

CITY COUNCIL

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



CITY COUNCIL MEETING

First and Third Tuesday
Every Month

A G E N D A

SPECIAL MEETING OF THE SUISUN CITY COUNCIL

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

TUESDAY, SEPTEMBER 3, 2013

5:00 P.M.

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

TELECONFERENCE NOTICE

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

ROLL CALL

Council/Board Members

PUBLIC COMMENT

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

CONFLICT OF INTEREST NOTIFICATION

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

CLOSED SESSION

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

City Council

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

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

DEPARTMENTS: AREA CODE (707)

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

City Council

2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Name of Case: Brown v. City of Suisun City - Case # ADJ8209521

Joint City Council / Suisun City Council Acting as Successor Agency

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.

City Council

4. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Name of case: Rankin v. Suisun Police Department, et al - Case # 2:11-CV-0145-MCE-JFM
5. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant Exposure to litigation pursuant to Government Code Section 54956.9(b): Three potential cases.
6. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION
Name of case: David Fong v. City of Suisun City Case # FCS038343

Joint City Council / Suisun City Council Acting as Successor Agency

7. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Name of Case: City of Suisun City v. State of California, Department of Finance, et al; Case #34-2013-00146458.

CONVENE OPEN SESSION

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

ADJOURNMENT

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

PLEASE NOTE:

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

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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, SEPTEMBER 3, 2013

7:00 P.M.

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

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(Next Ord. No. – 724)

(Next City Council Res. No. 2013 – 52)

Next Suisun City Council Acting as Successor Agency Res. No. SA2013 – 03)

(Next Housing Authority Res. No. HA2013 – 04)

ROLL CALL

Council / Board Members

Pledge of Allegiance

Invocation by Pastor Rick Stonestreet

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

CONFLICT OF INTEREST NOTIFICATION

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SUCCESSOR AGENCY 421-7309 FAX 421-7366

PRESENTATIONS/APPOINTMENTS

(Presentations, Awards, Proclamations, Appointments).

3. Presentation by Wayne Lewis, Assistant Public Works Director - Transportation, City of Fairfield, on "Fairfield and Suisun Transit (FAST) Short Range Transit Plan (SRTP)".

CONSENT CALENDAR**City Council**

4. Council Adoption of Ordinance No. 723: Amending Chapter 18.54 of Title 18 Zoning, Adding a Provision for Special Sign Overlay Districts (Ordinance Introduced and Reading Waived on August 27, 2013) - (Wooden).

Suisun City Council Acting as Successor Agency

5. Receiving and Accepting a Recognized Obligation Payment Schedule (ROPS) for the Period of January to June 2014 – (Garben).

GENERAL BUSINESS**City Council**

6. Council Adoption of Resolution No. 2013-___: Determining Whether a Commercial/Residential Land Use Proposal is Consistent with the City's Adopted Revenue-Based Land Use Policy – (Garben).

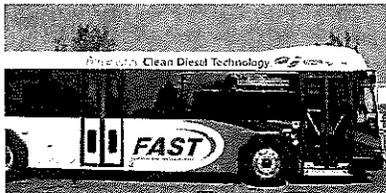
PUBLIC HEARINGS:**ADJOURNMENT**

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FAIRFIELD AND SUISUN TRANSIT (FAST) SHORT RANGE TRANSIT PLAN (SRTP)



SUISUN CITY COUNCIL MEETING
September 2013
Presented by
Wayne Lewis
Fairfield Assistant Public Works Director/
FAST Transit Manager

How is FAST Funded?

- Fares currently cover about 21% of the \$10.3 million annual cost to operate FAST's transit and alternative transportation programs.
- Approximately 79% of operations and maintenance expenses are paid with regional, state and federal grants we receive directly or through our funding partners. All must be used for transit purposes.
- Capital projects for facilities and vehicle replacement are funded entirely with regional, state, and federal transit grants.
- FAST receives no support from Fairfield's General Fund.

