



Pedro "Pete" M. Sanchez, Mayor
Lori Wilson, Mayor Pro-Tem
Jane Day
Michael J. Hudson
Michael A. Segala

First and Third Tuesday
Every Month

A G E N D A

**SPECIAL MEETING OF THE
SUISUN CITY COUNCIL**

AND

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

TUESDAY, MAY 6, 2014

5:30 P.M.

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

TELECONFERENCE NOTICE

Pursuant to Government Code Section 54953, Subdivision (b), the following Council/Successor Agency/Housing Authority meeting will include teleconference participation by Councilmember Jane Day from: 301 Morgan Street, Suisun City, CA 94585. This Notice and Agenda will be posted at the teleconference location.

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 54954.5 the City Council and Successor Agency will hold a Closed Session for the purpose of:

City Council

1. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code Section 54956.9(b): One potential case.

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

2. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION

Name of case: David Fong v. City of Suisun City Case # FCS038343

3. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

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

Property Under Negotiation: APN 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: Pacific Infinity/Cepeda Baseball

Under Negotiations: Real property terms and payment

Joint City Council/Suisun City Council Acting as Successor Agency

4. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION

Name of case: Main Street West v. Suisun City Council Acting as Successor Agency to
the Redevelopment Agency of the City of Suisun City Case # FCS043017

CONVENE OPEN SESSION

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

ADJOURNMENT

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 related to an agenda item for the open session of this meeting 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. Assistive listening devices may be obtained at the meeting

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.
2. Suisun City is committed to providing full access to these proceedings; individuals with special needs may call 421-7300.
3. Agendas are posted at least 72 hours in advance of regular meetings at Suisun City Hall, 701 Civic Center Boulevard, Suisun City, CA. Agendas may be posted at other Suisun City locations including the Suisun City Fire Station, 621 Pintail Drive, Suisun City, CA, and the Suisun City Senior Center, 318 Merganser Drive, Suisun City, CA.

CITY COUNCIL

Pedro "Pete" M. Sanchez, Mayor
Lori Wilson, Mayor Pro-Tem
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CITY COUNCIL MEETING

First and Third Tuesday
Every Month

A G E N D A

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, MAY 6, 2014

7:00 P.M.

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

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(Next Ord. No. – 726)

(Next City Council Res. No. 2014 – 32)

Next Suisun City Council Acting as Successor Agency Res. No. SA2014 – 02)

(Next Housing Authority Res. No. HA2014 – 02)

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).

REPORTS: (Informational items only.)

1. Mayor/Council -Chair/Boardmembers
2. City Manager/Executive Director/Staff

a. Report on 2013-2014 Alcohol, Tobacco, and Other Drugs (ATOD) Program – (Jessop).

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.)

DEPARTMENTS: AREA CODE (707)

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FIRE 425-9133 ■ RECREATION & COMMUNITY SERVICES 421-7200 ■ POLICE 421-7373 ■ PUBLIC WORKS 421-7340
SUCCESSOR AGENCY 421-7309 FAX 421-7366

PRESENTATIONS/APPOINTMENTS

(Presentations, Awards, Proclamations, Appointments).

CONSENT CALENDAR**Joint City Council / Suisun City Council Acting as Successor Agency / Housing Authority**

3. Council/Agency/Authority Review and Accept the Investment Report for the Quarter Ending March 31, 2014 – (Garben).
4. Council/Agency/Authority 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 April 1, 2014 and April 15, 2014 – (Hobson).

GENERAL BUSINESS

5. Council Adoption of Resolution No. 2014 - ___: Approving an Agreement for Exchange of Raw Water between the City of Vallejo and the City of Suisun City – (Bragdon/King).
6. Discussion and Direction on Priorities for the Suisun-Fairfield Train Depot Improvement Project – (Kasperson).
7. Discussion and Direction: Fireworks Sales Funding Arrangements between Non-Profits and Wholesaler – (Bragdon/O'Brien).

PUBLIC HEARINGS**ADJOURNMENT**

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AGENDA TRANSMITTAL

MEETING DATE: May 6, 2014

JOINT AGENDA ITEM: Accept the Investment Report for the Quarter Ending March 31, 2014.

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

BACKGROUND: Each quarter it is necessary to produce an Investment Report, showing how all City, 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 \$37,093,503 for the period ending March 31, 2014.

In terms of return on our investment, the current yield at market is 0.92%. This compares very favorably with the LAIF return of only 0.26% for the quarter. As can be seen in the Pie Chart (Attachment 1), 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/Authority accept the Third Quarter Financial Officer's Investment Report.

ATTACHMENTS:

- 1. Financial Officer's Investment Report, March 31, 2014.

PREPARED BY:

REVIEWED/APPROVED BY:

Elizabeth N. Luna, Senior Accountant
Jason Garben, Economic Development Director
Suzanne Bragdon, City Manager

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

March 31, 2014

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	\$ 6,687,671	\$ 6,687,671	\$ 6,687,671	-	-
Certificate of Deposit	GE CAP Bk Inc Retail CTF	01/27/15	\$ 150,000	\$ 150,000	\$ 150,000	1.15%	1,725
Certificate of Deposit	Travis Credit Union	06/17/14	\$ 208,245	\$ 208,245	\$ 208,245	2.52%	5,248
Total CD's			\$ 358,245	\$ 358,245	\$ 358,245	1.95%	6,973
State Investment-CITY	LAIF	Demand Deposit	\$ 3,162,450	\$ 3,162,450	\$ 3,162,450	0.24%	5,598
First Amer Treas Oblig Fd	First Amer #31846V203	Demand Deposit	\$ 74,153	\$ 74,153	\$ 74,153	0.01%	4
Federal Agency/Global Note	FFCBB #3133EDFC1	08/14/15	\$ 550,000	\$ 549,403	\$ 549,399	0.20%	1,100
Federal Agency/Bond Note	FNMA #31398A4M1	10/26/15	\$ 725,000	\$ 739,845	\$ 732,820	1.59%	11,781
Federal Agency/Bond Note	FMGN#3130A0GK0	12/30/15	\$ 400,000	\$ 399,186	\$ 399,895	0.38%	1,500
Federal Agency/Bond Note	FMGN#3135G0VA8	03/30/16	\$ 500,000	\$ 500,336	\$ 499,634	0.50%	2,500
Federal Agency/Bond Note	FMGN #3137EAD09	05/13/16	\$ 235,000	\$ 234,967	\$ 234,990	0.50%	1,175
Federal Agency/Bond Note	FHLMC #3137EADS5	10/14/16	\$ 550,000	\$ 551,660	\$ 551,402	0.87%	4,813
Federal Agency/Bond Note	FNMA #3135G0GY3	01/30/17	\$ 550,000	\$ 556,104	\$ 558,566	1.24%	6,875
Federal Agency/Bond Note	FMAC #3137EADJ5	07/28/17	\$ 450,000	\$ 447,976	\$ 452,020	1.00%	4,500
Federal Agency/Bond Note	FHLM #3137EADL0	09/29/17	\$ 350,000	\$ 347,184	\$ 352,634	1.01%	3,500
Federal Agency/Bond Note	FNMA #3135G0PQ0	10/26/17	\$ 500,000	\$ 492,885	\$ 496,593	0.89%	4,375
Federal Agency/Bond Note	FMGN#3137EADP1	03/07/18	\$ 1,250,000	\$ 1,224,353	\$ 1,247,364	0.89%	10,938
Federal Agency/Bond Note	FMGN#3135G0WJ8	05/21/18	\$ 250,000	\$ 243,236	\$ 246,832	0.90%	2,188
Federal Agency/Bond Note	FMGN#3135G0WJ8	05/21/18	\$ 425,000	\$ 413,501	\$ 422,009	0.90%	3,719
Total Federal Agency Bond/Note			\$ 6,735,000	\$ 6,700,636	\$ 6,744,159	0.88%	58,964
Commercial Paper	BNP #0556N1L35	11/3/2014	\$ 500,000	\$ 498,954	\$ 498,650	0.45%	2,250
Commercial Paper	JP MORGAN #46640QL33	11/3/2014	\$ 500,000	\$ 498,954	\$ 499,010	0.33%	1,650
Total Commercial Paper			\$ 1,000,000	\$ 997,908	\$ 997,660	0.39%	3,900
US Treasury Notes	#912828LZ1	11/30/14	\$ 925,000	\$ 937,430	\$ 922,329	2.10%	19,656
US Treasury Notes	#912828RV4	12/15/14	\$ 1,150,000	\$ 1,151,303	\$ 1,150,305	0.25%	2,875
US Treasury Notes	#912828MR8	02/28/15	\$ 65,000	\$ 66,320	\$ 66,146	2.33%	1,544
US Treasury Notes	#912828MR8	02/28/15	\$ 440,000	\$ 448,937	\$ 447,781	2.33%	10,450
US Treasury Notes	#912828MR8	02/28/15	\$ 450,000	\$ 459,140	\$ 457,626	2.33%	10,688
US Treasury Notes	#912828NF3	05/31/15	\$ 900,000	\$ 920,461	\$ 918,620	2.08%	19,125
US Treasury Notes	#912828NP1	07/31/15	\$ 350,000	\$ 357,287	\$ 356,307	1.71%	6,125
US Treasury Notes	#912828NP1	07/31/15	\$ 500,000	\$ 510,410	\$ 509,391	1.71%	8,750
US Treasury Notes	#912828PE4	10/31/15	\$ 660,000	\$ 670,210	\$ 657,030	1.23%	8,250
US Treasury Notes	#912828PE4	10/31/15	\$ 116,390	\$ 118,191	\$ 116,544	1.23%	1,455
US Treasury Notes	#912828PM6	12/31/15	\$ 125,000	\$ 128,887	\$ 128,838	2.06%	2,656
US Treasury Notes	#912828PM6	12/31/15	\$ 500,000	\$ 515,547	\$ 515,374	2.06%	10,625
US Treasury Notes	#912828PS3	01/31/16	\$ 485,000	\$ 499,474	\$ 500,075	1.94%	9,700
US Treasury Notes	#912828OR4	06/30/16	\$ 200,000	\$ 204,188	\$ 201,724	1.47%	3,000
US Treasury Notes	#912828QX1	07/31/16	\$ 750,000	\$ 765,879	\$ 757,511	1.47%	11,250
US Treasury Notes	#912828RU6	11/30/16	\$ 1,200,000	\$ 1,204,126	\$ 1,208,043	0.87%	10,500
US Treasury Notes	#912828SC5	01/31/17	\$ 550,000	\$ 550,688	\$ 549,938	0.87%	4,813
US Treasury Notes	#912828SJ0	02/28/17	\$ 250,000	\$ 250,020	\$ 249,543	0.88%	2,188
US Treasury Notes	#912828SM3	03/31/17	\$ 650,000	\$ 651,625	\$ 655,147	1.00%	6,500
US Treasury Notes	#912828SM3	03/31/17	\$ 825,000	\$ 827,063	\$ 826,883	1.00%	8,250
US Treasury Notes	#912828UZ1	04/30/18	\$ 175,000	\$ 169,518	\$ 173,685	0.65%	1,094
Total US Treasury Bond/Note			\$ 11,266,390	\$ 11,406,701	\$ 11,368,839	1.40%	\$ 159,494
TOTAL POOLED INVESTMENTS			\$ 29,283,909	\$ 29,387,764	\$ 29,393,177	0.80%	\$ 234,933

