



CITY COUNCIL

CITY COUNCIL MEETING

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

First and Third Tuesday
Every Month

A G E N D A

SPECIAL MEETING OF THE SUISUN CITY COUNCIL

TUESDAY, FEBRUARY 12, 2013

5:45 P.M.

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

(Next City Council Res. No. 2013 – 04)

ROLL CALL

Council 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:

1. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION
Name of case: David Fong v. City of Suisun City Case #: # FCS038343
2. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code Section 54956.9(b): One potential case.
3. 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.

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 agendized 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:

| | | |
|----------------------------|-------------------|---------------------|
| City Hall | Fire Station | Senior Center |
| 701 Civic Center Boulevard | 621 Pintail Drive | 318 Merganser Drive |



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

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, FEBRUARY 12, 2013**

7:00 P.M.

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

(Next Ord. No. – 723)

(Next City Council Res. No. 2013 – 04)

Next Suisun City Council Acting as Successor Agency Res. No. SA2013 – 01)

(Next Housing Authority Res. No. HA2013 – 01)

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. Police Department Crime Statistics for 2012 – (Dadisho).
 - b. Student Recognition March 2013 – (Bragdon)

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).

3. Presentation by Todd Creel, Site Manager for Walk MS Solano County Event at Suisun City Waterfront on Saturday, April 27, 2013.

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**

4. Council Adoption of Resolution No. 2013-___: Authorizing the City Manager to Execute a Letter of Support for Creation of a Countywide Property Assessed Clean Energy (PACE) Program Administered by Solano County – (Corey).
5. Council Adoption of Resolution No. 2013-___: Authorizing the City Manager to Execute a Memorandum of Understanding with regards to the San Francisco Bay Area Regional Energy Network (BayREN) – (Wooden).

Suisun City Council Acting as Successor Agency

6. Receiving and Accepting a Recognized Obligation Payment Schedule (ROPS) for the Period of July to December 2013 – (Garben).

Joint City Council / Suisun City Council Acting as Successor Agency

7. Council/Agency Approval of the December 2012 Payroll Warrants in the amount of \$503,816.68 – (Finance).

GENERAL BUSINESS**Suisun City Council**

8. Council Adoption of Resolution No. 2013-___: Approving a Priority List of Events with Associated Costs to be Submitted to the Suisun City Community Services Foundation for Funding for the 2013 Events Season. - (Jessop).

PUBLIC HEARINGS:**ADJOURNMENT**

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AGENDA TRANSMITTAL

MEETING DATE: February 12, 2013

CITY AGENDA ITEM: Council Adoption of Resolution No. 2013-__ : Authorizing the City Manager to Execute a Letter of Support for Creation of a Countywide Property Assessed Clean Energy (PACE) Program Administered by Solano County.

FISCAL IMPACT: There would be no fiscal impact to the City budget.

BACKGROUND: Property Assessed Clean Energy (PACE) programs assist property owners to install water conservation and clean-energy solutions, and to finance the improvements through their property tax bills. This financing arrangement allows property owners to install water and energy conservation systems, or energy generation capacity on their property with limited upfront costs, and repay the loan through the property tax assessment process allowing the loan to be transferred if the property is sold.

PACE programs provide a significant benefit to property owners who make their own voluntary decisions to participate. These programs encourage installation of clean-energy fixed assets to make buildings more efficient while reducing operating costs, support local job creation and economic development, reduce pollution and result in no new costs to the City.

In 2010, Suisun City became a participating agency in the CaliforniaFirst PACE Program through the California Statewide Communities Development Authority. Initially, this program was designed for all types of property throughout the state. Due to concerns raised by Fannie Mae and Freddie Mac regarding residential property mortgages they insure, CaliforniaFirst refocused its efforts on commercial, industrial, and multi-family properties, which was launched this past summer. The program, which is funded through periodic bond issues, operates independently and results in no cost for Suisun City.

STAFF REPORT: For several months, Ygrene Energy Fund has explored expanding its private investor-based PACE program to Solano County through creation of a Countywide district. Ygrene currently is operating in Florida, Georgia, Louisiana, Minnesota, Massachusetts, Connecticut, and Sacramento County. The main difference between Ygrene and CaliforniaFirst is its funding source. Instead of using proceeds from public bond issues, which can take time to issue, Ygrene has partnered with regional banks to fund the program.

To create a program that operates as efficiently as possible, Ygrene entered discussions with Charles Lomeli, Solano County Treasurer-Tax Collector-County Clerk, about establishing a Countywide PACE district to be operated by Solano County with a contractual arrangement with Ygrene. The program would be called "Clean Energy Solano." Once the program is fully developed and the district is created, individual cities can consider whether to opt in to Clean Energy Solano so property owners within their jurisdiction could voluntarily choose to participate.

PREPARED BY:
REVIEWED BY:

 Scott T. Corey, Marketing Manager
Suzanne Bragdon, City Manager 

Because the majority of the properties that could take advantage of this type of program lie within cities, Mr. Lomeli has requested letters of support from local cities for the establishment of a countywide district. These letters would be an initial indication of how large the Solano County customer base could be for this program. Staff anticipates that multi-family and commercial property owners within Suisun City would be the primary customers interested in this program.