The FAST SRTP

- Is a planning document required by the California Transportation Development Act (TDA) from transit agencies receiving TDA grants.
- Is one element of the Solano Coordinated Short Range Transit Plan that the Metropolitan Transportation Commission (MTC) requested from the Solano Transportation Authority (STA).
- Evaluates FAST's performance for FY2009/10 thru FY2011/12.
- Provides a 10 year plan for service and capital improvements.
- Documents the performance metrics that will be used to judge performance of the transit system in the future.

FAST Assets

- FLEET
 - 27 Local Buses (Over \$700,000 each to replace)
 - 21 Intercity Buses (Over \$900,000 each to replace)
 - 8 Paratransit Vans (\$65,000 each to replace)
 - 7 Light Duty Vehicles
- Facilities
 - Fairfield Transportation Center
 - Red Top Road Park and Ride Lot
 - Oliver Road Park and Ride Lot (In Design)
 - Major user of City's Maintenance Yard and Shop
 - Bus Stops and Shelters

What Does FAST Do?

- FAST is operated by the City of Fairfield and is committed to providing transportation options for the residents of our community.
- Ridership dropped about 20% at beginning of the Great Recession, but ridership is back to pre-recession levels now. FAST directly provided over 1 million rides in FY 2012/13.
 - 653,799 rides on 8 local transit routes in Fairfield and Suisun City.
 - 395,357 rides on FAST's 4 Solano Express Intercity transit routes.
 - 23,134 rides on the DART paratransit service.
- FAST also financially supports a volunteer driver program as well as local and intercity taxi programs.
- FAST also facilitates carpooling and vanpooling by operating park and ride lots with over 850 parking spaces.

Challenges

- Costs to provide transit services are expected to climb faster than the funding sources currently available to fund them.
- Both ridership and fare-box recovery must be increased to remain eligible for funding.
- Minimizing costs is necessary to provide more cost effective service.
- Must save for fleet replacements and facility improvements (Buses should be replaced every 12-14 years. We have developed plan to extend life by 4-5 years, but there are risks and inefficiencies associated with that plan.)
- No funding currently available for expansion and access improvements at the FTC

Performance Local Fixed Routes

- Local routes have performed poorly in recent years and the fare box recovery of less than 15% is a concern. 20% is the normal standard.
- All local routes were completely restructured in December 2012 to improve service and create base for ridership growth.
- Need combination of ridership growth and fare increases to maintain stability of local fixed route service.
- SRTP financial plan anticipates addition of a Route 9, if funding can be secured.

Performance Park and Rides

- FAST currently owns and operates park and ride lots at the FTC and Red Top Road with a total of 854 spaces for transit riders and ridesharing (carpools and vanpools).
- Oliver Road Park and Ride will add approximately 180 spaces in 2014 to relieve some pressure on the FTC. Would like to shift vanpools from FTC.
- Should consider charging for parking to help cover the over \$400,000 needed annually to maintain and operate these facilities.
- No funding currently available for parking expansion at the FTC.

Performance Intercity Fixed Routes

- Overall, the intercity routes are performing well, but the results are not consistent.
- Most Intercity Riders are "Choice Riders", so structuring service and fares to provide value is key to success.
- Lack of parking at the FTC limits ridership.
- CLIPPER® implementation will require fare restructuring.

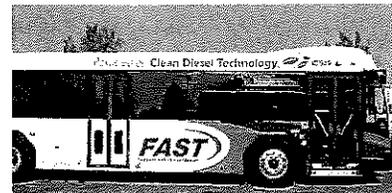
SRTP Conclusions

- In order to ensure long-term viability, FAST must:
 - Limit Service Expansions
 - Control Growth of Operating Costs
 - Generate Increased Revenues

Performance Dial a Ride Services

- Aging population is putting pressure on transportation systems for people that cannot use fixed route transit.
- Paratransit services are very expensive – Over \$50/ride – Need to make sure it's the people that really need the services that get them.
- Alternative Programs utilizing taxis and volunteer drivers may be more cost effective.

TAKE TRANSIT – GO FAST!



QUESTIONS?

