chief	1, 2
Fire Division Chief	1, 2
Housing Manager	1, 2, 3, 4
Information Technology Systems Administrator	1, 2, 3, 4
Management Analyst	1, 2, 3, 4
Marina Supervisor	1, 2
Marketing Manager	1, 2
Members of Housing Authority	1, 2, 3, 4
<u>Members of Oversight Board</u>	<u>1, 2, 3, 4</u>
Members of Parks and Recreation Commission	1, 2, 4
Members of Redevelopment Agency Board	1, 2, 3, 4
<u>Members of Redevelopment Agency Successor Agency Board*</u>	<u>1, 2, 3, 4</u>
Police Chief	1, 2, 3, 4
Police Commander	1, 2
Police Support Services Manager	1, 2
Project Manager	1, 2
Public Works Director/City Engineer	1, 2, 3, 4

Public Works Superintendent	3, 4
<u>Public Works Supervisor</u>	<u>3, 4</u>
Recreation and Community Services Director	1, 2, 3, 4
<u>Recreation Supervisor</u>	<u>1, 2</u>
Senior Accountant	1, 2, 4
Senior Building Inspector	3

Disclosure for the following positions is regulated by State law:

City Attorney

City Manager

City Treasurer

Executive Director (manages public investments)

~~Financial Services Manager (manages public investments)~~

Assistant City Manager / Administrative Services Director (manages public investments)

Mayor and Council

Planning Commissioner

Contract Employees: If a designated position is filled by a contract employee (full or part-time) the contract employee has a filing obligation

SUCCESSOR AGENCY TO DISSOLVED REDEVELOPMENT AGENCY

Members of Suisun City Council Acting as Successor Agency to the Redevelopment Agency of the City of Suisun City and any employees or consultants providing assistance to the Agency are declared to be designated employees, and shall have disclosure requirements identical to the requirements they have in their capacity and positions as council members, employees, or consultants of the City of Suisun City

APPENDIX A
Consultants – SUISUN CITY

Consultants*

- * Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation: The City Manager/Executive Director may determine in writing that a particular consultant, although a “designated position,” is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant’s duties and, based upon that description, a statement of the extent of disclosure requirements. The City Manager/Executive Director’s determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.

Exhibit "B"

Summary of Categories and Schedules

1. Persons in this category shall disclose interest in real property if the real property is located in the City of Suisun City (Schedule A, B, C, Form 700).
2. Persons in this category shall disclose income from sources of income and business entities in which he/she has an investment, if the business entity or source of income owns real property within the City of Suisun City and does business within the City of Suisun City (Schedule A, C, D, E, F, Form 700).
3. Persons in this category shall disclose income from sources of income and business entities in which he/she has an investment, if the source of the income or business entity is in the construction or building industry within the City of Suisun City (Schedules A, C, D, E, Form 700).
4. Persons in this category shall disclose income from sources of income and investments in business entities in which he/she has an investment, if the source of income or business entity within the previous two years provided service, equipment, lease space, materials or supplies to the City of Suisun City, Suisun City Housing Authority, Suisun City Redevelopment Agency or Fairfield-Suisun Sewer District (Schedule A, C, D, E, F, Form 700).

Schedule A-1	Investments <u>Stocks, Bonds, and Other Interests</u> (less than 10% ownership)
Schedule A-2	Investments, Income, and Assets of Business Entities/Trusts (ownership interest is 10% or greater)
Schedule B	Interests in Real Property (other than those held through a blind trust)
Schedule C	Income, <u>Loans &</u> Business Positions (Income other than loans, gifts and travel payments)
Schedule D	Income – <u>Gifts</u> Loans (received or outstanding)
Schedule E	Income – <u>Gifts</u> (Travel Payments, <u>advances and reimbursements</u> from third parties)
Schedule F	Income – Gifts (travel payments, advances and reimbursements)

AGENDA TRANSMITTAL

MEETING DATE: November 20, 2012

JOINT AGENDA ITEM: Technical and Administrative Updates to the Investment Policy:

- a. **Council** Adoption of Resolution No. 2012-___: Adopting a Revised City Investment Policy to Reflect Technical and Administrative Updates; and
- b. **Authority** Adoption of Resolution No. HA 2012-___: Adopting a Revised Authority Investment Policy to Reflect Technical and Administrative Updates.

FISCAL IMPACT: There is no fiscal impact at this time.

BACKGROUND: The Investment Policy (“Policy”) should be reviewed from time to time to ensure compliance with the California Government Code sections that regulate the investment of public funds and to include the most up-to-date “best practices” that are recommended by the Government Finance Officers Association (“GFOA”) and the Association of Public Treasurers of the U.S. and Canada (“APT”). The Policy was last updated on April 20, 2010. Further, the Solano County Grand Jury recommended the City review, and revise as needed, the City Treasurer’s reporting requirements identified in the Policy to bring the policy into conformance with current practice.

STAFF REPORT: The purpose of the Policy is to establish a prudent and systematic investment policy and to organize and formalize investment-related activities. The updates recommended herein will not change the purpose or fundamental objectives of the Policy. It should also be noted any references to the former redevelopment agency have been eliminated from the policy.

Staff has completed its review of the City’s Investment Policy. The recommended revisions to the Policy include the following:

- **Policy Guidelines**
The contents of this section were moved to two other sections where the content fit better, and was in conformance with the requirements of the APT certification program. The Policy Guidelines was therefore removed as a standalone section.
- **Prudence**
New Section 3, “Prudence,” was created and updated the standard of prudence to be the “prudent investor standard,” which is required by the California Government Code.
- **Objectives**
A sentence was added at the beginning of this section to clarify that the order in which the objectives are listed is also the order of their priority. This reinforces the importance of safety objective, as well as eliminates the need to specify the relative importance within the bullets themselves. The objective “Prudence” was moved to its own distinct section and updated. The market rate of return section was combined with the yield objective, because of their similarities.

PREPARED BY:
REVIEWED BY:
APPROVED BY:

Jason D. Garben, Economic Development Director
Ronald C. Anderson, Assistant City Manager
Suzanne Bragdon, City Manager

- **Delegation of Authority**

A new Section 5, "Delegation of Authority" was created. The language from the original Section 2, "Policy Guidelines," was moved to this section, and staff added that the City may choose to delegate investment decision making to an investment advisor.

- **Ethics and Conflicts of Interest**

"Section 6: Ethics and Conflicts of Interest" was added to address this issue as recommended by the APT.

- **Authorized Broker/Dealers and Financial Institutions**

"Section 7: Authorized Broker/Dealers and Financial Institutions" was added to describe the procedures that should be followed in selecting depositories and broker/dealers. Staff added that if the City utilizes an investment advisor, the investment advisor may use its own list of authorized broker/dealers on behalf of the City.

- **Cash Management Strategy**

The name of the original Section 5 from "Investment Strategy" was changed to "Cash Management Strategy" because it is a better fit for the content of the section.

- **Allowable Investment Instruments**

Staff added several investments types that are permitted by California Government Code to enable the City to take advantage of opportunities to increase investment income with minimal risk. The City has not historically utilized non-government investments. However, the Federal government is accelerating its wind down of FNMA and FHLMC, which is likely to cause the supply and value of Federal Agency obligations--mainstay for local government investors--to dwindle in the coming years. This would allow the City to consider utilizing alternative high-quality investment sectors such as municipals, corporate notes, negotiable CDs, and commercial paper.

Staff added a limitation permitting only a maximum of five percent in any non-government issuer other than investment pools to promote diversification thereby enhancing the portfolio's safety in accordance with the City's first investment objective.

Staff also added that the maximum final maturity for investments is five years, unless the City Council has approved a longer investment for a specific investment at least 90 days in advance.

- **Custody of Securities**

Staff added "Section 10: Custody of Securities," because the California Government requires local governments to hold their securities with a third-party custodian that is independent of any investment advisor or broker/dealer that the City may use.

- **Reporting Requirements**

Staff updated parts of this section to provide guidance on the important items that should be included in an investment report so that the City's reports are a useful oversight tool for the City's Council and constituents.

In response to the Grand Jury's recommendations, throughout the Policy "City Treasurer" was revised to appear as "Administrative Services Director" to be consistent with past and current practice.

RECOMMENDATION: It is recommended that the:

1. **Council** adopt Resolution No. 2012-___: Adopting a Revised City Investment Policy to Reflect Technical and Administrative Updates; and
2. **Authority** adopt Resolution No. HA 2012-___: Adopting a Revised Authority Investment Policy to Reflect Technical and Administrative Updates.

ATTACHMENTS:

1. Resolution No. 2010-26: Adopting a Revised City Investment Policy to Allow Investment in Money Market Opportunities.
2. Resolution No. 2012-___: Adopting a Revised City Investment Policy to Reflect Technical and Administrative Updates; and
3. Resolution No. HA 2012-___: Adopting a Revised Authority Investment Policy to Reflect Technical and Administrative Updates.

RESOLUTION NO. 2010-26

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY
ADOPTING A REVISED CITY INVESTMENT POLICY TO ALLOW INVESTMENT
IN MONEY MARKET OPPORTUNITIES**

WHEREAS, the City has a fiduciary responsibility to maximize the productive use of assets entrusted to its care and to invest and manage these public funds wisely; and

WHEREAS, since the City last reviewed its Financial Investment Policy in 2009, the policy needs to be modified to allow for flexibility in the City's investments, while still ensuring compliance with State law and financial prudence; and

WHEREAS, the City will continue to rely upon a preferred investment strategy of improved cash forecasting and management, which is the optimal method of enhancing yield while ensuring liquidity and safety; and

WHEREAS, the City believes it is proper and prudent to continue the quarterly reporting of its cash investments and annual review of its policy, even though it is no longer a State mandate.

NOW, THEREFORE, BE IT RESOLVE that the City Council of the City of Suisun City hereby approves the attached Investment Policy, which is hereby incorporated by this reference, and it shall be effective immediately upon adoption of this Resolution.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Suisun City duly held on Tuesday, the 20th day of April, 2010, by the following vote:

AYES:	Councilmembers:	<u>Day, Derting, Sanchez</u>
NOES:	Councilmembers:	<u>Hudson, Segala</u>
ABSENT:	Councilmembers:	<u>None</u>
ABSTAIN:	Councilmembers:	<u>None</u>

WITNESS my hand and the seal of the City of Suisun City this 20th day of April, 2010.

Donna Pock, Deputy City Clerk

CITY OF SUISUN CITY

INVESTMENT POLICY

SECTION 1: INTRODUCTION

The City of Suisun City ("City") has a fiduciary responsibility to maximize the productive use of assets entrusted to its care and to invest and manage these public funds wisely and prudently. The purpose of this document is to establish a prudent and systematic investment policy and to organize and formalize investment-related activities.

SECTION 2: POLICY GUIDELINES

The City shall strive to maintain investment of idle funds and always be within the safety, liquidity and maximum guidelines. Idle cash management and investment transactions are the responsibility of the Finance Director acting under the direction of the City Manager. The City Treasurer is responsible for auditing the investments for accuracy and compliance with the investment policy. These policies also apply to funds invested on behalf of the Redevelopment Agency and the Suisun Solano Water Authority.

SECTION 3: SCOPE

It is intended that this policy cover all funds and investment activities under direct authority of the City, including the City of Suisun City, the Redevelopment Agency of the City of Suisun City, the Suisun City Housing Authority, and the Suisun Solano Water Authority.

SECTION 4: OBJECTIVES:

1. **Safety:** It is the primary duty and responsibility of the Treasurer to protect, preserve and maintain cash and investment placed in his/her trust on behalf of the citizens of the City.
2. **Liquidity:** An adequate percentage of the City's portfolio should be maintained in liquid short-term securities which can be converted to cash if necessary to meet disbursement requirements. Since all cash requirements cannot be anticipated, investments in securities with active secondary or resale markets are highly recommended. Emphasis should be on marketable securities with low sensitivity to market risk.
3. **Yield:** Yield should become a consideration only after the basic requirements of safety and liquidity have been met.

4. **Market-Average Rate of Return:** The investment portfolio shall be designed to attain a market-average rate of return throughout budgetary and economic cycles, taking into account the City's risk constraints, the cash-flow characteristics of the portfolio, and the state and local laws, ordinances or resolutions that restrict investments.
5. **Diversification:** The investment portfolio will be diversified to avoid incurring unreasonable and avoidable risks regarding specific security types or individual financial institutions.
6. **Public Trust:** All participants in the investment process shall act as custodians of the public trust. Investment officials shall recognize that the investment portfolio is subject to public review and evaluation. The overall program shall be designed and managed with a degree of professionalism that is worthy of the public trust. In a diversified portfolio it must be recognized that occasional measured losses are inevitable, and must be considered within the context of the overall portfolio's investment return, provided that adequate diversification has been implemented.
7. **Prudence:** The City adheres to the "prudent person rule" which obligates a fiduciary to insure that:

"Investments shall be made with judgment and care--under circumstances then prevailing--which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived."

SECTION 5: INVESTMENT STRATEGY:

Improved cash forecasting and management is the preferred investment strategy for the City. Cash management activities include accurate cash projections, the expeditious collection of revenue, the control of disbursements, cost-effective banking relations, and a short-term borrowing program, when needed, that coordinates working capital requirements and investment opportunity.

SECTION 6: INVESTMENT INSTRUMENTS:

The City's allowable investments, and the length of those investments, shall be governed by Government Code Sections 53601, 53601.1 and 56345. No investment shall be permitted in excess of five years. Allowable investments include the following:

- 1) Full faith and credit US Government securities and agencies of the US Government (treasury bills, treasury notes, etc.).
- 2) Federally sponsored credit agency securities, including but not limited to:
 - a. Government National Mortgage Association (Ginnie Mae, GNMA)
 - b. Federal National Mortgage Association (Fannie Mae, FNMA)
 - c. Federal Home Loan Mortgage Corporation (Freddie Mac, FHLMC);
- 3) Certificates of Deposit (CD's) with commercial banks and savings and loans or thrifts ("banks"), subject to the following conditions:
 - a. The principal and interest are fully insured by the Federal Deposit Insurance Corporation (FDIC);
 - b. No more than thirty percent (30%) of the City's investments may be invested in CD's;
 - c. The CD's must be issued by a State or nationally chartered bank, or State-licensed branch of a foreign bank. However, preference should be given to banks located within the City boundaries, subject to the same restrictions set forth in this Section; and
 - d. The bank must have a current IDC Financial Publishing, Inc. (or comparable) rating of Average or above.
- 4) Commercial Paper which is eligible for purchase by the discount window of the federal reserve bank (maturity of less than 180 days) and has a rating of A-1 or better by Moody's or P-1 or better by Standard and Poors. However, no more than twenty-five percent (25%) of the City's investments may be invested in Commercial Paper, and no more than ten percent (10%) may be invested in any one corporate issuer. Furthermore, no more than thirty percent (30%) of the City's investments may be invested in Bankers' Acceptances of any one commercial bank.
- 5) Guaranteed Investment Contracts (GIC), or similar Investment Agreements, provided it is for the investment of Debt Service Reserve funds only.
- 6) Passbook savings account demand deposits and money market accounts insured up to the FDIC limit, or collateralized at 110% of the City's investment.
- 7) LAIF - Local Agency Investment Fund demand deposits.
- 8) County Investment Pools

SECTION 7: REPORTING REQUIREMENTS:

The Treasurer shall submit a quarterly investment report to the City Council. The report shall be submitted 30 days following the end of the quarter covered by the report and will include all elements prescribed by Government Code Section 53646. Insofar as all investment statements are not received in time to submit the Report to the Council at a regular meeting, the Report may be given to the Council prior to formal acceptance at a subsequent meeting of the Council.

The Investment Report shall include at least the following information.

- 1) Type of investment, based on the following categories:
 - Cash in Bank
 - Government Investment Pools (i.e., LAIF)
 - US Securities
 - US backed Securities
 - CD's and other Federally Insured Deposits
 - Commercial Paper
 - Other Investments
- 2) Name of institution and/or brief description of the investment
- 3) Date of maturity
- 4) Amount of deposit or cost of security
- 5) Current market value of security as of the date of the report, including source of valuation, except those under LAIF
- 6) Rate of interest
- 7) Percent distribution of each category of investment
- 8) The estimated annual income for each investment
- 9) Statement relating the report to the City's Investment Policy, and that there are sufficient funds to meet the City's next six months' of financial obligations

SECTION 8: POLICY REVIEW

The Investment Policy will be reviewed annually by the City Treasurer or the City Finance Director. It will be included in the Annual Budget Document approved by the City Council. Any recommended revisions to the policy will be presented to the City Council for consideration at a properly noticed public meeting.

RESOLUTION NO. 2012-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY
ADOPTING A REVISED CITY INVESTMENT POLICY TO REFLECT
TECHNICAL AND ADMINISTRATIVE UPDATES

WHEREAS, the City's Financial Investment Policy was developed in accordance with California Government Code Section 53600 *et seq.*, which investment practices of local government agencies; and

WHEREAS, the City's Financial Investment Policy was developed in accordance with California Government Code Section 53600 *et seq.*, which investment practices of local government agencies; and

WHEREAS, since the City last reviewed its Financial Investment Policy in April 2010, and the policy should be updated to ensure technical and administrative compliance with State law and financial prudence; and

WHEREAS, the City's Financial Investment Policy should include the most up to date "best practices" that are recommended by the Government Finance Officers Association ("GFOA") and the Association of Public Treasurers of the U.S. and Canada ("APT"); and

NOW, THEREFORE, BE IT RESOLVED that the City of Suisun City Council hereby approves the attached Investment Policy, which is hereby incorporated by this reference, and it shall be effective immediately upon adoption of this Resolution.

PASSED AND ADOPTED by the City of Suisun City at a regular meeting thereof held on the 20th day of November 2012 by the following vote:

AYES: Councilmembers _____
NOES: Councilmembers _____
ABSENT: Councilmembers _____
ABSTAIN: Councilmembers _____

WITNESS my hand and the seal of said City this 20th day of November 2012.

Linda Hobson, CMC
City Clerk

CITY OF SUISUN CITY

INVESTMENT POLICY

SECTION 1: INTRODUCTION

The City of Suisun City (“the City”) has a fiduciary responsibility to maximize the productive use of assets entrusted to its care and to invest and manage these public funds wisely and prudently. The purpose of this document is to establish a prudent and systematic investment policy and to organize and formalize investment-related activities. The City shall strive to maintain investment of idle funds and always be within the safety, liquidity, and maximum guidelines.

SECTION 2: SCOPE

It is intended that this policy cover all funds and investment activities under direct authority of the City, including the City of Suisun City, the Successor Agency to the Redevelopment Agency of the City of Suisun City, the Suisun City Housing Authority, and the Suisun Solano Water Authority.

This Policy does not apply to any retiree pension or other post-employment benefit funds managed in an established trust or the proceeds of debt issues.

SECTION 3: PRUDENCE

The City adheres to the “prudent investor standard” which obligates a fiduciary to insure that: when investing, reinvesting, purchasing, acquiring, exchanging, selling, or managing public funds, a trustee shall act with care, skill, prudence, and diligence under the circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated needs of the agency, that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the agency.

SECTION 4: OBJECTIVES:

The primary objectives, in order of priority, of the investment activities of the City shall be:

- A. **Safety:** It is the primary duty and responsibility of the Director of Administrative Services to protect, preserve and maintain cash and investment placed in his/her trust on behalf of the citizens of the City.
- B. **Liquidity:** An adequate percentage of the City’s portfolio should be maintained in liquid short-term securities which can be converted to cash if necessary to meet disbursement requirements. Since all cash requirements cannot be anticipated, investments in securities with active secondary or resale markets are highly recommended. Emphasis should be on marketable securities with low sensitivity to market risk.

- C. Yield:** The investment portfolio shall be designed to attain a market rate of return throughout budgetary and economic cycles, taking into account the City's risk constraints, the cash-flow characteristics of the portfolio, as well as the state and local laws, ordinances, or resolutions that restrict investments.
- D. Diversification:** The investment portfolio will be diversified to avoid incurring unreasonable and avoidable risks regarding specific security types or individual financial institutions.
- E. Public Trust:** All participants in the investment process shall act as custodians of the public trust. Investment officials shall recognize that the investment portfolio is subject to public review and evaluation. The overall program shall be designed and managed with a degree of professionalism that is worthy of the public trust. In a diversified portfolio it must be recognized that occasional measured losses are inevitable, and must be considered within the context of the overall portfolio's investment return, provided that adequate diversification has been implemented.

SECTION 5: DELEGATION OF AUTHORITY

Idle cash management and investment transactions are the responsibility of the Director of Administrative Services acting under the direction of the City Manager. The Director of Administrative Services is responsible for auditing the investments for accuracy and compliance with this Investment Policy. The Director of Administrative Services may delegate investment decision making and execution authority to an investment advisor. The advisor shall follow the Investment Policy and such other written instructions as provided.

SECTION 6: ETHICS AND CONFLICTS OF INTEREST

Officers and employees involved in the investment process shall refrain from personal business activities that could conflict with proper execution of the investment program, or which could impair their ability to make impartial decisions.

SECTION 7: AUTHORIZED BROKER/DEALERS AND FINANCIAL INSTITUTIONS

The Director of Administrative Services will maintain a list of security broker/dealers selected by credit worthiness that are authorized to provide investment services in the State of California. These may include "primary" dealers or regional dealers that qualify under Securities & Exchange Commission Rule 15C3-1 (uniform net capital rule).

No deposit shall be made except in a qualified public depository as established by the California Government Code.

All financial institutions and broker/dealers who desire to become qualified bidders for investment transactions must supply the Director of Administrative Services with the following:

- Current audited financial statements.
- Proof of Financial Industry Regulatory Authority (FINRA) certification.
- Proof of State of California registration.
- Written notification that they have read, and will abide by, the City's Investment Policy.

Broker/dealers and financial institutions wishing to do business with the City will annually submit their latest audited financials for review.

If the City has an investment advisor, the investment advisor may use its list of authorized broker/dealers to execute transactions on behalf of the City.

Purchase and sale of securities shall be made on the basis of competitive bids and offers with a minimum of three bids/quotes being obtained.

SECTION 8: CASH MANAGEMENT STRATEGY:

Improved cash forecasting and management is the preferred by the City. Cash management activities include accurate cash projections, the expeditious collection of revenue, the control of disbursements, cost-effective banking relations, and a short-term borrowing program, when needed, that coordinates working capital requirements and investment opportunity.