Once the countywide district is formed by the County Board of Supervisors, a more detailed item would return to the City Council with a request to opt in, which will simply make the PACE funding option available to Suisun City property owners.

The Cities of Benicia, Dixon and Vacaville have approved similar letters of support.

STAFF RECOMMENDATION: It is recommended that the City Council:

1. Adopt Resolution No. 2013-__: Authorizing the City Manager to Execute a Letter of Support for Creation of a Countywide Property Assessed Clean Energy (PACE) Program Administered by Solano County.

ATTACHMENTS:

1. Resolution No. 2013-__: Authorizing the City Manager to Execute a Letter of Support for Creation of a Countywide Property Assessed Clean Energy (PACE) Program Administered by Solano County.
2. Draft letter of support.

RESOLUTION NO. 2013-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY
AUTHORIZING THE CITY MANAGER TO EXECUTE
A LETTER OF SUPPORT FOR CREATION OF
A COUNTYWIDE PROPERTY ASSESSED CLEAN ENERGY (PACE)
PROGRAM ADMINISTERED BY SOLANO COUNTY

WHEREAS, the Property Assessed Clean Energy (PACE) programs provide an efficient method of financing major capital improvements attached to specific types of property; and

WHEREAS, the availability of a PACE program in Solano County would provide an economic incentive for businesses to locate in the County and upgrade existing facilities to increase their competitive advantage in the marketplace; and

WHEREAS, PACE programs help local government agencies and property owners fulfill the goals set forth by the State of California to address various climate and pollution concerns; and

WHEREAS, Suisun City was an early participant in the CaliforniaFirst PACE program, and led the Solano County effort to make energy efficiency retrofit programs available to local residents and businesses; and

WHEREAS, Suisun City supports a private sector funding model for PACE programs as a means of providing a full range of options for local property owners to evaluate and elect to utilize; and

WHEREAS, a PACE program operated by Solano County on behalf of all the jurisdictions within the County would be a cost-efficient approach to intergovernmental support of our regional economy.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Suisun City does hereby authorize the City Manager to execute a letter of support for the creation of a Countywide PACE program administered by Solano County.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Suisun City held on this 12th day of February, 2013 by the following vote:

| | | |
|-----------------|-----------------|-------|
| AYES: | Councilmembers: | _____ |
| NOES: | Councilmembers: | _____ |
| ABSENT: | Councilmembers: | _____ |
| ABSTAIN: | Councilmembers: | _____ |

WITNESS my hand and the seal of said Agency this 12th day of February, 2013.

Linda Hobson, CMC
City Clerk

First and Third Tuesday
Every Month

CITY COUNCIL

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



CITY OF SUISUN CITY

701 Civic Center Blvd.
Suisun City, California 94585

Incorporated October 9, 1868

February 13, 2013

Charles A. Lomeli
Solano County Treasurer Tax Collector County Clerk
675 Texas Street, Suite 1900
Fairfield, CA 94533

Subject: Countywide Property Assessed Clean Energy (PACE) District

Dear Mr. Lomeli,

On behalf of the City Council of the City of Suisun City, I am writing to voice the Council's support for the creation of a Countywide Property Assessed Clean Energy (PACE) District. The City believes PACE programs provide significant incentives for local businesses to upgrade their facilities to reduce operating costs and increase their competitiveness. The availability of a PACE program across Solano County would provide a significant incentive for businesses to locate their operations in Solano County thereby bolstering our local economy. As property owners take advantage of this ready means of financing and install more efficient systems, additional construction, installation and service jobs are created, which benefit our local residents.

Suisun City was an early participant in the CaliforniaFirst PACE program, a statewide effort that utilizes public bond issues to fund water and energy efficiency upgrades. Suisun City believes that making a number of similar programs available will allow local property owners to choose among several options and select the one that best fits their needs. We see this as a positive form of competition in the marketplace.

The City understands that Ygrene Energy Fund has been in discussions with your office about establishing such a PACE program in Solano County. The City supports that effort to create a countywide PACE district administered by Solano County as a meaningful and efficient multijurisdictional effort to support and expand the regional economy.

The City looks forward to continued discussions about this exciting new program.

Sincerely,

Suzanne Bragdon
City Manager

AGENDA TRANSMITTAL

MEETING DATE: February 12, 2013

CITY AGENDA ITEM: Council Adoption of Resolution No. 2013-__ : Authorizing the City Manager to Execute a Memorandum of Understanding with regards to the San Francisco Bay Area Regional Energy Network (BayREN).

FISCAL IMPACT: There would be no fiscal impact to the City budget.

BACKGROUND: Previously the City Council agreed that the City should serve as the lead agency for Solano County for Energy Upgrade California (EUC), as one of nine members within the ABAG region, to develop and implement energy efficiency programs known as Retrofit Bay Area, funded under the American Reinvestment and Recovery Act (ARRA) through the California Energy Commission. This past summer, ABAG and the nine counties within the Bay Area Region, (with Suisun City serving as the lead agency for Solano County) realigned to form a provisional San Francisco Bay Area Regional Network (BayREN) to continue and expand the energy efficiency programs developed previously.

