



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

MONDAY, AUGUST 8, 2016

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 meeting includes teleconference participation by Councilmember Jane Day from: 301 Morgan Street, Suisun City, CA 94585.

(Next Ord. No. – 741)
(Next City Council Res. No. 2 016 – 69)
Next Suisun City Council Acting as Successor Agency Res. No. SA2016 – 05
(Next Housing Authority Res. No. HA2016 – 05)

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).

PRESENTATIONS/APPOINTMENTS

(Presentations, Awards, Proclamations, Appointments).

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.)

CONSENT CALENDAR

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

City Council

1. Council Adoption of Resolution No. 2016-___: Providing for the Levy and Collection of Special Taxes for Community Facilities District (CFD) No. 3 for Fiscal Year 2016-17– (McSorley).

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

GENERAL BUSINESS**City Council**

2. Proposed Mitigation for the Removal of City Trees as a Result of the Pacific Gas & Electric (PG&E) Community Pipeline Safety Initiative – (McSorley)
 - a. Council Adoption of Resolution No. 2016-__: Accepting \$50,000 as Mitigation for the Removal of City Trees as a Result of the Pacific Gas & Electric Company (PG&E) Pipeline Safety Initiative; and
 - b. Council Adoption of Resolution No. 2016-__: Adopting the Third Amendment to the Annual Appropriation Resolution No. 2016-48 to Appropriate \$50,000 of Tree Mitigation Funding from Pacific Gas & Electric (PG&E).

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 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 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 August 8, 2016 was posted and available for review, in compliance with the Brown Act.

AGENDA TRANSMITTAL

MEETING DATE: August 8, 2016

CITY AGENDA ITEM: Council Adoption of Resolution No. 2016-___: Providing for the Levy and Collection of Special Taxes for Community Facilities District (CFD) No. 3 for Fiscal Year 2016-17.

FISCAL IMPACT: The assessments from CFD No. 3 are intended to cover for the cost of providing public services. For Fiscal Year 2016-17, the assessment is estimated at \$62,528. Without the assessment, there would be a negative impact of about \$62,500 on the General Fund. The FY 2016-17 Annual Budget would then need to be amended in the General Fund to reflect the loss of income.

BACKGROUND: On June 23, 2015, the City Council adopted Resolution No. 2015-75 needed to form and establish a new CFD No. 3. Last year was the first year of assessment. The new District was formed to address the unique character of Four Seasons Self Storage. That property was originally in CDF No. 2. As with CFD No. 2, the purpose of CFD No. 3 is to offset the allocated share of Citywide costs for police, fire, storm drainage, and maintenance of public landscaping of the parcels within the District boundaries. The difference between the two districts is that Equivalent Dwelling Units (EDUs) for non-residential property in CFD No. 2 are 1,000 square feet or portion thereof, while in CFD No. 3 they are 1,600 square feet or portion thereof. All other aspects of the Rate and Method of Apportionment (RMA) are consistent between the two districts.

On June 21, 2016, the Council adopted Resolution No. 2016-45 adjusting CFD No. 2 EDU rates from \$798.25 to \$812.06. CFD No. 3 was inadvertently not updated, as the individual property in CFD No. 3 used to be in CD No. 2.

STAFF REPORT: As established in Ordinance 664 and the annexation Resolutions, the assessment for Citywide CFD No. 3 shall be adjusted annually by the exact same RMA methodology used to update CFD No. 2's EDU rate. Both districts take the average increase of the Bureau of Labor Statistics indexes as indicated in the approved RMA and shall be calculated in January of each year by 1) referencing the Bureau of Labor Statistics Data to identify the annual percentage increase in each Indices as of the end of the prior year, and by 2) taking the average of these two percentages.

The specific indices used are 1) Consumer Price Indices for the San Francisco-Oakland-San Jose Urban Wage Earners and Clerical Workers Category (CPI-SFOSJ) and 2) the U.S. City Average Urban Wage Earners and Clerical Workers Category (CPI-US). For FY 2016-17, CPI-SFOSJ is 2.249% and CPI-US is 1.212% which average to 1.730%. According to Ordinance 684, if either index decreases, the percentage change from the prior year will be assumed to be zero for the purpose of calculating the increase. No Annual Engineer's Report is required for CFD No. 3.

PREPARED BY:
REVIEWED BY:
APPROVED BY:

Amanda Dum, Management Analyst I
 Tim McSorley, Public Works & Building Director/City Engineer
 Suzanne Bragdon, City Manager

RECOMMENDATION: It is recommended that the City Council adopt Resolution No. 2016-__: Providing for the Levy and Collection of Special Taxes for Community Facilities District (CFD) No. 3 for Fiscal Year 2016-17.