AGENDA TRANSMITTAL

MEETING DATE: September 3, 2013

CITY AGENDA ITEM: Council Adoption of Ordinance No. 723: An Ordinance of the City Council of the City of Suisun City, California, Amending Chapter 18.54 of Title 18 Zoning, Adding a Provision for Special Sign Overlay Districts (Ordinance Introduced and Reading Waived on August 27, 2013).

FISCAL IMPACT: None.

BACKGROUND: At the June 11, 2013 meeting, City Council directed staff to prepare an ordinance that established a provision for Special Sign Overlay Districts (SSPD). On August 27, 2013 the City Council held a public hearing, introduced the ordinance and the reading was waived.

STAFF REPORT: In order to allow special sign overlay districts in the City, a zoning text amendment (ZTA) ordinance must be adopted. As with each application for a rezoning or zoning map amendment, the City Council must review each application on a case-by-case basis. The same would apply to designation of an SSOD. That review would include which parcels are included in the district, the plan for reducing future signage within the district, the height of the highway-oriented sign, as well as the design of the sign and associated landscaping.

The ordinance would establish two application methods for creation of a SSOD: 1) any applicant may file an application for the establishment of an SSOD concurrently with the filing of an application for a pylon sign permit, or 2) the Council may direct staff to initiate the process for the establishment of one or more sign districts in the City.

RECOMMENDATION: It is recommended the City Council adopt Ordinance No. 723: An Ordinance of the City Council of the City of Suisun City, California, Amending Chapter 18.54 of Title 18 Zoning, Adding a Provision for Special Sign Overlay Districts. (Ordinance Introduced and Reading Waived on August 27, 2013.)

ATTACHMENTS:

1. Ordinance No. 723: An Ordinance of the City Council of the City of Suisun City, California, Amending Chapter 18.54 of Title 18 Zoning, Adding a Provision for Special Sign Overlay Districts.

PREPARED BY:

April Wooden, Community Development Director

APPROVED BY:

Suzanne Bragdon, City Manager

ORDINANCE NO. 723

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
SUISUN CITY, CALIFORNIA, AMENDING CHAPTER 18.54
OF TITLE 18 ZONING, ADDING A PROVISION
FOR SPECIAL SIGN OVERLAY DISTRICTS**

WHEREAS, the City Council directed the Planning Commission to consider and make recommendations on changes in the City’s signage regulations; and

WHEREAS, the City Council has determined that it is in the City’s interest to approve a zoning text amendment to provide an application process for special sign overlay districts to encourage economic vitality while safeguarding and protecting the public health, safety, and welfare through appropriate controls on the design, location, and maintenance of signs within special sign overlay districts; and

WHEREAS, the City Council has determined that allowing up to five (5) such special sign overlay districts within the Highway 12 corridor would be of benefit to the City; and

WHEREAS, the Planning Commission of the City of Suisun City, at its special meeting of July 30, 2013, adopted a Resolution recommending approval of the proposed zoning text amendment adding a provision for special sign overlay districts.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SUISUN CITY, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council finds that the above recitals are true and correct and incorporated herein by this reference.

SECTION 2. Title 18 Zoning, Chapter 18.54 Signs is amended as follows:

18.54.640 Special Sign Overlay Districts. – Definitions.

Special Sign Overlay District (SSOD) – The SSOD is an overlay zoning designation which amends the zoning map by applying the overlay zoning to commercially developed and zoned properties within and adjacent to the Highway 12 corridor.

Highway or Highway-Oriented – As applied to SSODs, the definition of the term “highway or highway-oriented” shall be consistent with the definition of a “primary highway” as provided in the California Business and Professions Code.

Highway-Oriented SSOD Sign – The highway-oriented SSOD sign is a highway-oriented, pylon-type sign that allows for displays which include off-premise advertising of businesses located within the SSOD.

SSOD Designation Application – As provided in subsection A. of section 18.54.720, there are two methods applicable to the designation of an SSOD. In either case, an application must be submitted and processed consistent with that subsection and the Suisun City Code.