SECTION 9: ALLOWABLE INVESTMENT INSTRUMENTS:

The City's allowable investments are governed by California Government Code Sections 53601, *et seq.* The City shall limit investments in any one non-government issuer, except investment pools, to no more than 5% regardless of security type. No investment shall be permitted in excess of five years. Allowable investments include the following.

- A. U.S. Treasuries.** United States Treasury notes, bonds, bills, or certificates of indebtedness, or those for which the full faith and credit of the United States are pledged for the payment of principal and interest.
- B. Federal Agencies.** Federal agency or United States government-sponsored enterprise senior debt obligations, participations, or other instruments, including those issued by or fully guaranteed as to principal and interest by federal agencies or United States government-sponsored enterprises. This shall include any mortgage pass-through security issued and guaranteed by a Federal Agency with a maximum final maturity of five years. No more than 20% of the City's investment portfolio may be invested in Federal Agency-issued mortgage-backed securities; all other investments in Federal Agency securities are unrestricted.
- C. Commercial Paper.** Commercial paper of "prime" quality of the highest ranking or of the highest letter and number rating as provided for by a nationally recognized statistical-rating organization. The entity that issues the commercial paper shall meet all of the following conditions in either paragraph 1 or paragraph 2:
 - 1. The entity meets the following criteria: (i) Is organized and operating in the United States as a general corporation. (ii) Has total assets in excess of five hundred million dollars (\$500,000,000). (iii) Has debt other than commercial paper, if any, that is rated "A" or higher by a nationally recognized statistical-rating organization.
 - 2. The entity meets the following criteria: (i) Is organized within the United States as a special purpose corporation, trust, or limited liability company. (ii) Has program wide credit enhancements including, but not limited to, over

collateralization, letters of credit, or surety bond. (iii) Has commercial paper that is rated "A-1" or higher, or the equivalent, by a nationally recognized statistical-rating organization.

Eligible commercial paper shall have a maximum maturity of 270 days or less. No more than 25% of the City's investment portfolio may be invested in eligible commercial paper. The City may purchase no more than 10% of the outstanding commercial paper of any single issuer.

- D. Time Deposits.** Non-negotiable deposits in a state or national bank, savings association or federal association, federal or state credit union in the State of California. Preference should be given to banks located within the City boundaries, subject to the same restrictions set forth in this Section. In accordance with California Government Code Section 53635.2, to be eligible to receive City deposits, a financial institution shall have received an overall rating of not less than "satisfactory" in its most recent evaluation by the appropriate federal financial supervisory agency of its record of meeting the credit needs of California's communities. CDs are required to be insured as to principal and interest by the FDIC. The City, at its discretion, may waive the collateralization requirements for any portion that is covered by federal deposit insurance. The City shall have a signed agreement with any depository accepting City funds per Government Code Section 53649. No deposits shall be made at any time in CDs issued by a state or federal credit union if a member of the City Council or the Director of Administrative Services serves on the board of directors or any committee appointed by the board of directors of the credit union. In accordance with Government Code Section 53638, any deposit shall not exceed that total shareholder's equity of any depository bank, nor shall the deposit exceed the total net worth of any institution. No more than 30% of the City's investment portfolio may be invested in non-negotiable CDs.
- E. Passbook savings account demand deposits** and money market accounts insured up to the FDIC limit, or collateralized at 110% of the City's investment.
- F. Money Market Funds.** Shares of beneficial interest issued by diversified management companies that are money market funds registered with the Securities and Exchange Commission under the Investment Company Act of 1940 (15 U.S.C. Sec. 80a-1, *et seq.*). To be eligible for investment pursuant to this subdivision these companies shall either:
1. Attain the highest ranking letter or numerical rating provided by at least two NRSROs; or
 2. Have retained an investment advisor registered or exempt from registration with the Securities and Exchange Commission with not less than five years of experience managing money market mutual funds and with assets under management in excess of \$500,000,000.

No more than 20% of the City's investment portfolio may be invested in money market funds.

G. State of California's Local Agency Investment Fund (LAIF).

H. Solano County Investment Pool.

SECTION 10: CUSTODY OF SECURITIES:

All securities owned by the City, except time deposits and shares of investment pools, shall be kept in safekeeping by a third-party bank's trust department, acting as an agent for the City under the terms of a custody agreement executed by the bank and the City.

All securities will be received and delivered using standard delivery versus payment procedures.

SECTION 11: REPORTING REQUIREMENTS:

The Director of Administrative Services shall submit a list of monthly investment transactions to the City Council.

The Director of Administrative Services shall submit a quarterly investment report to the City Council. The report shall be submitted 30 days following the end of the quarter covered by the report and will include all elements prescribed by Government Code Section 53646. Insofar as all investment statements are not received in time to submit the Report to the Council at a regular meeting, the Report may be given to the Council prior to formal acceptance at a subsequent meeting of the Council.

The Investment Report shall include at least the following information:

- 1) Type of investment.
- 2) Name of issuer.
- 3) Date of maturity.
- 4) Amount of deposit or cost of security.
- 5) Current market value of security as of the date of the report, including source of valuation, except those under LAIF.
- 6) Yield to maturity.
- 7) Percent distribution of each category of investment.
- 8) Statement confirming the portfolio's compliance with the City's Investment Policy, and that there are sufficient funds to meet the City's next six months' of financial obligations.

SECTION 12: POLICY REVIEW

The Investment Policy will be reviewed annually by the Director of Administrative Services. It will be included in the Annual Budget Document approved by the City Council. Any recommended revisions to the policy will be presented to the City Council for consideration at a properly noticed public meeting.

RESOLUTION NO. HA 2012-____

**A RESOLUTION OF THE SUISUN CITY HOUSING AUTHORITY ADOPTING A
REVISED CITY INVESTMENT POLICY TO REFLECT TECHNICAL AND
ADMINISTRATIVE UPDATES**

WHEREAS, the Suisun City Housing Authority utilizes the City of Suisun City's (the "City") Financial Investment Policy to govern its investment practices; and

WHEREAS, the City's Financial Investment Policy was developed in accordance with California Government Code Section 53600 *et seq.*, which investment practices of local government agencies; and

WHEREAS, the City's Financial Investment Policy was developed in accordance with California Government Code Section 53600 *et seq.*, which investment practices of local government agencies; and

WHEREAS, since the City last reviewed its Financial Investment Policy in April 2010, and the policy should be updated to ensure technical and administrative compliance with State law and financial prudence; and

WHEREAS, the City's Financial Investment Policy should include the most up to date "best practices" that are recommended by the Government Finance Officers Association ("GFOA") and the Association of Public Treasurers of the U.S. and Canada ("APT"); and

NOW, THEREFORE, BE IT RESOLVED that the Suisun City Housing Commission hereby approves the attached Investment Policy, which is hereby incorporated by this reference, and it shall be effective immediately upon adoption of this Resolution.

PASSED AND ADOPTED by the Suisun City Housing Authority at a regular meeting thereof held on the 20th day of November 2012 by the following vote:

AYES: Commissioners _____
NOES: Commissioners _____
ABSENT: Commissioners _____
ABSTAIN: Commissioners _____

WITNESS my hand and the seal of said Housing Authority this 20th day of April 2010.

Linda Hobson, CMC
Secretary

CITY OF SUISUN CITY

INVESTMENT POLICY

SECTION 1: INTRODUCTION

The City of Suisun City (“the City”) has a fiduciary responsibility to maximize the productive use of assets entrusted to its care and to invest and manage these public funds wisely and prudently. The purpose of this document is to establish a prudent and systematic investment policy and to organize and formalize investment-related activities. The City shall strive to maintain investment of idle funds and always be within the safety, liquidity, and maximum guidelines.

SECTION 2: SCOPE

It is intended that this policy cover all funds and investment activities under direct authority of the City, including the City of Suisun City, the Successor Agency to the Redevelopment Agency of the City of Suisun City, the Suisun City Housing Authority, and the Suisun Solano Water Authority.

This Policy does not apply to any retiree pension or other post-employment benefit funds managed in an established trust or the proceeds of debt issues.

SECTION 3: PRUDENCE

The City adheres to the “prudent investor standard” which obligates a fiduciary to insure that: when investing, reinvesting, purchasing, acquiring, exchanging, selling, or managing public funds, a trustee shall act with care, skill, prudence, and diligence under the circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated needs of the agency, that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the agency.

SECTION 4: OBJECTIVES:

The primary objectives, in order of priority, of the investment activities of the City shall be:

- A. Safety:** It is the primary duty and responsibility of the Director of Administrative Services to protect, preserve and maintain cash and investment placed in his/her trust on behalf of the citizens of the City.
- B. Liquidity:** An adequate percentage of the City’s portfolio should be maintained in liquid short-term securities which can be converted to cash if necessary to meet disbursement requirements. Since all cash requirements cannot be anticipated, investments in securities with active secondary or resale markets are highly recommended. Emphasis should be on marketable securities with low sensitivity to market risk.

- C. **Yield:** The investment portfolio shall be designed to attain a market rate of return throughout budgetary and economic cycles, taking into account the City's risk constraints, the cash-flow characteristics of the portfolio, as well as the state and local laws, ordinances, or resolutions that restrict investments.
- D. **Diversification:** The investment portfolio will be diversified to avoid incurring unreasonable and avoidable risks regarding specific security types or individual financial institutions.
- E. **Public Trust:** All participants in the investment process shall act as custodians of the public trust. Investment officials shall recognize that the investment portfolio is subject to public review and evaluation. The overall program shall be designed and managed with a degree of professionalism that is worthy of the public trust. In a diversified portfolio it must be recognized that occasional measured losses are inevitable, and must be considered within the context of the overall portfolio's investment return, provided that adequate diversification has been implemented.

SECTION 5: DELEGATION OF AUTHORITY

Idle cash management and investment transactions are the responsibility of the Director of Administrative Services acting under the direction of the City Manager. The Director of Administrative Services is responsible for auditing the investments for accuracy and compliance with this Investment Policy. The Director of Administrative Services may delegate investment decision making and execution authority to an investment advisor. The advisor shall follow the Investment Policy and such other written instructions as provided.

SECTION 6: ETHICS AND CONFLICTS OF INTEREST

Officers and employees involved in the investment process shall refrain from personal business activities that could conflict with proper execution of the investment program, or which could impair their ability to make impartial decisions.

SECTION 7: AUTHORIZED BROKER/DEALERS AND FINANCIAL INSTITUTIONS

The Director of Administrative Services will maintain a list of security broker/dealers selected by credit worthiness that are authorized to provide investment services in the State of California. These may include "primary" dealers or regional dealers that qualify under Securities & Exchange Commission Rule 15C3-1 (uniform net capital rule).

No deposit shall be made except in a qualified public depository as established by the California Government Code.

All financial institutions and broker/dealers who desire to become qualified bidders for investment transactions must supply the Director of Administrative Services with the following:

- Current audited financial statements.
- Proof of Financial Industry Regulatory Authority (FINRA) certification.
- Proof of State of California registration.
- Written notification that they have read, and will abide by, the City's Investment Policy.

Broker/dealers and financial institutions wishing to do business with the City will annually submit their latest audited financials for review.

If the City has an investment advisor, the investment advisor may use its list of authorized broker/dealers to execute transactions on behalf of the City.

Purchase and sale of securities shall be made on the basis of competitive bids and offers with a minimum of three bids/quotes being obtained.

SECTION 8: CASH MANAGEMENT STRATEGY:

Improved cash forecasting and management is the preferred by the City. Cash management activities include accurate cash projections, the expeditious collection of revenue, the control of disbursements, cost-effective banking relations, and a short-term borrowing program, when needed, that coordinates working capital requirements and investment opportunity.

SECTION 9: ALLOWABLE INVESTMENT INSTRUMENTS:

The City's allowable investments are governed by California Government Code Sections 53601, *et seq.* The City shall limit investments in any one non-government issuer, except investment pools, to no more than 5% regardless of security type. No investment shall be permitted in excess of five years. Allowable investments include the following:

- A. U.S. Treasuries.** United States Treasury notes, bonds, bills, or certificates of indebtedness, or those for which the full faith and credit of the United States are pledged for the payment of principal and interest.
- B. Federal Agencies.** Federal agency or United States government-sponsored enterprise senior debt obligations, participations, or other instruments, including those issued by or fully guaranteed as to principal and interest by federal agencies or United States government-sponsored enterprises. This shall include any mortgage pass-through security issued and guaranteed by a Federal Agency with a maximum final maturity of five years. No more than 20% of the City's investment portfolio may be invested in Federal Agency-issued mortgage-backed securities; all other investments in Federal Agency securities are unrestricted.
- C. Commercial Paper.** Commercial paper of "prime" quality of the highest ranking or of the highest letter and number rating as provided for by a nationally recognized statistical-rating organization. The entity that issues the commercial paper shall meet all of the following conditions in either paragraph 1 or paragraph 2:
 - 1. The entity meets the following criteria: (i) Is organized and operating in the United States as a general corporation. (ii) Has total assets in excess of five hundred million dollars (\$500,000,000). (iii) Has debt other than commercial paper, if any, that is rated "A" or higher by a nationally recognized statistical-rating organization.
 - 2. The entity meets the following criteria: (i) Is organized within the United States as a special purpose corporation, trust, or limited liability company. (ii) Has program wide credit enhancements including, but not limited to, over

collateralization, letters of credit, or surety bond. (iii) Has commercial paper that is rated "A-1" or higher, or the equivalent, by a nationally recognized statistical-rating organization.

Eligible commercial paper shall have a maximum maturity of 270 days or less. No more than 25% of the City's investment portfolio may be invested in eligible commercial paper. The City may purchase no more than 10% of the outstanding commercial paper of any single issuer.

D. Time Deposits. Non-negotiable deposits in a state or national bank, savings association or federal association, federal or state credit union in the State of California. Preference should be given to banks located within the City boundaries, subject to the same restrictions set forth in this Section. In accordance with California Government Code Section 53635.2, to be eligible to receive City deposits, a financial institution shall have received an overall rating of not less than "satisfactory" in its most recent evaluation by the appropriate federal financial supervisory agency of its record of meeting the credit needs of California's communities. CDs are required to be insured as to principal and interest by the FDIC. The City, at its discretion, may waive the collateralization requirements for any portion that is covered by federal deposit insurance. The City shall have a signed agreement with any depository accepting City funds per Government Code Section 53649. No deposits shall be made at any time in CDs issued by a state or federal credit union if a member of the City Council or the Director of Administrative Services serves on the board of directors or any committee appointed by the board of directors of the credit union. In accordance with Government Code Section 53638, any deposit shall not exceed that total shareholder's equity of any depository bank, nor shall the deposit exceed the total net worth of any institution. No more than 30% of the City's investment portfolio may be invested in non-negotiable CDs.

E. Passbook savings account demand deposits and money market accounts insured up to the FDIC limit, or collateralized at 110% of the City's investment.

F. Money Market Funds. Shares of beneficial interest issued by diversified management companies that are money market funds registered with the Securities and Exchange Commission under the Investment Company Act of 1940 (15 U.S.C. Sec. 80a-1, *et seq.*). To be eligible for investment pursuant to this subdivision these companies shall either:

1. Attain the highest ranking letter or numerical rating provided by at least two NRSROs; or
2. Have retained an investment advisor registered or exempt from registration with the Securities and Exchange Commission with not less than five years of experience managing money market mutual funds and with assets under management in excess of \$500,000,000.

No more than 20% of the City's investment portfolio may be invested in money market funds.

G. State of California's Local Agency Investment Fund (LAIF).

H. Solano County Investment Pool.

SECTION 10: CUSTODY OF SECURITIES:

All securities owned by the City, except time deposits and shares of investment pools, shall be kept in safekeeping by a third-party bank's trust department, acting as an agent for the City under the terms of a custody agreement executed by the bank and the City.

All securities will be received and delivered using standard delivery versus payment procedures.

SECTION 11: REPORTING REQUIREMENTS:

The Director of Administrative Services shall submit a list of monthly investment transactions to the City Council.

The Director of Administrative Services shall submit a quarterly investment report to the City Council. The report shall be submitted 30 days following the end of the quarter covered by the report and will include all elements prescribed by Government Code Section 53646. Insofar as all investment statements are not received in time to submit the Report to the Council at a regular meeting, the Report may be given to the Council prior to formal acceptance at a subsequent meeting of the Council.

The Investment Report shall include at least the following information:

- 1) Type of investment.
- 2) Name of issuer.
- 3) Date of maturity.
- 4) Amount of deposit or cost of security.
- 5) Current market value of security as of the date of the report, including source of valuation, except those under LAIF.
- 6) Yield to maturity.
- 7) Percent distribution of each category of investment.
- 8) Statement confirming the portfolio's compliance with the City's Investment Policy, and that there are sufficient funds to meet the City's next six months' of financial obligations.

SECTION 12: POLICY REVIEW

The Investment Policy will be reviewed annually by the Director of Administrative Services. It will be included in the Annual Budget Document approved by the City Council. Any recommended revisions to the policy will be presented to the City Council for consideration at a properly noticed public meeting.

AGENDA TRANSMITTAL

MEETING DATE: November 20, 2012

JOINT AGENDA ITEM: Accept the Investment Report for the Quarter Ending September 30, 2012.

FISCAL IMPACT: None as this item is for information only.

BACKGROUND: Each quarter it is necessary to produce an Investment Report, showing how all the City, Redevelopment Successor Agency, Housing Authority, and Suisun-Solano Water Authority's available cash is invested, in terms of the type of investment, what institution it is invested in, and current value and interest earnings.

STAFF REPORT: The total cash and investments (par amount) equaled \$37,074,301 for the period ending September 30, 2012.

In terms of return on our investment, 1.17% was earned for the quarter. This compares very favorably with the LAIF return of only 0.35% for the quarter. As can be seen in the Pie Chart, most of the cash is invested in federally insured CD's, US Treasuries or Agency Notes, all of which generate higher yields.

RECOMMENDATION: It is recommended that the Council/Redevelopment Successor Agency/Authority accept the First Quarter Financial Officer's Investment Report.

ATTACHMENTS:

1. Financial Officer's Investment Report, September 30, 2012.

PREPARED BY:

REVIEWED/APPROVED BY:

Elizabeth N. Luna, Senior Accountant

Jason Garben, Economic Development Director

Suzanne Bragdon, City Manager

aw
DL
S.B.

City of Suisun City
Successor Agency and Housing Authority
FINANCIAL OFFICER'S INVESTMENT REPORT

SEPTEMBER 30, 2012

Category of Investment	Name of Institution	Maturity Date	Par Amount	Market Value*	Amortized Cost	Curr Yield At Market	Est Annual Income
Checking Account	West America Bank	Demand Deposit	\$ 1,533,636	\$ 1,533,636	\$ 1,533,636	-	-
Certificate of Deposit	Barclays Bank	10/09/12	\$ 247,000	\$ 247,082	\$ 247,000	2.40%	5,928
Certificate of Deposit	GE Money Bank	10/09/12	\$ 247,000	\$ 247,082	\$ 247,000	2.40%	5,928
Certificate of Deposit	Discover Bank	11/13/12	\$ 247,000	\$ 247,553	\$ 247,000	2.39%	5,928
Certificate of Deposit	CIT Bank	12/10/12	\$ 247,000	\$ 247,919	\$ 247,000	2.39%	5,928
Certificate of Deposit	Ally Bank Midvale	08/05/13	\$ 247,000	\$ 247,916	\$ 247,000	0.75%	1,853
Certificate of Deposit	GE CAP Finl Inc	01/27/15	\$ 150,000	\$ 150,837	\$ 150,000	1.14%	1,725
Certificate of Deposit	Travis Credit Union	06/17/14	\$ 200,553	\$ 200,553	\$ 200,553	2.52%	5,054
Total CD's			\$ 1,585,553	\$ 1,588,941	\$ 1,585,553	2.04%	32,344
State Investment-CITY	LAIF	Demand Deposit	\$ 3,148,890	\$ 3,148,890	\$ 3,148,890	0.35%	2,811
First Amer Treas Oblig Fd	First Amer #31846V203	Demand Deposit	\$ 50,192	\$ 50,192	\$ 50,192	0.02%	10
Federal Agency/Global Note	FNMA #31398AE24	02/22/13	\$ 475,000	\$ 477,955	\$ 474,911	1.74%	8,313
Federal Agency/Global Note	FHLMC #3137EACJ6	04/15/13	\$ 1,900,000	\$ 1,914,615	\$ 1,899,528	1.61%	30,875
Federal Agency/Global Refer Note	FHLMC #3137EABM0	06/28/13	\$ 850,000	\$ 872,801	\$ 867,406	3.65%	31,875
Federal Agency/Global Note	FHLMC #3137EACZ0	03/28/13	\$ 750,000	\$ 751,286	\$ 749,259	0.37%	2,813
Federal Agency/Global Note	FMAC #3134G2UA8	08/20/14	\$ 695,000	\$ 703,523	\$ 699,488	0.99%	6,950
Federal Agency/Bond Note	FHLMC #3137EACV9	08/27/14	\$ 1,000,000	\$ 1,014,070	\$ 1,007,188	0.99%	10,000
Federal Agency/Global Note	FMAC #3137EACY3	11/25/14	\$ 880,000	\$ 888,122	\$ 884,644	0.74%	6,600
Federal Agency/Bond Note	FNMA #31398AU34	07/28/15	\$ 500,000	\$ 527,765	\$ 509,477	2.25%	11,875
Federal Agency/Global Note	FNMA #3135G0NG4	08/07/15	\$ 1,050,000	\$ 1,049,342	\$ 1,049,900	0.50%	5,250
Federal Agency/Bond Note	FHLMC #3137EACM9	09/10/15	\$ 1,100,000	\$ 1,143,190	\$ 1,105,068	1.68%	19,250
Federal Agency/Bond Note	FNMA #31398A4M1	10/26/15	\$ 725,000	\$ 751,504	\$ 740,190	1.57%	11,781
Federal Agency/Bond Note	FNMA #3135G0GY3	01/30/17	\$ 550,000	\$ 564,589	\$ 563,038	1.22%	6,875
Federal Agency/Bond Note	FMAC #3137EADJ5	07/28/17	\$ 450,000	\$ 455,909	\$ 452,911	0.99%	4,500
Total Federal Agency Bond/Note			\$ 11,845,192	\$ 12,037,242	\$ 11,922,681	1.34%	161,317
US Treasury Notes	#912828PR5	01/31/13	\$ 800,000	\$ 801,313	\$ 800,068	0.62%	5,000
US Treasury Notes	#912828QZ6	05/31/13	\$ 280,000	\$ 280,601	\$ 280,025	0.50%	1,400
US Treasury Notes	#912828KN9	04/30/14	\$ 400,000	\$ 410,359	\$ 397,782	0.50%	7,500
US Treasury Notes	#912828QS2	06/15/14	\$ 995,000	\$ 1,003,745	\$ 1,002,893	0.74%	7,463
US Treasury Notes	#912828LZ1	11/30/14	\$ 925,000	\$ 962,072	\$ 916,464	2.04%	19,656
US Treasury Notes	#912828MR8	02/28/15	\$ 65,000	\$ 68,270	\$ 68,022	2.26%	1,544
US Treasury Notes	#912828MR8	02/28/15	\$ 440,000	\$ 452,137	\$ 460,511	2.26%	10,450
US Treasury Notes	#912828MR8	02/28/15	\$ 450,000	\$ 472,640	\$ 470,090	2.26%	10,688
US Treasury Notes	#912828NP1	07/31/15	\$ 950,000	\$ 988,594	\$ 984,528	1.68%	16,625
US Treasury Notes	#912828PE4	10/31/15	\$ 700,000	\$ 719,633	\$ 693,926	1.22%	8,750
US Treasury Notes	#912828PE4	10/31/15	\$ 127,072	\$ 130,635	\$ 127,397	1.22%	1,588
US Treasury Notes	#912828PJ3	11/30/15	\$ 450,000	\$ 464,520	\$ 447,925	1.33%	6,188
US Treasury Notes	#912828OR4	06/30/16	\$ 400,000	\$ 415,938	\$ 405,698	1.44%	6,000
US Treasury Notes	#912828QX1	07/31/16	\$ 750,000	\$ 780,176	\$ 762,232	1.44%	11,250
US Treasury Notes	#912828SC5	01/31/17	\$ 550,000	\$ 558,822	\$ 548,906	0.88%	4,813
US Treasury Notes	#912828SJ0	02/28/17	\$ 250,000	\$ 253,848	\$ 249,312	0.86%	2,188
US Treasury Notes	#912828TG5	07/31/17	\$ 275,000	\$ 273,646	\$ 271,911	0.50%	1,375
Total US Treasury Bond/Note			\$ 8,807,072	\$ 9,046,549	\$ 8,888,689	1.35%	122,478
TOTAL POOLED INVESTMENTS			\$ 26,920,342	\$ 27,355,258	\$ 27,079,448	1.18%	\$ 318,950

