



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

**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, DECEMBER 20, 2016  
7:00 P.M.**

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

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**NOTICE**

*Pursuant to Government Code Section 54953, Subdivision (b), the following Council/Successor Agency/Housing Authority meeting includes teleconference participation by Councilmember Jane Day from: 301 Morgan Street, Suisun City, CA 94585.*

(Next Ord. No. – 743)

(Next City Council Res. No. 2 016 – 98)

Next Suisun City Council Acting as Successor Agency Res. No. SA2016 – 07)

(Next Housing Authority Res. No. HA2016 – 05)

**ROLL CALL**

Council / Board Members  
Pledge of Allegiance  
Invocation

**PUBLIC COMMENT**

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

**CONFLICT OF INTEREST NOTIFICATION**

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

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

1. Mayor/Council - Chair/Boardmembers
2. City Manager/Executive Director/Staff
  - a. Waterfront District Forum Update – (Mattos).
  - b. Launch Fee Response – (Lofthus).

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

**PRESENTATIONS/APPOINTMENTS**

*(Presentations, Awards, Proclamations, Appointments).*

**CONSENT CALENDAR**

*Consent calendar items requiring little or no discussion may be acted upon with one motion.*

**City Council**

3. Council Adoption of Resolution No. 2016-\_\_\_: Reallocating the Police Officer Overfill Budget - (Mattos).

**Joint City Council / Suisun City Council Acting as Successor Agency**

4. Council/Agency approval of the November 2016 Payroll Warrants in the amount of \$369,800.19. Council/Agency Approval of the November 2016 Payable Warrants in the amount of \$1,034,391.24 – (Finance).

**PUBLIC HEARINGS****GENERAL BUSINESS****City Council**

5. Council Adoption of Resolution No. 2016-\_\_\_: Authorizing the Nighttime Construction for Segment 5C of the City of Fairfield's East-West Water Transmission Pipeline Project– (McSorley).
6. Discussion and Direction – Consideration of Expanding the List of Designated Smoke-Free Public Areas – (Lofthus).

**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.

I, Donna Pock, Deputy City Clerk for the City of Suisun City, declare under penalty of perjury that the above agenda for the meeting of December 20, 2016 was posted and available for review, in compliance with the Brown Act.

# Comparison of Belden's Landing and the City of Suisun City Marina



# Belden's Landing History

- In 1938 Bill Vestal built a harbor which he owned until 1945 when Jim and Mary Belden purchased the landing/harbor
- In 1947 a new harbor was dredged and a barge was moved to the present site where the Belden's opened a restaurant and bar. In 1968, the restaurant and bar burned and were never rebuilt
- In December 1960, the Montezuma Slough Bridge was completed, closing an era where a transport ferry was needed or maintained
- In the 1980s the State of California, Department of Fish & Game purchased the site making it possible today to dedicate this new public waterway access facility
- The facility soon came under the jurisdiction of Solano County who continues to operate and fund it today

# Fee Chart Comparison

Item 2.b

FEE	City of Suisun City	Belden's Landing
Auto Parking	\$5 per 24 hours	\$6 per day
Boat Launch Fee w/parking	N/A	\$10 per day
Annual Parking /Launch Pass	\$90	\$90
Annual Parking / Launch County (City) Resident	None	\$75
Annual Parking / Launch County Resident (City) Senior or Disabled	None	\$49
Annual Parking / Launch Veteran	None	None
Monthly Parking Pass	\$50	N/A
Bus Parking	None	\$15 per day
Vendors Permit	None	\$25 per day + 10% gross
Staff Special Services	N/A	\$65 per hour
Interpretative Program	N/A	\$65 flat fee

# General Information

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- Year to date the Suisun City Marina has sold 9 yearly passes
- Belden's Landing does not sell fuel and does not offer berths
- Belden's Landing is funded by Solano County's general fund and fees are adopted by the Board of Supervisors
- Suisun City Marina is operated as an enterprise fund
  - How does differ from operating from the general fund?