Last November the California Public Utilities Commission (CPUC) approved a portfolio of energy-efficiency programs and budgets for 2013-2014. To better leverage energy-efficiency expertise at the local government level, the CPUC created two Regional Energy Networks to complement the utility programs: the San Francisco Bay Area Regional Energy Network (BayREN) and the Southern California Regional Energy Network (SoCalREN).

Regional Energy Networks (RENs) are a new concept for this cycle of energy-efficiency programs. They are independently administered by local governments and serve as an incubator for new ideas. The three screening criteria the CPUC used in evaluating the two REN program proposals were: 1) activities that utilities cannot or do not intend to undertake, 2) pilot activities where there is no current utility program offering and where there is potential for scalability to a broader geographic reach, if successful, and 3) pilot activities in hard to reach markets whether or not there is a current utility program that may overlap. BayREN's budget was approved at approximately \$26 million for activities involving Energy Upgrade California, financing, and Codes and Standards work.

STAFF REPORT: The Memorandum of Understanding provides as follows:

- The purpose would be to define and formalize the working relationship among regional and local agencies with expertise and experience in the design and implementation of regional and local energy and sustainability programs within the San Francisco Bay region.
- The Members would assign a representative to the Coordinating Committee and participate in meetings, coordinate activities with other local government jurisdictions, to coordinate with local government energy-efficiency programs within the Member's geographic boundaries (which in Suisun City's case would be Solano County).

PREPARED BY:
REVIEWED BY:

April Wooden, Community Development Director
Suzanne Bragdon, City Manager

S. Bragdon

- Activities of the BayREN would be established and supervised by the Coordinating Committee.
- Each representative would be entitled to a single, un-weighted vote.
- Members would indemnify and hold harmless the other Members.
- The MOU would continue until terminated by a majority vote of the Coordinating Committee, but any Member may withdraw on 30 days' notice.

STAFF RECOMMENDATION: It is recommended that the City Council adopt Resolution No. 2013-__ : Authorizing the City Manager to Execute a Memorandum of Understanding with regards to the San Francisco Bay Area Regional Energy Network (BayREN).

ATTACHMENTS:

1. Resolution No. 2013-__ : Authorizing the City Manager to Execute a Memorandum of Understanding with regards to the San Francisco Bay Area Regional Energy Network (BayREN).
2. Memorandum of Understanding – San Francisco Bay Regional Energy Network.

RESOLUTION NO. 2013-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY
AUTHORIZING THE CITY MANAGER TO EXECUTE
A MEMORANDUM OF UNDERSTANDING WITH REGARDS TO THE
SAN FRANCISCO BAY AREA REGIONAL ENERGY NETWORK

WHEREAS, the Bay Area Regional Energy Network (BayREN) is a regional energy network comprised of the nine-county member governments of the ABAG geographic region; and

WHEREAS, previously the City of Suisun City served as the local lead agency for Solano County regarding the implementation of the California Energy Commission's grant for Energy Upgrade California (EUC), the Bay Area retrofit program which was designed to encourage the installation of energy upgrades in residential housing in the Bay Area; and

WHEREAS, under the referenced Memorandum of Understanding (MOU), Suisun City would continue to serve as the local lead agency for Solano County related to the BayREN Energy Efficiency Program and Program Implementation Plan (PIP); and

WHEREAS, the California Public Utilities Commission (CPUC) has recognized the need to collaborate with local governments to achieve market transformation toward energy efficiency; and

WHEREAS, the purpose of the MOU is to define and formalize the working relationship among regional and local agencies with expertise and experience in the design and implementation of regional and local energy and sustainability programs within the San Francisco Bay region; and

WHEREAS, the City is willing to serve as the local lead agency for Solano County to ensure coordination of activities with other local government jurisdictions and other local government energy efficiency programs within the Bay Area region.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Suisun City does hereby authorize the City Manager to execute a Memorandum of Understanding with regards to the San Francisco Bay Area Regional Energy Network.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Suisun City held on this 12th day of February, 2013 by the following vote:

| | | |
|-----------------|-----------------|-------|
| AYES: | Councilmembers: | _____ |
| NOES: | Councilmembers: | _____ |
| ABSENT: | Councilmembers: | _____ |
| ABSTAIN: | Councilmembers: | _____ |

WITNESS my hand and the seal of said Agency this 12th day of February, 2013.