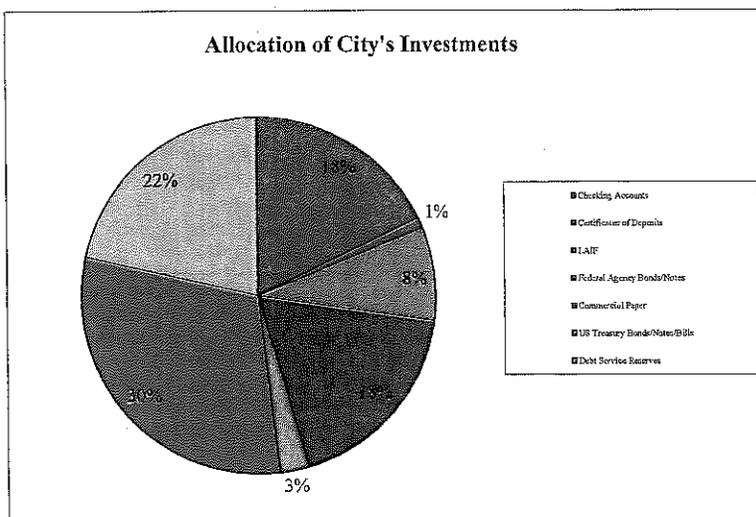
City of Suisun City
Successor Agency and Housing Authority
FINANCIAL OFFICER'S INVESTMENT REPORT

March 31, 2014

Category of Investment	Name of Institution	Maturity Date	Par Amount	Market Value*	Amortized Cost	Curr Yield At Market	Est Annual Income
Reserved for Bond/Debt Service							
Govt Sec Money Market-SSWA 1993	First Amer Treas Oblig Fd	Demand Deposit	608,738	608,738	608,738	0.00%	-
Govt Sec Money Market-SSWA 1993	First Amer Treas Oblig Fd	Demand Deposit	742,705	742,705	742,705	0.00%	-
Govt Sec Money Market-2004 CVCC	First Amer Treas Oblig Fd	Demand Deposit	249,000	249,000	249,000	0.00%	-
Govt Sec Money Market- RDA 1998	First Amer Treas Oblig Fd	Demand Deposit	106,231	106,231	106,231	0.00%	-
Govt Sec Money Market- RDA 1998	First Amer Treas Oblig Fd	Demand Deposit	33,630	33,630	33,630	0.00%	-
Govt Sec Money Market- RDA 1998	US Treasury Notes	10/31/2014	708,000	717,374	730,089	2.38%	16,815
Gov Sec Money Market - RDA 2003-A	First Amer Treas Oblig Fd	Demand Deposit	108,051	108,051	108,051	0.00%	-
Gov Sec Money Market - RDA 2003-A	First Amer Treas Oblig Fd	Demand Deposit	4,938	4,938	4,938	0.00%	-
Gov Sec Money Market - RDA 2003-A	FNMA MTN #3135G0BA0	4/11/2016	396,000	410,985	419,339	2.38%	9,405
Govt Sec Money Market-RDA 2003-B	First Amer Treas Oblig Fd	Demand Deposit	526,666	526,666	526,666	0.00%	-
Govt Sec Money Market-RDA 2003-B	FNMA MTN #3135G0BA0	4/11/2016	2,959,000	3,070,969	3,133,392	2.38%	70,276
Govt Sec Money Market-RDA 2003-B	First Amer Treas Oblig Fd	Demand Deposit	36,036	36,036	36,036	0.00%	-
Savings Acct-RDÀ Marina	West America Bank	Demand Deposit	396,989	396,989	396,989	0.10%	304
Marina Debt Service #912828PE4	US Treasury Notes	10/31/2015	933,610	948,052	934,846	1.23%	11,670
Total Debt Service Reserve Funds			\$ 7,809,594	\$ 7,960,363	\$ 8,030,650	1.35%	\$ 108,471
Grand Total			\$ 37,093,503	\$ 37,348,127	\$ 37,423,827	0.92%	\$ 343,403

Summary of Pooled Investments

	Amount
Checking Accounts	\$ 6,687,671
Certificates of Deposits	\$ 358,245
LAIF	\$ 3,162,450
Federal Agency Bonds/Notes	\$ 6,818,312
Commercial Paper	\$ 997,660
US Treasury Bonds/Notes/Bills	\$ 11,368,839
Debt Service Reserves	\$ 8,030,650
Total	\$ 37,423,827



* 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:

Michael J. McMurry
Michael J. McMurry, City Treasurer
Date: 4/24/14

Submitted by:

Elizabeth Luna
Elizabeth Luna, Senior Accountant
Date: 4/24/2014

MINUTES

SPECIAL MEETING OF THE
SUISUN CITY COUNCILTUESDAY, APRIL 1, 2014
6:00 P.M.

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

TELECONFERENCE NOTICE

Pursuant to Government Code Section 54953, Subdivision (b), the following Council/Successor Agency/Housing Authority meeting will include teleconference participation by Councilmember Jane Day from: 301 Morgan Street, Suisun City, CA 94585. This Notice and Agenda will be posted at the teleconference location.