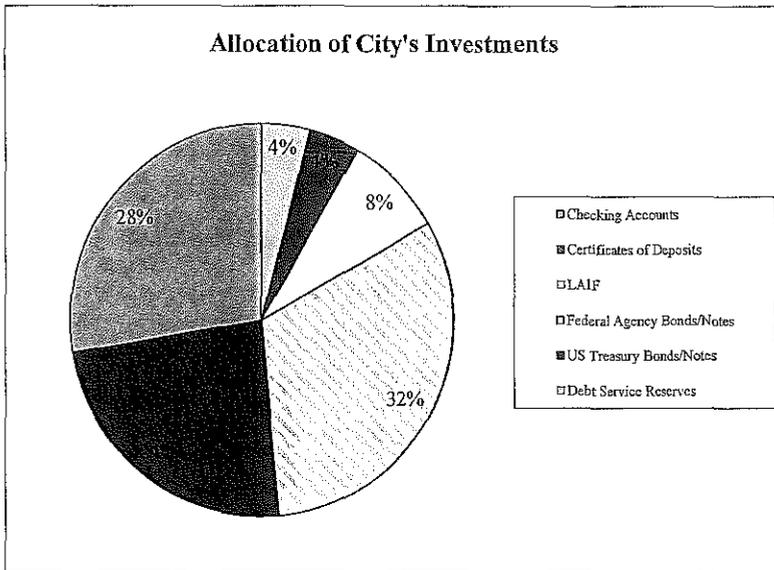
City of Suisun City
Successor Agency and Housing Authority
FINANCIAL OFFICER'S INVESTMENT REPORT

SEPTEMBER 30, 2012

<u>Category of Investment</u>	<u>Name of Institution</u>	<u>Maturity Date</u>	<u>Par Amount</u>	<u>Market Value*</u>	<u>Amortized Cost</u>	<u>Curr Yield At Market</u>	<u>Est Annual Income</u>
Reserved for Bond/Debt Service							
Govt Sec Money Market-SSWA 1993	First Amer Treas Oblig Fd	Demand Deposit	307,220	307,220	307,220	0.00%	-
Govt Sec Money Market-SSWA 1993	First Amer Treas Oblig Fd	Demand Deposit	415,676	415,676	415,676	0.00%	-
Govt Sec Money Market-SSWA 1993	Federal Home Loan Bks	11/15/2012	335,000	336,732	364,873	4.48%	15,075
Govt Sec Money Market-2004 CVCC	First Amer Treas Oblig Fd	Demand Deposit	270,628	270,628	270,628	0.00%	-
Govt Sec Money Market- RDA 1998	First Amer Treas Oblig Fd	Demand Deposit	8,408	8,408	8,408	0.00%	-
Govt Sec Money Market- RDA 1998	First Amer Treas Oblig Fd	Demand Deposit	359,847	359,847	359,847	0.00%	-
Govt Sec Money Market- RDA 1998	US Treasury Notes	10/31/2014	708,000	739,032	730,089	2.27%	16,815
Gov Sec Money Market - RDA 2003-A	First Amer Treas Oblig Fd	Demand Deposit	400,084	400,084	400,084	0.00%	-
Gov Sec Money Market - RDA 2003-A	First Amer Treas Oblig Fd	Demand Deposit	255,346	255,346	255,346	0.00%	-
Govt Sec Money Market- RDA 2003-A	Federal Home Loan Bks	11/15/2012	225,000	226,163	245,064	4.50%	10,125
Govt Sec Money Market-RDA 2003-B	First Amer Treas Oblig Fd	Demand Deposit	2,445,184	2,445,184	2,445,184	0.00%	-
Govt Sec Money Market-RDA 2003-B	First Amer Treas Oblig Fd	Demand Deposit	1,639,255	1,639,255	1,639,255	0.00%	-
Govt Sec Money Market-RDA 2003-B	Federal Home Loan Bks	11/15/2012	1,465,000	1,472,574	1,595,638	4.50%	65,925
Savings Acct-RDA Marina	West America Bank	Demand Deposit	396,384	396,384	396,384	0.10%	383
Marina Debt Service #912828PE4	US Treasury Notes	10/31/2015	922,928	948,813	\$ 925,291	1.22%	11,537
Total Debt Service Reserve Funds			\$ 10,153,960	\$ 10,221,345	\$ 10,358,986	1.16%	\$ 119,860
Grand Total			\$ 37,074,301	\$ 37,576,604	\$ 37,438,434	1.17%	\$ 438,810

Summary of Pooled Investments

	<u>Amount</u>	<u>Pct.</u>
Checking Accounts	\$ 1,533,636	4.1%
Certificates of Deposits	\$ 1,585,553	4.2%
LAIF	\$ 3,148,890	8.4%
Federal Agency Bonds/Notes	\$ 11,922,681	31.8%
US Treasury Bonds/Notes	\$ 8,888,689	23.7%
Debt Service Reserves	\$ 10,358,986	27.7%
Total	\$ 37,438,434	100.0%



* Market Valuation for Federal Agency Bonds/Notes and US Treasury Bonds/Notes is from City's Investment Advisor, PFM. Valuation for Debt Service Reserve funds is from the City's Trustee, US Bank.

City Treasurer's Statement:

I hereby certify that I have examined the records and find this report to be correct, that all investments are made in accordance with the investment policy, and the City will be able to meet its obligations for the next six months.

Attest by:

Jeanie F. McMurry 11/7/12
 Jeanie F. McMurry, City Treasurer Date

Submitted by:

Elizabeth Luna 11/7/2012
 Elizabeth Luna, Senior Accountant Date

M I N U T E S

REGULAR MEETING OF THE SUISUN CITY COUNCIL

**SUISUN CITY COUNCIL ACTING AS SUCCESSOR AGENCY TO THE
REDEVELOPMENT AGENCY OF THE CITY OF SUISUN CITY,**

AND HOUSING AUTHORITY

TUESDAY, OCTOBER 16, 2012

7:00 P.M.

SUISUN CITY COUNCIL CHAMBERS -- 701 CIVIC CENTER BOULEVARD -- SUISUN CITY, CALIFORNIA

ROLL CALL

Mayor Pro Tem / Vice-Chairman Hudson called the Meeting to order at 7:00 PM with Council / Board Members Day, Derting, Hudson, and Segala were present. Mayor Sanchez was absent. Pledge of Allegiance was led by Council / Board Member Segala. Invocation was given by City Manager Bragdon.

PUBLIC COMMENT

(Requests by citizens to discuss any matter under our jurisdiction other than an item posted on this agenda per California Government Code §54954.3 allowing 3 minutes to each speaker).

George Guynn 7:02:22 PM suggested the City should not continue to contribute to the BID.

CONFLICT OF INTEREST NOTIFICATION - None

(Any items on this agenda that might be a conflict of interest to any Councilmembers / Boardmembers should be identified at this time.)

PRESENTATIONS/APPOINTMENTS

(Presentations, Awards, Proclamations, Appointments).

1. Presentation of a Proclamation to Jeanie McMurry, Proclaiming the Month of October 2012 as "Sudden Infant Death Syndrome (SIDS) Awareness Month."

Mayor Pro Tem Hudson read and Council Member Derting presented the Proclamation to Ms. McMurry.

2. Presentation of a Proclamation to the Recreation and Community Services Department Proclaiming October 23 - 31, 2012 as "Red Ribbon Week".

Mayor Pro Tem Hudson read and Council Member Segala presented the Proclamation to Recreation and Community Services Director Jessop.

3. Introduction of new Suisun City Finance Department Accountant Roberta Daniel -- (Garben).
Mayor Pro Tem Hudson welcomed Ms. Daniel.

CONSENT CALENDAR**City Council**

4. Consider Approving a Selective Traffic Enforcement Program (STEP) – (Dadisho).
 - a. Council Adoption of Resolution No. 2012-76: Authorizing the Police Chief to Accept and Administer a Selective Traffic Enforcement Program (STEP) from the State of California, Office of Traffic Safety.
 - b. Council Adoption of Resolution No. 2012-77: Adopting the First Amendment to the Annual Appropriation Resolution No. 2012-53 to Appropriate Funds for the Selective Traffic Enforcement Grant.
5. Reclassification of the Account Clerk Positions in the Administrative Services Department.
 - a. Council Adoption of Resolution No. 2012-78: Reallocating the Previously Approved Full-Time Account Clerk I-II Position in the City's Administrative Services Department to a Part Time Temporary Status.
 - b. Council Adoption of Resolution No. 2012-79: Adopting an Amendment to the Salary Resolution No. 2012-54 To Provide for A Salary Range for an Account Clerk III Position
6. Council Adoption of Resolution No. 2012-80: Authorizing the City Manager to Execute a Contract with Pacific Municipal Consultants (PMC) to Provide Consultant Services for the Initial Steps in the Environmental Review Process for the Western Segment of the Railroad Avenue Extension Project - (Wooden).

Joint City Council / Suisun City Council Acting as Successor Agency

7. Council/Agency Approval of the Minutes of the Regular and/or Special Meetings of the Suisun City Council and Suisun City Council Acting as Successor Agency held on October 2, 2012-- (Hobson).

Joint City Council / Suisun City Council Acting as Successor Agency

8. Council/Agency Approval of the September 2012 Payroll Warrants in the amount of \$609,586.98. Council/Agency Approval of the September 2012 Payable Warrants in the amount of \$1,020,702.13 – (Finance).

Council / Board Member Segala requested Item 5 be removed from the Consent Calendar.

Motioned by Council / Board Member Day and seconded by Council / Board Member Derting to approve the Consent Calendar excluding Item 5. Motion carried unanimously by the members present.

Council / Board Member Segala asked why Item 5 was on consent. City Manager Bragdon gave an explanation about saving money.

Motioned by Council / Board Member Derting and seconded by Council / Board Member Segala to adopt Resolution No. 2012-78.

GENERAL BUSINESS**City Council**

9. HEARING

Council Adoption of Resolution No. 2012-81: Placing Liens for Unpaid Waste Collection Service Charges on Certain Lands Situated in the City of Suisun City, County of Solano, State of California. – (Anderson).

Mayor Pro Tem Hudson opened the hearing; and hearing no comments, closed the public hearing.

Motioned by Council / Board Member Day and seconded by Council / Board Member Derting to adopt Resolution No. 2012-81 amending the date of the list was October 16. Motion carried unanimously by the members present.

10. Discussion and Direction to Staff: Report of Ad Hoc Committee Regarding Proposed General Plan Update Preferred Land Use Alternatives – (Wooden).

Council Member Derting reported on the Ad Hoc Committee 7:24:31 PM and advised discussions would continue and be brought forward early next year. Discussion was held regarding the property owners and the General Plan.

PUBLIC HEARINGS:**City Council**

11. PUBLIC HEARING

Consider Amendment to the Fireworks Ordinance and Adoption of Implementing Resolution – (O'Brien).

- a. Council Consideration, Waive Reading, and Introduction of Ordinance No. 722: Amending City Code Title 8, Chapter 8.04 – “Fireworks” to Permit the Sales of Safe and Sane Fireworks; and to Regulate other Fireworks Related Activities.
- b. Council Adoption of Resolution No. 2012-82: Adopting Certain Findings and the Policy Directives to Implement the Sales and Use of Safe and Sane Fireworks as Allowed by Title 8, Chapter 8.04 of the Suisun City Code. 7:41:33 PM 7:55:57 PM 8:07:03 PM 8:13:10 PM

Mayor Pro Tem Hudson opened the public hearing;

George Guynn commented and felt the groups should have to report the finances of their booths.

Hearing no further comments, the public hearing was closed.

Council Member Segala introduced Ordinance No. 722. Motioned by Council Member Day and seconded by Council Member Derting to waive the reading of the Ordinance. Motion carried unanimously by the members present.

Motioned by Council / Board Member Day and seconded by Council / Board Member Derting to adopt Resolution No. 2012-82. Motion carried unanimously by the members present.

REPORTS: (Informational items only.)**12. City Manager/Executive Director/Staff**

Mayor/Council -Chair/Boardmembers

Council / Board Member 8:25:03 PM Segala expressed concern about traffic safety on Woodlark and suggested a committee be formed with a possible temporary stop sign being placed at the intersection. He also announced the zumba fund raiser at the Kroc Center to benefit Breast Cancer Awareness.

Mayor Pro Tem / Vice-Chairman Hudson commented on the Wine and Chocolate Event and expressed concern about the increase of tagging.

CLOSED SESSION

Pursuant to California Government Code Section 54950 the Suisun City Council will hold a Closed Session for the purpose of:

13. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION

Name of case: Roche, et al. v. City of Fairfield, et al.

Case No. FCS039915

8:30 PM – Mayor Pro Tem Hudson recessed the City Council to Closed Session and stated no decisions would be made.

CONVENE OPEN SESSION

Announcement of Actions Taken, if any, in Closed Session.

9:05 PM – Mayor Pro Tem Hudson reconvened the City Council and stated no decisions were made.

ADJOURNMENT

There being no further business, Mayor Pro Tem Hudson adjourned the City Council meeting at 9:05 PM.

Linda Hobson, CMC
City Clerk

AGENDA TRANSMITTAL

MEETING DATE: November 20, 2012

CITY AGENDA ITEM: Consider Accepting a Sobriety Checkpoint Grant:

- a. Adoption of Resolution No. 2012-___: Authorizing the Police Chief to Accept and Administer a Sobriety Checkpoint Grant Program from the State of California, Office of Traffic Safety; and
- b. Council Adoption of Resolution No. 2012-___: Adopting the Third Amendment to the Annual Appropriation Resolution No. 2012-53 to Appropriate Funds for a Sobriety Checkpoint Grant Program.

FISCAL IMPACT: The adoption of the resolution will enable the Suisun City Police Department to receive \$24,900 in funding for four DUI/Driver License Checkpoints. The grant is financed by the California Office of Traffic Safety, through the National Highway Traffic Safety Administration. In no case may these funds be commingled with any other funds, even other federal and state funds, nor may funds be used to supplant expenses for which the City of Suisun City has already appropriated funds.

BACKGROUND: The California Office of Traffic Safety (OTS) announced in early 2012 that they were accepting grant applications for the federal fiscal year 2012-13. The Suisun City Police Department applied for a Sobriety Checkpoint Grant in March 2012. Although the initial grant application was denied by the OTS, it was able to secure additional federal funding and in October of 2012, the application was approved.

Grant funds from the OTS have assisted the Suisun City Police Department in years past with achieving its traffic goals and objectives. OTS grant funds have paid for a DUI trailer, two police enforcement motorcycles and other traffic enforcement related equipment as well as DUI checkpoints and saturation patrols within the City of Suisun City. OTS grant funds also have funded officer positions in the past (FFY 2007-2009 & FFY 2009-10).

STAFF REPORT: The purpose of the grant is to reduce the number of persons killed and injured in traffic collisions involving drivers operating motor vehicles while under the influence of alcohol and/or drugs particularly during nighttime hours (9 PM – 3 AM). The objective of the grant is to conduct a total of four sobriety checkpoints by September 30, 2013. One of the four checkpoints will be during the Winter Mobilization and another during the Summer Mobilization.

Patrol officers, especially those who are trained in Standardized Field Sobriety Testing (SFST), Drug Recognition Expert (DRE) and Advanced Roadside Impaired Driving Enforcement (ARIDE), would work on an overtime basis to conduct the checkpoint operations. The overtime would be funded by the grant.

PREPARED BY:

REVIEWED/APPROVED BY:

Ed Dadisho, Police Chief
Suzanne Bragdon, City Manager

The Department's budget does not provide funds to conduct any DUI/Driver License Checkpoints. By accepting this grant the department would be able to conduct a DUI/Driver License Checkpoint about once a quarter.

STAFF RECOMMENDATION: It is recommended that the City Council adopt:

1. Resolution No. 2012-___: Authorizing the Police Chief to Accept and Administer a Sobriety Checkpoint Grant Program from the State of California, Office of Traffic Safety; and
2. Resolution No. 2012-___: Adopting the Third Amendment to the Annual Appropriation Resolution No. 2012-53 to Appropriate Funds for a Sobriety Checkpoint Grant Program.

ATTACHMENTS:

1. Resolution No. 2012-___: Authorizing the Police Chief to Accept and Administer a Sobriety Checkpoint Grant Program from the State of California, Office of Traffic Safety.
2. Resolution No. 2012-___: Adopting the Third Amendment to the Annual Appropriation Resolution No. 2012-53 to Appropriate Funds for a Sobriety Checkpoint Grant Program.

RESOLUTION NO. 2012-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY
AUTHORIZING THE POLICE CHIEF TO ACCEPT AND ADMINISTER A SOBRIETY
CHECKPOINT GRANT PROGRAM FROM THE STATE OF CALIFORNIA,
OFFICE OF TRAFFIC SAFETY

WHEREAS, one goal of the State of California and the City of Suisun City is to reduce the number of persons killed and injured in alcohol & drugged driving involved crashes, increase the number of DUI arrests and educate the public on the dangers of drunk/drugged driving; and

WHEREAS, the Suisun City Police Department was awarded a Sobriety Checkpoint Grant Program through the State of California, Office of Traffic Safety, in the amount of \$24,900; and

WHEREAS, through the combined efforts of state and local law enforcement agencies, a Sobriety Checkpoint Grant Program will be conducted for a one year period, December 1, 2012 through September 30, 2013 in support of the state DUI Enforcement and Awareness Programs; and

WHEREAS, the City Council of the City of Suisun City recognizes the value and benefits of participating in this grant program and has an interest in making the public roadways safer through education and enforcing DUI violations; and

WHEREAS, the Suisun City Police Department will use the Sobriety Checkpoint Grant Program funds to pay for four overtime only DUI/Driver License Checkpoints.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the City Council of the City of Suisun City does hereby authorize the Police Chief, or his designee, to accept and administer a Sobriety Checkpoint Grant Program from the State of California, Office of Traffic Safety in the amount of \$24,900.

PASSED AND ADOPTED at a Regular Meeting of the City Council of the City of Suisun City duly held on Tuesday, the 20th of November, 2012, by the following vote:

AYES: Councilmembers: _____
NOES: Councilmembers: _____
ABSENT: Councilmembers: _____
ABSTAIN: Councilmembers: _____

WITNESS my hand and the seal of the City of Suisun City this 20th day of November, 2012.

Linda Hobson, City Clerk

RESOLUTION NO. 2012-__

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY
ADOPTING THE SECOND AMENDMENT TO THE ANNUAL APPROPRIATION
RESOLUTION NO. 2012-53 TO APPROPRIATE FUNDS FOR A SOBRIETY
CHECKPOINT GRANT PROGRAM**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUISUN CITY:

THAT Section 146 of Part III of the Annual Appropriation Resolution No. 2012-53 be and is hereby amended as follows:

	<u>Increase/ (Decrease)</u>
TO: POLICE DEPARTMENT	\$ 24,900
Police Operations	
TOTAL Section 146	<u>\$ 24,900</u>

THAT account titles and numbers requiring adjustment by this Resolution are as follows:

	<u>Sources</u>	<u>Uses</u>
<u>OTS Sobriety Checkpoint Grant Fund</u>		
Revenues:		
A/C No. 146-76210-2446 OTS Sobriety Checkpoint Grant Fund	\$ 24,900	\$ -
Appropriations:		
A/C No. 146-90200-2446 Overtime	\$ -	\$ 21,800
A/C No. 146-90410-2446 Medicare	\$ -	\$ 300
A/C No. 146-90416-2446 PARS	\$ -	\$ 700
A/C No. 146-90430-2446 Workers' Comp	\$ -	\$ 1,200
A/C No. 146-91435-2446 Field Supplies	\$ -	\$ 900
Total OTS Sobriety Checkpoint Grant Fund	<u>\$ -</u>	<u>\$ 24,900</u>

THAT the purpose is to appropriate funds for the Sobriety Checkpoint Grant Program.