Linda Hobson, CMC
City Clerk

MEMORANDUM OF UNDERSTANDING
WITH REGARDS TO THE
SAN FRANCISCO BAY AREA REGIONAL ENERGY NETWORK

This Memorandum of Understanding (“MOU”) is entered into by and between the following participating members:

Association of Bay Area Governments
City and County of San Francisco
Alameda County Waste Management Authority (StopWaste.org)
County of Contra Costa
County of Marin
County of Napa
County of San Mateo
County of Santa Clara
City of Suisun City (on behalf of Solano County)
Sonoma County Regional Climate Protection Authority

A. Purpose. The purpose of this MOU is to define and formalize the working relationship among regional and local agencies with expertise and experience in the design and implementation of regional and local energy and sustainability programs within the San Francisco Bay region. These regional and local agencies previously collaborated under the American Reinvestment and Recovery Act to create and implement successful energy efficiency programs in the region. They realigned to form a provisional San Francisco Bay Area Regional Energy Network (BayREN), and created a governance structure, technical and executive teams and dedicated all financial and other resources necessary to produce a Program Implementation Plan (PIP) Proposal for consideration by the California Public Utilities Commission (CPUC) as part of the State’s 2013-2014 Energy Efficiency Transition Period (the 2013-2014 EE Cycle). This MOU defines the shared goals and objectives of these local and regional agencies working collaboratively in BayREN (Members) and establishes the necessary administrative and governance structure to promote a cooperative relationship and for ensuring successful implementation of the BayREN activities.

B. Background. To meet the aggressive goals set by the CPUC as part of the Long Term Energy Efficiency Strategic Plan, the CPUC recognized the need to collaborate with local governments to achieve market transformation toward energy efficiency. In addition, in the Decision on 2013–2014 Energy Efficiency Portfolios, the Commission recognized the role of Regional Energy Networks (RENs) in achieving the following goals:

- Provide missing technical resources that will get more projects implemented
- Include more public agencies in project implementation
- Leverage existing local government partnerships to implement these resources
- Provide centralized, regional program management and administration by local governments

CPUC Decision 12-05-015 (D.12-05-015) encouraged local governments to submit Program Implementation Plans (PIPs) and budgets for regional energy network pilots for the 2013–2014 EE Cycle. On July 16, 2012, the Association of Bay Area Governments (ABAG) submitted a Motion¹ to the CPUC to formally establish BayREN and requested \$41,597,750 for fiscal years 2013–2014 to carry out the BayREN PIP.

On July 19, 2012 ABAG's Executive Board approved Resolution 14-12 "Authorizing the creation of a Regional Energy Network in collaboration with the cities and counties of the San Francisco Bay Area and ratifying submittal of a proposal to the Commission."

On November 8, 2012 the CPUC approved the statewide energy efficiency budgets and programs for calendar years 2013-2014 (D.12-11-015). This decision included approval of identified portions of the BayREN PIP and budget, as well as identified roles and responsibilities for all approved regional energy networks and investor owned utilities (IOUs).

C. Proposed Activities. The Members will undertake the following activities:

1. Coordinate and support regulatory efforts related to the approval of the BayREN application and ongoing implementation
2. Coordinate and support other relevant proceedings under the CPUC, including the statewide financing, cost-effectiveness, and statewide marketing, outreach, and education proceedings
3. Upon final approval of all or a portion of the Motion and/or PIP, Members with programmatic responsibilities will carry out such responsibilities pursuant to the contract or agreement between PG&E or CPUC and ABAG, and the contract(s) or agreement(s) between or among any Member(s) and ABAG.
4. Support subsequent applications and PIPs for submittal to the CPUC or other agencies, as appropriate
5. ABAG will be the coordinator and fiscal agent for BayREN activities and convenor for the Coordinating Committee. ABAG may convene subcommittees (technical, executive, administrative or otherwise) or delegate this responsibility to Member(s).

D. Responsibilities. Each Member will have the following responsibilities

1. Assign a representative to the Coordinating Committee and participate in meetings.
2. Coordinate activities with all other local government jurisdictions within the geographical boundaries of the Member, except for the City of Suisun City which will do so within the geographical boundaries of the County of Solano.
3. Coordinate with any local government energy efficiency program within the geographical boundaries of the Member, except for the City of Suisun City which will do so within the geographical boundaries of the County of Solano. In particular, coordinate with Local Government Partnership (LGP) programs administered by PG&E.

E. Structure and Governance. For ease of formation and administration and to maintain flexibility, BayREN is structured as an unincorporated association of local public entities whose membership benefits and responsibilities are set forth in this MOU. The Members agree that this MOU is independent of any other contract(s) or agreement(s) between PG&E or CPUC and ABAG, or the contract(s) or agreement(s) between or among any Member(s) and ABAG that are promulgated to implement the approved PIP.

BayREN activities will be established and supervised by a Coordinating Committee made up of one representative from each Member. The Coordinating Committee may establish subcommittees to report on programmatic activities, develop subsequent applications and PIPs, or undertake any other activity in furtherance of BayREN's purposes. Every Member will appoint as its representative(s) to the

¹ Motion submitted as directed by the CPUC in proceeding A12-07-001: Application of PG&E for Approval of 2013-2014 Energy Efficiency Programs and Budget.

Coordinating committee or any subcommittee, a staff person with expertise and experience in energy-related project management and implementation. Each representative to the Coordinating Committee and any subcommittee is entitled to a single, unweighted vote. A majority of the Coordinating Committee or subcommittee constitutes a quorum. Except as otherwise required in this MOU, the Coordinating Committee or subcommittee may take action by a majority vote of those present at a meeting.