ATTACHMENTS:

1. Resolution No. 2016-__: Providing for the Levy and Collection of Special Taxes for Community Facilities District (CFD) No. 3 for Fiscal Year 2016-17.

RESOLUTION NO. 2016-__

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY
PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL TAXES FOR
COMMUNITY FACILITIES DISTRICT (CFD) NO. 3 FOR FISCAL YEAR 2016-17**

WHEREAS, the City Council of the City of Suisun City has previously formed its Community Facilities District (CFD) No. 3 (the "District"), pursuant to the provisions of the Mello-Roos Community Facilities Act of 1982, as amended, commencing with Government Code Section 53311, *et seq.* (the "Mello-Roos Act"); and

WHEREAS, pursuant to the provisions of the Mello-Roos Act, special taxes have been authorized by the voters within the District by the necessary 2/3 affirmative vote, to be levied and collected pursuant to the provisions of the Mello-Roos Act; and

WHEREAS, the City is authorized to levy and collect special taxes within the boundaries of the District pursuant to the provisions of the Mello-Roos Act, the resolutions forming the District, resolutions authorizing the levy and collection of special taxes, and Ordinance No. 684, which was enacted pursuant to Government Code Sections 53316 and 36900 *et seq.* and was ordained by this City Council for the levy and collection of such special taxes; and

WHEREAS, such special taxes are levied and collected pursuant to the Rate and Method of Apportionment of Special Tax within the District and are not levied with regard to property values; and

WHEREAS, the Rate and Method of Apportionment of Special Tax for the District provides for the procedure by which special taxes will be levied upon property within the District; and

WHEREAS, special taxes authorized for collection pursuant to the provisions of the Mello-Roos Act are not subject to the provisions of California Constitution Article XIII D (Proposition 218) as enacted by the voters of the State of California in November, 1996; and

WHEREAS, the purpose of such special tax levy is to finance Municipal Services within the District; and

WHEREAS, the City Council has previously authorized and directed that special taxes be levied on all nonexempt property within the District pursuant to Section 53340 of the Mello-Roos Act and the aforementioned ordinances; and

WHEREAS, the City Council desires to provide for the levy and collection of special taxes for the Fiscal Year / Tax Year 2016-17 within the District, pursuant to the Act; and

WHEREAS, the Rate and Method of Apportionment of Special Tax established for CFD No. 2 in Resolution No. 2016-45 at an EDU rate of \$812.06 is identical to the Rate and Method of Apportionment of Special Tax established for CFD No. 3.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Suisun City, does order as follows:

Section 1. The City Council hereby authorizes and directs that special taxes shall be levied on all nonexempt property within the District pursuant to the Rate and Method of Apportionment of Special Tax in effect with regard to the District during Fiscal Year 2016-17 as specified in Exhibit A of this resolution which lists the special taxes to be collected within the District.

Section 2. The Administrative Services Director shall deposit all money representing special taxes collected by the County of Solano for the District to the credit of a fund for the District, and such monies shall be expended only for identified services.

Section 3. The adoption of this Resolution constitutes the District levy for the Fiscal Year commencing July 1, 2016, and ending June 30, 2017.

Section 4. The City Clerk is hereby authorized and directed to file the levy with the County Auditor upon adoption of this Resolution.

Section 5. A certified copy of the levy shall be filed in the office of the City Clerk and open for public inspection.

PASSED AND ADOPTED at a Regular Meeting of the City Council of the City of Suisun City duly held on Tuesday, the 8th day of August 2016, by the following vote:

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

WITNESS my hand and the seal of said City this 8th day of August 2016.

Linda Hobson, CMC
City Clerk

EXHIBIT A FY 2016-17

**Citywide Municipal Services – FY 2016-17 Summary of Proposed Assessments
City of Suisun City
Community Facilities District No. 3**

Type of Development	FY 2015-16	FY 2016-17			
	Assessment per Unit	Adjustment Factor	Assessment per Unit	No. of Units	Total Assessment
Single-Family Residential - Detached	\$ 798.25	1.730%	\$ 812.06	-	\$ -
Single-Family Residential - Attached	\$ 598.69	1.730%	\$ 609.04	-	\$ -
Multi-Family	\$ 299.34	1.730%	\$ 304.52	-	\$ -
Live Work Unit: res/EDU and com/EDU	\$ 798.25	1.730%	\$ 812.06	-	\$ -
Non-Residential Property per 1,000 sq. ft.	\$ 798.25	1.730%	\$ 812.06	77	\$ 62,528.60
CFD NO. 3 TOTAL	\$ 798.25	1.730%	\$ 812.06	77.00	\$ 62,528.60