SSOD Sign Permit Application – An application for an SSOD sign permit shall be submitted and processed consistent with section 18.54.730 of this chapter.

Concurrent Applications – An SSOD Designation Application and an SSOD Sign Permit Application may be submitted and processed concurrently consistent with sections 18.54.720 and 18.54.730 of this chapter.

18.54.650 Purpose. The special sign overlay district (SSOD) is established to increase the visibility and economic vitality of businesses within the Highway 12 corridor while at the same time ensuring public safety. The SSOD provides for the construction of one (1) highway-oriented SSOD sign within the district that, by definition, is allowed to include off-premise advertising.

18.54.660 Criteria for the Designation of a SSOD. The SSOD, upon application and approval as specified herein, shall be applied to commercially zoned properties within commercial areas adjacent or in proximity to Highway 12 and located on the same side of Highway 12. Up to five (5) SSODs may be designated within the Highway 12 corridor and the boundary of one SSOD may be adjacent and/or contiguous to another SSOD. However, no highway-oriented SSOD sign proposed for construction within an SSOD shall be within one hundred (100) feet of any existing highway-oriented SSOD sign in an adjacent SSOD.

18.54.680 Effect. The SSOD shall apply only to the allowed signage for establishments, uses, activities, or features within the SSOD. It shall not modify the regulations, permitting requirements, or other development standards for uses and structures otherwise imposed herein. It shall not modify or affect the law of fixtures, sign-related provisions in private leases, or the ownership of existing sign structures, without the express written consent of the parties to such leases or owners of such signs.

18.54.690 Other Governmental Approvals. Nothing provided for in this section shall waive or diminish any other local permitting requirements, or any state or federal permitting requirements.

18.54.700 Highway-Oriented SSOD Sign Development Standards.

A. The highway-oriented SSOD sign permitted by the establishment of the SSOD shall not exceed sixty (60) feet. However, in the event that the applicant, by means of a visual simulation and other evidence demonstrates that increased height is warranted, based upon particular circumstances within the SSOD, the City Council, upon the adoption of Findings, may approve a sign that exceeds sixty (60) feet.

B. The highway-oriented SSOD sign shall be designed in a manner that is context-sensitive to its location within the City of Suisun City and within the existing commercial area, complementary to the materials and design of buildings in proximity to the sign, and landscaped to enhance the aesthetics of the sign. Removal of existing landscaping and vegetation shall require approval by the Community Development Director, in conformance with an approved landscaping plan submitted as part of the SSOD sign permit application.

C. Illumination shall be effectively shielded so as to prevent light from being directed at any portion of the traveled rights of way, to prevent glare, and to prevent impairment of driver vision or vehicle operation. Illumination shall not interfere with the effectiveness or obscure an official traffic sign, device, signal, or pavement marking.

D. The approved SSOD shall comply with the California Business and Professions Code. If the SSOD is located within a named business center, the name of the business center shall be included on the highway-oriented SSOD sign. An application for a highway-oriented SSOD sign permit shall include a proposed signage reduction plan that ensures that the installation of the sign will result in the consolidation of allowable signage within the business center, so that less signage will be erected as a result of the installation of the highway-oriented sign in the SSOD. The permittee shall be responsible for adherence to the approved signage reduction plan.

18.54.710 Design intent. The establishment of an SSOD and construction of a highway-oriented SSOD sign are intended to accomplish the following goals:

A. Increase the visibility and economic vitality of businesses within the Highway 12 corridor by providing the opportunity for off-premise advertising.

B. Result in quality design, character, and construction of signs that are both context-sensitive, as well as complementary to the materials and design of buildings in proximity to the sign.

C. Enhance overall property values in the City by discouraging signs which contribute to the visual clutter of the streetscape.

D. Improve traffic safety by ensuring that signage does not distract motorists, obstruct traffic circulation, or impede pedestrian or vehicular movement.

18.54.720 Procedures for Establishment of an SSOD.

A. There are two application methods for the establishment of an SSOD:

1. Any applicant may file an application for the establishment of an SSOD concurrently with the filing of an application for a sign permit pursuant to 18.54.730 below. The application for an SSOD shall be made on the forms and in the manner prescribed by the Community Development Department, shall be accompanied by fees as specified in the City's Master Fee Schedule for staff work on a full cost recovery basis.