# Enterprise Fund

- Users of the marina (fees collected) should cover the operational costs and are expected to be zero sum budget
- Suisun City Marina is unique in that operational budget shortfalls can be made up through the Successor Agency and the Recognized Obligation Payments Schedule (ROPS)
- Any discount provided to a group would need to be made up by another user group
- Proposition XIII states any fees that exceed “costs reasonably borne” are considered taxes, which must be approved by a vote of the people
- In this case, it would be considered a “special tax” requiring two-thirds vote for approval

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## AGENDA TRANSMITTAL

**MEETING DATE:** December 20, 2016

**CITY AGENDA ITEM:** Council Adoption of Resolution No. 2016- \_\_: Reallocating the Police Officer Overfill Budget.

**FISCAL IMPACT:** None.

**BACKGROUND:** Recruitment of qualified police officers continues to be a challenge due to the quality of applicants and the timelines involved in the hiring process. Additionally, not all police officers that are hired make it through field training (16+ weeks) or probation (18 months). Finally, vacancies have historically occurred with some officers shortly after completing their probationary period. As a result, in the current year budget, the Police Department budget includes funding for an overfill position for a full year in the job classification of Police Officer.

**STAFF REPORT:** As a result of the need to fill existing vacancies, the overfill position for Police Officer was recently filled on December 12, 2016. The recruitment process resulted in a second strong candidate, and staff is requesting authorization to reallocate the balance of the overfill budget to provisionally fill another overfill position for the remainder of the fiscal year.

There are currently two frozen Police Officer positions, and it is anticipated these may be unfrozen in the FY 2017-18 Budget thanks to Measure S. Given the time it takes to fill positions, the difficulties in finding qualified candidates and the anticipated unfreezing of positions, the department feels that we do not want to lose this candidate.

If one of the frozen Police Officer positions is not unfrozen or a vacancy in the job classification of police officer does not occur prior to the end of the fiscal year, the position would terminate at the end of June. This has been communicated to the candidate, and the candidate is willing to accept the appointment with that condition. If a position were to be approved, assuming successful completion of training by the additional overfill, a qualified, trained Police Officer would immediately be ready to perform solo patrol duties.

**STAFF RECOMMENDATION:** It is recommended that the City Council adopt Resolution No. 2016 - \_\_: Reallocating the Police Officer Overfill Budget.

**ATTACHMENTS:**

1. Resolution No. 2016- \_\_: Reallocating the Police Officer Overfill Budget.

**PREPARED BY:**  
**REVIEWED BY:**  
**APPROVED BY:**

Andrew White, Police Commander  
 Tim Mattos, Police Chief  
 Suzanne Bragdon, City Manager

**RESOLUTION NO. 2016-\_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY  
REALLOCATING THE POLICE OFFICER OVERFILL BUDGET**

**WHEREAS**, recruitment of qualified Police Officers continues to be a challenge due to the quality of applicants, timelines involved in the hiring process, not all Police Officers successfully completing field training or probation and some leave just after the completion of probation; and

**WHEREAS**, the Annual Budget funded the overfill of a Police Officer position for a full year, that position was only recently filled on December 12, 2016 and an additional second strong candidate was identified during the recruitment; and

**WHEREAS**, there are currently two frozen Police Officer positions, it is anticipated these may be unfrozen in the next budget year due to Measure S and given the time it takes to fill positions, the difficulties in finding qualified candidates we do not want to lose this candidate; and

**WHEREAS**, if one of the frozen Police Officer positions is not unfrozen or a vacancy in the job classification of Police Officer does not occur prior to the end of the fiscal year, the position would terminate at the end of June; and

**WHEREAS**, if a position were to be approved, assuming successful completion of training by the additional overfill, a qualified, trained Police Officer would immediately be ready to perform solo patrol duties;

**NOW THEREFORE BE IT RESOLVED**, the City Council hereby authorizes the provisional hiring of a second overfill in the job classification of Police Officer by reallocating the existing Police Officer overfill budget.