ADOPTED AND PASSED at a regular meeting of the City Council of the City of Suisun City duly held on the 20th day of November, 2012 by the following vote:

AYES: COUNCILMEMBERS
NOES: COUNCILMEMBERS
ABSENT: COUNCILMEMBERS
ABSTAIN: COUNCILMEMBERS

WITNESS my hand and seal of the said City this 20th day of November 2012.

Linda Hobson, CMC
City Clerk

AGENDA TRANSMITTAL

MEETING DATE: November 20, 2012

CITY AGENDA ITEM: Consider Accepting a Distracted-Driving High-Visibility Enforcement Demonstration Project Grant:

- a. Council Adoption of Resolution No. 2012-___: Authorizing the Police Chief to Accept and Administer a Distracted-Driving High-Visibility Enforcement Demonstration Project Grant from the State of California, Office of Traffic Safety; and
- b. Council Adoption of Resolution No. 2012-___: Adopting the Second Amendment to the Annual Appropriation Resolution No. 2012-53 to Appropriate Funds for the Distracted-Driving High-Visibility Enforcement Demonstration Project Grant.

FISCAL IMPACT: The adoption of the resolution would enable the Suisun City Police Department to receive \$14,884 in funding for officers to enforce the state's distracted driving laws on an overtime basis. The grant is financed by the California Office of Traffic Safety, through the National Highway Traffic Safety Administration. In no case may these funds be commingled with any other funds, even other federal and state funds, nor may funds be used to supplant expenses for which the City of Suisun City has already appropriated funds.

BACKGROUND: The California Office of Traffic Safety (OTS) announced in May 2012, that the Suisun City Police Department had been selected to participate in a Distracted-Driving High-Visibility Enforcement Demonstration program to conduct enforcement targeting motorists who use a hand-held cell phone or text while driving during three one-or-two week enforcement waves in FY 2013.

Grant funds from OTS have assisted the Suisun City Police Department in years past with achieving its traffic goals and objectives. OTS grant funds have paid for a DUI trailer, two police enforcement motorcycles and other traffic enforcement related equipment, as well as traffic enforcement operations within the City of Suisun City. OTS grant funds also have funded officer positions in the past (FFY 2007-2009 and FFY 2009-10).

STAFF REPORT: The purpose of the grant is to reduce the number of fatal and injury traffic collisions involving drivers using hand-held cell phones. The objective of the grant is to conduct high visibility enforcement targeting drivers who use a hand-held cell phone or text during the three mobilizations and to remind drivers "Phone in One Hand. Ticket in the Other."

Patrol officers will work on an overtime basis to conduct high visibility enforcement targeting drivers who use a hand-held cell phone or text. The overtime will be funded by the grant. By accepting this grant the department will be able to dedicate officers on an overtime basis to the enforcement of the states distracted driving laws.

PREPARED BY:

REVIEWED/APPROVED BY:

Ed Dadisho, Police Chief
Suzanne Bragdon, City Manager

Ed
Suzanne

STAFF RECOMMENDATION: It is recommended that the City Council adopt:

1. Resolution No. 2012-___: Authorizing the Police Chief to Accept and Administer a Distracted-Driving High-Visibility Enforcement Demonstration Project Grant from the State of California, Office of Traffic Safety; and
2. Resolution No. 2012-___: Adopting the Second Amendment to the Annual Appropriation Resolution No. 2012-53 to Appropriate Funds for the Distracted-Driving High-Visibility Enforcement Demonstration Project Grant.

ATTACHMENTS:

1. Resolution No. 2012-___: Authorizing the Police Chief to Accept and Administer a Distracted-Driving High-Visibility Enforcement Demonstration Project Grant from the State of California, Office of Traffic Safety.
2. Resolution No. 2012-___: Adopting the Second Amendment to the Annual Appropriation Resolution No. 2012-53 to Appropriate Funds for the Distracted-Driving High-Visibility Enforcement Demonstration Project Grant.

RESOLUTION NO. 2012-__

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY
AUTHORIZING THE POLICE CHIEF TO ACCEPT AND ADMINISTER A
DISTRACTED DRIVING HIGH VISIBILITY ENFORCEMENT DEMONSTRATION
PROJECT GRANT FROM THE STATE OF CALIFORNIA,
OFFICE OF TRAFFIC SAFETY**

WHEREAS, the goal of the State of California and the City of Suisun City is to reduce the number of fatal and injury collisions involving drivers using hand-held cell phones; and

WHEREAS, the Suisun City Police Department was awarded a Distracted Driving High Visibility Enforcement Demonstration Project Grant through the State of California, Office of Traffic Safety, in the amount of \$14,884; and

WHEREAS, through the combined efforts of local law enforcement agencies and California Highway Patrol offices in nine counties of the Sacramento Valley Media Market Region, they will enforce distracted driving violations through a Distracted Driving High Visibility Enforcement Demonstration Project Grant, which will be conducted for a one-year period, November 1, 2012, through September 30, 2013; and

WHEREAS, the City Council of the City of Suisun City recognizes the value and benefits of participating in this grant program and has an interest in making the public roadways safer through education and enforcement of distracted driving laws; and

WHEREAS, the Suisun City Police Department will use the Distracted Driving High Visibility Enforcement Demonstration Project Grant funds to pay for officers to enforce the states distracted driving laws on an overtime basis.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the City Council of the City of Suisun City does hereby authorize the Police Chief, or his designee, to accept and administer a Distracted Driving High Visibility Enforcement Demonstration Project Grant from the State of California, Office of Traffic Safety in the amount of \$14,884.

PASSED AND ADOPTED at a Regular Meeting of the City Council of the City of Suisun City duly held on Tuesday, the 20th of November, 2012, by the following vote:

AYES:	Councilmembers:	_____
NOS:	Councilmembers:	_____
ABSENT:	Councilmembers:	_____
ABSTAIN:	Councilmembers:	_____

WITNESS my hand and the seal of the City of Suisun City this 20th day of November, 2012.

Linda Hobson, City Clerk

RESOLUTION NO. 2012-__

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY
ADOPTING THE SECOND AMENDMENT TO THE ANNUAL APPROPRIATION
RESOLUTION NO. 2012-53 TO APPROPRIATE FUNDS FOR A SOBRIETY
CHECKPOINT GRANT PROGRAM**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUISUN CITY:

THAT Section 146 of Part III of the Annual Appropriation Resolution No. 2012-53 be and is hereby amended as follows:

		<u>Increase/ (Decrease)</u>
TO:	POLICE DEPARTMENT	<u>\$ 24,900</u>
	Police Operations	
	TOTAL Section 146	<u>\$ 24,900</u>

THAT account titles and numbers requiring adjustment by this Resolution are as follows:

		<u>Sources</u>	<u>Uses</u>
<u>OTS Sobriety Checkpoint Grant Fund</u>			
Revenues:			
A/C No. 146-76210-2446	OTS Sobriety Checkpoint Grant Fund	\$ 24,900	\$ -
Appropriations:			
A/C No. 146-90200-2446	Overtime	\$ -	\$ 21,800
A/C No. 146-90410-2446	Medicare	\$ -	\$ 300
A/C No. 146-90416-2446	PARS	\$ -	\$ 700
A/C No. 146-90430-2446	Workers' Comp	\$ -	\$ 1,200
A/C No. 146-91435-2446	Field Supplies	\$ -	\$ 900
Total OTS Sobriety Checkpoint Grant Fund		<u>\$ -</u>	<u>\$ 24,900</u>

THAT the purpose is to appropriate funds for the Sobriety Checkpoint Grant Program.

ADOPTED AND PASSED at a regular meeting of the City Council of the City of Suisun City duly held on the 20th day of November, 2012 by the following vote:

AYES: COUNCILMEMBERS
NOES: COUNCILMEMBERS
ABSENT: COUNCILMEMBERS
ABSTAIN: COUNCILMEMBERS

WITNESS my hand and seal of the said City this 20th day of November 2012.

Linda Hobson, CMC
City Clerk

AGENDA TRANSMITTAL

MEETING DATE: November 20, 2012

CITY AGENDA ITEM: Adoption of Amended Fireworks Ordinance:

- a. Council Adoption of Ordinance No. 722: Amending title 8, Chapter 8.04 – “Fireworks.” To Permit the Sales of Safe and Sane Fireworks, and to Regulate other Fireworks-Related Activities.
 - b. Discussion of the 2012 Fireworks Sales Period and 2013 Implementing Resolution.
-

FISCAL IMPACT: None at this time.

BACKGROUND: At the April 17, 2012 Council meeting, Ordinance No. 721 was approved. It provided text amendments to the Fireworks Chapter of the City Code, Title 8, Chapter 8.04. At the October 16, 2012 Council meeting, Ordinance No. 722 was introduced to make text amendments to the Fireworks Chapter of the City Code, Title 8, Chapter 8.04. These text amendments would eliminate the need to amend the Suisun City Code annually to make technical changes necessary to make the Code applicable to the current year. Specifically these changes would remove specific dates and times from the Ordinance and instead specify them in a Resolution for each designated sales period.

At the October 16, 2012 Council Meeting, the City Council adopted Resolution No. 2012-82 which made certain findings and provided policy directives needed to implement Title 8, Chapter 8.04 of the Suisun City Code. The Council also gave direction that the resolution would be discussed at the November 20, 2012 meeting for possible changes to the resolution.

STAFF REPORT: This staff report addresses the adoption of Ordinance No. 722, a recap of the 2012 Fireworks Sales Period, and review of Resolution No. 2012-82 which applies to the 2013 Sales Period.

Ordinance 722

Staff has prepared proposed changes to the Fireworks Chapter that would be applicable for future designated fireworks sales periods. If the state passes a law and allows fireworks for a New Year’s sales period, the City Council would be able apply that change to Suisun City by Resolution, rather than going through the lengthy Ordinance introduction and adoption process.

The proposed changes would eliminate specific dates in the Ordinance, and allow for the possible New Year’s selling period, if it should become law at a future date. These proposed text amendments are presented in Attachment 1. Text changes in *Italics* are those that are proposed to be added, and text changes presented with ~~strike throughs~~ are those that would be deleted.

2012 Sales Period

Subsequent to the adoption of Resolution No. 2012-82, the City Council asked staff to be prepared to discuss the resolution at the November 20, 2012 meeting. Part of the discussion is the 2012 sales period including information about the funds that were raised this past Fourth of July by the non-profit organizations who operated the fireworks stands.

PREPARED BY:

REVIEWED/APPROVED BY:

Michael O’Brien, Fire Chief
Suzanne Bragdon, City Manager

MB
MB

The City received the following amounts for the 2012 Fireworks Sales Period, which will be used to put on the 2013 Fourth of July Independence Celebration:

• 52% Gross Profit	\$54,138.88
• 12% Fireworks Surcharge	24,987.16
• Space rentals	<u>7,100.00</u>
Total	<u>\$86,226.04</u>

The following information recaps the amounts generated by each of the nonprofit organizations, as well as their intended uses of these amounts:

- The BID generated \$6,495 in its joint venture with Titans football. The BID will use it for the Old Town Christmas (advertising, arts & crafts booths, entertainment, and tree auction. Titans generated \$4,508 which they will use for 15 scholarships for players and cheerleaders.
- The Suisun American Little League generated \$15,375. They will use these funds for repair of all four scoreboards, field and equipment expenses, and building and ground maintenance.
- The Solano Aquatic Sea Otters swimming team generated \$11,000. The Sea Otters will use these funds for pool rental, insurance, and operating expenses.

The nonprofits realized about 15% - 16% of the gross sales.

Resolution No. 2012-82

Attachment 2 is Resolution No. 2012-82, which reflects the dates and times to be applied to Chapter 8.04 of the Suisun City Code for the fireworks sales for July 4, 2013, as well as policy directives regarding the selection process applicable to the non-profit operators of the Safe and Sane Fireworks Sales.

STAFF RECOMMENDATION: It is recommended that the City Council:

1. Adopt Ordinance No. 722: Amending title 8, Chapter 8.04 – “Fireworks.” To Permit the Sales of Safe and Sane Fireworks, and to Regulate other Fireworks-Related Activities; and
2. Discuss 2012 Fireworks Sales Period and 2013 Implementing Resolution.

ATTACHMENTS:

1. Ordinance No. 722: Amending title 8, Chapter 8.04 – “Fireworks.” To Permit the Sales of Safe and Sane Fireworks, and to Regulate other Fireworks-Related Activities.
2. Resolution 2012-82: Adopting Certain Findings and Policy Directives to Implement the Sales and Use of Safe and Sane Fireworks as Allowed by Title 8, Chapter 8.04 of the Suisun City Code.

AMENDING TITLE 8, CHAPTER 8.04 – “FIREWORKS”

- 1 **B.** “Fireworks Stand” shall mean any structure of a temporary nature used in the sale,
2 offering for sale or display for sale of “Safe and Sane Fireworks.”
- 3
4 **C.** “Fireworks Wholesaler” shall mean any person, other than an importer, exporter or
5 manufacturer, who purchases fireworks from a manufacturer, importer or exporter for
6 resale to a retailer or any other person for resale, or any person who sells fireworks to
7 other wholesalers or retailers for resale.
- 8 **D.** "Nonprofit Organization" shall mean any nonprofit association, charity or corporation
9 organized primarily for veteran, patriotic, welfare, civic betterment, religious, athletic or
10 charitable purposes pursuant to the Internal Revenue Code or California Revenue and
11 Taxation Code, or a group that is an integral part of a recognized national organization
12 having such tax-exempt status, or an organization affiliated with and officially recognized
13 by an elementary school, middle school and/or high school and/or school district that
14 serves, in whole or in part, the residents of the City of Suisun City.
- 15
16 **E.** “Person” shall mean a natural person or a legal entity that is also an owner, tenant, lessee
17 and/or other person with any right to possession or control of the property where a
18 violation of this code occurred.
- 19 **F.** “Serving Suisun City Residents and Businesses” shall be determined by, but not limited
20 to, principal or permanent location within City limits, a significant service population of
21 City residents, and a significant percentage of members residing in or owning businesses
22 in the City.
- 23
24 **G.** “Qualified Applicants” shall mean any group or organization that has met all of the
25 following criteria for a continuous period of not less than one full year preceding
26 submittal of an application for a permit to sell required by this Chapter, and that continues
27 to meet the criteria for the duration of any permit to sell issued by the City of Suisun City
28 pursuant to this Chapter:

AMENDING TITLE 8, CHAPTER 8.04 – “FIREWORKS”

- 1 a. The organization shall be a Nonprofit Organization. Only one application per
2 Nonprofit Organization will be allowed. If an organization is affiliated with a
3 recognized educational institution as defined in this Section, but maintains a
4 separate tax-exempt status with the Internal Revenue Service or the California
5 Franchise Tax Board, said nonprofit organization shall be allowed a separate
6 application.
- 7 b. The organization shall be organized primarily for *educational, youth development,*
8 *veterans, patriotic, welfare, civic betterment, religious, athletic, educational, youth*
9 *development,* or charitable purposes. City Council, at its discretion, may determine
10 priorities and preferences amongst the population served by the nonprofit
11 organization for purposes of selecting organizations to sell fireworks pursuant to
12 this ordinance.
- 13 c. Has a minimum bona fide membership of at least ten (10) members who have
14 agreed to participate and staff a fireworks sales stand.
- 15 d. Has not been found by any court of competent jurisdiction or City administrative
16 hearing officer to be in violation of any civil or criminal local, state or federal law
17 within twenty-four (24) calendar months prior to the organization’s submittal of an
18 application for a permit to sell fireworks;
- 19 e. Has not had a permit to sell fireworks revoked within twenty-four (24) months
20 prior to the organization’s submittal of an application for a permit to sell
21 fireworks.
- 22 H. "Safe and Sane Fireworks" (or "state-approved fireworks") shall mean "Safe and Sane
23 Fireworks" as set forth in California Health and Safety Code Sections 12529 and 12562
24 and the relevant sections of Title 19, California Code of Regulations, Subchapter 6, which
25 are hereby incorporated by reference.
- 26 I. "Designated Sales Period" is the applicable period set forth in the current City Council
27 Resolution during which Sane and Sane Fireworks may be sold.
- 28

AMENDING TITLE 8, CHAPTER 8.04 – “FIREWORKS”

8.04.020 – Possession, Sales, Or Discharge Generally

It is unlawful to possess, sell, or discharge any and all fireworks, the same as defined by the California Health and Safety Code, and the California Fire Code as adopted by the City, within the Suisun City limits unless specifically allowed in this Title, Chapter 8.04.

8.04.030 - Industrial, Commercial, Agricultural, Religious Use.

Any specific pyrotechnic devices or compositions enumerated in the California Health and Safety Code shall be exempt from the provisions of Section 8.04.030 whenever the State Fire Marshall, with the advice of the State Board of Fire Services, has investigated and determined the pyrotechnic devices or compositions to be limited to industrial, commercial and agricultural use, or for religious ceremonies, and when authorized by a permit granted by the City, as provided for by Section 12508 of the California Health and Safety Code.

(Ord. 477 § 1(part), 1983)

8.04.040 - Public Displays and Theatrical, or Special Effect Pyrotechnic Use

A. The Fire Chief shall have the authority to grant permits for those activities enumerated in Section 12640 of the California Health and Safety Code, including supervised public displays of fireworks by a public agency, fair association, amusement park, or other organization, private company, or private individual, or for the use of fireworks by artisans in pursuit of their trade. The Fire Chief may grant permits for the use of theatrical, and/or special effects pyrotechnics in entertainment productions with or without a live audience, or a video or cinematic production.

B. Each such use or display shall be handled by a properly licensed class of pyrotechnic operator (as defined by Section 12527 of the California Health and Safety Code), and shall be of such character and so located, discharged or fired as approved by the Fire Chief, to not be hazardous or endanger any property or persons.

C. Application Fee and Permit Fees for Public Fireworks Displays.

AMENDING TITLE 8, CHAPTER 8.04 – “FIREWORKS”

1 (a) Every application for a permit to conduct a public display of fireworks or for other
2 use of fireworks as permitted by section 8.04.040 shall be accompanied by a non-
3 refundable fee. (See Master Fee Schedule)

4 (b) Permit fees will be based on an initial fee (see Master Fee Schedule) and required
5 standby fees for City Departments, including, but not limited to, Fire, Police and
6 Public Works, as determined by the nature of the event and required municipal
7 services.

8 (c) Forms, processes and procedures shall be developed by the City Manager,
9 consistent with policy directives of the City Council.

10 **8.04.050 – Safe and Sane Fireworks.**

11 A. It shall be lawful to possess, sell, use, display or discharge, within the City, those
12 fireworks defined and classified as "Safe and Sane Fireworks" (or "state-approved
13 fireworks") in the California State Fireworks Law (Sections 12500, *et seq.*, of the
14 California Health and Safety Code and the relevant sections of Title 19, Code of
15 Regulations, Subchapter 6) during that time period specified in this Chapter.

16 **B. Safe and Sane Fireworks Use – Limitation on Places and Hours of Discharge.**

17 (a) It shall be unlawful to discharge any "Safe and Sane Fireworks" except during the
18 hours established in the current ~~by directive of the City Council~~ *Resolution*.

19 (b) It shall be unlawful for any person to ignite, discharge, project or otherwise fire or
20 use, any "Safe and Sane Fireworks," or permit the ignition, discharge or projection
21 thereof, upon or over or onto the property of another without his/her consent or to
22 ignite, discharge, project or otherwise fire or make use of any "Safe and Sane
23 Fireworks" within ten (10) feet of any residence, dwelling, or other structure.

24 (c) It shall be unlawful for any person to ignite, discharge, and project or otherwise
25 fire or use any "Safe and Sane Fireworks," or permit the ignition, discharge or
26 projection thereof on any public park and/or city-owned property except in
27 designated areas determined by order of the City Manager or designee.

28

AMENDING TITLE 8, CHAPTER 8.04 – “FIREWORKS”

1 (d) Additionally, it shall be unlawful for any person to ignite, discharge, project, or
2 otherwise fire or use any “Safe and Sane Fireworks,” or permit the ignition,
3 discharge or projection thereof at any location in the City within the Suisun City
4 Waterfront District, more specifically during the hours of any public event
5 commemorating Independence Day. For purposes of this section, the Waterfront
6 District shall be the area bounded by Morgan Street, Main Street, Lotz Avenue and
7 Civic Center Boulevard (including Day Park), excluding designated discharge
8 locations designated by the Fire Chief.

9 C. Each year the Fire Chief may present for City Council approval a list of designated
10 areas or City property for the public’s use of “Safe and Sane Fireworks”

11 D. No fireworks shall be discharged in "high fire hazard areas," as designated by the Fire
12 Chief.

13 E. **Safe and Sane Fireworks – Supervision of Minors.**

14 It shall be unlawful for any person having the care, custody or control of a minor
15 (under 18 years old) to permit such minor to discharge, explode, fire or set off any
16 “Dangerous Fireworks,” at any time, or to permit such minor to discharge or set off
17 any "Safe and Sane Fireworks" unless such minor does so under the direct supervision
18 of a person over 18 years of age and during the hours and on the days permitted by
19 this Chapter.

20 F. **Safe and Sane Fireworks Sale during the ~~Fourth of July~~ Designated Sales Period.**
21 **Submission of applications by Qualified Applicants**

22 (a) No nonprofit organization shall submit more than one (1) application for a permit.
23 If the City receives two (2) or more applications containing the same tax
24 identification number, only one (1) application shall be accepted. If more than one
25 application is submitted on behalf of any nonprofit, all such requests shall be
26 voidable at the discretion of the City Manager.
27
28

AMENDING TITLE 8, CHAPTER 8.04 – “FIREWORKS”

- 1 (b) Each application will be screened by the City Manager to determine if the
2 Nonprofit Organization submitting it meets the criteria to be classified as a
3 “Qualified Applicant.”
- 4 (c) Every application for a permit shall be accompanied by a non-refundable
5 application fee as set forth in the City’s Master Fee Schedule as imposed by this
6 Ordinance. This application fee shall be in addition to any permitting and
7 regulatory fees imposed by this Chapter.
- 8 (d) All applications for Fireworks Sales Permits shall be submitted in writing to the
9 City Clerk on forms supplied by the City. The application shall be made in
10 duplicate. The original of the application shall be retained by the City Clerk and
11 one copy shall be transmitted to the City Manager.
- 12 ~~(e) For the year 2012, applications must be filed from the effective date of this~~
13 ~~Ordinance through May 30, 2012. For the year 2013, applications may be filed~~
14 ~~from January 1 through February 1, inclusive. Applications filed before or after~~
15 ~~these periods shall not be accepted.~~
- 16 (f) (e) Applications for Fireworks Sales Permits will be reviewed by the Fire
17 Department, Police Department, and the City Clerk, as needed, pursuant this
18 Ordinance. Fireworks Sales Permits shall be issued by the Fire Chief.