ROLL CALL

Mayor Sanchez called the meeting to order at 6:00 PM with the following members present: Day, Hudson, Segala, Wilson, Sanchez

PUBLIC COMMENT - None

(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 - Council / Board Member Day announced a Conflict of Interest with Item Number 3 and requested Item Number 3 be moved to after item 4. *(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 54954.5 the City Council will hold a Closed Session for the purpose of:

1. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION
Name of case: Soldo v. City of Suisun City Case #: ADJ8040818
2. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION
Name of case: Brown v. City of Suisun City Case #: ADJ8604171
3. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION : ONE CASE.

7:25 PM – Mayor Sanchez announced the Council completed discussion of Closed Session Items Number 1, 2 and 3 and announced there was no action taken. Mayor Sanchez adjourned the Special City Council Meeting to the Regular City Council Meeting.

9:08 PM – Mayor Sanchez reconvened the Special Closed Session Meeting for discussion of Item Number 4.

4. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

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

Property Under Negotiation: APN 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: Pacific Infinity/Cepeda Baseball

Under Negotiations: Real property terms and payment

CONVENE OPEN SESSION

Mayor Sanchez announced there was no action taken

ADJOURNMENT

There being no further business, Mayor Sanchez adjourned the meeting at 9:24 PM.

Donna Pock, CMC
Deputy City Clerk

MINUTES

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, APRIL 1, 2014

7:00 P.M.

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

TELECONFERENCE NOTICE

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ROLL CALL

Mayor / Chairman Sanchez called the meeting to order at 7:35 PM with the following Council / Board Members present: Segala, Hudson, Day, Wilson, Sanchez.
Pledge of Allegiance was led by Council / Board Member Wilson
Invocation was given by Pastor Phillip Pete, Sr.

PRESENTATIONS/APPOINTMENTS

(Presentations, Awards, Proclamations, Appointments).

Mayor Sanchez changed the order of the agenda and moved Item 3 due to schedule conflict of Police Chief.

3. Introduction and Swearing in of new Suisun City Police Chaplain Pastor Phillip Pete, Sr. -- (Dadisho).

Police Chief Dadisho introduced and Deputy City Clerk Pock gave the Oath of Office to Police Chaplain Pastor Phillip Pete, Sr., Pastor of Lighthouse Full of Life Center in Suisun City.

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).

Gerry Raycraft spoke in support of staff approval of the permitted use of the Chapel at the corner of Main and Morgan.

Dr. Raymond Klein, Carol Elliott, Marsha Pouget, Cleo Archibald and Wayne Day spoke in opposition to the permitted use of the church at the corner of Main and Morgan.

Eric Bianco, owner of 901 Main Street, commented on the use of the building for offices, small weddings and funerals in the chapel. The owner stated he is willing to meet with the neighbors.

Council requested staff to get responses out to the neighbors of the process, the decisions that were made and why. Information provided to the residents will be given to the Council in the weekly update.

REPORTS: (Informational items only.)

1. Mayor/Council -Chair/Boardmembers

Vice Mayor Wilson reported on a call she received regarding renaming a street after BABs, because of the contribution Bab's made to the downtown area, and what is the process for petitioning to rename a street.

Mayor Sanchez reported he attended the March 20 monthly meeting of Solano Transit in Benicia, March 24 the Fairfield-Suisun Sewer District Board meeting, March 26 League of California Cities North Bay Division at the Kroc Center with Council Members Mike Hudson, Mike Segala and staff. Attended community meeting with Council Member Segala at Lawler Ranch Park, which was well attended, and got input from residents. Attended Fil-Am Community installation of officers at the Joseph Nelson Community Center on March 22, Supervisor Spering was Installation Officer and guest speaker.

Council Member Day wanted to remind citizens to get involved with the meetings with their MADs and have their voice heard. We are still having break-ins on Railroad Avenue and would like Police to find ways to address this, maybe coming together with Fairfield and looking at different angles to come up with answers.

2. City Manager/Executive Director/Staff

City Manager Bragdon reported we received a \$2.4 million from WalMart and presented Council with a check.

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).

4. Introduction and Recognition of Staff Sergeant James M. Flicker, 60th Aerial Port Squadron, Travis Air Force Base – (Kasperson).

Management Analyst Dum introduced Staff Sergeant James M. Flicker. Staff Sergeant Flicker coordinated with the City and organized a volunteer group from Travis AFB to clean up trash in Suisun City. His group did their first clean-up on March 16 and collected 16, 55 gallon bags of trash along the bike path from the Train Depot to Marina Blvd. Mayor Sanchez presented Staff Sergeant Flicker with a letter of recognition for his efforts to improve Suisun City.

5. Presentation of Government Finance Officers Association Certificate of Achievement to the City of Suisun City for Excellence in Financial Reporting for its Comprehensive Annual Financial Report for the year ended June 30, 2012 – (Garben).

Mayor Sanchez read and Council Member Wilson presented the Certificate of Excellence in Financial Reporting to Senior Accountant Luna on behalf of the Finance Department. The City has received this award for nine years in a row.

6. Solano Transportation Authority Update by Robert Guerrero on the Regional Transportation Impact Fee (RTIF).

Robert Guerrero, Solano Transportation Authority, gave a presentation on the Regional Transportation Impact Fee and status of program. RTIF is component of the County Public Facility Fee where a small portion of the fee is dedicated to approved countywide transportation projects administered by STA. The goal is to have an implementation plan with the projects and policies, for the next five years, adopted in June, and have money available to projects by next fiscal year that are ready to go.

CONSENT CALENDAR

City Council

7. Council Adoption of Resolution No. 2014-23: Authorizing the City Manager to Recruit and Appoint One Communications & Records Technician I/II (CRT) – (Dadisho).

Joint City Council / Suisun City Council Acting as Successor Agency

8. Extension of Employment Contract for the City Manager/Executive Director – (Anderson).
- Council Adoption of Resolution No. 2014-24: Approving Amendment No. 6 to the Employment Contract with the City Manager to Extend the Term to March 31, 2018.
 - Agency Adoption of Resolution No. SA 2014-02: Approving Amendment No. 6 to the Employment Contract with the Executive Director to Extend the Term to March 31, 2018.
 - Council Adoption of Resolution No. 2014-25: Adopting the 7th amendment to the Annual Appropriation Resolution No. 2013-31 to Appropriate Funds for the Bonus Payment to the City Manager that was Approved by the City Council on January 22, 2008.

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

9. Council/Agency/Authority 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 February 18, 2014, March 4, 2014, and March 18, 2014 – (Hobson).

Council Member Wilson requested Item 8a and 8b be pulled from the Consent Calendar and clarify that 8c is not related to the extension of the employment contract but fulfilling a prior obligation.

Motioned by Council / Board Member Day and seconded by Council / Board Member Segala to approve the Consent Calendar Items 7, 8c and 9. Motion carried unanimously by the following roll call vote:

AYES: Council / Board Members Day, Hudson, Segala, Wilson, Sanchez

Motioned by Council / Board Member Segala and seconded by Council / Board Member Day to approve the Consent Calendar Items 8a and 8b. Motion carried by the following roll call vote:

AYES: Council / Board Members Day, Hudson, Segala

NOES: Council / Board Members Wilson, Sanchez

GENERAL BUSINESS - None

PUBLIC HEARINGS - None

ADJOURNMENT

There being no further business, Mayor Sanchez adjourned the regular meeting to the Special Closed Session meeting at 9:08 PM.

Donna Pock, CMC
City Clerk

MINUTES

SPECIAL MEETING OF THE SUISUN CITY COUNCIL

AND

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

TUESDAY, APRIL 15, 2014

6:00 P.M.

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

TELECONFERENCE NOTICE

Pursuant to Government Code Section 54953, Subdivision (b), the following Council/Successor Agency/Housing Authority meeting will include teleconference participation by Councilmember Jane Day from: 301 Morgan Street, Suisun City, CA 94585. This Notice and Agenda will be posted at the teleconference location.

ROLL CALL

Mayor / Chairman Sanchez called the meeting to order at 7:00 PM with the following Council / Board Members present: Segala, Hudson, Day, Wilson, Sanchez.