2. Alternatively, upon Discussion and Direction from the City Council to staff to initiate the process for the establishment of one or more sign districts, staff shall prepare an application and related materials. The matter shall be placed on a Planning Commission agenda for public hearing.

In either case, the application shall be processed consistent with the procedures set forth subsections B. through D. below.

B. Regardless of the manner in which the application is filed, whether by an applicant or by the Community Development Director on behalf of the Planning Commission or City Council, the Planning Commission shall hold at least one public hearing on the matter. Within 30 days of the close of the public hearing, the Planning Commission shall make findings, and shall recommend to the City Council that the SSOD be approved, approved subject to specific written conditions, or to deny the application for cause. Such action shall be by Resolution.

C. Where the Planning Commission has recommended approval, with or without conditions, the Community Development Director shall transmit the record of the Planning Commission action to the City Clerk for the purpose of setting a public hearing before the City Council. The hearing shall be set in the manner prescribed by Title 7, Section 65905 of the Government Code. The City Council shall hold at least one public hearing on the matter and shall render its decision to approve, approve subject to conditions, or deny the application for cause, within the time limits prescribed by Title 7, Section 65950 or Section 65952.1 of the Government Code. The Council's action shall be by Ordinance with such Findings as are required by law.

D. Where the Planning Commission has recommended denial of the application, the City Council may *sua sponte* direct the City Clerk to set a public hearing before the City Council. The hearing shall be set in the manner prescribed by Title 7, Section 65905 of the Government Code. The City Council shall hold at least one public hearing on the matter and shall render its decision to approve, approve subject to conditions, or deny the application for cause, within the time limits prescribed by Title 7, Section 65950 or Section 65952.1 of the Government Code. The Council's action shall be by Ordinance with such Findings as are required by law.

18.54.730. Procedures for the Issuance of a Permit for the Construction of a Highway-Oriented SSOD sign.

A. Any applicant may file an application for a permit to construct a highway-oriented SSOD sign. The application for such a permit shall be made on the forms and in the manner prescribed by the Community Development Department, shall be accompanied by fees as specified in the City's Master Fee Schedule for staff work on a full-cost recovery basis, and shall include an Affidavit providing full indemnification for the City and its agents and employees, as well as insurance in an amount specified by the City which lists the City as an additional insured. Failure to maintain said insurance in full force could subject the SSOD sign permittee to loss of his/her SSOD sign permit. If the applicant is not the owner of the property on which the proposed sign would be located, the application shall also be signed by the property owner. Such application shall require environmental review, site plan review, and design review of the proposed sign and its location, initially by the Planning Commission, in the manner in which other signs are reviewed, and subsequently by the City Council, due to the significant scale and multi-parcel purpose of the highway-oriented SSOD sign. Both the Planning Commission and the City Council shall make Findings prior to approving an SSOD sign permit. The following indemnification and insurance assurances shall be included in the application and agreed to and warranted by applicant:

1. Indemnification. Applicant agrees to indemnify and defend the City, its officers, employees, contractors, attorneys and agents against, and shall hold and save them and each of them harmless from, any and all petitions for writ of mandate, actions, lawsuits, claims, damages to persons or property, losses, costs, penalties, obligations, errors, omissions or liabilities (herein "claims or liabilities") that may be asserted or claimed by any person, firm or entity arising out of or in connection with the Project. Applicant shall defend any action or actions filed in connection with any of said claims or liabilities and shall pay all costs and expenses, including legal costs and attorney's fees incurred in connection therewith, with the City having its choice of legal counsel for itself and for any above-referenced person or entity. Applicant shall promptly pay any judgment rendered against the City, its officers, employees, contractors, attorneys and agents for any such petition for writ of mandate, lawsuit and action arising out of or in connection with the Project, the work, operations and/or activities of Applicant hereunder; and Applicant agrees to save and hold the City, its officers, agents, contractors, attorneys and employees harmless therefrom to the fullest extent provided by this indemnity provision.