EXHIBIT B FY 2016-17

**Citywide Municipal Services – FY 2016-17 Assessment Roll
City of Suisun City
Community Facilities District No. 3**

FY 2016-17 EDU Rate \$812.06

APN	Development	No. of Residential Units	No. of Commercial Square Feet	No. of Commercial EDUs	No. of Total EDUs	ADDRESS	LOT No.	Levy Amount	County Fund Number
0174-170-090	Four Seasons Storage	1	121,944	76	77	1600 Petersen Road	N/A	\$62,528.60	7544

AGENDA TRANSMITTAL**MEETING DATE:** August 8, 2016

CITY AGENDA ITEM: Proposed Mitigation for the Removal of City Trees as a Result of the Pacific Gas & Electric (PG&E) Community Pipeline Safety Initiative:

- a. Council Adoption of Resolution No. 2016-__: Accepting \$50,000 as Mitigation for the Removal of City Trees as a Result of the Pacific Gas & Electric Company (PG&E) Pipeline Safety Initiative; and
- b. Council Adoption of Resolution No. 2016-__: Adopting the Third Amendment to the Annual Appropriation Resolution No. 2016-48 to Appropriate \$50,000 of Tree Mitigation Funding from Pacific Gas & Electric (PG&E).

FISCAL IMPACT: There would be no fiscal impact to the General Fund resulting from this action. A total of \$50,000 would be available to restore landscaping Citywide as a result of this action.

BACKGROUND: The Pacific Gas & Electric Company (PG&E) has developed a program to evaluate potential risks from vegetation and structures within its “pipe zone”. The program is funded by PG&E stockholders, as opposed to the ratepayers, to address the requirements imposed by the California Public Utilities Commission (CPUC). PG&E has been working throughout its service area in collaboration with local jurisdictions and the public looking at its underground facilities to determine how vegetation or structures may impact those facilities. The primary issues the program is intended to address include emergency access and potential damage to pipes from tree roots either through intrusion or damage resulting from falling trees. The latter is an issue where tree roots may encircle the pipes and upon falling could damage the pipes. There are primarily two categories of trees, “unacceptable risk” and “manageable risk”. In Suisun City, PG&E has determined that there are 19 trees within the City right of way that are of the “unacceptable risk” and 43 trees in the “manageable” category. The majority of the “unacceptable” trees are along the north side of Petersen Road opposite of Walmart. PG&E is also working with property owners to address the issue for trees located on private property.

STAFF REPORT: This item was originally brought before Council on February 16, 2016. The original proposal by PG&E was to provide the City with 19 new trees for planting in a location of the City’s choosing. However, at the Council meeting, the Council suggested replacing the trees at a 3:1 ratio, or better and asked staff to negotiate a better deal with PG&E. In addition, Council directed staff to develop locations for the additional replacement trees.

An initial plan called for 57 new trees to be planted around the perimeter of Lawler Park. That location was chosen because of proximity to irrigation, ease of maintenance and that the trees would provide a wind-break for park users. A number of alternate areas in the City were also considered for the project including Walters Road median, Downtown, Hwy-12, Mike Day and Montebello Parks. These other locations have added challenges such as availability of water and power, the need for root barriers, tree grates, maintenance costs, compacted soil and sidewalk improvements that make them more costly to accomplish.

PREPARED BY:

Tim McSorley, Public Works & Building Director

REVIEWED AND APPROVED BY:

Suzanne Bragdon, City Manager

Subsequent to the above plan, PG&E has now offered to pay the City a flat amount of \$50,000 as mitigation for the removal of the initial 19 “unacceptable risk” trees and 43 “manageable risk” trees (62 trees total). This amounts to \$806 per tree. It should be noted that PG&E has paid \$750 per tree in other jurisdictions. In addition under this offer, PG&E would still be installing replacement landscaping the areas where the trees are to be removed. Under this scenario, City staff would be able to develop our own planting plan as described below.

To put this offer into perspective, we have contacted a couple of local nurseries for the cost of new trees. A 15-gallon tree runs from \$53 to \$65 depending on species. A 24-inch box tree can range up to \$165. Given it can take up to two staff hours to plant a tree, the equivalent cost would be up to \$257 to plant a new tree, providing there are no other issues as mentioned above. This cost includes our fully burdened wage rate. Extending this over the \$50,000 equates to 194 new trees. Please bear in mind if we need irrigation, root barriers, we need to remove a tree or if we need traffic control at certain locations, the costs would be higher on a per tree basis.