19 **G Safe and Sane Fireworks Sales– Denial of Application.**

- 20 (a) Any denial of a permit pursuant to this Section may be appealed pursuant to the
21 procedures set forth in Section Title 1, Chapter 1.20 of the City Code.

22
23 **H Safe and Sane Fireworks – Prerequisite for Issuance of Fireworks Sales Permit.**

- 24 (a) The maximum number of permits that may be issued to qualified applicants and
25 the maximum number of "Safe and Sane Fireworks" stands that will be permitted
26 pursuant to this Chapter during any one (1) calendar year shall be determined by
27 ~~policy directive~~ Resolution of the City Council.

AMENDING TITLE 8, CHAPTER 8.04 – “FIREWORKS”

1 (b) The City Council shall determine by directive the method and procedure for
2 selection of Nonprofit Organizations to which permits shall be issued.

3 (c) Two (2) or more eligible nonprofit organizations may jointly submit an application
4 pursuant to this Chapter and may jointly receive a permit to sell fireworks pursuant
5 to this Chapter. In addition, if a qualified applicant is selected as a permittee, it
6 may select one or more other qualified applicants to join it in a joint venture
7 operation of the fireworks stand and jointly receive a permit to sell fireworks
8 pursuant to this Chapter.

9 (d) Permits issued pursuant to this Section are valid only during the calendar year
10 issued.

11 (e) The City Fireworks Sellers Permit is a temporary vendor's permit is a temporary
12 ~~vendor's permit~~ for the sales of Safe and Sane fireworks, *and* other celebratory
13 items (that have been approved by the Fire Chief and Community Development
14 Director) and T-shirts bearing the wholesaler's corporate logos. No other
15 merchandise shall be sold from the fireworks stand.

16 (f) Prior to the issuance of a permit pursuant to this Chapter, and in addition to those
17 other requirements set forth in this Chapter and required by the City Manager in
18 order to implement this ordinance, a qualified Nonprofit Organization shall
19 demonstrate compliance with all of the following in order for a permit to be
20 issued:

- 21 i. Provide to the City a copy of the requisite retail sales permit issued
22 by the Office of the California State Fire Marshal;
- 23 ii. Payment to the City of the permit/license fee at the amount
24 established by Resolution of the City Council and as set forth in the
25 Master Fee Schedule;
- 26 iii. Payment to the City of the regulatory fees in the amount established
27 by Resolution of the City Council and as set forth in the Master Fee
28 Schedule;

AMENDING TITLE 8, CHAPTER 8.04 – “FIREWORKS”

- 1 iv. Provide to the City a copy of the permittee’s California State Board
- 2 of Equalization Temporary Sales Tax Permit.
- 3 v. Provide evidence of valid insurance policies in a form and amount,
- 4 and with coverage types required by the City. Such policies shall
- 5 name the City, its officers, officials, agents, and employees as
- 6 additional insured. Such policies shall be paid for and maintained in
- 7 full force and effect by the permittee throughout the term a fireworks
- 8 sales permit.
- 9 vi. Provide to the City a written plan that indicates hours of operation of
- 10 the stand, number of staff on duty and a budget to show reasonable
- 11 expenses.

12 (g) The continued validity of any City permit issued pursuant to this Chapter shall be

13 subject to the requirement that at least one or more representatives of each

14 nonprofit organization shall attend a "Safe and Sane Fireworks" stand operator

15 safety seminar supervised by the Fire Department and conducted by each licensed

16 fireworks wholesaler that is supplying "Safe and Sane Fireworks" to the Nonprofit

17 Organization. The failure of a Nonprofit Organization to comply with this

18 provision shall result in the revocation of its permit to sell "Safe and Sane

19 Fireworks."

20

21 **J. Safe And Sane Fireworks – Temporary Fireworks Stand.**

22 All retail sales of "Safe and Sane Fireworks" shall be permitted from within a

23 temporary fireworks stand, and retail sales from any other building or structure is

24 hereby prohibited. Temporary stands shall be subject to NFPA 1124 Code for the

25 Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic

26 Articles, 2006 Edition.

AMENDING TITLE 8, CHAPTER 8.04 – “FIREWORKS”

1 K. Safe and Sane Fireworks – Operation of Fireworks Stand.

- 2 a. No person shall knowingly sell fireworks to any person under the age of eighteen
3 (18) years. Proof that the fireworks stand operator/organization demanded, was
4 shown and acted in reliance upon bona fide evidence of age and identity in any
5 sale of fireworks forbidden by this Chapter shall be a defense for any proceedings
6 for suspension or revocation of its Fireworks Sales Permit or any criminal
7 proceedings for violations of this Chapter. For purposes of this section, bona fide
8 evidence of age and identity of purchaser is a document issued by a federal, state,
9 county or municipal government that contains a photograph of the purchaser,
10 including, but not limited to, a valid California Driver's License or Identification
11 Card issued to a member of the Armed Forces.
- 12 b. ~~Dates and Hours of the sale of "Safe and Sane Fireworks" shall be consistent with~~
13 ~~the directives of the current City Council Resolution.~~
- 14 c. No person other than the individuals who are members of the permittee and/or
15 joint venture nonprofit organization(s) or the spouses, parents or adult children of
16 such members shall sell or otherwise participate in the sale of "safe and sane
17 fireworks" inside such fireworks stand.
- 18 d. No person under the age of eighteen (18) years shall sell or participate in the sale
19 of "Safe and Sane Fireworks" within such fireworks stand. This will include
20 stocking the stand, moving, removing and storing product at the end of the sales
21 period.
- 22 e. No person shall be paid any consideration by the permittee nonprofit
23 organization(s) or any wholesaler/distributor of "Safe and Sane Fireworks" for
24 selling or otherwise participating in the sale of "Safe and Sane Fireworks" at such
25 fireworks stand; provided, however, that compensation may be paid for licensed
26 security personnel during sale or non-sale hours and to the party authorizing the
27 location of the stand on its property.
- 28

AMENDING TITLE 8, CHAPTER 8.04 – “FIREWORKS”

- 1 f. All fireworks shall be retained at the approved location. In no event shall unsold
2 fireworks be removed from the approved location to any other place without
3 written approval of the Fire Chief.
- 4 g. When the fireworks stand is not being used for sale and/or display of fireworks, a
5 reinforced, heavy metal, fully enclosed, walk-in type container, or its equivalent,
6 as approved by the Fire Chief, shall be used to store fireworks.
- 7 h. Fireworks stands may be put in place by the permittee ~~no earlier than 8:00 a.m. on~~
8 *the date and time specified in the current City Council Resolution June 20 of each*
9 *year.*
- 10 i. The fireworks stand shall be removed from the temporary location *on the date and*
11 *time specified in the current City Council Resolution by 12:00 p.m. on July 10 of*
12 *each year.* All unsold fireworks and accompanying litter shall be cleared from the
13 location *on the date and time specified in the current City Council Resolution by*
14 *5:00 p.m. on July 6.* If the permittee does not remove the stand and/or clean the
15 sales site as required by this chapter, the City may do so, or cause the same to be
16 done, and the reasonable cost thereof shall be charged against the permittee.
- 17 j. Each fireworks stand must post in a prominent location inside the fireworks stand:
18 i. City Fireworks Sales Permit,
19 ii. Temporary sales tax permit from the California State Board of
20 Equalization,
21 iii. State Fire Marshal Retail Sales Permit, and
22 iv. Proof of required insurance.
- 23 k. All weeds and combustible material shall be cleared from the location of the
24 fireworks stand, including a distance of at least twenty-five (25) feet surrounding
25 the fireworks stand.
- 26 l. “NO SMOKING within 25 feet” signs shall be prominently displayed on the
27 fireworks stand. Such signs shall with state statutes. Each sales counter shall
28 include a posted and visible sign reading “You Must be 18 years old to Purchase
Fireworks – Valid ID is Required”

AMENDING TITLE 8, CHAPTER 8.04 – “FIREWORKS”

- 1 m. Construction of all fireworks stands shall be inspected and approved by the City
Building Department.
- 2 n. Each fireworks stand shall have at least two (2) exits. Fireworks stands in excess
3 of forty (40) feet in length shall have at least three exits spaced approximately
4 equidistant apart, provided that in no case shall the distance between exits exceed
5 twenty (20) feet. Each exit must be at least twenty-four (24) inches wide and six
6 (6) high.
- 7 o. Any interior lighting and wiring shall be inspected and approved by the City
8 Building Department.
- 9 p. Each fireworks sales stand shall be required to have two (2) two-and-one-half (2.5)
10 gallon pressurized water type fire extinguishers, in good working order with
11 current inspection tags, easily accessible for use in case of fire.
- 12 q. Uses of tents, pop-up tents, shade structures, or other add on structures to the
13 fireworks stand must be inspected and approved by the City Building Department.
- 14 r. Each fireworks stand must have a responsible person over the age of eighteen (18)
15 years in attendance and in charge of the fireworks stand being used for sale or
16 dispensing of fireworks.
- 17 s. No person shall sleep or remain in the fireworks stand after the close of daily
18 business.
- 19 t. No fuel-powered generator or similar equipment shall be allowed within fifty (50)
20 feet of a fireworks stand.
- 21 u. No fireworks shall be located within twenty-five (25) feet of any other structure,
22 and shall not be located within one hundred (100) feet of a location where gasoline
23 or any other flammable liquids are stored or dispensed.
- 24 v. A minimum of twenty-five (25) feet of clear space must be maintained between
25 parked vehicles and the fireworks stand. Adequate area shall be provided for
26 vehicle circulation and parking.
- 27 w. No fireworks shall be ignited, or discharged within 25 feet of the fireworks stand.
28 Signage to that effect shall be posted in a manner clearly visible to the parking
area.

AMENDING TITLE 8, CHAPTER 8.04 – “FIREWORKS”

- 1 x. There shall be no smoking materials or flame producing devices inside or within
- 2 25 feet of the fireworks stand.
- 3 y. The only items that can be sold from the fireworks stand are the manufacturer’s
- 4 approved “State Fire Marshal listed Safe and Sane Fireworks,” other celebratory
- 5 items (that have been approved by the Fire Chief and Community Development
- 6 Director), and T-shirts bearing the wholesaler’s corporate logo.
- 7 z. Signage for the fireworks stands and designated fireworks use areas.
 - 8 i. Signage associated with the sale of Safe and Sane fireworks and in
 - 9 conjunction with this Chapter is exempt from the provisions of Section
 - 10 18.54, entitled “Signs,” of this Suisun City Municipal Code.
 - 11 ii. Sign permits are not required for signs, but all signs, locations and use
 - 12 must be approved by the Community Development Department prior to
 - 13 construction and display.
 - 14 iii. Sign construction shall be inspected and approved by the City Building
 - 15 Department.
 - 16 iv. Signs for fireworks sales shall be displayed no earlier than *the date and*
 - 17 *time specified in the current City Council Resolution June 20*, and must be
 - 18 removed by *the date and time specified in the current City Council*
 - 19 *Resolution July 6*.
 - 20 v. Signs cannot be any larger than 32 square feet (4’ X 8’).
 - 21 aa. Any other requirements determined appropriate and necessary by the City
 - 22 Manager for implementation of the Council Policy Directives relating to this
 - 23 ordinance and the Public Safety.

24 **L. Temporary Sales Tax Permit**

- 25 a. Each permittee must obtain a temporary sales tax permit from the State Board of
- 26 Equalization.

27 **M. Nonprofit Organization – Financial Obligations**

- 28 a. The permittee shall be responsible for the collection and remittance of sales tax
- and any other fees consistent with this Chapter and the policy directives of the City
- Council and all other amounts that the permittee is contractually bound to pay the
- City.

AMENDING TITLE 8, CHAPTER 8.04 – “FIREWORKS”

1 **N. Nonprofit Organization Financial Statement.**

2 ~~On or~~ before November 1st of any year authorized pursuant to a permit, the permittee
3 shall submit to the City Clerk a financial statement by the treasurer or financial officer
4 of the permittee setting forth the total gross receipts from the fireworks stand operated
5 by the permittee; all expenses incurred and paid in connection with the purchase of
6 fireworks and the sale thereof; and to whom and for what purpose the net proceeds
7 were or will be disbursed, along with the most recent report filed by the permittee to
8 the State Board of Equalization. The filing of such statement shall be a condition
9 precedent to the granting of any subsequent permit.

10 **O. Safe and Sane Fireworks – Revocation of Permit; Appeal.**

- 11 a. The Fire Chief may revoke, immediately, the permit of any permittee who violates
12 any provision of this chapter in a manner that causes an immediate danger to
13 public health and safety, or required for the orderly administration of this chapter.
14 If the revocation occurs between *six (6) days before the sales period, during the*
15 *Designated Sales Period, or until one (1) day after the sales period* ~~June 22 and~~
16 ~~July 5~~, the Fire Chief shall inform the permittee that the permittee may seek review
17 of the Fire Chief's decision by the City Manager, or the City Manager's designee,
18 on the next business day. At the earliest opportunity on the next business day after
19 the revocation, the Fire Chief shall provide the City Manager with written notice
20 that a fireworks permit has been revoked, including the name of the permittee and
21 a brief statement of the grounds for revocation. The City Manager, or the City
22 Manager's designee, shall meet with the permittee and the Fire Chief on that day,
23 upon the permittee's request, to review the Fire Chief's decision. The decision of
24 the City Manager shall be final. If the revocation occurs before or after the
25 specified period, the appeal procedures of Subdivision (b) shall apply.
- 26 b. If the revocation occurs before *six (6) days before the Designated Sales Period*
27 ~~June 22~~, such revocation shall not take effect for five (5) days, during which time
28 the permittee may seek review of the Fire Chief's decision by submitting a written

AMENDING TITLE 8, CHAPTER 8.04 – “FIREWORKS”

1 request for review to the City Manager. The Fire Chief shall provide the City
2 Manager with written notice that a fireworks permit has been revoked, including
3 the name of the permittee and a brief statement of the grounds for revocation. The
4 City Manager, or the City Manager’s designee, shall meet with the permittee and
5 the Fire Chief to review the Fire Chief’s decision. The decision of the City
6 Manager shall be final.

7 c. Any permittee, whose permit has been revoked pursuant to Subdivision (a) or (b)
8 hereof, shall be barred from receiving a permit under this Chapter for up to two (2)
9 years from the date of revocation.

10 **P. Safe and Sane Fireworks – Wholesale Storage.**

11 Wholesale storage of "Safe and Sane Fireworks" by fireworks wholesalers licensed by the
12 Office of the California State Fire Marshal shall be subject to NFPA 1124 Code for the
13 Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic
14 Articles, 2006 Edition and can be stored year-round in the City by a fireworks wholesaler
15 licensed by the Office of the California State Fire Marshal, so long as said fireworks
16 wholesaler has not been found to be in violation of the terms of this Chapter.

17 **Q. Seizure of Fireworks.**

18 The Fire Chief may seize, take, remove or cause to be removed, at the expense of the
19 permittee or licensed fireworks wholesaler, whichever is applicable, all stock of fireworks
20 offered or exposed for sale, stored or held in violation of this Chapter when such violation
21 creates an imminent threat to public health or safety.

22 **R. Fireworks Wholesaler – Distribution Agreement.**

23 a. All fireworks wholesalers who seek to do business in Suisun City and supply and
24 contract with applicants for fireworks booth permits in the City, shall enter into
25 and execute a Fireworks Wholesaler Distribution Agreement with the City by no
26 later than *the date and time specified in the current City Council Resolution March*
27 *1 of each calendar year (for 2012, the date will be May 1, subject to adoption of*
28

AMENDING TITLE 8, CHAPTER 8.04 – “FIREWORKS”

1 this ordinance). Said distribution agreement shall require the fireworks wholesaler
2 to contractually commit to the following:

- 3 1. Conduct a “Safe and Sane Fireworks” Stand Operator Safety
4 Seminar supervised by the Fire Department;
- 5 2. Develop and submit an approved Fireworks Wholesaler Public
6 Education Plan;
- 7 3. Comply with the correct and timely placement and removal of all
8 fireworks stands and storage containers within the city limits; and
- 9 4. Other such requirements deemed appropriate and necessary by the
10 City Manager and Fire Chief.

11 b. No permits shall be issued pursuant to this Chapter to any permit applicant unless
12 and until their fireworks wholesaler has entered into a valid, annual Fireworks
13 ~~Wholesaler Distribution Agreement with the City.~~

14 c. If a fireworks wholesaler believes the terms and conditions of the proposed
15 Fireworks Wholesaler Distribution Agreement are unfair and/or unreasonable, it
16 may request an appeal before the City Council at its first meeting following the
17 deadline set forth in Subsection (a.) above.

18 **S. Fireworks Wholesaler Public Education Plan.**

19 a. Each fireworks distributor/wholesaler supplying one or more Nonprofit
20 Organizations who are permittees under this Chapter, shall ~~annually~~ submit a
21 Public Education Plan to the City by no later than *the date and time specified in*
22 *the current City Council Resolution 5:00 pm on June 1.* Said Public Education
23 Plan shall outline the public safety and education efforts for that year that have
24 been initiated, supported, and/or delivered by each fireworks
25 distributor/wholesaler within the City. Said public education plan shall include, but
26 is not limited to, samples of all the materials and the extent of distribution of all of
27 the safety and education materials discussed in that wholesaler’s/distributor’s plan.
28

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1 **T. Regulatory Fee Imposed Upon Permittees**

2 a. The City will require each applicant receiving a permit to pay a reasonable regulatory fee,
3 as described in Section 1(e)(3) of Article XIII C of the California Constitution. The fee shall
4 represent the reasonable regulatory costs to the City for issuing licenses and permits,
5 performing investigations, inspections and audits, and the administrative enforcement and
6 adjudication thereof. The fees established pursuant to this section are used to enforce the
7 provision of this Chapter and not intended to generate excess revenue for the City.

8 b. Nothing herein shall limit or prohibit permittees from making voluntary contributions.

9 **U. Administrative Fines and Penalties.**

10 (a) This Chapter authorizes the imposition of administrative fines on any person who
11 violates any provision of this ordinance in order to encourage and obtain
12 compliance with the provisions of this ordinance for the benefit and protection of
13 the entire community.

14 (b) The issuance of citations, imposing administrative fines, right to appeal, and the
15 right for an administrative hearing shall be performed in accordance with Title 1,
16 Chapter 1.20 – Administrative Citations of the Suisun City Code.

17 (c) This Chapter governs the imposition, enforcement, collection and administrative
18 review of all administrative fines, related to the possession, use, storage, sale
19 and/or display of quantities less than 25 pounds of those fireworks classified as
20 “Dangerous Fireworks” in California Health and Safety Code Section 12500, et
21 seq., with the exception of a pyrotechnic licensee when operating pursuant to that
22 license; and the use of “Safe and Sane Fireworks” as defined in California Health
23 and Safety Code Section 12500 et seq. on or at dates, times and/or locations other
24 than those permitted by this ordinance. Said administrative fines are imposed
25 under authority of Government Code Section 53069.4, Health and Safety Code
26 Section 12557, and the police power of the City.

26 (d) Administrative Fines – Each person who violates any provision of this code as it
27 relates to the possession, use, storage, sale and/or display of “Dangerous
28

AMENDING TITLE 8, CHAPTER 8.04 – “FIREWORKS”

Fireworks” shall be subject to the imposition and payment of an administrative fine or fines as provided below:

Number of Offense in One-Year Period	Amount of Administrative Penalty	Late Charge	Total Amount of Penalty plus Late Charge
First	\$500	\$ 150	\$ 650
Second	\$750	\$ 250	\$ 1,000
Third	\$1,000	\$ 500	\$ 1,500

i. Each person who uses “Safe and Sane Fireworks” on or at dates, times and/or locations other than those permitted by this ordinance shall be subject to the imposition and payment of an administrative fine or fines as provided below:

Number of Offense in One-Year Period	Amount of Administrative Penalty	Late Charge	Total Amount of Penalty plus Late Charge
First	\$ 250	\$ 50	\$ 300
Second	\$ 500	\$ 100	\$ 600
Third	\$ 750	\$ 200	\$ 950

(e) Payment of the administrative fine shall not excuse or discharge a citee from the duty to immediately abate and correct a violation of this Chapter, nor from any other responsibility or legal consequences for a continuation or a repeated occurrence(s) of a violation of this Chapter.

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(f) Because of the serious threat of fire or injury posed by the use of “Dangerous Fireworks” that can result from persistent or repeated failures to comply with the provisions of this code and the effect of such conditions or activities on the safety and the use and enjoyment of surrounding properties and to the public health, safety and welfare, this Chapter imposes strict civil liability upon the owners of residential real property for all violations of this code existing on their residential real property.

(g) Issuance of Administrative Citation-Contents.

i. Whenever an Enforcement Officer (EO) determines that a violation of the code has occurred, the EO shall issue an administrative citation in compliance with the requirements of Title 1, Chapter 1.20 – Administrative Citations Suisun City Code.

8.04.060 – Concurrent Authorities; Provisions Supplementary

This Chapter is not the exclusive regulation for fireworks within the City of Suisun City. It shall supplement and be in addition to the other regulatory codes, statutes, regulations and ordinances heretofore and hereinafter enacted by the City of Suisun City, the State of California or any other legal entity or agency having jurisdiction. The provisions of this chapter are supplementary to the provisions of the Uniform Fire Code and Uniform Building Code. In case of a direct conflict between the provisions of the Uniform Fire Code or Uniform Building Code and the provisions of this chapter, this chapter shall prevail. Except with respect to direct conflict, the provisions of the Uniform Fire Code and Uniform Building Code shall remain in full force and effect.

SECTION 2. EFFECTIVE DATE.

In accordance with Section 36937 of the Government Code of the State of California, this Ordinance shall take effect and be in force thirty (30) days from and after the date of its passage.

SECTION 3.