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 54954.5 the City Council and Successor Agency will hold a Closed Session for the purpose of:

Joint City Council / Suisun City Council Acting as Successor Agency

1. PERSONNEL MATTERS

Pursuant to California Government Code Section 54954.5 et seq. the Suisun City Council will hold a Closed Session for the purpose of Public Employee Performance Evaluation: City Manager/Executive Director.

City Council

2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant Exposure to litigation pursuant to Government Code Section 54956.9(b): One potential case.

6:02 PM – Mayor Sanchez recessed the meeting to Closed Session.

CONVENE OPEN SESSION

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

7:13 PM Mayor Sanchez reconvened the meeting and stated no decisions had been made in Closed Session.

ADJOURNMENT

There being no further business, Mayor Sanchez adjourned the meeting at 7:13 PM.

Linda Hobson, CMC
City Clerk

MINUTES

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, APRIL 15, 2014

7:00 P.M.

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

TELECONFERENCE NOTICE

Pursuant to Government Code Section 54953, Subdivision (b), the following Council/Successor Agency/Housing Authority meeting will include teleconference participation by Councilmember Jane Day from: 301 Morgan Street, Suisun City, CA 94585. This Notice and Agenda will be posted at the teleconference location.

ROLL CALL

Mayor / Chairman Sanchez called the meeting to order at 7:15 PM with the following Council / Board Members present: Segala, Hudson, Day, Wilson, Sanchez.

Pledge of Allegiance was led by Mayor Pro Tem Wilson.

Invocation was given by Captain Vickie Harvey of the Salvation Army.

PUBLIC COMMENT - None

(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).

Mayor Sanchez moved Item 3.

Assemblyman Frazier reported the committees that he currently serves on; stated the following priorities for this year are Veterans, transportation, protecting the Delta, special needs – mental health; stated would be happy to partner with Suisun City on any issues such as economic development or business incentives, and would continue to work on some kind of reinstatement of redevelopment.

7:57 PM – Mayor Sanchez recessed the meeting for a short break.

8:04 PM – Mayor Sanchez reconvened the meeting.

REPORTS: (Informational items only.)

1. Mayor/Council -Chair/Boardmembers

Council / Board Member Segala reported on the Lawler House Museum and distributed posters to the council members; stated the Solano Central Bikeway needs some cleanup; reported a broken window at Vic's Pioneer Bar which is owned by the City; suggested the

City needs to let citizens know if there is going to be a community garden this year; suggested staff keep an eye on the fiber optic shelters on Highway 12 at Snow and WalMart site; reported attending the Water Agency Board meeting yesterday and the Active Transportation Committee; and reminded citizens to attend the Travis Air Show on May 3 and 4 and to participate in Bike-to-School Day May 7 and Bike-to-Work Day on May 8.

Council / Board Member Hudson attended Active Transportation Committee attended the community meeting for the Main Street Chapel on Main Street, and reported later this month would be attending Legislative Action Days with the League of California Cities.

Council / Board Member Day

Mayor / Chairman Sanchez reported attending the following: 4/8 Suisun-Solano Water Exec Board meeting, 4/9 Safequest Event at the former Sullivan Middle School where Police Chief Dadisho received an award for the police department's work with respect to giving assistance to sexual assault victims, 4/12 Fairfield-Suisun Running Festival, 4/14 Jepson Parkway Committee meeting, 4/14 SSWA Board meeting where water rate increase was deferred for future year, 4/15 Moving Solano Forward meeting with mayors, supervisors, business, and school leaders.

2. City Manager/Executive Director/Staff

City Manager Bragdon reported WalMart groundbreaking would be April 24 at 4:00 PM.

- a. Status of Landscaping Damaged by the Weather – (Kasperson/Christian).
- b. Status of Policy Alternatives regarding Fireworks Sales per Council Discussion February, 2014 - (Bragdon/Anderson)

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).

3. Presentation by Assemblymember Jim Frazier – Capitol Update.

Moved above.

CONSENT CALENDAR

City Council

4. Council Adoption of Resolution No. 2014-26: Authorizing the City Manager to Enter into a Lease Agreement on the City's Behalf with Caltronics Business Systems for the Citywide Multi-function Copier Leasing and Maintenance Contract – (Kasperson).
5. Council Adoption of Resolution No. 2014-27: Authorizing the City Manager to Enter into a Construction Contract on the City's Behalf with Water Rock Construction for the Petersen Road North Sound Wall Project – (Kasperson).

6. Council Adoption of Resolution No. 2014-28: Accepting the Comprehensive Annual Financial Report and Report on Federal Awards in Accordance with OMB Circular A-133 for Fiscal Year 2012-13 – (Anderson).

Joint City Council / Suisun City Council Acting as Successor Agency

7. Council/Agency Approval of the March 2014 Payroll Warrants in the amount of \$369,723.40. Council/Agency Approval of the March 2014 Payable Warrants in the amount of \$726,796.02 – (Finance).

Council Member Segala requested Item 5 be pulled for discussion.

Motioned by Council / Board Member Hudson and seconded by Council / Board Member Day to approve Consent Calendar Items 4, 6, and 7. Motion carried unanimously with following roll call vote:

AYES: Council / Board Members Segala, Hudson, Day, Wilson, Sanchez

Motioned by Council / Board Member Segala and seconded by Council / Board Member Hudson to approve Consent Calendar Item 5 amending the provision to increase the fence by three feet. Motion failed with following roll call vote:

AYES: Council / Board Members Segala, Sanchez

NOES: Council / Board Members Hudson, Day, Wilson

Motioned by Council / Board Member Hudson and seconded by Council / Board Member Day to approve Consent Calendar Item 5 as is. Motion carried with following roll call vote:

AYES: Council / Board Members Hudson, Day, Wilson

NOES: Council / Board Members Segala, Sanchez

GENERAL BUSINESS

City Council

8. Council Adoption of Resolution No. 2014-29 Accepting the Suisun-Fairfield Train Depot Renovation Conceptual Design Study – (Kasperson).

Bob Ritchie suggested having wifi by the benches outside the building, correcting water flow on the water fountain, art work and kiosk with info on Suisun City.

Motioned by Council Member Hudson to postpone this item for six months. Motion failed for lack of second.

City Clerk Hobson accepted a report from Council Member Segala with suggested changes.

Council agreed on the recommended paint color, lighting control, and benches; but said no to interior improvements for a future tenant and stamped concrete.

Motioned by Council Member Wilson and seconded by Council Member Segala to adopt Resolution No. 2014-29. Motion carried unanimously with the following roll call vote:

AYES: Council Members Segala, Hudson, Day, Wilson, Sanchez

9. Transportation Development Act Funding for Maintenance of the Train Depot – (Kasperson).
 - a. Council Adoption of Resolution No. 2014-30: Authorizing the City Manager to Execute a Funding Agreement with Solano Transportation Authority for Maintenance of the Suisun Train Depot.
 - b. Council Adoption of Resolution No. 2014-31: Adopting the 8th Amendment to the Annual Appropriation Resolution No. 2013-31 to Appropriate \$50,000 for Maintenance and Operation of the Train Depot.

Motioned by Council Member Wilson and seconded by Council Member Segala to adopt Resolutions No. 2014-30 and No. 2014-31. Motion carried unanimously with the following roll call vote:

AYES: Council Members Segala, Hudson, Day, Wilson, Sanchez

PUBLIC HEARINGS

ADJOURNMENT

There being no further business, Mayor Sanchez adjourned the meeting at 10:59 PM.

Linda Hobson, CMC
City Clerk

AGENDA TRANSMITTAL

MEETING DATE: May 6, 2014

CITY AGENDA ITEM: Council Adoption of Resolution No. 2014-__: Approving an Agreement for Exchange of Raw Water between the City of Vallejo and the City of Suisun City.

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

BACKGROUND: On January 17, 2014, Governor Brown declared a state of emergency in response to the current drought. In response to the Governor's declaration, the Department of Water Resources (DWR) has reduced the State Water Project (SWP) 2014 allocation to 0% of the contractual amount. Quoting from DWR's January 31, 2014 press release:

Except for a small amount of carryover water from 2013, customers of the State Water Project (SWP) will get no deliveries in 2014 if current dry conditions persist and deliveries to agricultural districts with long-standing water rights in the Sacramento Valley may be cut 50 percent – the maximum permitted by contract – depending upon future snow survey results. It is important to note that almost all areas served by the SWP have other sources of water, such as groundwater, local reservoirs, and other supplies.