As mentioned above, our landscape staff would like to develop a Citywide Urban Forestry Management Plan. Issues to be addressed in the Plan would be identifying the correct species to plant, a tree replacement schedule, planting details such as a staking detail, tree grates, root barriers and irrigation standards. Once the Plan is reviewed by Council, we could move forward and use the funds from PG&E to implement the Plan. However, we do have one location that we could immediately plant 22 trees, the Walters Road median. Trees in this median were removed as part of the Walters Road Project and not replaced due to lack of funding. The approximate cost for that work is \$5,800 for the 22 new trees. Our landscape crews have already repaired the irrigation at this location.

If the Council adopts the accompanying resolutions, a separate fund would be established to account this money for future use.

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

1. Resolution No. 2016-__: Accepting \$50,000 as Mitigation for the Removal of City Trees as a Result of the Pacific Gas & Electric Company (PG&E) Pipeline Safety Initiative; and
2. Resolution No. 2016-__: Adopting the Third Amendment to the Annual Appropriation Resolution No. 2016-48 to Appropriate \$50,000 of Tree Mitigation Funding from Pacific Gas & Electric (PG&E).

ATTACHMENTS:

1. Resolution No. 2016-__: Accepting \$50,000 as Mitigation for the Removal of City Trees as a Result of the Pacific Gas & Electric Company (PG&E) Pipeline Safety Initiative.
2. Resolution No. 2016-__: Adopting the Third Amendment to the Annual Appropriation Resolution No. 2016-48 to Appropriate \$50,000 of Tree Mitigation Funding from Pacific Gas & Electric (PG&E).

RESOLUTION NO. 2016-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY
ACCEPTING \$50,000 AS MITIGATION FOR THE REMOVAL OF CITY TREES
AS A RESULT OF THE PACIFIC GAS & ELECTRIC COMPANY (PG&E)
PIPELINE SAFETY INTITATIVE**

WHEREAS, the Pacific Gas & Electric Company (PG&E) has developed a program to evaluate potential risks from vegetation and structures within its “pipe zone” as required by the California Public Utilities Commission (CPUC); and

WHEREAS, PG&E has been working throughout its service area in collaboration with local jurisdictions and the public to determine what risks may be involved and how to best mitigate those potential risks; and

WHEREAS, on February 16, 2016, the City Council of the City of Suisun City heard a presentation by PG&E on the program within the City limits; and

WHEREAS, PG&E has identified 19 trees as “unacceptable risk” within the City’s right of way that needed to be removed in order satisfy the CUPC requirements; and

WHEREAS, on that date, the Council directed staff to work with PG&E to develop a plan to replace the 19 trees on a 3:1 ratio at locations determined to be best suited for new plantings; and

WHEREAS, PG&E has now offered \$50,000 as payment for the loss of the original 19 trees, plus an additional 43 trees identified as “manageable risk” trees under the CPUC program.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Suisun City, does hereby approve a payment of \$50,000 as mitigation for the removal of City trees.

PASSED AND ADOPTED at a regular meeting of said City Council held on Monday, the 8th of August; by the following vote:

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

WITNESS my hand and seal of the said City this 8th day of August, 2016.

Linda Hobson, CMC
City Clerk

RESOLUTION NO. 2016-__

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY
ADOPTING THE THIRD AMENDMENT TO THE ANNUAL APPROPRIATION
RESOLUTION NO. 2016-48 TO APPROPRIATE \$50,000 OF TREE MITIGATION
FUNDING FROM PACIFIC GAS & ELECTRIC (PG&E)**

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

THAT Section 037 of Part III of the Annual Appropriation Resolution No. 2016-48 be and is hereby amended as follows:

		<u>Increase/ (Decrease)</u>
TO:	BUILDING & PUBLIC WORKS DEPARTMENT	\$ 50,000
	Capital Improvements	
	TOTAL Section 037	<u>\$ 50,000</u>

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

		<u>Sources</u>	<u>Uses</u>
<u>PG&E Tree Mitigation Fund</u>			
Revenues:			
A/C No. 037-79410-9984	Other Miscellaneous Revenue	\$ 50,000	\$ -
Appropriations:			
A/C No. 037-96510-9984	CIP/Other Expenses	<u>\$ -</u>	<u>\$ 50,000</u>
	Total PG&E Tree Mitigation Fund	<u>\$ 50,000</u>	<u>\$ 50,000</u>

THAT the purpose is to appropriate funds for the PG&E Tree Mitigation Project.

ADOPTED AND PASSED at a regular meeting of the City Council of the City of Suisun City duly held on the 8th day of August, 2016 by the following vote:

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

WITNESS my hand and seal of the said City this 8th day of August 2016.

Linda Hobson, CMC
City Clerk