Every Member also has the right, but not the obligation, to appoint an alternate to the Coordinating Committee or subcommittee. The alternate may attend any meeting of the Coordinating Committee or subcommittee. However, the alternate is not included in the quorum count, is not entitled to vote and may not participate in the deliberations of the Coordinating Committee or subcommittee, except in the absence of the representative for whom he/she is an alternate.

D.12-11-015 proposes that funding from the CPUC flows through PG&E, acting only as a conduit, to ABAG who will act as the fiscal agent and lead grantee for such funds. The Members anticipate continuing to use this structure in subsequent applications with the possible exception of eliminating PG&E as a conduit. Should ABAG cease to act as fiscal agent and lead grantee for CPUC funding, the Coordinating Committee will name a willing Member to assume these roles.

F. Member Resources and Funding. The Members acknowledge that BayREN requires their investment of resources for it to be effective. Each Member will:

1. Assign staff, at no direct cost, to act as its representative to the Coordinating Committee and any subcommittee formed by the Coordinating Committee.
2. In addition, from time to time, the Coordinating Committee may decide that Member funds are necessary to carry out its mission. The allocation of the required funding will be determined on a case by case basis. Members agree to make a good faith effort to secure payment of their allocated portion and acknowledge that failure to pay may result in a request that the Member withdraw from this MOU.

G. Hold Harmless and Liability: Incidental and Consequential Damages. Each Member shall indemnify and hold harmless the other Members from the indemnifying Member's share of liability, as determined by a court of law, for any and all claims, costs and liability for any damage caused by the negligence or willful misconduct of the indemnifying Member and its officers, employees or agents in the indemnifying Member's performance under this MOU. The obligations of the indemnifying Member under this section shall not apply to any claim, cost or liability caused by the negligence or willful misconduct of any other member. Under no circumstances shall the indemnifying Member be liable to any other Member or any other person or entity for consequential or special damages, or for any damages based on loss of use, revenue, profits or business opportunities arising from or in any way relating to performance of the indemnifying Member under this MOU.

H. Withdrawal and Termination. This MOU will continue until terminated by majority vote of the Coordinating Committee, but Members may withdraw from BayREN on 30 days' notice to other Members. New Members may be added by majority vote of the current Members.

I. Amendments. This MOU may be amended by a written agreement executed by the Members in the same manner as this MOU.

J. Counterparts. This MOU may be executed in counterparts, each of which is an original and all of which constitute one and the same instrument.

K. Effective Date. This MOU is effective upon the date a minimum of four Members have executed the MOU.

IN WITNESS WHEREOF, the Members have caused this Memorandum of Understanding to be effective with the approval of their legally authorized representatives on the dates indicated below.

[Name of Organization]

By: _____ Date: _____
[Name and title of signatory]

AGENDA TRANSMITTAL

MEETING DATE: February 12, 2013

SUCCESSOR AGENCY AGENDA ITEM: Receiving and Accepting a Recognized Obligation Payment Schedule (ROPS) for the Period of July to December 2013.

FISCAL IMPACT: None. All obligations listed will be included in the FY 2013-14 Annual Budget.

BACKGROUND: A component of the dissolution of the former redevelopment agency requires the Successor Agency prepare a ROPS and submit it to the Oversight Board every six months.

The following provides an overview of deadlines and process associated with the ROPS:

ROPS Submittal Deadline – March 3, 2013, is the deadline to submit a ROPS covering the period of July to December 2013.

ROPS Submittal/Approval Process – The Successor Agency must submit the ROPS to the County Auditor-Controller, County Administrative Officer, and the State Department of Finance (DOF) at the same time as the ROPS is submitted to the Oversight Board.

ROPS Form – The DOF has provided the form for this ROPS period.

Penalties – A penalty may be levied on the City of \$10,000 per day for each day the ROPS is delinquent. Failure to submit the ROPS within 10 days of the deadline will result in a 25% reduction of the Successor Agency's maximum administrative cost allowance for the period covered by the delinquent ROPS.

STAFF REPORT: Generally, the current ROPS includes line items that were listed on previously adopted ROPS, but contain updated figures to reflect the fiscal period between July and December 2013.

It should be noted two items are included on this ROPS that have been disputed as part of the "Meet & Confer" process that took place with the ROPS for the previous period (January to June 2013), and have not been paid to date. The two items are:

1. Administrative/operational costs incurred by the former redevelopment agency for the month of January 2012 (\$135,900)
2. The former redevelopment agency's portion of the audit contract for FY 2010-11 (\$9,500).

Through the "Meet and Confer" process, the DOF agreed these items are obligations of the former Redevelopment Agency, but incorrectly asserted that "since these items have been previously paid, they are not eligible for RPTTF funding." Since the Successor Agency has not been paid for these expenditures, DOF staff has suggested they be listed on the ROPS for this period to remedy the situation.

Staff recommends that the Successor Agency receive and accept the amended ROPS.

RECOMMENDATION: It is recommended that the Successor Agency receive and accept a Recognized Obligation Payment Schedule (ROPS) for the Period of July to December 2013.