DWR also has asked the SWRCB to adjust water permit terms that control State Water Project and federal Central Valley Project operations in order to preserve dwindling supplies in upstream reservoirs for farms, fisheries, and cities and towns as the drought continues.

While this does not affect Suisun City, since its supplies are from the Solano Project through the Suisun-Solano Water Authority (SSWA) and Solano Irrigation District (SID), it does affect other Solano County cities including Vallejo, that rely on SWP supplies through the North Bay Aqueduct (NBA).

The State Water Resources Control Board (SWRCB) has notified Vallejo "that Vallejo's access to Sacramento River water, one of its three water sources, could be curtailed or even eliminated. The allotment represents 53 percent of the city's annual water supply." Per the February, 2005, SCWA Integrated Regional Water Management Plan, page 3-4, "VPW [Vallejo Permit Water] is subject to being cut off during the summer of very dry years when the State Water Resources Control Board (SWRCB) determines that the available water supply in the Delta is coming from SWP and CVP reservoir storage releases." Reportedly this curtailment will take place on May 15, 2014. In order to offset the loss of deliveries from the Sacramento River, Vallejo plans to enlarge its pumping and delivery capacity for Solano Project water, but the SWRCB action will occur before the new facilities can be built. Vallejo is looking for alternative supplies to fill in its short-term need.

PREPARED BY:
REVIEWED/APPROVED BY:

Jim Daniels, SSWA Engineer
Suzanne Bragdon, City Manager



Suisun City also has an allocation from the State Water Project of 1,250 acre-feet (AF) in 2014. If NBA deliveries are eliminated, then 0 AF will be available, but the DWR announcement of a 5% allocation may make 62.5 AF (20.4 million gallons) available this year. Suisun City also has carryover water that was purchased but not delivered, in the amount of 1,310 AF. Currently sufficient Solano Project supplies are available to meet Suisun City water demands, and Suisun City is unable to use its SWP water, since it cannot deliver it to SSWA's Cement Hill Water Treatment Plant.

STAFF REPORT:

Proposed Arrangement

To make up the potential loss of its permit water, Vallejo desires to obtain what Suisun City is willing to make available. Vallejo proposes to obtain Suisun City's SWP carryover reserve amount, and if available whatever fraction of its annual allocation as well, in exchange for a volume of Solano Project (SP) water equal to the volume it actually receives. Vallejo is proposing no monetary consideration for this exchange of raw water, and this would be a one-time exchange. A gallon-for-gallon exchange is favorable to Suisun City, because such exchanges are normally exchanged at a rate of two gallons of NBA (SWP) water for every gallon of Solano Project water.

The "exchange" would take place within the accounting of water deliveries to Vallejo and Suisun City which are handled by the Solano County Water Agency (SCWA). Whatever delivery of Suisun City SWP water is made to Vallejo will be offset by a credit to Suisun City's Solano Project water balance for allocation to SSWA for use in 2014.

Benefits of the Exchange

The exchange would provide usable water to the City, thus making the City's water supply useful to its customers. Per the SSWA Joint Exercise of Powers Agreement that water would be delivered by Suisun City to SSWA for treatment and delivery to SSWA customers. The net effect would be to decrease the amount of Solano Project water provided by SID to SSWA. Making the exchange would preserve Solano Project supplies available to SSWA (SID's allocation).

Financial Considerations

The City pays an annual amount to SCWA for NBA capital repayment and water purchase. The funds for this annual payment is collected through an assessment of an ad valorem property tax. The funds levied are equivalent to the annual payments, and the City pays SCWA from these collected funds. For 2014 the payment is \$51,090 for the NBA construction cost, plus \$25,625 for 1,250 AF of water at \$20.50 per AF, for a total cost of \$76,715.

The current water rate for Solano Project water is \$0 per AF since the construction cost for the Solano Project facilities (Monticello Dam, the Putah South Canal, etc.) has been paid off. Previous inquiries by other Solano County cities to obtain Suisun City's SWP water allocation were based solely on financial compensation and did not include water exchanges.

STAFF RECOMMENDATION: It is recommended that the City Council adopt Resolution No. 2014-__: Approving an Agreement for Exchange of Raw Water between the City of Vallejo and the City of Suisun City.

ATTACHMENTS:

1. Resolution No. 2014-__: Approving an Agreement for Exchange of Raw Water between the City of Vallejo and the City of Suisun City

RESOLUTION NO. 2014-__

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY
APPROVING AN AGREEMENT FOR EXCHANGE OF RAW WATER BETWEEN
THE CITY OF VALLEJO AND THE CITY OF SUISUN CITY**

WHEREAS, due to the curtailment of the delivery of State Water Project water to the City of Vallejo, it is looking for alternative supplies to fill in its short-term need; and

WHEREAS, Suisun City currently has sufficient Solano Project supplies are available to meet its water demands, and it has excess water supplies which it can exchange with the City of Vallejo; and

WHEREAS, the City of Vallejo is proposing a one-time exchange of Suisun City's SWP carryover reserve amount, and if available whatever fraction of its annual allocation as well, in exchange for a volume of Solano Project (SP) water equal to the volume that the City of Vallejo actually receives; and

WHEREAS, this agreement would be advantageous to Suisun City as it would ensure the availability of water supplies for our customers, and reduce reliance on SID water resources for this one-time exchange.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Suisun City hereby authorizes the exchange of the City's SWP carryover amount and 2014 allocation with the City of Vallejo in return for an equal quantity of Solano Project water per the terms of the proposed agreement, and authorizes the City Manager to execute the agreement with Vallejo and advise the Solano County Water Agency of the agreement to the exchange.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Suisun City duly held on Tuesday, the 6th day of May 2014, by the following vote:

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

WITNESS my hand and the seal of said City this 6th day of May 2014.

Donna Pock, CMC
Deputy City Clerk

AGENDA TRANSMITTAL

MEETING DATE: May 05, 2014

CITY AGENDA ITEM: Discussion and Direction on Priorities for the Suisun-Fairfield Train Depot Improvement Project.

FISCAL IMPACT: No fiscal impact.

BACKGROUND: On July 3, 2013, staff advertised to solicit qualifications for Historical Architectural and Engineering Services for the Suisun-Fairfield Train Depot Improvement Project (Project). Because of the historic nature of the Train Depot, it is necessary to use the services of a qualified architect who can assist the City in protecting the historic features of the property. On September 17, 2013, the City Council awarded a contract to Interactive Resources, Inc. (Interactive) for Design Phase 1 of the Project to prepare the Suisun-Fairfield Train Depot Renovation Conceptual Study (Study). The City Council accepted that Study on April 15, 2014. Award of the contract to complete Design Phase 2 would come before Council for award at a later date. On April 15, 2014, the Council was also asked to provide direction on priorities for the project. There was significant discussion on the subject. The Council requested that a summary of its recommendations be brought back for confirmation.

STAFF REPORT: First level priorities for the project as listed in the Study and recommended by staff are as listed below:

Elements Essential to the Project

Area 1: Depot Improvements

Depot Exterior

1. New exterior paint scheme
2. New Main Street entry configuration
3. New exterior handrails and warning strips at stairs where required
4. Revise the exterior signage
5. New exterior building-mounted lighting
6. Select and prepare locations for security cameras at building exterior
7. Provide new benches
8. Install kiosks at platform
9. Install way-finding signage at platform
10. Install pigeon guard at roof
11. New ADA parking stalls

Depot Interior

1. Rehabilitate existing windows
2. Adjust exterior doors opening force
3. New interior paint scheme
4. New interior lighting
5. Revise interior restroom layout for ADA compliance
6. New interior restroom fixtures

PREPARED BY:

REVIEWED/APPROVED BY:

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



7. New interior restroom finishes
8. New ADA compliant drinking fountain
9. New interior door at existing office to provide access for designated Greyhound storage

Area 2: (Intentionally not included)

Area 3: Surrounding Depot Improvements

1. Improve bus stop island – remove or grind upheaved pavement
2. Remove and replace curb cuts
3. Upgrade bus stop shelters
4. Install lighting at bus stop shelters
5. Upgrade lighting at plaza by cleaning glass components
6. Upgrade landscaping. Item numbers 16, 18, 19, and 20 in Appendix A have been identified as “High Priority” items.
7. Test and modify irrigation system
8. Upgrade paving appearance by changing the color of the concrete bands
9. Clean and paint dumpster enclosure
10. New bike storage facilities

Area 4: Main Street Entry Improvements

1. Remove existing non-original concrete entry stairs
2. Install new wide concrete stair to align with plaza stairs across the driveway
3. Install new handrails at concrete stair
4. Relocate one existing pay phone and reinstall at ADA compliant height.