2. Insurance. Applicant warrants and represents that it carries at least \$2 Million in commercial general liability insurance and automobile insurance in forms that are acceptable to the City and that the Applicant, within three business days of approval of its application, shall cause the City to be named as an additional insured on said policies and further Applicant shall cause all contractors used by the Applicant to name the City as an additional insured on all insurance policies carried by said contractors.

B. The Planning Commission shall hold at least one public hearing on the matter. Within 30 days of the close of the public hearing, the Planning Commission shall make findings, and shall recommend to the City Council that the SSOD sign permit be approved, approved subject to specific written conditions, or to deny the application for cause. Such action shall be by Resolution.

C. Where the Planning Commission has recommended approval, with or without conditions, the Community Development Director shall transmit the record of the Planning Commission action to the City Clerk for the purpose of setting a public hearing before the City Council. The hearing shall be set in the manner prescribed by Title 7, Section 65905 of the Government Code. The City Council shall hold at least one public hearing on the matter and shall render its decision to approve, approve subject to conditions, or deny the application for cause, within the time limits prescribed by Title 7, Section 65950 or Section 65952.1 of the Government Code. The Council's action shall be by Resolution with such Findings as are required by law.

D. Where the Planning Commission has recommended denial of the application, the City Council may *sua sponte* direct the City Clerk to set a public hearing before the City Council. The hearing shall be set in the manner prescribed by Title 7, Section 65905 of the Government Code. The City Council shall hold at least one public hearing on the matter and shall render its decision to approve, approve subject to conditions, or deny the application for cause, within the time limits prescribed by Title 7, Section 65950 or Section 65952.1 of the Government Code. The Council's action shall be by Resolution with such Findings as are required by law.

SECTION 3. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of any competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each and every section, subsection, sentence, clause, and phrase thereof not declared invalid or unconstitutional without regard to whether any portion of the Ordinance would be subsequently declared invalid or unconstitutional.

SECTION 4. This Ordinance shall be posted in at least three (3) public places within the City or published in a county newspaper that is circulated in the City within fifteen (15) days after its passage, there being no newspaper of general circulation printed and published within the City.

PASSED, APPROVED, AND ADOPTED as an Ordinance at a regular meeting of the City Council of the City of Suisun City, California, on this ____ day of August 2013.

Pete Sanchez
Mayor

CERTIFICATION

I, Linda Hobson, City Clerk of the City of Suisun City, California, do hereby certify that the foregoing Ordinance was introduced at a regular meeting of the City Council on the 27th day of August, 2013 and passed, approved, and adopted by the City Council of the City of Suisun City at a regular meeting held on the 3rd day of September, 2013 by the following vote:

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

WITNESS my hand and the seal of said City this 3rd day of September 2013.

Linda Hobson, CMC
City Clerk

AGENDA TRANSMITTAL

MEETING DATE: September 3, 2013

SUCCESSOR AGENCY AGENDA ITEM: Receiving and Accepting a Recognized Obligation Payment Schedule (ROPS) for the Period of January to June 2014.

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 – October 1, 2013, is the deadline to submit a ROPS covering the period of January to June 2014.

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 January and June 2014.

It should be noted two items are included on the ROPS 13-14B that should have been paid as part of the previous ROPS 13-14A disbursement, but were not paid due to a lack of available funds. Thus, the two items are requested as part of the ROPS 13-14B, and are identified as:

1. Administrative/operational costs incurred by the former redevelopment agency for the month of January 2012 (\$112,136.05).
2. Administrative Cost Allowance for ROPS 13-14A (\$119,568).

This item is for the Agency's information only; no actions or policy decisions are being asked of the Agency.

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.