PREPARED BY:

Jason Garben, Economic Development Director

REVIEWED/APPROVED BY:

Suzanne Bragdon, Executive Director

ATTACHMENTS:

1. ROPS (July 1 through December 31, 2013).

SUMMARY OF RECOGNIZED OBLIGATION PAYMENT SCHEDULE

Filed for the July 1, 2013 to December 31, 2013 Period

Name of Successor Agency: **SUISUN CITY (SOLANO)**

| | |
|---------------------------------------|--------------|
| Outstanding Debt or Obligation | Total |
| Total Outstanding Debt or Obligation | \$13,198,823 |

| | |
|---|------------------------|
| Current Period Outstanding Debt or Obligation | Six-Month Total |
| A Available Revenues Other Than Anticipated RPTTF Funding | \$2,021,000 |
| B Enforceable Obligations Funded with RPTTF | \$2,777,340 |
| C Administrative Allowance Funded with RPTTF | \$125,000 |
| D Total RPTTF Funded (B + C = D) | \$2,902,340 |
| E Total Current Period Outstanding Debt or Obligation (A + B + C = E) <i>Should be same amount as ROPS form six-month total</i> | \$4,923,340 |
| F Enter Total Six-Month Anticipated RPTTF Funding | \$5,150,000 |
| G Variance (F - D = G) <i>Maximum RPTTF Allowable should not exceed Total Anticipated RPTTF Funding</i> | \$2,247,660 |

| | |
|--|-------------|
| Prior Period (July 1, 2012 through December 31, 2012) Estimated vs. Actual Payments (as required in HSC section 34186 (a)) | |
| H Enter Estimated Obligations Funded by RPTTF (lesser of Finance's approved RPTTF amount including admin allowance or the actual amount distributed) | \$4,412,822 |
| I Enter Actual Obligations Paid with RPTTF | 4,285,709 |
| J Enter Actual Administrative Expenses Paid with RPTTF | \$119,568 |
| K Adjustment to Redevelopment Obligation Retirement Fund (H - (I + J) = K) | \$7,545 |
| L Adjustment to RPTTF (D - K = L) | \$2,894,795 |

Certification of Oversight Board Chairman:
Pursuant to Section 34177(m) of the Health and Safety code,
I hereby certify that the above is a true and accurate Recognized
Obligation Payment Schedule for the above named agency.

_____/s/_____
Signature Date

Oversight Board Approval Date:

SUSUN CITY (SCLANC)
 RECOGNIZED OBLIGATION PAYMENT SCHEDULE (RIPS 15-144)
 July 1, 2013 through December 31, 2013

| Item # | Project Name / Debt Obligation | Contract/Agreement Execution Date | Contract/Agreement Termination Date | Payee | Description/Project Scope | Project Area | Total Outstanding Debt or Obligation | Total Due During Fiscal Year 2013-14 | Funding Source | | | | | Six-Month Total |
|--------|------------------------------------|-----------------------------------|-------------------------------------|--|--|--------------|--------------------------------------|--------------------------------------|----------------|-----------------|-----------------|----------|-------------|-----------------|
| | | | | | | | | | Bond Proceeds | Reserve Balance | Admin Allowance | RPTIF | Other | |
| 1 | 1988 Tax Exempt Bonds | 4/1/2003 | 10/1/2033 | US Bank | Bonds issued to fund Redevelopment Project | AI | \$4,801,130 | \$50,791 | \$0 | \$13,000 | \$2,777,849 | \$21,000 | \$4,923,940 | |
| 2 | 2003 Serial A Tax Allocation Bonds | 4/1/2004 | 10/1/2032 | US Bank | Bonds issued to fund Redevelopment Project | AI | 0 | 847,495 | 0 | 0 | 434,446 | 0 | 434,446 | |
| 3 | 2005 Series B Tax Allocation Bonds | 4/1/2004 | 10/1/2032 | US Bank | Refunding of 1988 Tax Allocation Bond | AI | 0 | 3,156,964 | 0 | 0 | 640,154 | 0 | 2,646,154 | |
| 4 | Marina Construction Loan | 7/27/1991 | 8/1/2049 | Dept of Public and Waterways | Marina Construction/Lease | AI | 0 | 0 | 0 | 0 | 48,070 | 0 | 48,070 | |
| 5 | Marina Expansion Loan | 12/4/1995 | 10/1/2025 | Sheldon Oil | Marina Expansion/Land Acquisition | AI | 0 | 0 | 0 | 0 | 265,000 | 0 | 265,000 | |
| 6 | SERAF Payment | 5/19/2010 | 8/31/2016 | Susun City Housing Authority (Housing Successor) | SERAF Loan Payment | AI | 6,901,505 | 0 | 0 | 0 | 0 | 0 | 6,901,505 | |
| 7 | Unfunded Liability | 2/1/2012 | | PERS Agency Employees | Unfunded PERS and Accrued Leave | AI | 266,000 | 0 | 0 | 0 | 0 | 0 | 266,000 | |
| 8 | Rebate Sign Design | 2/17/2010 | | Enterprise and Structures, Inc | Gateway Sign Design | AI | 31,000 | 0 | 0 | 0 | 0 | 0 | 31,000 | |
| 9 | Successor Agency Admin Cost | 2/1/2012 | | Various | Staffing, Rent/Utilities, Supplies, Legal, Oversight Board, Etc. | AI | 250,000 | 0 | 0 | 125,000 | 0 | 0 | 125,000 | |
| 10 | Foster Belt Loan Guaranty | 7/31/2009 | 7/31/2019 | Tri-Valley Credit Union | Loan Guaranty to Tri-Valley Credit Union for Equipment/Start-up | AI | 300,000 | 0 | 0 | 0 | 0 | 0 | 300,000 | |
| 11 | Marina Lease | 5/7/1992 | | CA State Lands Commission | Marina Lease with CA State Lands Commission | AI | 0 | 0 | 0 | 0 | 0 | 21,000 | 21,000 | |
| 12 | Main Street West DDA | 7/7/2009 | 4/30/2022 | City of Susun City | Public Works with CA State Lands Commission | AI | 0 | 0 | 0 | 0 | 70,400 | 0 | 70,400 | |
| 13 | SOC Credit COP | 4/1/2004 | 11/1/2023 | City of Susun City | City Credit COP Refinancing Agreement | AI | 5,818,318 | 350,000 | 0 | 0 | 850,000 | 0 | 593,000 | |
| 14 | Marina Expansion | | | Various | Report established pursuant to Section 38121(d)(1)(A) | AI | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| 15 | RDA Employee/Admin Costs | | | Various | Admin Fees from FY 2010-11 | AI | 0 | 0 | 0 | 0 | 9,500 | 0 | 9,500 | |
| 16 | RDA Employee/Admin Costs | | | Various | January 2012 Redevelopment Agency Employee & Operation Costs | AI | 0 | 0 | 0 | 0 | 135,900 | 0 | 135,900 | |