**PASSED AND ADOPTED** by the City Council of the City of Suisun City at a regular meeting thereof held on the 20th day of December, 2016 by the following vote:

<b>AYES:</b>	Councilmembers:	_____
<b>NOES:</b>	Councilmembers:	_____
<b>ABSENT:</b>	Councilmembers:	_____
<b>ABSTAIN:</b>	Councilmembers:	_____

**WITNESS** my hand and the seal of said City this 20th day of December, 2016.

\_\_\_\_\_  
Linda Hobson, CMC  
City Clerk

## AGENDA TRANSMITTAL

**MEETING DATE:** December 20, 2016

**CITY AGENDA ITEM:** Council Adoption of Resolution No. 2016-\_\_: Authorizing Nighttime Construction for Segment 5C of the City of Fairfield's East-West Water Transmission Pipeline Project.

**FISCAL IMPACT:** There is no fiscal impact from the proposed Council action.

**BACKGROUND:** At its regular meeting on December 6, 2016, the Council heard a complaint from a business owner on Railroad Avenue regarding the construction activity on the road. As a result of that information, staff was directed to hold a meeting with business owners and residents affected by the construction.

**STAFF REPORT:** As instructed by Council, Suisun staff called a meeting with Public Works staff from the City of Fairfield, as well as affected business owners and residents along Railroad Avenue. The meeting was held on Wednesday, December 7, 2016, at 1:30 pm in City Hall.

The meeting was well attended given the short time for noticing the business owners and residents. The primary focus of the meeting was the traffic control and more specifically, access to the properties during construction. The discussion was very positive and collaborative in nature. The consensus of the group was that night construction would alleviate the problem. City of Fairfield staff was very receptive to that idea. Fairfield staff committed to discuss this option with the contractor.

On December 14, 2016, City staff again met with Fairfield staff. Fairfield staff indicated that the contractor was willing to undertake nighttime work at an approximate cost of \$250,000. Fairfield staff indicated that it would approve a change order to effect the nighttime work.

City staff has reviewed the Suisun City Code to determine whether nighttime work could be allowed. Section 15.12.320 addresses work hours, but that pertains to private construction projects and not public projects such as this. Thus, the change order would not be in conflict with the Code.

This item is before the Council to authorize nighttime work for the project as it is in the public interest to do so, thereby allowing the businesses to operate with a minimum of disturbance.

**STAFF RECOMMENDATION:** It is recommended that the City Council adopt Resolution No. 2016-\_\_: Authorizing Nighttime Construction for Segment 5C of the City of Fairfield's East-West Water Transmission Pipeline Project.

**ATTACHMENTS:**

1. Resolution No. 2016-\_\_: Authorizing Nighttime Construction for Segment 5C of the City of Fairfield's East-West Water Transmission Pipeline Project.

**PREPARED BY:** Tim McSorley, Public Works & Building Director/City Engineer  
**REVIEWED AND APPROVED BY:** Suzanne Bragdon, City Manager

**RESOLUTION NO. 2016-\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY  
AUTHORIZING NIGHTTIME CONSTRUCTION FOR SEGMENT 5C OF THE CITY  
OF FAIRFIELD’S EAST-WEST WATER TRANSMISSION PIPELINE PROJECT**

**WHEREAS**, the City of Fairfield’s East-West Water Transmission Pipeline Project has been in the planning stages for approximately 10 years and is located within the City limits of the City of Suisun City within Railroad Avenue between Sunset Avenue and Worley Road; and

**WHEREAS**, the City of Fairfield has awarded a construction contract for the work; and

**WHEREAS**, the City of Suisun City has issued an encroachment permit for the work as it is within the right of way of Railroad Avenue; and

**WHEREAS**, businesses and residents along Railroad Avenue are affected by the construction of the Project; and

**WHEREAS**, at the direction of the Council, a meeting was held on December 7, 2016 with Suisun City staff, City of Fairfield staff, and business owners and residents to discuss options to minimize negative impacts resulting from the construction; and

**WHEREAS**, the consensus of those in attendance was that nighttime work would alleviate the concerns; and

**WHEREAS**, City of Fairfield has reached an agreement with the contractor to proceed with nighttime construction; and

**WHEREAS**, it is in the public interest that the City of Suisun City make every effort accommodate the interests of its business owners and residents.

**NOW, THEREFORE, BE IT RESOLVED THAT** the City Council of the City of Suisun City authorizes nighttime work for the Project. The hours can generally be described as between 7:00 pm and 7:00 am, Monday through Friday.

**PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Suisun City, duly held on the 20<sup>th</sup> day of December 2016 by the following vote:

**AYES:** Council Members: \_\_\_\_\_  
**NOES:** Council Members: \_\_\_\_\_  
**ABSENT:** Council Members: \_\_\_\_\_  
**ABSTAIN:** Council Members: \_\_\_\_\_

**WITNESS** my hand and the seal of said City this 20<sup>th</sup> day of December 2016.

\_\_\_\_\_  
Linda Hobson, CMC  
City Clerk

**AGENDA TRANSMITTAL**

**MEETING DATE:** December 20, 2016

**CITY AGENDA ITEM:** Discussion and Direction – Consideration of Expanding the List of Designated Smoke-Free Public Areas.

**FISCAL IMPACT:** There would be no fiscal impact associated with this item.

**BACKGROUND:** On February 5, 2015, the City Council approved an ordinance that designated the Waterfront Plaza as a “smoke-free” environment during special events, while ensuring that certain areas during the events would allow “smoking”. As part of the City Council discussion about the Waterfront District Specific Plan, Council identified some potential public areas to be designated as smoke-free, in addition to the current policy indicated above. Staff was asked to bring an item to Council for further discussion. Concurrent to this discussion, the Parks and Recreation Commission requested that the Recreation & Community Services Director provide the Commission with options for smoke-free public environments that it could use to frame a recommendation to City Council. Before doing so, staff wanted to have a fuller discussion with the Council to identify its interests.

**STAFF REPORT:** To facilitate Council discussion, the following table identifies a range of public areas that could be considered for designation as “smoke-free”. They include both the ideas shared by Council, as well as by members of the Parks and Recreation Commission.

<b>PUBLIC SPACES WITH POTENTIAL FOR SMOKE-FREE DESIGNATION</b>		
Waterfront District	<ul style="list-style-type: none"> <li>• Harbor Plaza</li> <li>• Areas of Promenade</li> <li>• Courtyard at Harbor Square</li> <li>• Train Depot</li> </ul>	
Specific Park Areas	<ul style="list-style-type: none"> <li>• Smoke-Free zones around play equipment (25 feet to 50 feet)</li> <li>• Smoke-Free zones around youth sports activities</li> </ul>	
Smoke-Free Parks	<ul style="list-style-type: none"> <li>• Certain parks</li> <li>• All parks</li> </ul>	See Vacaville, Vallejo, American Canyon and Solano County
Other Facilities	Smoke-Free Campus	Solano County Community College, State Universities as of 2018

In addition, examples of practices in neighboring cities and the County are attached. The definition of “smoking” is provided below, as is an update on the recreational use of marijuana:

**PREPARED BY:** Kris Lofthus, Recreation & Community Services Director  
**REVIEWED AND APPROVED BY:** Suzanne Bragdon, City Manager

Definition of “Smoking”

The California Business and Professions Code Section 22950.5(c) defines “Smoking” as engaging in an act that generates smoke, such as, for example: possessing a lighted pipe, a lighted hookah pipe, a lighted cigar, an operating electronic smoking device, or a lighted cigarette of any kind; or lighting or igniting a pipe, a hookah pipe, a cigar, or a cigarette of any kind. Also includes the use of an electronic smoking device that creates an aerosol or a vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking.

Passage of Proposition 64

On November 8, 2016, California voters approved proposition 64, legalizing recreational use of marijuana. Key points include:

- State regulations must be in place by January 2018, *before recreational sales may begin*.
- Local permits are required before a State license can be obtained to sell, manufacture, test and/or cultivate marijuana for recreational use.
- Each residence may grow up to 6 adult plants for individual use.
- Individuals 21 years of age and older may legally possess up to 1 ounce of marijuana.

Importantly, for purposes of this discussion, Proposition 64 *does not* permit the recreational use of marijuana in public spaces like city parks.

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**STAFF RECOMMENDATION:** It is recommended that the City Council provide direction to staff to proceed with drafting a comprehensive Smoke-Free Public Environments policy, which would be reviewed and considered by the Parks and Recreation Commission in order to bring its formal recommendations to Council.