ATTACHMENTS:

1. ROPS 13-14B (January through June 2014).

PREPARED BY:

Jason Garben, Economic Development Director 

REVIEWED/APPROVED BY:

Suzanne Bragdon, Executive Director 

Recognized Obligation Payment Schedule (ROPS 13-14B) - Summary
Filed for the January 1, 2014 through June 30, 2014 Period

Name of Successor Agency: Suisun City
Name of County: Solano

Current Period Requested Funding for Outstanding Debt of Obligation		Six-Month Total
Enforceable Obligations Funded with Non-Redevelopment Property Tax Trust Fund (RPTTF) Funding		
A	Sources (B+C+D):	\$
B	Bond Proceeds Funding (ROPS Detail)	
C	Reserve Balance Funding (ROPS Detail)	
D	Other Funding (ROPS Detail)	
E	Enforceable Obligations Funded with RPTTF Funding (F+G):	\$ 3,211,364
F	Non-Administrative Costs (ROPS Detail)	2,966,796
G	Administrative Costs (ROPS Detail)	244,568
H	Current Period Enforceable Obligations (A+E):	\$ 3,211,364

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Successor Agency Self-Reported Prior Period Adjustment to Current Period RPTTF Requested Funding		
I	Enforceable Obligations funded with RPTTF (E):	9,211,364
J	Less Prior Period Adjustment (Report of Prior Period Adjustments Column U)	(112,651)
K	Adjusted Current Period RPTTF Requested Funding (I-J)	\$ 3,198,713

County Auditor Controller Reported Prior Period Adjustment to Current Period RPTTF Requested Funding		
L	Enforceable Obligations funded with RPTTF (E)	9,211,364
M	Less Prior Period Adjustment (Report of Prior Period Adjustments Column AB)	
N	Adjusted Current Period RPTTF Requested Funding (L-M)	9,211,364

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.

Name Title

Signature Date

DRAFT

Recognized Obligation Payment Schedule (ROPS) 13-14B - Report of Fund Balances
(Report Amounts in Whole Dollars)

A	B	C	D	E	F	G	H	I	J	K										
											Fund Sources									
											Bond Proceeds		Reserve Balance		Other		RPTTF		Total	
Bonds Issued on or before 12/31/10	Bonds Issued on or after 01/01/11	Review balances retained for approved enforceable obligations	RPTTF balances retained for bond reserves	Rent, Grants, Interest, Etc.	Non-Admin	Admin														
Fund Balance Information by ROPS Period																				
ROPS III Actuals (01/01/13 - 6/30/13)																				
Beginning Available Fund Balance (Actual 07/01/13)																				
Note that for the RPTTF, 1 + 2 should tie to columns L and Q in the Report of Prior Period Adjustments (PPAs)																				
1				5,643,759			(71,428)	4,322	\$	5,575,653										
Revenue/Income (Actual 06/30/13) Note that the RPTTF amounts should tie to the ROPS III distributions from the County Auditor/Controller.																				
2						16,282	2,995,640	115,805	\$	3,127,738										
Expenditures for ROPS III Enforceable Obligations (Actual 06/30/13) Note that for the RPTTF, 3 + 4 should tie to columns N and S in the Report of PPAs																				
3				5,643,759			991,560	133,028	\$	1,124,588										
Retention of Available Fund Balance (Actual 06/30/13) Note that the Non-Admin RPTTF amount should only include the retention of reserves for debt service approved in ROPS III																				
4							2,000,000		\$	7,643,759										
ROPS III RPTTF Prior Period Adjustment Note that the Non-Admin and Admin RPTTF amounts should tie to columns O and T in the Report of PPAs																				
5							12,651		\$	12,651										
6						16,282	(67,948)	(12,900)	\$	(75,566)										
ROPS 13-14A Estimate (07/01/13 - 12/31/13)																				
Beginning Available Fund Balance (Actual 07/01/13) (C, D, E, G, and I = 4 + 5, F = H4 + F6, and H = 5 + 6)																				
7				5,643,759	2,000,000	16,282	(54,697)	(12,900)	\$	7,579,803										
Revenue/Income (Estimate 12/31/13)																				
8							2,659,791		\$	2,659,791										
Note that the RPTTF amounts should tie to the ROPS 13-14A distributions from the County Auditor/Controller																				
Expenditures for 13-14A Enforceable Obligations (Estimate 12/31/13)																				
9							4,652,940	125,000	\$	4,777,940										
Retention of Available Fund Balance (Estimate 12/31/13)																				
Note that the RPTTF amounts may include the retention of reserves for debt service approved in ROPS 13-14A																				
10				5,643,759					\$	5,643,759										
11					2,000,000	16,282	(2,047,648)	(137,900)	\$	(182,105)										