SUNSHINE CITY (SOLJANG)
 Pursuant to Health and Safety Code section 34136 (a)
 PRIOR PERIOD ESTIMATED OBLIGATIONS vs. ACTUAL PAYMENTS
 RECOGNIZED OBLIGATION PAYMENT SCHEDULE (COPS II)
 July 1, 2002 through December 31, 2012

| Item # | Project Name / Debt Obligation | Funds | Description / Project Scope | Project Est. | IMRF | | Bond Proceeds | | Reserve Balance | | Admin. Allowance | | RPTF | | Other | |
|--------|--------------------------------|-------|-----------------------------|--------------|----------|--------|---------------|--------|-----------------|--------|------------------|-----------|-------------|-------------|----------|--------|
| | | | | | Estimate | Actual | Estimate | Actual | Estimate | Actual | Estimate | Actual | Estimate | Actual | Estimate | Actual |
| 1 | 2003 Sun Center Bank | AI | 2003 Sun Center Bank | AI | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$125,000 | \$125,000 | \$4,282,232 | \$4,282,232 | \$0 | \$0 |
| 2 | 2003 Sun Center Bank | AI | 2003 Sun Center Bank | AI | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| 3 | 2003 Sun Center Bank | AI | 2003 Sun Center Bank | AI | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| 4 | 2003 Sun Center Bank | AI | 2003 Sun Center Bank | AI | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| 5 | Marina Construction Loan | AI | Marina Construction Loan | AI | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| 6 | Marina Expansion Loan | AI | Marina Expansion Loan | AI | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| 7 | SEMP Payment | AI | SEMP Payment | AI | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| 8 | SEMP Payment | AI | SEMP Payment | AI | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| 9 | SEMP Payment | AI | SEMP Payment | AI | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| 10 | SEMP Payment | AI | SEMP Payment | AI | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| 11 | Marina Street West BDA | AI | Marina Street West BDA | AI | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$125,000 | \$125,000 | \$0 | \$0 | \$0 | \$0 |
| 12 | City Center COP | AI | City Center COP | AI | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |

AGENDA TRANSMITTAL

MEETING DATE: February 12, 2013

CITY AGENDA ITEM: Adoption of Resolution No. 2013-___: Approving a Priority List of Events with Associated Costs to be Submitted to the Suisun City Community Services Foundation for Funding for the 2013 Events Season.

FISCAL IMPACT: There would be no fiscal impact associated with the proposed action.

BACKGROUND: Due to the loss of the Redevelopment Agency which provided funding for special events, the Suisun City Community Services Foundation (the Foundation) was established in 2012 to generate funds to cover the cost of putting on community events in Suisun City.

STAFF REPORT: : In 2012 the City's "Fourth of July Celebration," "Saturday Night Movies," and "Christmas at the Waterfront" were funded through the Foundation with fundraising efforts by a community-based City Council Ad Hoc committee led by Councilmembers Sam Derting and Jane Day, as well as Foundation Board members. The City Council also approved the sale of "Safe and Sane" fireworks in 2012 to generate funding for the 2013 "Fourth of July Celebration" relieving Foundation funding support of that event.

The Foundation has requested that the City provide a prioritized list of events with estimated costs to determine the Foundation's fundraising needs to support the City's request. Exhibit A of the attached Resolution presents the 2013 events funding request with each event's corresponding cost the last time it was held. Estimates are based on providing a similar event of the last time the event was held.