At the April 15, 2014 City Council meeting, the Council discussed these priorities which were confirmed with following additional comments and added direction:

- The historically correct color scheme as recommended by the architect was approved by the Council.
- The Council emphasized that benches and seating were an important priority.
- The Council stated that interior tenant improvements to accommodate a future cafe tenant were of a lesser priority than exterior improvements.
- The Council agreed that an automatic lighting controller should be on the list of essential elements.
- The Council agreed that stamped paving should not be used in the crosswalks.

At the request of the Council, this item is being brought back to the Council for further discussion and confirmation that this reflects the direction of the Council. The recommendation of staff is to confirm these priorities for Suisun-Fairfield Train Depot Renovation Conceptual Design Study.

RECOMMENDATION: It is recommended that the City Council provide direction on priorities for the Suisun-Fairfield Train Depot Improvement Project.

ATTACHMENTS: None

AGENDA TRANSMITTAL

MEETING DATE: March 4, 2014

AGENDA ITEM: Discussion and Direction: Fireworks Sales Funding Arrangements between Non-Profits and Wholesaler.

FISCAL IMPACT: None at this time.

BACKGROUND: Fireworks sales by nonprofits have been authorized since 2012 in Suisun City. Fireworks are sold by three separate nonprofits from three booths in the City. There are two wholesalers (TNT Fireworks and Phantom Fireworks) that supply fireworks to this region of California. The City, wholesalers, and nonprofits share in the net proceeds from the sales.

The concept of the wholesaler giving a donation from the gross receipts to fund the July 4th Community Event was initially discussed by the Council at the February 21, 2012 City Council meeting as a sustainable approach to fund this event. With two years of experience of selling fireworks under the formulas discussed back then, money has been generated to cover the costs of our July 4th event; however, concern has been voiced by some that enlisting non-profits to sell fireworks may not be viable in the long-run if the monetary award is not commiserate with the effort required.

At the February 4, 2014 Council meeting, this matter was discussed in great detail. Staff was asked to report back on alternatives that would address the interests of covering costs of providing the July 4th community event through both the sale of fireworks and other revenue generating opportunities during the day of the event, and increasing the monetary benefits for the non-profits. This report outlines the results from this further research while providing options and alternatives for Council consideration to balance these multiple interests.

STAFF REPORT: At the February 4, 2014 Council meeting, there was a consensus of the Council that was interested in accomplishing the following as it pertains to the fireworks funding agreement between the fireworks wholesaler and non-profits that are selected to sell fireworks:

- Allow non-profits to deduct defined expenses before calculating their share of the proceeds from the sale of fireworks;
- Modify the split of the proceeds that ultimately goes to the non-profits and the July 4th Event Fund, which is currently at 48% non-profit/52% July 4th Fund;
- Cover the cost of the July 4th Community event, which is quantified before the sale of fireworks occurs;

RESEARCHED BY
PREPARED/APPROVED BY:

Ron Anderson, Michael O'Brien
Suzanne Bragdon, City Manager

MAD
CEG
SB

- Maintain a reserve account to address unforeseen declines in fireworks sales.

Other topics to be researched and considered include increasing City revenue generating opportunities during July 4th that can be used to fund the event, and increasing enforcement of the use of illegal fireworks.

In order to come up with options and alternatives to address these interests, staff has had discussions with representatives of TNT and Phantom, as well as involved non-profits, to more fully understand the economics, industry practices and trends, risks and liabilities (perceived and real) surrounding the sale of fireworks. Other regional jurisdictions were likewise contacted to solicit their thoughts and practices to the issues we are facing.

To facilitate this discussion, this staff report is organized into three broad areas:

- **The Current Situation**, which covers, among other things, City revenues and expenses for both July 4th and enforcement, and non-profit revenue trends;
- **Findings and Observations**, which includes information identified through further discussions with stakeholders and research that has bearing on the development and weighing of options and alternatives; and
- **Options and Alternatives**, which include, among other things, variable implementation strategies that range from implementing 100% by July 4, 2014 to phasing implementation between 2014 and 2015 in order to better understand the financial benefit of July 4th falling closer to the weekend, as well as other revenue generating ideas.

Ultimately, because of the limited data available to track trends, it is recommended that these assumptions be revisited annually at the time the scope and budget for July 4th is confirmed.

THE CURRENT SITUATION – As a foundation for analysis, this section includes actual and estimated revenues to the city from the sale of fireworks from 2012 through 2015 under the current formula, along with actual and projected costs for providing the event offset by revenue generated from food and vendor booths. Similar information is provided for non-profits.

City Revenue/Expenditure Trends: July 4th Community Event

The table below shows the City's actual and projected revenue and expenditure trends. As indicated:

- Revenues generated from the 52% of net fireworks sales covered event costs in 2013 with a surplus of just over \$7,000.
- Deficits anticipated in 2014 of roughly \$8,000 due primarily to a drop in revenues of roughly 10% or \$6,000 in 2013.
- Assuming an increase in revenues this year of roughly 5% or \$3,000 due to July 4th falling on a Friday, the operating deficit is reduced to \$6,000 in 2015.

These numbers assume the application of the same funding arrangements between the wholesaler and non-profits that have been in place over the past two years. Food and vendor booth fees have been increased by 10%, which keeps us competitive with surrounding jurisdictions. With the surplus from the 2013 year, the projected deficit for 2014 can be covered.

CITY OPERATING EXPERIENCE AND PROJECTIONS: JULY 4TH EVENT				
	2012 Actual	2013 Actual	2014 Estimated	2015 Estimated
Revenue (52%)	\$ 54,138.88	\$ 49,175.73	\$ 52,000.00	\$ 53,000.00
Expenditures				
Gross Expenditures		\$ 55,402.00	\$ 64,775.00	\$ 68,075.00
Less Booth Rentals		(8,530.00)	(9,400.00)	(10,000.00)
Net Expenditures		\$ 46,872.00	\$ 55,375.00	\$ 58,075.00
Surplus/(Deficit) **		\$7,266.88	(\$6,199.27)	(\$6,075.00)
** Note: Prior Year Revenues are compared against current year costs per funding approach.				

Non-Profit Experiences

Under our current process of selecting non-profit organizations, we limit the number of fireworks booths to three. Preferences are given to local non-profits. Non-profits are selected through a two-tiered random drawing. The first drawing is of those non-profits that have a local preference, with the second drawing ranking those serving beyond or outside Suisun City.

In all three of our selection cycles, the number of non-profits applying to sell fireworks has well exceeded the three opportunities that are available. Furthermore, in all cases, local-serving non-profits (with preferences) operated the booths. In a couple of cases, the local non-profit selected has not had the manpower to staff a booth; to meet staffing requirements, they have teamed up with another non-profit and shared the profits.

Non-profits over the past two years have generated net profits, per booth, ranging from roughly \$9,000 to \$14,000. For the couple of instances where non-profits have had to share net profits, they have raised around \$4,500 each. Factors that go into the non-profits "profits" include:

- Gross revenue is split 50/50 between the wholesaler and the non-profit;
- The non-profits receive 48% of their fifty-percent, with 52% going to the July 4th Community Event Fund;
- From this amount that the non-profit receives, expenses are paid for a number of different things, which in some cases the wholesaler picks up or subsidizes; these things include State and local license and permit fees, application fees, insurance, credit card machine rental, credit card fees, land rental, booth rental, and initial product delivery fee.