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of any competent jurisdiction, such

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1 decision shall not affect the validity of the remaining portions of this ordinance. The City
2 Council hereby declares that it would have passed this ordinance, and each and every section,
3 subsection, sentence, clause, and phrase thereof not declared invalid or unconstitutional
4 without regard to whether any portion of the ordinance would be subsequently declared
5 invalid or unconstitutional.

6 **SECTION 4.**

7 This ordinance shall be posted in at least three (3) public places within the City or published
8 in a county newspaper that is circulated in the City within fifteen (15) days after its passage,
9 there being no newspaper of general circulation printed and published within the City.

10 **PASSED, APPROVED, AND ADOPTED** as an Ordinance at a regular meeting of
11 the City Council of the City of Suisun City, California, on this ___ day of ____ 2012.

12 _____
13 Pete Sanchez

14 Mayor

15 **CERTIFICATION**

16 I, Linda Hobson, City Clerk of the City of Suisun City, California, do hereby certify that the
17 foregoing Ordinance was introduced at a regular meeting of the City Council on April 3, 2012
18 and passed, approved, and adopted by the City Council of the City of Suisun City at a regular
19 meeting held on the ___ day of ____ 2012 by the following vote:

20 **AYES:** Councilmembers: _____
21 **NOES:** Councilmembers: _____
22 **ABSENT:** Councilmembers: _____
23 **ABSTAIN:** Councilmembers: _____

24 **WITNESS** my hand and the seal of said City this 3rd day of April 2012.

25 _____
26 Linda Hobson, CMC
27 City Clerk
28

- 1 **2. Locations of fireworks stands.** Fireworks stand locations will be approved by the
2 City Manager.
- 3 **3. Fireworks stands.** Fireworks stands may be put in place by the permittee no earlier
4 than 8:00 a.m. on June 20. Signs for fireworks sales shall be displayed no earlier than seven
5 days before the approved start of sales, June 20, and must be removed by July 6, four (4) days
6 after the fireworks sales period ends.
- 7 All unsold fireworks and accompanying litter shall be cleared from the location by 5:00 p.m.
8 two (2) days after the fireworks sales period ends, July 6.
- 9 The fireworks stand shall be removed from the temporary location by 12:00 p.m. by July 10.
- 10 **4. Permissible hours of use.** It shall be unlawful to discharge any "Safe and Sane
11 Fireworks" except during the hours of 9:00 am to 10:00 pm June 28 through July 6.
- 12 **5. Permissible hours of sale.** Dates and Hours of the sale of "Safe and Sane Fireworks"
13 shall begin no earlier than 12:00 noon on June 28 and shall not continue after 9:00 pm on July
14 4 of the same year. Sale of fireworks shall be permitted only from 12:00 noon to 9:00 pm on
15 June 28 and from 9:00 am to 9:00 pm daily on June 29 through July 3, and 9:00 am to 9:00
16 pm on July 4.
- 17 **6. Filing Application for Firework sales on July 4th.** Applications will be accepted
18 from January 1, through the first City business day in February. *Added*
- 19 **7. Permittee selection process.** The process for selection of permittees to hold and use
20 Fireworks Sales Permits shall be consistent with the following policy directives:
- 21 a. Only Qualified Applicants, as that term is defined in section 8.04.010 of the
22 Municipal Code, shall be eligible to submit an application for a permit. Applicants are
23 qualified on the basis of the following criteria:
- 24 i. Organizations that have proved they are qualified by documentation of
25 charitable nonprofit status with the State and IRS 501 3c. the
26 organization bylaws or Articles of incorporation shall state organized
27 for a charitable, educational, religious, or scientific purposes, and, a
28 nonprofit organization.

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ii. Charitable organizations "Primarily Serving Suisun City Residents and Businesses," as that phrase is defined in the Municipal Code, and are organized primarily to benefit youth, schools, veterans, or local businesses in Suisun City shall be given preference in the first lottery drawing.

iii. The organization has at least 10 members that will staff the booth and a plan to keep the booth open for the full sales period.

b. The lottery shall take place at a time, place, and manner determined by the Fire Chief in accordance with the administrative rules and procedures adopted by the Fire Chief.

i. If three or less organizations with the above preference apply, these organizations will be drawn in a lottery to determine the choice of fireworks stand sites and permits. If more than three organizations with the above preferences have applied, these applications will be placed in the first lottery and three drawn for site preference and permits.

ii. After the authorized number of permits has been drawn or less than three preferred organizations apply, the remaining qualified applicants shall be drawn in a second lottery for the choice of available sites and permits. The remaining will be listed as alternates according to the order drawn. Each alternate, according to the order drawn, shall be offered a permit if one of the original permittees cannot meet the requirements of this Chapter or if a permittee voluntarily surrenders its permit.

7. **City Manager to administer fireworks program.** The City Manager is hereby directed to administer the Suisun City Fireworks Program; the City Council of the City of Suisun City authorizes the City Manager to execute any and all necessary documents pertaining to implementation of the Sales and the Use of Safe and Sane Fireworks in the City Suisun City.

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PASSED AND ADOPTED by the City Council of the City of Suisun City at a

regular meeting thereof held on the 16th day of October, 2012 by the following vote:

AYES: Councilmembers: Day, Derting, Hudson, Segala
NOES: Councilmembers: None
ABSENT: Councilmembers: Sanchez
ABSTAIN: Councilmembers: None

WITNESS my hand and the seal of said City this 16th day of October, 2012.

Donna Pock, CMC
Deputy City Clerk

AGENDA TRANSMITTAL

MEETING DATE: November 20, 2012

CITY AGENDA ITEM: Reauthorization and Continuation of the Suisun City Historic Waterfront Business Improvement District:

- a. Council Adoption of Resolution No. 2012-__ : Reauthorizing and Continuing the Suisun City Historic Waterfront Business Improvement District and the Assessment Levy for the District; and
- b. Council Adoption of Resolution No. 2012-__ : Accepting the 2012 Annual Report, and Approving the Proposed Calendar Year 2013 Operating Budget for the Suisun City Historic Waterfront Business Improvement District.

FISCAL IMPACT: No net fiscal impact in that staff processes these as part of the business license billing.

BACKGROUND: Per City Ordinance No. 667, enacted April 18, 2003, the Main Street Waterfront Business Improvement District, commonly known as the Suisun City Historic Waterfront Business Improvement District, (the "District") was established. The District is a 501(c)(3) non-profit organization created at the request of downtown merchants to promote improved business conditions and marketing of downtown Suisun City. Under procedures described in the California Street and Highways Code, the City on behalf of the BID levies assessments on those businesses within the District area (see attached map) for use in various marketing and improvement activities, as determined beneficial by the District board. Each year since 2003, the Council has reauthorized the continued operation of the District.

STAFF REPORT: On November 1, 2012, the District board submitted its annual report and proposed budget for the 2013 calendar year for City Council review, and requested consideration of continuation of the District and its related assessment for 2013.

The District significantly increased its participation in efforts of communitywide significance in 2012, particularly in the area of community events. As the City curtailed its event activities as a result of budgetary challenges, several local groups, including the District, stepped forward to assist. The Council Ad Hoc Committee that crafted the new model for community events included several District board members as active participants, and several serve on the Suisun City Community Services Foundation board.

Specifically, the District's accomplishments for the past year included:

- Expanded the Mother's Day Artisan Fair.
- Co-sponsored the Radio Disney life jacket distribution event.
- Donated \$1,200 in cash to support the Tops in Blue performance and the July Fourth Celebration.

PREPARED BY:
REVIEWED BY:
APPROVED BY:

SC Scott T. Corey, Marketing Manager
 Jason Garben, Economic Development Director
 Suzanne Bragdon, City Manager *S.B.*

- Operated one of three fireworks sales booths in partnership with a Suisun City Titans Youth Football and Cheer generating \$23,000 for the July Fourth Celebration in 2013.
- Expanded the Waterfront Festival featuring Art, Wine & Chocolate.
- Cosponsored the Wine Tasting at Harbor Square event, which ran from May through October.
- Provided trick or treating opportunities following the Halloween Parade.
- Is very active in planning and execution of the Christmas at the Waterfront event.

Consider Continuing the District

The City Council annually considers adoption of a resolution renewing the establishment of the District, as described in Ordinance 667. The resolution describes the boundaries of the District, the general purposes for which assessments may be used, and three benefit zones with associated assessment rates according to business type.

The District Board requested no changes to the District boundaries, uses of funds, benefit zones or assessment rates. Staff is not recommending any matching fund for the District. Continuation of the District is necessary this month so the assessment can be collected as part of the annual Business License billing cycle.

Review and Approve the Proposed District Budget

City Code Section 3.40.110 directs the District “board to present an annual budget for City Council review and approval prior to the beginning of each fiscal year.” It further provides that the “City shall not adopt, modify or otherwise amend any fiscal year budget of the District that is inconsistent in any way with said fiscal year’s budget as agreed to and presented by the BID board except in the case of a written majority protest”

On November 20, 2012, the District submitted its 2012 Annual Report and Proposed 2013 Budget. Over the past several years, the Council has requested additional supplemental financial information to assist in the deliberative process, which was collected by Staff and provided to the Council.

The District financial information distributed to the City Council as part of this staff report includes:

- The District’s 2012 Annual Report and Proposed 2013 Budget.
- Twelve months of actual District expenditure detail beginning November 1, 2011, through October 31, 2012.
- Profit and loss statement comparing District’s 2012 budget to actual expenditures January through December 2011.
- Estimated District expenditures November through December 2012, and January 1 through March 31, 2013.

The City Council is empowered to approve or disapprove the District budget in its entirety. In the event the City Council wishes to recommend changes in the budget, such direction should be delineated and consideration of the budget resolution continued to allow the District board an opportunity to consider amending its budget accordingly. Though the District may not spend additional resources without an approved budget, renewal of the assessment would allow the Finance Department to collect the assessments with the business license renewals, and hold the proceeds until such time as a District budget is approved.

Matching Funds

In past years, the Redevelopment Agency provided matching funds to support the efforts of the District. Given the State dissolution of the RDA, and the resulting constraints on the City's budget, staff is not recommending any matching funds for the District at this time.

District officers and board members will attend the Council meeting to make a brief presentation.

RECOMMENDATION: It is recommended that the City Council adopt:

1. Resolution No. 2012-__: Reauthorizing and Continuing the Suisun City Historic Waterfront Business Improvement District and the Assessment Levy for the District; and
2. Resolution No. 2012-__: Accepting the 2012 Annual Report, and Approving the Proposed Calendar Year 2013 Operating Budget for the Suisun City Historic Waterfront Business Improvement District.

ATTACHMENTS:

1. Resolution No. 2012-__: Reauthorizing and Continuing the Suisun City Historic Waterfront Business Improvement District and the Assessment Levy for the District.
2. Resolution No. 2012-__: Accepting the 2012 Annual Report, and Approving the Proposed Calendar Year 2013 Operating Budget for the Suisun City Historic Waterfront Business Improvement District.
3. The District's 2012 Annual Report and Proposed 2013 Budget.
4. Twelve months of actual District expenditure detail beginning November 1, 2011, through October 31, 2012.
5. Profit and loss statement comparing District's 2011 budget to actual expenditures January through December 2011.
6. Estimated District expenditures November through December 2012, and January 1 through March 31, 2013.

RESOLUTION NO. 2012-__

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY
REAUTHORIZING AND CONTINUING THE SUISUN CITY HISTORIC
WATERFRONT BUSINESS IMPROVEMENT DISTRICT AND THE
ASSESSMENT LEVY FOR THE DISTRICT**

WHEREAS, the California Streets and Highways Code Section 36500 *et seq.* authorizes cities to establish parking and business improvement areas for the purpose of promoting economic revitalization and physical maintenance of business districts in order to create jobs, attract new business and prevent erosion of the new business district; and

WHEREAS, the Main Street-Waterfront Business Improvement District, commonly known as the Suisun City Historic Waterfront Business Improvement District (District), was formed, at the request of the Main Street-Waterfront Business Improvement District Formation Committee (Committee), by City Council approval of City Ordinance No. 667 on April 18, 2003; and

WHEREAS, at the request of the Committee, Ordinance No. 667 established an annual special assessment on all businesses within the District, which said assessment must be renewed annually by City Council; and

WHEREAS, the District Board of Directors (Board) has requested the Suisun City Council renew the special assessment on all businesses within the District; and

WHEREAS, the assessment will continue at the same level established in 2003 by adoption of City Ordinance No. 667; and

WHEREAS, protests in writing from businesses in the District paying 50% or more of the proposed assessment have not been received; and

WHEREAS, this City Council has now determined to reauthorize the imposition of a benefit assessment for the District; and

WHEREAS, in the opinion of this City Council, the businesses within the District will be benefited by the expenditure of the funds raised by the assessments levied hereby in the manner prescribed herein; and

WHEREAS, the assessments or charges levied on businesses pursuant to this Ordinance shall be levied, to the maximum extent feasible, on the basis of the estimated benefit to the businesses within the District.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Suisun City does hereby determine that:

1. The recitals set forth herein are true and correct.

2. The City Council does, at the request of the Board and pursuant to the California Streets and Highways Code, reauthorize and continue the ~~“Main Street-Waterfront Business Improvement District,”~~ commonly known as the ~~“Suisun City Historic Waterfront Business Improvement District”~~ (District).
3. The boundaries of the entire area included in the District, and the boundaries of each separate benefit zone within the District, are set forth in the Map, Exhibit A, incorporated herein by reference. A true and correct copy of the map is on file with the City Clerk of the City of Suisun City.
4. The types of improvements and activities proposed to be funded by the levy of assessments on businesses in the District are in Exhibit B hereto and incorporated by reference.
5. The City Council reauthorizes and renews the levy of an annual benefit fee on businesses in the District to pay for selected improvements and activities of the District.
6. All funds of the District shall be expended on improvements and activities within the District.
7. ~~The method and the basis for levying the benefit fee on all the businesses within the District are set forth in the Exhibit C hereto, incorporated herein by reference.~~
8. This Resolution is effective on its adoption.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Suisun City, duly held on the 20th day of November 2012 by the following vote:

AYES: Councilmembers:
NOES: Councilmembers:
ABSENT: Councilmembers:
ABSTAIN: Councilmembers:

WITNESS my hand and the seal of said City this 20th day of November 2012.

Linda Hobson, City Clerk

PROPOSED SUISUN CITY DOWNTOWN - WATERFRONT BUSINESS IMPROVEMENT DISTRICT (BID) BOUNDARY MAP



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EXHIBIT B

Purpose and Use of Benefit Assessments.

The types of improvements and activities proposed to be funded by the levy of assessments on businesses in the District are as follows:

a. The acquisition, construction, installation, or maintenance of any tangible property with an estimated useful life of five years or more including, but not limited to, the following improvements:

- (1) Benches;
- (2) Trash receptacles;
- (3) Decorations;
- (4) Signage
- (5) Facade improvements;
- (6) Permanent landscaping

b. Activities including but not limited to the following:

- (1) Promotion of public events which benefit businesses in the area and which take place on or in public places within the area;
- (2) Furnishing of music in any public place in the area;
- (3) Activities which benefit businesses located and operating in the area, including but not limited to commercial shopping and promotional programs.

c. Activities in support of the "Main Street West" plan.

EXHIBIT C

DISTRICT ASSESSMENT FORMULA
Proposed 2013 Benefit Fee Formula Matrix:

	ZONE A	ZONE B	ZONE C
Retailers and Restaurants	\$400	\$300	\$200
Service Businesses	\$300	\$200	\$150
Lodging	\$ 10 per room	\$ 10 per room	\$ 10 per room
Professional Businesses	\$200	\$150	\$100
Financial Institutions	\$500	\$500	\$500

Business Type Definitions:

Retail and Restaurant: Businesses that buy and resell goods, examples are clothing stores, shoe stores, office supplies, as well as businesses that sell prepared foods and drinks.

Service Businesses: Businesses that sell services. Examples are beauty and barber shops, repair shops, most automotive-oriented businesses, entertainment businesses such as theaters, etc.

Lodging: Includes renting rooms by the day or week to community visitors.

Professional Businesses: Includes Architects, Engineers, Attorneys, Dentists, Doctors, Accountants, Optometrists, Realtors, Insurance Offices, Mortgage Brokers and most other businesses that require advanced and/or specialized licenses and/or advanced academic degrees.

Financial Institutions: Includes banking and savings and loan institutions, as well as credit unions, etc.

RESOLUTION NO. 2012-__

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY
ACCEPTING THE 2012 ANNUAL REPORT, AND APPROVING THE
PROPOSED CALENDAR YEAR 2013 OPERATING BUDGET FOR THE
SUISUN CITY HISTORIC WATERFRONT BUSINESS IMPROVEMENT
DISTRICT**

WHEREAS, the City Council has passed Ordinance No 667 establishing the Main Street-Waterfront Business Improvement District, commonly known as the Suisun City Historic Waterfront Business Improvement District (District); and

WHEREAS, said Ordinance requires the District to present an annual report and annual budget to the City of Suisun City for review and approval; and

WHEREAS, the City Council of the City of Suisun City has reviewed the proposed District budget; and

WHEREAS, the City Council desires to promote and assist the District to insure the success of the projects and programs of the District.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Suisun City does hereby accept the 2012 Annual Report, and approve the calendar year 2013 operating budget for the District.

PASSED AND ADOPTED at a meeting of the City Council of the City of Suisun City, duly noticed and held on the 20th day of November 2012 by the following City Council vote:

AYES: Councilmembers:
NOES: Councilmembers:
ABSENT: Councilmembers:
ABSTAIN: Councilmembers:

WITNESS my hand and the seal of said City this 20th day of November 2012.

Linda Hobson, City Clerk



**SUISUN CITY HISTORIC WATERFRONT BUSINESS IMPROVEMENT DISTRICT
2012 ANNUAL REPORT TO THE CITY COUNCIL**

(Submitted to City of Suisun City staff on November 1, 2012)

Dear Mayor Sanchez, Suisun City Council Members and City Staff:

The Suisun City Historic Waterfront Business Improvement District is pleased to submit the attached annual report to the City Council. The report includes the following:

Executive Summary – Gives the highlights of SCHWBID's accomplishments in 2012.

SCHWBID End of Year Report 2012 – Recaps in detail our activities and accomplishments for 2012.

SCHWBID Proposed Program of Work for 2013 – Plans for marketing and events for 2013.

Detailed Profit and Loss Statement (Income and Expenditures) – This report covers the period November 1, 2011 through October 31, 2012.

Estimated Pending Income and Expenses from November 1, 2012 through April 1, 2013. As this is an active period for SCHWBID because of the Christmas at the Waterfront activities, we will carry over funds to be able to pay expenses for the period of January 1, 2013 to April 1, 2013 (we usually receive BID fees and the city supplement around the end of March each year).

Proposed 2013 SCHWBID Budget



Executive Summary

SCHWBID continues to provide service and benefits to its members, the City of Suisun City, and the community at large in its capacity as one of the key organizational, management, leadership, and advocacy organization for the Waterfront District in the Suisun City community.

Key initiatives for the past year that supported this goal include:

- ❑ Continued member outreach by board members and contracted staff
- ❑ Continued marketing efforts to strengthen the Waterfront District's position within the region
- ❑ Strengthened community relations with other organizations
- ❑ Supported City events including contributions to the City of Suisun City for the "Tops in Blue" event in the amount of \$700 and Suisun City Community Services Foundation for the Fourth of July event in the amount of \$500.
- ❑ Planned and executed Waterfront District events that attracted residents from throughout the city and visitors from the surrounding communities, including Restaurant Week and Art, Wine and Chocolate in 2012
- ❑ Participated in Safe and Sane Fireworks Sales, which resulted in earnings of \$23,019.43 for the City of Suisun City for the Fourth of July event for 2013

During 2012, the SCHWBID board of directors again evaluated all SCHWBID programs, special events and marketing programs and made recommendations on their effectiveness for the organization.

SCHWBID thanks and appreciates the City's continued partnership in the organization and the Waterfront District, since our original Memorandum of Understanding dated June 5, 2003.



SCHWBID End of the Year Report 2012

Over the past nine years, the Suisun City Historic Waterfront Business Improvement District has continued to strengthen its vision for the Waterfront District area.

At the 2012 annual board retreat and strategic planning session, our vision statement, mission statement and organization's goals were reaffirmed as follows:

Vision Statement

Suisun City's Waterfront is a vibrant destination for dining, cultural experiences and waterfront activities for all ages.

Mission Statement

The mission of the Suisun City Historic Waterfront B.I.D. is to promote the physical and financial health of the Waterfront District as a unique business, social and cultural center of the City of Suisun City.

Organizational Goals

1. Increase awareness and cooperation among existing businesses
2. Expand name recognition for Suisun City Waterfront District
3. Improve and promote commercial and social activity
4. Encourage new development
5. Maintain a wholesome and safe community
6. Increase awareness of Suisun City's history
7. Provide benefit for all members of the District
8. Serve as advocate and liaison between members and city government

Committees

Budget Committee – Oversees income and expenditures of SCHWBID.

Membership Committee – Oversees member benefits and member relations; does member outreach, gathers information about members for website, brochures, etc.

Organization Committee – Reviews by-laws, city ordinances, beautification issues.

Marketing/Events – Oversees marketing of the district and special events.

Member involvement is critical to the organization, however, as in many BID organizations throughout the state, only a small percentage of BID members actually participate in meetings and special events. The organization would not be able to move forward without the help of some very dedicated volunteers who monetarily sponsor, volunteer their time away from their businesses, and support our numerous endeavors.

Even though many members are not involved with the planning of events and the marketing of the district because of time restrictions within their business, many of these businesses have been active with their support of the district.



SCHWBID continued its contracted employee agreement with Laura Cole-Rowe, a Waterfront District resident and SCHWBID member to help with the day-to-day business of the district. Ms. Cole-Rowe has more than 24 years of experience working with business improvement districts, downtowns and cities. She works with the BID on contract on an hourly basis at a fraction of her regular consulting rate. Her duties include email and written correspondence, member database upkeep, procuring of insurance coverage for the district, writing content for both the website and the SCHWBID Dining and Business Guide, press releases, social media and e-newsletter, paid advertising content and design, distribution of Passport to Savings cards to businesses, and website changes and involvement with some special events for the Waterfront District. This year she chaired the Safe and Sane Fireworks Sales for SCHWBID. She also does the bookkeeping, financial reporting and bill paying for SCHWBID for \$100 monthly.