RECOMMENDATION: It is recommended that the City Council:

1. Determine its priorities for the event list that will be submitted to the Suisun City Community Services Foundation for funding for 2013 events season; and
2. Adopt Resolution No. 2013-___: Approving a Priority List of Events with Associated Costs to be Submitted to the Suisun City Community Services Foundation for Funding for the 2013 Events Season.

ATTACHMENTS:

1. Resolution No. 2013-___: Approving a Priority List of Events with Associated Costs to be Submitted to the Suisun City Community Services Foundation for Funding for the 2013 Events Season.

PREPARED BY:
REVIEWED/APPROVED BY:

Mick Jessop, Recreation and Parks Director
Suzanne Bragdon, City Manager

S.B.

RESOLUTION NO. 2013-___

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY
PROVIDING A PRIORITY LIST OF EVENTS WITH ASSOCIATED COSTS TO BE
SUBMITTED TO THE SUISUN CITY COMMUNITY SERVICES FOUNDATION FOR
FUNDING FOR THE 2013 EVENTS SEASON**

WHEREAS, the City of Suisun City Redevelopment Agency annually adopts a seasonal events calendar; and

WHEREAS, with the loss of the Redevelopment Agency funding for special events the Suisun City Community Services Foundation was established to generate funding; and

WHEREAS, on February 12, 2013, the City Council reviewed a proposed priority list of special events for the coming year; and

WHEREAS, Exhibit A is the priority list of events with associated costs that the City Council agreed upon.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Suisun City hereby approves the Suisun City Events Budget for 2013 that is contained in Exhibit A attached hereto and incorporated by this reference.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Suisun City held on this 12th day of February, 2013 by the following vote:

| | | |
|-----------------|-----------------|-------|
| AYES: | Councilmembers: | _____ |
| NOES: | Councilmembers: | _____ |
| ABSENT: | Councilmembers: | _____ |
| ABSTAIN: | Councilmembers: | _____ |

WITNESS my hand and the seal of said City this 12th day of February, 2013.

Linda Hobson, CMC
City Clerk

EXHIBIT A

SUISUN CITY EVENTS BUDGET ACTUALS & 2013 ESTIMATE

| | 2012 Actual | 2013 Cost Estimate |
|--|-------------------------------------|---------------------------|
| 4th of July will be funded from 2012 fireworks sales | | |
| | | |
| Christmas on the Waterfront December 7, 2013 | 2012 Actual *w/ estimate | 2013 Cost Estimate |
| Tree Lighting, etc. | *\$5,700 | \$5,800 |
| Boat Ride | 250 | 250 |
| Set up for Vendors | *300 | 300 |
| Bonfire | *1,750 | 1,900 |
| Train | 750 | 750 |
| Hayrides | 1,585 | 1,585 |
| Skate Rink | 4,000 | 74,000 |
| Marketing | 1,125 | 1,200 |
| Restrooms | *850 | 850 |
| Staffing | 1,043 | 1,400 |
| Misc. Supplies | *500 | 500 |
| Sponsorship signs | *600 | 7600 |
| | \$18,453 | \$19,135 |
| | | |
| Saturday Night Movies: 8 Nights | 2012 Actual | 2013 Cost Estimate |
| Movies | \$2,633.00 | \$3,500.00 |
| Staff Cost | 430.00 | 590.00 |
| | \$3,063.00 | \$4,090.00 |

| Saturday Afternoon Jazz : 8 Days | 2011 Actual | 2013 Cost Estimate |
|---|--------------------|---------------------------|
| Bands | \$5,800 | \$6,000 |
| Staff Cost | 626 | 750 |
| Direct Advertising | 550 | 600 |
| Portable Restrooms | 336 | 400 |
| | \$7,312 | \$7,750 |
| | | |
| Friday Night Concert: 8 Nights | 2011 Actual | 2013 Cost Estimate |
| Bands & Sound | \$16,950 | \$18,000 |
| Staffing | 1,337 | 1,925 |
| Emcee | 750 | 800 |
| Security | 1,067 | 1,200 |
| Direct Advertising | 1,273 | 1,500 |
| Equip Rental | 672 | 700 |
| | \$22,049 | 24,125 |
| | | |
| Shorefest: June | 2010 Actual | 2013 Cost Estimate |
| Staffing | \$732 | \$1,200 |
| Entertainment / Sound | 5,360 | 2,500 |
| Advertising | 3,080 | 2,500 |
| Permits | 338 | 0 |
| Signs – Rentals – Contracts | 723 | 1,500 |
| Restrooms | 790 | 900 |
| Supplies / Misc. | 270 | 400 |
| | \$11,293 | \$9,000 |

| Total Cost Estimate | |
|---|-----------------|
| Saturday Night Movies | \$4,000 |
| Sunday Afternoon Jazz | \$7,750 |
| Friday Night Concerts | \$23,900 |
| Christmas on the Waterfront | \$18,485 |
| | \$64,100 |
| (All staffing costs reflect direct employee costs) | |