What has raised concerns by the wholesalers is that non-profits are generally not interested in signing up to take on this responsibility in subsequent years reportedly because of the time and effort required against returns. This requires more work on the part of the wholesalers, but likewise has raised the concern of the long-term sustainability of being able to fund July 4th through the sale of fireworks.

Non-profits that we have spoken with have voiced, as their main concern, the requirement to pay fees after making the 48%/52% split. Concern has also been expressed about the 12% surcharge to increase education/enforcement/safety as a direct result of allowing the sale and use of fireworks in the community. From the non-profits point of view, those purchasing fireworks are generally not expecting that the cost of their purchase is nearly 20% more than anticipated; anecdotally, consumers may buy less product because of this surcharge.

FINDINGS AND OBSERVATIONS – Based on discussions with the wholesalers, non-profits and other jurisdictions, as well as following-up with Council specific information requests, the following identifies different pieces of information to help formulate a policy for moving forward. Areas addressed include:

- Different approaches to fireworks sales in other cities including non-profit revenue generation due to different approaches
- Wholesaler vs. Non-Profit relationship
- Enforcement
- Other revenue generation opportunities

Different Approaches in Other Cities

As with most things, there is not “one approach” to how cities address the regulation of fireworks sales or why they allow for the use and sale of fireworks in their communities. Specifically:

- Suisun City limits the number of booths that can sell fireworks based on the projected market demand in the area; this maximizes the amount of money generated by each non-profit.
- In Sacramento, as an example, there is no limit on the number of groups that can sell fireworks; the only requirement is that they not be closer than so many yards.
- In an open system like Sacramento, for one of the wholesalers, they indicated that the average amount of money raised per booth is only \$4,000.
- Based on discussions with TNT, out of roughly 2,000 sales booths in the State of California that they manage, only the City of Lompoc implements a split with the non-profit for community benefit; their split is 32%.
- Suisun City’s education/enforcement/safety surcharge is 12%; most other cities have a surcharge around 7%.

- While the non-profits are responsible for product delivery (meaning, if there is a loss of product because of theft or fire, the non-profit is still responsible for the purchase of the product), both TNT and Phantom indicated that these occurrences are virtually non-existent; neither had an example of where a non-profit incurred a net-loss because of product damage or loss.

Related to the reduction of the surcharge from 12% to 7%, the City does have reserves in this account that would allow for the reduction to 7% and still meet the City's education, enforcement and safety interests. Anecdotally, this could increase gross fireworks sales, which benefits all parties.

Wholesaler – Non-Profit Relationship

When Suisun City first allowed the sale and use of fireworks in the City in order to develop a sustainable model for funding the July 4th Community Event, the numbers were very tight. In discussions, at that time with TNT, it was agreed that certain expense items would be covered by the wholesaler in order to make the numbers work. Phantom likewise agreed to work with the non-profits to make things work for all parties. Moving forward, the following observations are made:

- Expenses that the wholesalers agree to pick-up on behalf of the non-profit vary by wholesaler and vary from year to year.
- Areas of variance include minor costs such as permit and application fees, and fire extinguishers, to more significant costs such as location rental (wholesalers pick-up from 50% to 100%) and the credit card fee.

For TNT, 2014 expenses that the non-profits are responsible for, assuming a 32' stand on the 30 acre site, amounts to roughly \$3,825. These costs include:

• Licenses and Fees	\$185
• Two fire extinguishers	40
• Stand rental (32')	400
• Delivery	50
• 50% of Location Rental (30 acre site)	2,500
• Container on Site	200
• Credit card machine rental	200
• 1 Pad Payfox	250

This does not include insurance, which some organizations already have coverage for, or the credit card charge by the bank.

In discussions with the wholesalers, and in all fairness, they have an interest in making the non-profits' experience monetarily worthwhile because it is easier and less time-intensive to work with non-profits that have the routine down and understand how to maximize their sales. It was

also noted that the perception is that the wholesalers get “50% of the profit with minimal effort.” But in addition to paying for the product, the wholesalers have extraordinary costs tied to working with China (who is virtually the sole producer of stable fireworks in the world), ensuring safety mandates are being adhered to in China (which includes laboratory and staffing in China), and the related United States requirements of importing, transporting and storing hazardous materials.

With that said, it might behoove our local non-profits to not sign up with a specific wholesaler in advance of the lottery, in order to improve negotiation position on who ultimately picks up these various expenditures. Similarly, the question has been raised about the City negotiating between the two wholesalers to get the “best deal,” though such an approach would need to be reviewed by legal to address the question of whether or not such is an infringement on trade.

Enforcement of Fireworks Regulations

Council asked for information on our enforcement efforts related to the illegal use of fireworks. As indicated therein, for 2013, the Police Department received 44 complaints covering the period before, during and after July 4th. Attachment A provides the details regarding these calls for service including who reported and the outcomes; no citations were issued.

The challenge in issuing citations is the requirement for officers to observe someone lighting fireworks for them to cite. The law specifically requires officers to observe a misdemeanor or infraction in order to cite or arrest. If the Council’s interest is to beef up this effort, the challenge is not impossible to overcome. Once officers determine where the fireworks are coming from, they can basically approach by foot and do a stake-out for illegal use. It’s a matter of assessing and balancing cost.

The enforcement authority given to the police department, and the associated fines and penalties from the Municipal Code follows below.

8.04.050 - Safe and Sane Fireworks

“...it shall be unlawful for any person to ignite, discharge, project, or otherwise fire or use any "safe and sane fireworks," or permit the ignition, discharge or projection thereof at any location in the city within the Suisun City Waterfront District, more specifically during the hours of any public event commemorating Independence Day. For purposes of this section, the Waterfront District shall be the area bounded by Morgan Street, Main Street, Lots Avenue and Civic Center Boulevard (including Day Park), excluding designated discharge locations designated by the fire chief.

Administrative fines. Each person who violates any provision of this Code as it relates to the possession, use, storage, sale and/or display of "dangerous 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	\$ 500.00	\$ 150.00	\$ 650.00
Second	\$ 750.00	\$ 250.00	\$ 1,000.00
Third	\$ 1,000.00	\$ 500.00	\$ 1,500.00

i.

Each person who uses "safe and sane fireworks" on or at dates, times and/or locations other than those permitted by this Code 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

The issuance of citations, imposing administrative fines, right to appeal, and the right for an administrative hearing shall be performed in accordance with Title 1, Chapter 1.20 - Administrative Citations of the city code. (three member hearing board empanelled by the CM), then it can be appealed to court.

Other Revenue Opportunities: Reducing Net July 4th Event Costs

Currently, revenues generated from the rental of space for food and other vendors offset the cost of the event close to \$10,000, and this includes an increase of roughly 10% over prior years. We are currently charging in the \$275 range. Within our region, costs range from \$100 to \$500. Some larger events do a % of sales; but because most of vendors do not have the ability to run a tape from a cash register, accountability is a challenge. Looking beyond 2014, increasing booth rentals to \$350 could bring in an additional \$3,000 to \$4,500, though we may lose some vendors. The table below outlines more aggressive fees that could be considered.

2013 Vendor Booth Charge	8X10	8X20
Food some have up to 4 spaces	\$350	\$400
Food non profit	\$250	\$300
Crafts 75% hand made	\$200	\$260
Commercial Products	\$250	\$300
Nonprofit w/ Proof of NP	\$80	\$145
Beer Garden	No Charge	

Other revenue opportunities that could be explored, include:

- Charging for parking on prime city owned lots, though money generated would need to be offset by the costs for providing this service;
- Negotiate a sponsorship opportunity for the fireworks wholesaler offset by a reduction in location rentals paid by the wholesaler to the Housing Authority.

The other side of the question would be to reduce the budget for the July 4th Community Event. Options include going back to a ½ day event, like we did in 2012, which could save roughly \$15,000. The challenge we had with this approach, though, was that people still came out early regardless of what was advertised for the event. The Beer Garden was negatively impacted by the reduced day, as well.

Reduction of the fireworks show itself from 20 minutes to 10 minutes could save \$5,000.

OPTIONS AND ALTERNATIVES

Given all of the above, there are a number of policy questions for the Council to consideration. One wild-card, however, that could dramatically change the numbers for the next four years, is what fireworks sales will look like as July 4th moves into the weekend. The wholesalers advised us that when we started this effort, that sales would likely be lower than average because of July 4th falling mid-week. But we don't know.