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**ATTACHMENTS:**

1. Selected Smoke-Free Public Environments Policies.

## **SELECTED SMOKE-FREE PUBLIC ENVIRONMENTS POLICIES**

### **City of Vacaville**

12.28.091 Prohibition of smoking within city parks and recreational facilities except in designated areas.

A. Definitions. For the purposes of this section, the following definitions shall govern:

1. “Cigar” shall have the same meaning as defined in Section 104550 of the California health and Safety Code.

2. “Cigarette” shall have the same meaning as defined in Section 104556 of the California Health and Safety Code.

3. “Designated area” shall mean:

a. One or more areas within a City park or recreational facility, which have been posted with signs as approved by the City Manager or his or her designee, stating that smoking is permitted within such areas; and

b. Those portions of a parking lot or public sidewalk located directly adjacent to the perimeter of a park or recreational facility, whether or not a “smoking permitted” sign has been posted.

4. “Park” and “recreational facility”, whether used in the singular or plural, shall mean any City park, parkway, mall, plaza, greenbelt, garden, lake, and any other City property, including structures thereon, that is reserved for park or recreational purposes, whether passive or active.

5. “Sidewalk” shall mean a concrete walkway adjacent to a public street or parking lot.

6. “Smoke” or “smoking” shall mean the lighting, inhaling, exhaling or burning of any pipe, cigar, or cigarette of any kind, or the carrying or holding of any lighted pipe, lighted cigar, lighted cigarette, or any similar article or substance, including, but not limited to, tobacco or other combustible weed or plant. “Smoking” also means the gaseous products and particles created by the use of a lighted pipe, cigar, cigarette, or any other similar article or substance.

B. Disposal of cigarettes, cigars and other smoking materials.

1. No person shall smoke a cigarette, cigar, pipe, or any other combustible substance within a City park or recreational facility except in a designated area, or dispose of a lighted or unlighted cigarette, cigar, pipe, or any other combustible substance or tobacco-related waste within a park or recreational facility, except in an ashtray or other device designated for such disposal.

2. This section shall not apply to tot lot sandbox areas or playgrounds as defined in California Health and Safety Code Section 104495, which shall be governed by said Section 104495.

C. Retaliation Prohibited. No person shall intimidate, threaten any reprisal, or effect any reprisal, for the purpose of retaliating against another person who seeks to obtain compliance with this section.

D. Enforcement. Any person who violates or fails to comply with any of the provisions of this section, and any person who aids, assists or abets therein, shall be guilty of an infraction and shall be punished as provided in Chapter 1.16 of this Code.

### **City of American Canyon**

12.04.230 Tobacco use in city parks.

In city parks and recreation facilities, the use of tobacco products including but not limited to cigarette smoking, use of electronic cigarettes or similar nicotine delivery devices and use of smokeless tobacco is prohibited.

Parks and recreation facilities is defined as parks, landscaped trail areas, landscape areas proximate to recreation facilities including the Philip West Aquatic Center, Senior Multiuse Center, Recreation Center, Community Gym and any other similar facilities.

In addition to common municipal code violation practices, violators of this chapter shall be referred to a local anti-smoking program.

The parks and recreation director may authorize the creation of designated smoking areas for events lasting longer than four hours. (Ord. 2014-03 § 1, 2014)

### **City of Vallejo**

7.68.045 - Prohibition of smoking and disposal of tobacco products in recreational areas and park facilities.

No person shall smoke a cigarette, cigar, pipe, or any other combustible substance within a city park or recreational facility, or dispose of a lighted or unlighted cigarette, cigar, pipe, or any other combustible substance or tobacco-related waste within a recreational area or park facility.

### **Solano County**

19-190 Alcohol and tobacco regulations

(a) The board of supervisors makes the following findings:

The use of tobacco (including e-cigarettes) within county parks poses significant risks to public health, safety, and welfare, including but not limited to substantially increased fire danger, adverse health effects on members of the public and parks division staff, increased litter, and threats to wildlife, water quality, and the environment. The findings made and purposes stated in Section 13.3-10 remain valid and are equally applicable to the impact of smoking in county parks.