Summary and Highlights of 2012 Activities

Overview Status of 2012 Budget

A total of \$17,540.54 in BID fees was received for 2012 as of October 1, 2012 (up from \$16,320 in 2011 – due to the collection efforts in 2012 by the City of Suisun City); a profit of \$6,635.06 was received from the sales of Safe and Sane Fireworks, after the split with the Suisun City Titans.

SCHWBID's 2012 budget (revised after the Fireworks Sales) was based on projections of \$77,439 in total income, including revenue from the Waterfront Festival (Art, Wine and Chocolate). The profit from the fireworks sales in 2012 has enabled SCHWBID to proceed with Christmas activities for 2012. A detailed breakdown of income and expenses is included in the financial report.

Board of Directors

The Board of Directors is responsible to receive committee reports, make decisions on committee recommendations, and take positions on issues that will directly or indirectly affect the SCHWBID, and set new objectives. The board meets regularly, holds an annual meeting and an annual board retreat. SCHWBID members are strongly encouraged to attend the monthly board meetings. When there are pressing issues, the board will schedule an additional meeting.

After having been given direction by the Board, the committees are responsible for research, discussion and recommendations to the Board of Directors for action.

Each board member is involved with, and has knowledge of, ongoing SCHWBID projects. Board members are asked to actively participate on one committee each.

The SCHWBID Board of directors is comprised of eight business owners/representatives, with representatives from each zone, ensuring diversity on the board.



2012 Accomplishments

Member Benefits

The SCHWBID provides the following benefits to all members.

- *SCHWBID website* – Each member is entitled to a free directory page, free business announcements, free advertising, free e-mail through the SCHWBID website (www.suisunwaterfront.com) and member-to-member discounts. All businesses are listed on the website, and if they have a website address, a link is provided from the SCHWBID website.
- *Suisun City Waterfront District Dining & Business Directory Brochure* – Each SCHWBID member is listed in the brochure at no cost.
- *Ability to participate in any SCHWBID event at no cost.*
- *Promotion of any business event at no cost* through SCHWBID's newsletters and social media.

Marketing and Branding

SCHWBID has concentrated on marketing the Waterfront District in Suisun City as a regional destination, as well as a local destination. The committee has undertaken the following marketing projects for 2012:

1. **Waterfront District Dining and Business Directory Brochure** – 15,000 copies of the Waterfront District Dining and Business Directory Brochure were updated and printed in August 2012. These brochures are racked in businesses and other public places, and are sent with the City of Suisun City's marketing packages. Approximately 9,000 updated brochures will be mailed to Suisun City residents on November 7, 2012. All Waterfront District businesses are listed in the brochure, at no charge to the business. The brochure is also available on SCHWBID's website.
2. **Passport to Savings Card** – Perhaps one of our most successful programs, more than 15,000 of this credit card sized marketing piece have been distributed in the local market since November 2008. Cardholders go to the SCHWBID website where they are directed to a page listing each of the current offers from participating businesses. Non-cardholders are instructed to visit any participating business to receive their Passport to Savings Card. Unlike other loyalty cards with printed offers on cards from businesses, our card gives the opportunity for any SCHWBID member (new businesses) to join at any time, and change or add offers as often as they wish. More SCHWBID members are participating in this program this year, and the Hampton Inn Waterfront Suites gives the passport card to all their guests, encouraging dining and services within the Waterfront District.



3. **Miscellaneous Opportunity Marketing** – SCHWBID has placed ads with KUIC and local newspapers/tabloids to promote events. The *Daily Republic*, *Breeze*, *Suisun City Patch* and the *Vacaville Reporter* have been especially generous in running publicity articles for our events.
4. **Website** – Our website, www.suisunwaterfront.com, has been active since June 2006 and is continuously updated/refreshed with new articles of interest and information on special events. All Waterfront District businesses are listed on the website, and links to businesses' websites are provided. The website includes a searchable database to find a business, and has sections on history, events, news, a map, and redevelopment news. Our contract employee can make changes easily on both the database and other pages. Website statistics show an average of 1,661 unique monthly visitors to the site in 2012, with an average of about 17,478 pages accessed monthly. Site activity increases during times of special events such as Restaurant Week, Waterfront Festival, Fourth of July and Christmas.
5. **Historical Walking Tour Booklet** – In December 2009, 7,500 self-guided historical walking tour booklets that highlight historic buildings, both commercial and residential within the SCHWBID district were published. The City of Suisun City and SCHWBID have been distributing these popular booklets in Waterfront businesses, the Solano History Center, the Harbormaster building, and in city hall. The Solano History Center will be taking over the reprinting of the booklet, with a new addition expected in December 2012.
6. **Newsletters** – SCHWBID sends out two different newsletters – members' newsletter and a visitors' newsletter. The members' newsletter focuses on member involvement, upcoming events, business news, and SCHWBID marketing programs and opportunities, while the visitors' newsletter mailing list (more than 500 active email addresses) focuses on the visitor, with listings of new businesses and events that are going on in the Waterfront District. SCHWBID members are encouraged to share what is happening with their businesses for both newsletters. Visitors to SCHWBID's website can sign up for the free newsletter through a portal on the site.
7. **SCHWBID Booth** – We show a presence at our special events with an information booth, displaying and distributing informational brochures from various Waterfront businesses as well as our own marketing materials such as walking tour booklets, dining and business guides and Passport to Savings cards.
8. **Social Media** – SCHWBID promotes events, new businesses and items of interest through Facebook and Twitter. As of October 2012, we have approximately 1,700 Twitter followers and 260 likes on Facebook. More than 200 updates to Twitter and Facebook were posted in 2012.



Special Events

Our most visible activities are the special events that SCHWBID sponsors or co-sponsors with other entities, including the City of Suisun City. These special events are the focus of Suisun City's community celebrations, including those staged at Halloween and the winter holiday season.

Our events continue to be image promotions. Image promotions may not necessarily encourage sales of goods or services on the day of the promotion, but they establish a positive image of the Waterfront District to the visitor and help position it as an active, vital area. If customers have a positive introduction to the Waterfront District through an event, it is likely they will return later to shop, dine or procure a service in the district. We have had positive feedback from Waterfront restaurants; they have told us that they have been extremely busy on event days; other businesses that are open during an event have also reported an increase in sales.

A synopsis of these events for 2011/2012 is as follows:

Restaurant Week – Twelve out of 13 Waterfront restaurants participated in our second Restaurant Week, Friday, January 13 through Sunday, January 22, 2012. The purpose of this promotion is to highlight the wonderful and diverse restaurants that the Waterfront District has to offer, expose new customers to the area, and give a "boost" to our restaurants in the traditional slower month of January. Each restaurant offered a *prix-fixe menu* (A *prix fixe menu* is type of limited menu that has a fixed price and a set list of dishes), and set their own prices for their special. SCWHBID placed their menus on the SCWHBID website, advertised the event heavily through press releases, radio spots, print ads, posters, postcards, direct mail local magazines and social media. Feedback from the participating restaurants was very positive, and more than 5,300 menus were downloaded from the website.

Mother's Day Artisan Fair – The third year of this event at Harbor Plaza had more than 50 vendors featuring unique handcrafted wares and music. This event was intended to attract visitors to the Waterfront District as well as visits from those who were already in the district to have breakfast, brunch or lunch with their Mom. SCHWBID again contracted with Brenda Mossa to coordinate this event.

Radio Disney Life Jacket Event – SCHWBID had the opportunity to work with Radio Disney, at no cost, to co-sponsor their Life Jacket event in May 2012 by providing social media and public relations assistance.

Wine Tasting on the Square - SCHWBID worked with Harbor Square by co-sponsoring this event May through October 2012 by providing social media and public relations assistance.

Tops in Blue – SCHWBID contributed \$700 for sponsorship of this event.

Fundraising from Safe and Sane Fireworks – SCHWBID partnered with the Suisun City Titans Youth Football to sell Safe and Sane fireworks. SCHWBID's profit split with the Titans enables



SCHWBID to participate in the Christmas at the Waterfront event for 2012, including holding the arts and crafts faire, arranging for entertainment, and holding the Christmas tree auction.

Fourth of July Festivities – SCHWBID contributed \$500 to Suisun City Community Services Foundation for sponsorship of this event.

Annual Waterfront Festival 2012 – An estimated 6,000 people attended the Art, Wine and Chocolate event on October 6, with approximately 775 tickets sold for wine tasting (up from 670 in 2010). SCHWBID again contracted with Brenda Mossa to coordinate this event; there were more than 90 vendors at the event; which has grown substantially since its inception.

Halloween Trick-or-Treat Promotion 2012 – SCHWBID held merchant's trick or treating in the district following the city's Halloween event. This is an event that brings together a cross-section of Waterfront District businesses and includes professional, service, and retail participants. We estimate that more than 500 children came down for this event to trick-or-treat after the parade and costume contest.

Christmas at the Waterfront 2011 – SCHWBID partnered with the Suisun Business Group (now disbanded) to hold a "Festival of Trees" where local non-profit organizations decorate trees donated by SCHWBID and the Suisun Business Group. The trees are put up for auction to the public during the Christmas on the Waterfront event, and bid on by event attendees. Proceeds from each decorated tree are given back to the local non-profit. Business members participated in merchant's open houses also held during the Christmas on the Waterfront event.

The Old World Christmas Market was held the weekend after Thanksgiving as well as during the Christmas at the Waterfront event on Saturday, December 3. Vendors sold Christmas type items including ornaments, gift items, prepackaged holiday candy or prepackaged holiday cookies.

Membership Outreach And Communication

SCHWBID undertakes the following activities to keep member businesses informed:

General Meeting – One general meeting was held this year on January 26 that included a presentation on the benefits and accomplishments of SCHWBID, and board elections.

Board and Committee Meetings – SCHWBID regularly invites members, by newsletter, email and personal contact, to attend board and committee meetings so they can be more informed about the organization and activities and projects in the Waterfront District.

New Business Orientation Program - SCHWBID continued their orientation program this year with contact to new district businesses.

Events and Marketing Projects - SCHWBID notifies businesses of the opportunity to participate in special events and marketing projects as appropriate by mail and e-mail.



Internal Marketing Brochure – An updated internal marketing brochure to communicate the SCHWBID's purpose and benefits was mailed to all members in 2012, and is given to new members as part of their welcome package.

Annual Report – Members receive an annual report on SCHWBID's activities each year.

2013 Proposed Budget

Budget Process – The budget is developed through the Budget Committee and the Board of Directors. The Budget Committee met in August and worked on the budget; the Board of Directors approved the budget on October 16, 2012. This year's budget has two scenarios – one with fundraising from sales of Safe and Sane Fireworks and one without, in case SCHWBID is not accepted, ineligible or if the organization cannot find a chairperson to coordinate the event.

2012/2013 Proposed Program of Work

Marketing and Branding

SCHWBID will continue to concentrate on marketing the Waterfront District of Suisun City as a regional and a local destination and will continue to fund these programs in the remainder of 2012 and 2013:

- **Waterfront District Dining and Business Directory Brochure** – Depending upon SCHWBID's fundraising efforts, we are likely to update and print more of the Waterfront District Dining and Business Directory brochures in 2013.
- **Passport to Savings Card** – Should the existing inventory of this credit card sized marketing piece again be depleted (2,500 are currently in stock), we would again consider ordering more of the cards to keep the program going, pending feedback from the participating businesses.
- **Miscellaneous Opportunity Marketing** – We would continue radio ads with KUIC and advertising with The Breeze and other newspapers for special events.
- **Website/Social Networking** – Our website, www.suisunwaterfront.com, will continue in 2013 with more updated content, including more news releases, and continued social networking.
- **Newsletters** – SCHWBID will continue to send out two different newsletters to its members and to visitors, and continue encourage members to share what is happening with their business for both newsletters.



- **SCHWBID Booth** – SCHWBID will continue to participate in various events, using a booth to display and distribute informational brochures from various Waterfront businesses and our own marketing materials.
- **North Main Street Area/Train Station** – SCHWBID will be working with the businesses in this area for a special event and/or additional marketing of this section of the Waterfront District.

Special Events

- **Christmas at the Waterfront 2012** – SCHWBID will hold the “Festival of Trees” and be responsible for recruiting arts and crafts vendors, food vendors and entertainment at Christmas at the Waterfront on December 1, 2012. Although this event was not originally planned for at the last BID renewal, the profit from the fireworks sales in 2012 allowed us to proceed with doing this event. SCHWBID purchased white lights for all members’ windows to help light up the Waterfront area. *We again thank the City of Suisun City for the opportunity to sell the Safe and Sane fireworks that allowed us to continue with this event.*
- **Restaurant Week 2013** – SCHWBID will hold the second Restaurant Week for Suisun City Waterfront restaurants the week of Friday, January 18 through Sunday, January 27, 2013.
- **Mother's Day Artisan Fair** – SCHWBID will continue this event.
- **Annual Waterfront Festival (Art, Wine and Chocolate)** – SCHWBID will continue this event in October 2013.
- **Halloween Trick-or-Treat Promotion** – SCHWBID will continue holding merchant’s trick or treating in the district following the city’s Halloween event and costume contest.
- **Christmas on the Waterfront 2013** – Depending on fundraising in 2013, SCHWBID would continue “Festival of Trees” and the Arts and Crafts event in 2013.

Additional Fundraising

SCHWBID will consider additional fundraising by again considering the opportunity to sell Safe and Sane Fireworks in 2013, provided we can find a chairperson for the project.

We look forward to working with the City of Suisun City again in the coming year on various projects, including marketing and special events. The City’s investment in past years has dramatically enhanced the Waterfront District. SCHWBID is pleased to provide input for these projects, as well as input on private projects in the district. The Waterfront District in Suisun City is a special place in the Suisun City community and hopes to remain economically viable in years to come. SCHWBID looks forward to continuing its efforts to enhance it to the benefit of all involved.

Suisun Historic Waterfront BID								
2013 Budget								
				Actual Jan 1, 2012 - Oct 31, 2012	2012 Budget	Under/Over Budget	2013 Budget with Fireworks	2013 Budget without Fireworks
Ordinary Income/Expense								
Income								
REVENUE								
			Associate Membership	0.00	150.00	-150.00	150.00	150.00
			Mothers Day Event fees	1,300.00	1,300.00	0.00	2,000.00	2,000.00
			Christmas Vendor Fees	0.00	1,000.00	-1,000.00	1,000.00	1,000.00
			Business Assessments	17,540.54	17,540.00	0.54	16,000.00	16,000.00
			Fireworks Sales 2012	40,194.03	40,194.00	0.03	40,000.00	0.00
			Heritage Collection Book	0.00	100.00	-100.00	100.00	100.00
			Mothers Day Raffle	85.00	85.00	0.00	100.00	100.00
			Sponsorship	0.00	2,000.00	-2,000.00	2,000.00	2,000.00
			Waterfront Festival Revenue	18,255.05	15,070.00	3,185.05	17,000.00	17,000.00
			Total REVENUE	77,374.62	77,439.00	-64.38	78,350.00	38,350.00
			Transfer from Reserve				4,000.00	10,500.00
			Total Income	77,374.62	77,439.00	-64.38	82,350.00	48,850.00
Expense								
			Advertising Expense					
			Electronic Media	669.00	1,520.00	-851.00	1,850.00	1,850.00
			Print Media	6,223.85	7,400.00	-1,176.15	11,500.00	8,000.00
			Total Advertising Expense	6,892.85	8,920.00	-2,027.15	13,350.00	9,850.00

		Event Expenses					
		Fireworks Expense	33,558.97	33,560.00	-1.03	30,000.00	0.00
		Art, Wine & Chocolate Festival	15,944.35	13,600.00	2,344.35	13,600.00	13,600.00
		Christmas In Old Town	2,390.65	5,670.00	-3,279.35	6,500.00	6,500.00
		City Events Enhancement	1,358.00	1,358.00	0.00	500.00	500.00
		Train Station/ N. Main Event/Marketing				4,000.00	4,000.00
		Halloween	28.66	50.00	-21.34	50.00	50.00
		Mothers Day Craft Faire	2,013.08	2,000.00	13.08	2,000.00	2,000.00
		Restaurant Week	1,914.00	1,914.00	0.00	1,950.00	1,950.00
		Total Event Expenses	57,207.71	58,152.00	-944.29	58,600.00	28,600.00
		Operating Expenses					
		Accounting Fees	1,100.00	1,200.00	-100.00	1,200.00	1,200.00
		Bank Charges	20.00	25.00	-5.00	50.00	50.00
		Contract Labor	6,060.00	5,932.00	128.00	5,500.00	5,500.00
		Insurance	1,999.00	2,000.00	-1.00	2,000.00	2,000.00
		Miscellaneous Expenses	100.00	150.00	-50.00	400.00	400.00
		Office Supplies	209.41	250.00	-40.59	350.00	350.00
		Postage, shipping, delivery	220.00	275.00	-55.00	300.00	300.00
		Tax Preparation	510.00	510.00	0.00	550.00	550.00
		Taxes	25.00	25.00	0.00	50.00	50.00
		Total Operating Expenses	10,243.41	10,367.00	-123.59	10,400.00	10,400.00
		Total Expense	74,343.97	77,439.00	-3,095.03	82,350.00	48,850.00

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Suisun Historic Waterfront BID Profit and Loss Detail

November 2011 through October 2012

Type	Date	Num	Name	Memo	Amount	Balance
Ordinary Income/Expense						
Income						
REVENUE						
Associate Membership						
Deposit	11/07/11			Emmett & Stephanie Dues	150.00	150.00
Total Associate Membership					<u>150.00</u>	<u>150.00</u>
Mothers Day Event fees						
Deposit	05/18/12			Vendor fees	1,300.00	1,300.00
Total Mothers Day Event fees					<u>1,300.00</u>	<u>1,300.00</u>
Christmas Vendor Fees						
Deposit	12/05/11			Vendor fees	960.00	960.00
Total Christmas Vendor Fees					<u>960.00</u>	<u>960.00</u>
Business Assessments						
Deposit	03/01/12			BID Fees 2012	15,420.00	15,420.00
Deposit	04/11/12			Magic Touch & Frankie Nunley	300.00	15,720.00
Check	04/13/12		Bank Charge	Returned check -Frankie Nun...	-150.00	15,570.00
Deposit	04/24/12			Frankie Nunley	150.00	15,720.00
Deposit	05/22/12			check #118689 City of Suisu...	1,820.54	17,540.54
Total Business Assessments					<u>17,540.54</u>	<u>17,540.54</u>
Festival of Trees						
Deposit	11/07/11			Contribution Suisun Business...	3,292.07	3,292.07
Deposit	12/05/11			Tree Sales	1,195.00	4,487.07
Total Festival of Trees					<u>4,487.07</u>	<u>4,487.07</u>
Fireworks Sales 2012						
Deposit	06/28/12			Cash Sales	900.00	900.00
Deposit	06/28/12			Cash Sales	890.00	1,790.00
Deposit	06/29/12			Cash Sales	800.00	2,590.00
Deposit	06/29/12			Cash Sales	1,250.00	3,840.00
Deposit	06/29/12			Cash Sales	740.00	4,580.00
Deposit	06/30/12			Cash Sales	750.00	5,330.00
Deposit	06/30/12			Cash Sales	1,300.00	6,630.00
Deposit	06/30/12			Cash Sales	900.00	7,530.00
Deposit	07/01/12			Cash Sales	800.00	8,330.00
Deposit	07/01/12			Cash Sales	1,340.00	9,670.00
Deposit	07/01/12			Cash Sales	850.00	10,520.00
Deposit	07/02/12			Cash Sales	600.00	11,120.00

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Suisun Historic Waterfront BID
 Profit and Loss Detail
 November 2011 through October 2012

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Type	Date	Num	Name	Memo	Amount	Balance
Deposit	07/02/12			Cash Sales	3,200.00	14,320.00
Deposit	07/03/12			Cash Sales	1,620.00	15,940.00
Deposit	07/03/12			Cash Sales	8,150.00	24,090.00
Deposit	07/04/12			Cash Sales	7,220.00	31,310.00
Deposit	07/05/12			Cash Sales	8,662.53	39,972.53
Deposit	07/06/12			Cash Sales	221.50	40,194.03
Total Fireworks Sales 2012					40,194.03	40,194.03
Mothers Day Raffle						
Deposit	05/18/12			Raffle proceeds - MD Raffle	85.00	85.00
Total Mothers Day Raffle					85.00	85.00
Waterfront Festival Revenue						
Deposit	11/29/11			Zippy Pets fee	75.00	75.00
Deposit	08/10/12	ATM	Square Inc.	Square set up test	0.49	75.49
Check	08/10/12	ATM	Square Inc.	Square set up fee	-0.49	75.00
Deposit	10/08/12			Wine Ticket Sales	11,522.00	11,597.00
Deposit	10/08/12			From Square - credit cards	4,190.25	15,787.25
Deposit	10/11/12			Mossa Check - vendors	2,320.00	18,107.25
Check	10/16/12		Square Inc.	Refund of overcharge Eleanor...	-38.60	18,068.65
Check	10/17/12		Square Inc.	refund of overcharge Sharyn ...	-38.60	18,030.05
Deposit	10/19/12			Pre Sale Brown Paper Tickets	300.00	18,330.05
Total Waterfront Festival Revenue					18,330.05	18,330.05
Total REVENUE					83,046.69	83,046.69
Total Income					83,046.69	83,046.69
Expense						
Advertising Expense						
Electronic Media						
Check	11/09/11	2476	Coast Radio Company, Inc.	8-29-11/9-25-11 ads	1,960.00	1,960.00
Check	12/27/11	2507	Coast Radio Company, Inc.	11/23-26/11 ads	520.00	2,480.00
Check	01/10/12	2512	Coast Radio Company, Inc.	Christmas 2011 ads	480.00	2,960.00
Check	10/13/12	2609	Lauracolerowe Consulting	Constant Contact 6 months	189.00	3,149.00
Total Electronic Media					3,149.00	3,149.00
Print Media						
Check	11/17/11	2482	S & J Advertising Inc.	Invoice for December 2011	600.00	600.00
Check	12/27/11	2509	S & J Advertising Inc.	Invoice for January 2012	600.00	1,200.00
Check	04/25/12	2533	Lauracolerowe Consulting	Passport card reimb.	714.00	1,914.00

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Suisun Historic Waterfront BID
Profit and Loss Detail