Given that, staff needs direction on the following:

1. Is the Council's top priority to cover the cost of the July 4th event under any circumstance and give additional revenue potential to non-profits beginning in 2014? Or is the interest to cover costs and start in 2015?
2. If there is interest in providing increased revenue potential to non-profits in 2014, it is recommended that any modifications to the formula come into play after an amount equal to the July 4th 2015 event and suggested reserve is allocated to the July 4th Fund. If sales are stronger than anticipated, this could be a win-win.
3. If the council is interested in pursuing option #2, is there interest in reducing the scope of the July 4th 2015 event and/or increasing revenue generation opportunities?
4. Alternatively, is there interest in allowing non-profits to simply deduct the expenses outlined above before making the 48%/52% split? This would increase the non-profits revenues by roughly \$2,000 and reduce the July 4th Fund by the same. (Note: One of the non-profits indicated that this was their major interest.)
5. If the Council is interested in Option #4, working with the wholesaler to cover the cost of 100% of the location rental, and then exchanging part of that cost for sponsorship rights, has the potential of benefitting the non-profit by another \$1,000. It likewise provide

positive PR for the wholesaler, which can be viewed as advertising, which in turn can further increase fireworks sales.

6. Or any variation of the above.

Going forward, if the Council likewise has interest in being more aggressive on enforcement, we will be able to use 2014 as an opportunity to see not only improvements to safety, but what type of revenue might be generated. If enforcement works as intended, the number of violations will decline over time, which is the ultimate goal when focusing on enforcement.

RECOMMENDATION:

1. Provide direction to the City Manager on terms and conditions to incorporate into the wholesaler agreement which guides the funding relationship between the wholesaler and non-profits.

Attachment: Police Calls for Service, 2013, related to the enforcement of illegal use of fireworks.

Calls for Service Data Pertaining to Fireworks and Shots Fired

Fireworks Related Calls
for Service
06/26/13 -- 07/03/13

Date of Incident	Incident Location	How Call Was Received	Call Disposition and Action Taken
06/27/13	Line St and Suisun St	Citizen Reported	Complete No Action - No Officer Notes Entered
06/29/13	Whistler Dr and Emperor Dr	Citizen Reported	Warning Given
06/29/13	Village Green Apartments	Citizen Reported	Unable to Locate
06/29/13	Bay St	Citizen Reported	Unable to Locate
06/30/13	Eider Ln	Citizen Reported	Complete No Action - No Officer Notes Entered
06/30/13	Spoonbill Ln	Citizen Reported	Unable to Locate
06/30/13	Village Green Apartments	Citizen Reported	Unable to Locate
06/30/13	Barrows Dr	Citizen Reported	Unable to Locate
07/02/13	Golden Eye Wy and Wood Duck Dr	Citizen Reported	Unable to Locate
07/03/13	1200 Block Pintail Dr	Citizen Reported	BOL'd to Patrol
07/03/13	Plaza	Citizen Reported	BOL'd to Patrol
07/03/13	Emperor Dr and Pintail Dr	Citizen Reported	Unable to Locate
07/03/13	Casa Loma Wy	Citizen Reported	Unable to Locate
07/03/13	Wood Duck Dr	Citizen Reported	Warning Given
07/03/13	Rambler Rose Ln	Citizen Reported	Warning Given

Calls for Service Data Pertaining to Fireworks and Shots Fired

**Fireworks Related Calls
for Service
4th of July - 2013**

Incident Location	How Call Was Received	Call Disposition and Action Taken
Harbor Park Dr	Citizen Reported	Complete No Action – No Officer Notes Entered
Sam Geopp Park	Citizen Reported	BOL'd to Patrol
California St	Citizen Reported	BOL'd to Patrol
Potrero Cir	Citizen Reported	BOL'd to Patrol
Redhead Way	Citizen Reported	BOL'd to Patrol
Boat Ramp	Citizen Reported	BOL'd to Patrol
Shasta St at Klamath Dr	Citizen Reported	BOL'd to Patrol
Kings Wy	Citizen Reported	BOL'd to Patrol
Barrows Dr at Emperor Dr	Citizen Reported	BOL'd to Patrol
Cordelia Rd	Citizen Reported	BOL'd to Patrol
Cordelia Rd and Main St	Citizen Reported	BOL'd to Patrol
Placer Ln and Thrasher Wy	Citizen Reported	BOL'd to Patrol
Potrero Cir	Citizen Reported	BOL'd to Patrol
Alexander Wy	Citizen Reported	BOL'd to Patrol
Freedom Dr and Justice Dr	Citizen Reported	BOL'd to Patrol
Elwood St and Kellogg St	Citizen Reported	BOL'd to Patrol
Emperor Dr and Hwy 12	Citizen Reported	BOL'd to Patrol
Murre Wy and Longspur Dr	Citizen Reported	BOL'd to Patrol
Monitor Ave	Citizen Reported	BOL'd to Patrol
Crested Ct and Crested Dr	Citizen Reported	BOL'd to Patrol
Dover Cir	Citizen Reported	BOL'd to Patrol
Perkins Ct	Citizen Reported	BOL'd to Patrol

Calls for Service Data Pertaining to Fireworks and Shots Fired

Fireworks Related Calls
for Service

07/05/13 – 07/12/13

Date of Incident	Incident Location	How Call Was Received	Call Disposition and Action Taken
07/05/13	Hembre Ct and Potrero Cr	Citizen Reported	BOL'd to Patrol
07/06/13	Humphrey Dr and Chyrl Wy	Officer Initiated	Complete No Action – No Officer Notes Entered
07/06/13	Westwind Ct	Citizen Reported	Warning Given
07/06/13	Whooper Wy and Whistler Dr	Citizen Reported	Warning Given
07/08/13	Canary Dr	Citizen Reported	Complete No Action – No Officer Notes Entered
07/13/13	Harlequin Wy	Citizen Reported	Unable to Locate

Fireworks Related Calls
for Service
New Year's Eve 2013

Incident Location	How Call Was Received	Call Disposition and Action Taken
Philip Wy	Citizen Reported	Warning Given
Humphrey Dr and Chyrl Wy	Officer Initiated	Complete No Action – No Officer Notes Entered
Westwind Ct	Citizen Reported	Warning Given
Whooper Wy and Whistler Dr	Citizen Reported	Warning Given
Canary Dr	Citizen Reported	Complete No Action – No Officer Notes Entered
Harlequin Wy	Citizen Reported	Unable to Locate

Calls for Service Data Pertaining to Fireworks and Shots Fired

**Reports of Shots Fired
06/26/13 – 07/03/13**

Date of Incident	Incident Location	How Call Was Received	Call Disposition and Action Taken
06/26/13	Chula Vista Wy	Citizen Reported	Unable to Locate
06/29/13	Charleston St and Altus Ln	Citizen Reported	Unfounded – It was Fireworks

**Reports of Shots Fired
4th of July - 2013**

Incident Location	How Call Was Received	Call Disposition and Action Taken
Bluejay Dr	Citizen Reported	Unfounded on Shots Fired – Warned for Fireworks

**Reports of Shots Fired
07/05/13 – 07/12/13**

Incident Location	How Call Was Received	Call Disposition and Action Taken
Village Green Apartments	Citizen Reported	Unfounded
Arroyo Grande Ln and Montebello Dr	Citizen Reported	Unfounded on Shots Fired – Citizen Advised it was Fireworks
Arlington Ct	Citizen Reported	Unable to Locate

**Reports of Shots Fired
New Year's Eve – 2013**

Incident Location	How Call Was Received	Call Disposition and Action Taken
Mosswood Dr	Citizen Reported	Unable to Locate

Calls for Service Data Pertaining to Fireworks and Shots Fired

Synopsis of Call for Service Data:

06/26/13 – 07/03/13

Reports of Fireworks – 15

Reports of Shots Fired – 2 (1 of which was unfounded)

July 4th 2013

Reports of Fireworks – 22

Reports of Shots Fired – 1 (which was unfounded)

07/05/13 – 07/12/13

Reports of Fireworks – 6

Reports of Shots Fired – 3 (2 of which was unfounded)

New Year's Eve 2013

Reports of Fireworks – 1

Reports of Shots Fired – 1