November 2011 through October 2012

Type	Date	Num	Name	Memo	Amount	Balance
Check	08/06/12	2568	WG Design Group	business directories	2,455.88	4,369.88
Check	09/05/12	2578	M2 Mail Inc.	downpayment on mailing order	1,192.25	5,562.13
Check	10/31/12	2617	M2 Mail Inc.	Balance on mailing order	1,861.72	7,423.85
Total Print Media					<u>7,423.85</u>	<u>7,423.85</u>
Total Advertising Expense					10,572.85	10,572.85
Event Expenses						
Fireworks Expense						
Check	07/09/12	2553	TNT Fireworks	City of Suisun City 52% Profit	15,750.14	15,750.14
Check	07/10/12	2556	Lauracolerowe Consulting	Reimb. locks, water & lanterns	155.03	15,905.17
Check	07/12/12	2558	City of Suisun City	Tops in Blue Sponsorship	7,269.29	23,174.46
Check	07/12/12	2559	TNT Fireworks	Balance of product & expenses	1,408.28	24,582.74
Check	07/20/12	ATM	California State Board of Equalizat...	sales tax	4,468.00	29,050.74
Check	07/23/12	2561	Suisun City Titans Youth Football	split profit from fireworks sales	4,508.23	33,558.97
Total Fireworks Expense					<u>33,558.97</u>	<u>33,558.97</u>
Art, Wine & Chocolate Festival						
Check	11/09/11	2477	Ehler Vineyard	Wine for Art, Wine & Chocolate	462.00	462.00
Check	11/16/11	2481	Le Grand Courtage LLC	Wine purchase	320.00	782.00
Check	04/10/12	2530	Solano County Dept of Resource ...	Art, Wine & Choc 2012	225.00	1,007.00
Check	04/24/12	2532	WG Design Group	15,000 postcards Art, Wine & ...	741.09	1,748.09
Check	06/06/12	2543	Daily Republic Inc.	AWC postcard ad	180.00	1,928.09
Check	07/31/12	2564	Solano County	Art Wine & Choc additional v...	224.00	2,152.09
Check	08/02/12	2565	BB&B Business Group	Advertising for Art, Wine & Ch...	325.00	2,477.09
Check	08/15/12	2570	City of Suisun City	Porta Potties	748.68	3,225.77
Check	08/21/12	2571	Maury Donnelly & Parr Inc.	Liability coverage for Art, Wln...	800.00	4,025.77
Check	08/21/12	2572	Used Blues Band	Deposit for Art Wine & Choc	500.00	4,525.77
Check	08/27/12	2573	WG Design Group	posters	310.05	4,835.82
Check	08/27/12	2574	S & J Advertising Inc.	Ad	663.00	5,498.82
Check	09/12/12	2579	Clear Image Sign Co.	AWC Hwy 12 sign, RE signs	350.03	5,848.85
Check	09/12/12	2580	Daily Republic Inc.	AWC Ad in Solano Life	290.00	6,138.85
Check	09/12/12	2581	Front2Back Designs	wine glasses	2,164.23	8,303.08
Check	09/25/12	2582	S & J Advertising Inc.	Ad	663.00	8,966.08
Check	10/01/12	2586	Made In The Shade Tent Rentals I...	tent rental	3,446.00	12,412.08
Check	10/04/12	2587	Subway Sandwiches & Salads	volunteer lunch for AWC	30.00	12,442.08
Check	10/05/12	2589	Used Blues Band	Final for Art Wine & Choc	500.00	12,942.08
Check	10/05/12	2590	Randy Rowe	Westbound 80 - Entertainment	500.00	13,442.08
Check	10/06/12	2591	Virgil's Ice House	Art, Wine & Chocolate	160.00	13,602.08
Check	10/06/12	2592	Bob's Bouncing Bungalows	Bounce House	165.00	13,767.08
Check	10/08/12	2593	Lauracolerowe Consulting	Water, padlocks, toilet paper	68.14	13,835.22

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Suisun Historic Waterfront BID
 Profit and Loss Detail
 November 2011 through October 2012

Type	Date	Num	Name	Memo	Amount	Balance
Check	10/08/12	2594	Wooden Valley Winery	Art, Wine & Choc Festival	91.80	13,927.02
Check	10/08/12	2595	Vezer Family Vineyards	Art, Wine & Choc. Festival	176.09	14,103.11
Check	10/08/12	2596	Purple Pearl Vineyards, Inc.	Art, Wine & Choc. Festival	122.00	14,225.11
Check	10/08/12	2597	Ehler Vineyard	Wine for Art, Wine & Chocolate	176.00	14,401.11
Check	10/08/12	2598	Mangels Vineyards, LLC	Wine for Art, Wine & Chocolate	-44.12	14,445.23
Check	10/08/12	2599	Gary Dyas	Bags & donuts	33.97	14,479.20
Check	10/08/12	2600	Winterhawk Winery	Art Wine & Chocolate	108.00	14,587.20
Check	10/08/12	2601	Sunset Cellars	wine for Art, Wine & Chocolate	108.00	14,695.20
Check	10/08/12	2602	Blacksmith Winery	wine for Art, Wine & Chocolate	108.00	14,803.20
Check	10/09/12	2603	Clear Image Sign Co.	AWC Banners	431.93	15,235.13
Check	10/10/12	2604	Brenda L. Mossa	Expenses for Mothers Day Art...	187.40	15,422.53
Check	10/11/12	2605	Chris Arsich	labor	100.00	15,522.53
Check	10/11/12	2606	Philip Arsich	labor	100.00	15,622.53
Check	10/13/12	2608	Vezer Family Vineyards	Art, Wine & Choc. Festival 18...	11.82	15,634.35
Check	10/19/12	2610	Coast Radio Company, Inc.	AWC Ads	1,015.00	16,649.35
Check	10/31/12	2614	Shelly Kontogiannis	reimbursement for linens & A...	77.00	16,726.35
Total Art, Wine & Chocolate Festival					16,726.35	16,726.35
Christmas In Old Town						
Crafter buildings						
Check	12/05/11	2504	Air Land & Sea Travel	building upkeep expenses	115.42	115.42
Total Crafter buildings					115.42	115.42
Festival of Trees Disbursement						
Check	12/05/11	2487	Solano College Theatre	1st place Festival of Trees	200.00	200.00
Check	12/05/11	2488	Solano Midnight Sun Foundation	2nd Place - Festival of Trees	100.00	300.00
Check	12/05/11	2489	Big Brothers, Big Sisters of the Nor...	3rd Place - Festival of Trees	50.00	350.00
Check	12/05/11	2490	Assist-A-Grad	Festival of Trees	170.00	520.00
Check	12/05/11	2491	Dungarvin	Festival of Trees	155.00	675.00
Check	12/05/11	2492	Solano College Theatre	Festival of Trees	170.00	845.00
Check	12/05/11	2493	Cub Scout Pack #252	Festival of Trees	200.00	1,045.00
Check	12/05/11	2494	Animal Life Line	Festival of Trees	100.00	1,145.00
Check	12/05/11	2495	Suisun Wildlife Center	Festival of Trees	180.00	1,325.00
Check	12/05/11	2496	Victory Outreach	Festival of Trees	60.00	1,385.00
Check	12/05/11	2497	Solano Midnight Sun Foundation	Festival of Trees	160.00	1,545.00
Total Festival of Trees Disbursement					1,545.00	1,545.00
Christmas In Old Town - Other						
Check	11/11/11	2479	Linda Feins	Trees for event	2,029.20	2,029.20
Check	11/27/11	2483	ASCAP	music license fee	200.00	2,229.20
Check	11/27/11	2484	Diana Wallace	Old World Market entertainm...	450.00	2,679.20

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Suisun Historic Waterfront BID
Profit and Loss Detail

November 2011 through October 2012

Type	Date	Num	Name	Memo	Amount	Balance
Check	11/29/11	2485	Clear Image Sign Co.	Holiday Banners	158.00	2,837.20
Check	12/05/11	2486	The Daily Republic	Christmas Ad	285.00	3,122.20
Check	12/05/11	2498	Sal DiMarco	Santa Claus - Christmas event	100.00	3,222.20
Check	12/05/11	2499	Philip Arsich	labor	150.00	3,372.20
Check	12/05/11	2500	Chris Arsich	labor	150.00	3,522.20
Check	12/05/11	2501	Lauracolerowe Consulting	Folders for auction	8.36	3,530.56
Check	12/05/11	2502	Athenian Grill	reimb for gift cards	160.00	3,690.56
Check	12/05/11	2503	Gary Dyas	Propane for tent	22.54	3,713.10
Check	12/05/11	2505	Brenda L. Mossa	Christmas expenses	919.30	4,632.40
Check	12/05/11	2506	Solano Dept. of Resource Manage...	difference in special event size	113.00	4,745.40
Check	12/27/11	2508	Vacaville Reporter	Christmas Ads	200.00	4,945.40
Check	01/10/12	2513	Clear Image Sign Co.	Holiday Banners	118.50	5,063.90
Check	10/11/12	2607	Lauracolerowe Consulting	10,000 postcards	247.50	5,311.40
Check	10/19/12	2611	Lauracolerowe Consulting	75 sets of lights for businesses	707.87	6,019.27
Check	10/25/12	2612	Gary Dyas	15 christmas trees	724.78	6,744.05
Check	10/31/12	2615	Solano County	Vendors Health Permit	449.00	7,193.05
Check	10/31/12	2616	S & J Advertising Inc.	Ad	143.00	7,336.05
Total Christmas In Old Town - Other					7,336.05	7,336.05
Total Christmas In Old Town					8,996.47	8,996.47
City Events Enhancement						
Check	05/03/12	2537	City of Suisun City	Tops in Blue Sponsorship	700.00	700.00
Check	06/19/12	2548	Clear Image Sign Co.	4th July street banners	79.00	779.00
Check	06/20/12	2551	Suisun City Community Services F...	Donation for July 4th	500.00	1,279.00
Check	08/02/12	2566	Clear Image Sign Co.	4th July banner removal & re...	79.00	1,358.00
Total City Events Enhancement					1,358.00	1,358.00
Halloween						
Check	10/31/12	2618	Lauracolerowe Consulting	Halloween supplies	28.66	28.66
Total Halloween					28.66	28.66
Mothers Day Craft Faire						
Check	04/10/12	2529	Solano County Dept of Resource ...	Mothers Day Food Permits	338.00	338.00
Check	04/24/12	2531	S & J Advertising Inc.	Ad	379.00	717.00
Check	05/07/12	2538	Clear Image Sign Co.	VOID	0.00	717.00
Check	05/07/12	2539	Clear Image Sign Co.	Mother's Day sign change	32.22	749.22
Check	05/10/12	2540	Amber Snider	Entertainment	400.00	1,149.22
Check	05/11/12	2542	Brenda L. Mossa	Expenses for Mothers Day Art...	844.35	1,993.57
Check	07/27/12	2562	VSC PRESS-PRINTING PUBLISHI...	Invoice 15773 - posters	19.51	2,013.08

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Suisun Historic Waterfront BID
 Profit and Loss Detail
 November 2011 through October 2012

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Type	Date	Num	Name	Memo	Amount	Balance
Total Mothers Day Craft Faire					2,013.08	2,013.08
Restaurant Week						
Check	11/11/11	2480	Lauracolerowe Consulting	2012 postcards	106.11	106.11
Check	12/27/11	2510	Clear Image Sign Co.	Rest Week 2012	719.56	825.67
Check	01/10/12	2514	The Queens of Marketing	VOID:	0.00	825.67
Check	02/02/12	2517	Coast Radio Company, Inc.	Rest Week Ads	1,000.00	1,825.67
Check	02/02/12	2518	The Queens of Marketing	Rest Week Ads	50.00	1,875.67
Check	02/07/12	2522	Daily Republic Inc.	Restaurant Week	824.00	2,699.67
Check	03/08/12	2524	Clear Image Sign Co.	Removal Hwy 12 sign Rest W...	40.00	2,739.67
Total Restaurant Week					2,739.67	2,739.67
Total Event Expenses					65,421.20	65,421.20
Operating Expenses						
Accounting Fees						
Check	12/05/11	2501	Lauracolerowe Consulting	Bookkeeping Nov. 2011	100.00	100.00
Check	01/10/12	2511	Lauracolerowe Consulting	Bookkeeping Dec. 2011	100.00	200.00
Check	02/02/12	2520	Lauracolerowe Consulting	Bookkeeping Jan. 2012	100.00	300.00
Check	03/08/12	2525	Lauracolerowe Consulting	Bookkeeping Feb. 2012	100.00	400.00
Check	04/10/12	2528	Lauracolerowe Consulting	Bookkeeping Mar. 2012	100.00	500.00
Check	05/03/12	2534	Lauracolerowe Consulting	Bookkeeping April 2012	100.00	600.00
Check	06/06/12	2544	Lauracolerowe Consulting	Bookkeeping May 2012	100.00	700.00
Check	07/10/12	2554	Lauracolerowe Consulting	Bookkeeping June 2012	100.00	800.00
Check	08/02/12	2567	Lauracolerowe Consulting	Bookkeeping July 2012	100.00	900.00
Check	08/31/12	2577	Lauracolerowe Consulting	Bookkeeping Aug 2012	100.00	1,000.00
Check	10/01/12	2585	Lauracolerowe Consulting	Bookkeeping Sept 2012	100.00	1,100.00
Check	10/31/12	2613	Lauracolerowe Consulting	Bookkeeping October 2012	100.00	1,200.00
Total Accounting Fees					1,200.00	1,200.00
Bank Charges						
Check	04/13/12		Bank Charge	Bank charge for returned check	10.00	10.00
Deposit	04/24/12			Reim Overdraft Nunley	-10.00	0.00
Check	07/02/12	ATM	Westamerica Bank	Night Dep Annual Fee	20.00	20.00
Total Bank Charges					20.00	20.00
Contract Labor						
Check	12/05/11	2501	Lauracolerowe Consulting	Nov 2011 19 hours	570.00	570.00
Check	01/12/12	2516	Lauracolerowe Consulting	Dec. 2011 23 hrs	690.00	1,260.00
Check	02/02/12	2521	Lauracolerowe Consulting	Jan 2012 16 hours	480.00	1,740.00
Check	03/08/12	2526	Lauracolerowe Consulting	Feb. 2012 10 hours	300.00	2,040.00

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Suisun Historic Waterfront BID
Profit and Loss Detail

November 2011 through October 2012

Type	Date	Num	Name	Memo	Amount	Balance
Check	05/03/12	2535	Lauracolerowe Consulting	March and April 2012 - 21 ho...	630.00	2,670.00
Check	06/06/12	2545	Lauracolerowe Consulting	May 2012 - 18.5 hours	555.00	3,225.00
Check	07/17/12	2560	Lauracolerowe Consulting	June 2012 23.5 hours	705.00	3,930.00
Check	08/07/12	2569	Lauracolerowe Consulting	July 2012 33 hours	990.00	4,920.00
Check	08/31/12	2576	Lauracolerowe Consulting	Aug 2012 21 hours	630.00	5,550.00
Check	10/04/12	2588	Lauracolerowe Consulting	Sept 2012 15 hours	450.00	6,000.00
Check	10/31/12	2618	Lauracolerowe Consulting	October 2012 - 21 hours	630.00	6,630.00
Total Contract Labor					6,630.00	6,630.00
Insurance						
Check	06/19/12	2550	CNA Insurance	liability insurance 7-1-12/13	590.00	590.00
Check	07/27/12	2563	ACE USA	Volunteer Accident Insurance...	199.00	789.00
Check	08/31/12	2575	Great American Insurance Company	D & O Insurance 2 years	1,210.00	1,999.00
Total Insurance					1,999.00	1,999.00
Miscellaneous Expenses						
Check	05/11/12	2541	Lauracolerowe Consulting	Cash for lottery ticket raffle - ...	100.00	100.00
Deposit	05/18/12			Cost of lottery tickets	-100.00	0.00
Check	07/10/12	2557	Lauracolerowe Consulting	Reimb. for purchase of Gift ca...	100.00	100.00
Total Miscellaneous Expenses					100.00	100.00
Office Supplies						
Check	11/08/11	ATM	Deluxe Check	250 checks	115.45	115.45
Check	12/05/11	2501	Lauracolerowe Consulting	Printing	133.00	248.45
Check	05/03/12	2536	Lauracolerowe Consulting	Printing of 2011 annual report	42.47	290.92
Check	06/06/12	2546	Lauracolerowe Consulting	Cash for lottery ticket raffle - ...	126.94	417.86
Check	07/10/12	2555	Lauracolerowe Consulting	Reimb. for purchase of cash ...	40.00	457.86
Total Office Supplies					457.86	457.86
Postage, shipping, delivery						
Check	11/14/11	2478	United States Postal Service	roll of stamps	44.00	44.00
Check	01/12/12	2515	United States Postal Service	roll of stamps	44.00	88.00
Check	04/10/12	2527	United States Postal Service	Annual box fee	86.00	174.00
Check	06/07/12	2547	USPS	roll of stamps	45.00	219.00
Check	10/01/12	2583	USPS	roll of stamps	45.00	264.00
Total Postage, shipping, delivery					264.00	264.00
Tax Preparation						
Check	02/02/12	2519	Laurel Larson	Tax forms 2011 - 1099 1096	70.00	70.00
Check	02/21/12	2523	Laurel Larson	Tax forms 2012 - 990EZ CA 1...	440.00	510.00

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Suisun Historic Waterfront BID
Profit and Loss Detail
November 2011 through October 2012

Type	Date	Num	Name	Memo	Amount	Balance
Total Tax Preparation					510.00	510.00
Taxes						
Check	06/19/12	2549	Franchise Tax Board	Tax fee SI-100	25.00	25.00
Total Taxes					<u>25.00</u>	<u>25.00</u>
Total Operating Expenses					<u>11,205.86</u>	<u>11,205.86</u>
Total Expense					<u>87,199.91</u>	<u>87,199.91</u>
Net Ordinary Income					<u>-4,153.22</u>	<u>-4,153.22</u>
Net Income					-4,153.22	-4,153.22

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Suisun Historic Waterfront BID						
Profit and Loss Budget vs. Actual						
January through December 2011						
				Jan - Dec '11	Budget	Under/Over Budget
Ordinary Income/Expense						
Income						
REVENUE						
		Associate Membership		225.00	500.00	-275.00
		Mothers Day Event fees		1,020.00	775.00	245.00
		Christmas Vendor Fees		960.00	1,000.00	-40.00
		Business Assessments		16,320.00	18,500.00	-2,180.00
		City Match - Assessments		13,500.00	13,500.00	0.00
		Festival of Trees		5,628.07		
		Heritage Collection Book		50.00	100.00	-50.00
		Sponsorship		2,000.00	2,500.00	-500.00
		Waterfront Festival Revenue		17,142.90	12,500.00	4,642.90
		Total REVENUE		56,845.97	49,375.00	7,470.97
		Total Income		56,845.97	49,375.00	7,470.97
Expense						
		Advertising Expense				
		Electronic Media		6,487.00	7,000.00	-513.00
		Print Media		14,158.28	7,700.00	6,458.28
		Advertising Expense - Other		0.00		
		Total Advertising Expense		20,645.28	14,700.00	5,945.28
		Bicycle Racks		3,344.50		

	Event Expenses			
	Art, Wine & Chocolate Festival	13,603.13	12,500.00	1,103.13
	Christmas In Old Town			
	Crafter buildings	115.42		
	Festival of Trees Disbursement	1,545.00		
	Christmas In Old Town - Other	5,288.90	6,500.00	-1,211.10
	Total Christmas In Old Town	6,949.32	6,500.00	449.32
	Halloween	37.57	100.00	-62.43
	Mothers Day Craft Faire	1,366.84	1,500.00	-133.16
	Restaurant Week	3,337.97	2,900.00	437.97
	Event Expenses - Other	0.00		
	Total Event Expenses	25,294.83	23,500.00	1,794.83
	Operating Expenses			
	Accounting Fees	1,100.00	1,200.00	-100.00
	Bank Charges	0.00	25.00	-25.00
	Conference, convention, meeting	0.00	500.00	-500.00
	Contract Labor	3,330.00	5,000.00	-1,670.00
	Insurance	776.00	1,250.00	-474.00
	Miscellaneous Expenses	111.79	500.00	-388.21
	Office Supplies	485.09	600.00	-114.91
	Postage, shipping, delivery	212.54	500.00	-287.46
	Suscriptions & Memberships	495.00	600.00	-105.00
	Tax Preparation	510.00	900.00	-390.00
	Taxes	87.57	100.00	-12.43
	Total Operating Expenses	7,107.99	11,175.00	-4,067.01
	Total Expense	56,392.60	49,375.00	7,017.60

SCHWBID Estimated Income/Expenses 11-1-12/12-31-12 and 1-1-13 thru 3-31-13

SCHWBID Estimated Expenses 11-1-12/12-31-12	Amount	Accounting Category
Bookkeeping Nov 12- Dec 12	\$ 100.00	Accounting Fees
Contract Labor Nov 12 - Dec 12	\$ 600.00	Contract Labor
Christmas Event	\$ 3,000.00	Events: Christmas
Office Supplies and printing	\$ 40.00	Office supplies
Postage for remainder of year	\$ 45.00	Postage, Shipping, Delivery
Total of estimated expenses through 12-31-12	\$ 3,785.00	
Estimated Income		
Income from booth space Christmas	\$ 1,000.00	Revenue: Christmas Craft Faire
Total Estimated Income	\$ 1,000.00	
Balance in Account as of 10-31-12	\$ 19,460.36	
Estimated income through 12-31-12	\$ 1,000.00	
Estimated Expenses through 12-31-12	\$ 3,785.00	
Balance to operate through Mar. 31, 2013	\$ 16,675.36	
SCHWBID Estimated Expenses 1-1-12/3-31-12		
Bookkeeping Jan 12 - Mar 12	\$ 300.00	Accounting Fees
Contract Labor Jan 11 - Mar 11	\$ 750.00	Contract Labor
General Meeting Expense	\$ 100.00	Miscellaneous
Mother's Day Postcard advertising - sent in March	\$ 400.00	Event Expenses: Mothers Day
Restaurant Week	\$ 1,950.00	Event Expenses: Restaurant Week
Postage	\$ 45.00	Postage, Shipping, Delivery
Tax Preparation	\$ 550.00	Tax Preparation
P.O. Box fee	\$ 70.00	Postage, Shipping, Delivery
Total estimated expenses thru 3-31-12	\$ 4,165.00	