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Recognized Obligation Payment Schedule 13-14B - Notes

January 1, 2014 through June 30, 2014

Item # : Notes/Comments

- 3 Includes \$2,000,000 debt service payment reserve necessary to meet obligation in ROPS 14/15B due to unavain payments. Developed in conjunction with CAC.
- 9 Includes \$119,568 not distributed with ROPS 13/14A due to lack of funding
- 16 Includes \$112,198 not distributed with ROPS 13/14A due to lack of funding

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AGENDA TRANSMITTAL

MEETING DATE: September 3, 2013

CITY AGENDA ITEM: Council Adoption of Resolution No. 2013-__ : Determining Whether a Commercial/Residential Land Use Proposal is Consistent with the City's Adopted Revenue-Based Land Use Policy

FISCAL IMPACT: None.

BACKGROUND: At the June 18, 2013 meeting, the City Council discussed proposed land uses of approximately 8.6 acres located at the southeast corner of Walters Road and East Tabor Avenue. On December 5, 2000, the City Council designated the zoning of this site as 6.0 acres of commercial and 2.6 acres of multi-family residential. Schwartz Land Development has proposed changing the land use to 1.5 acres of general commercial with the remainder of the site designated for single-family residential.

At the June 18, 2013 meeting, the City Council expressed its interest that a commercial project develop concurrently with the residential component. The developer has considered the interests of the City Council and proposed an alternate strategy that has been presented to the Revenue Based Land Use Ad Hoc Committee.

STAFF REPORT: The developer has offered the following concessions to address a potential delay in building the commercial component of the site:

1. The proposed land use for the 8.6-acre site located at the southeast corner of Walters Road and East Tabor Avenue (APN 0174-120-230) is for a 1.5-acre developable commercial parcel at the northwestern most portion of the site, with the remainder of the site being designated single-family residential.
2. The Developer shall cause the 1.5-acre developable commercial parcel to be transferred to the City (or other entity as designated by the City) not later than the second anniversary of the date a grading permit is issued if a commercial project has not commenced.
3. At any point at which the Developer desires to convey title to the 1.5-acre developable parcel, Developer shall present the proposed conveyance to the Revenue-Based Land Use Policy Ad Hoc to ensure that the proposed conveyance is consistent with the intent of the Revenue-based Land Use Policy.
4. In order to eliminate potential for blight on the vacant commercial site and to create an aesthetically pleasing entryway to Suisun City until a commercial project is commenced, Developer agrees to proceed with the following improvements upon issuance of a grading permit:
 - a. Developer shall acquire all necessary approvals and shall install a "Welcome" monument sign at the northwestern corner of the site.

PREPARED BY:

Jason D. Garben, Economic Development Director
Suzanne Bragdon, City Manager

REVIWED/APPROVED BY:

J.D.G.
S.B.

- b. If a commercial project has not commenced, Developer shall proceed with landscaping of the commercial site, consisting of ground cover and shrubbery around the perimeter of the site on Walters Road and East Tabor Avenue, with necessary irrigation, and the remainder of the site covered with hydro-seed.
- c. The aforementioned signage and landscaping improvements shall be completed within 6-months of the issuance of a grading permit and must be completed prior to a conveyance of the commercial parcel to the City (or other entity as designated by the City).

Further, it is important to note that the residential component of the proposed project would also generate the following estimated revenues:

- Building Permit Fees to City General Fund - \$200,000± (One-time revenue source)
- City Impact Fees (Parks, OSSIP, Facilities) - \$650,000± (One-time revenue source)
- Property Tax/CFD Revenue to City GF - \$80,000± annually

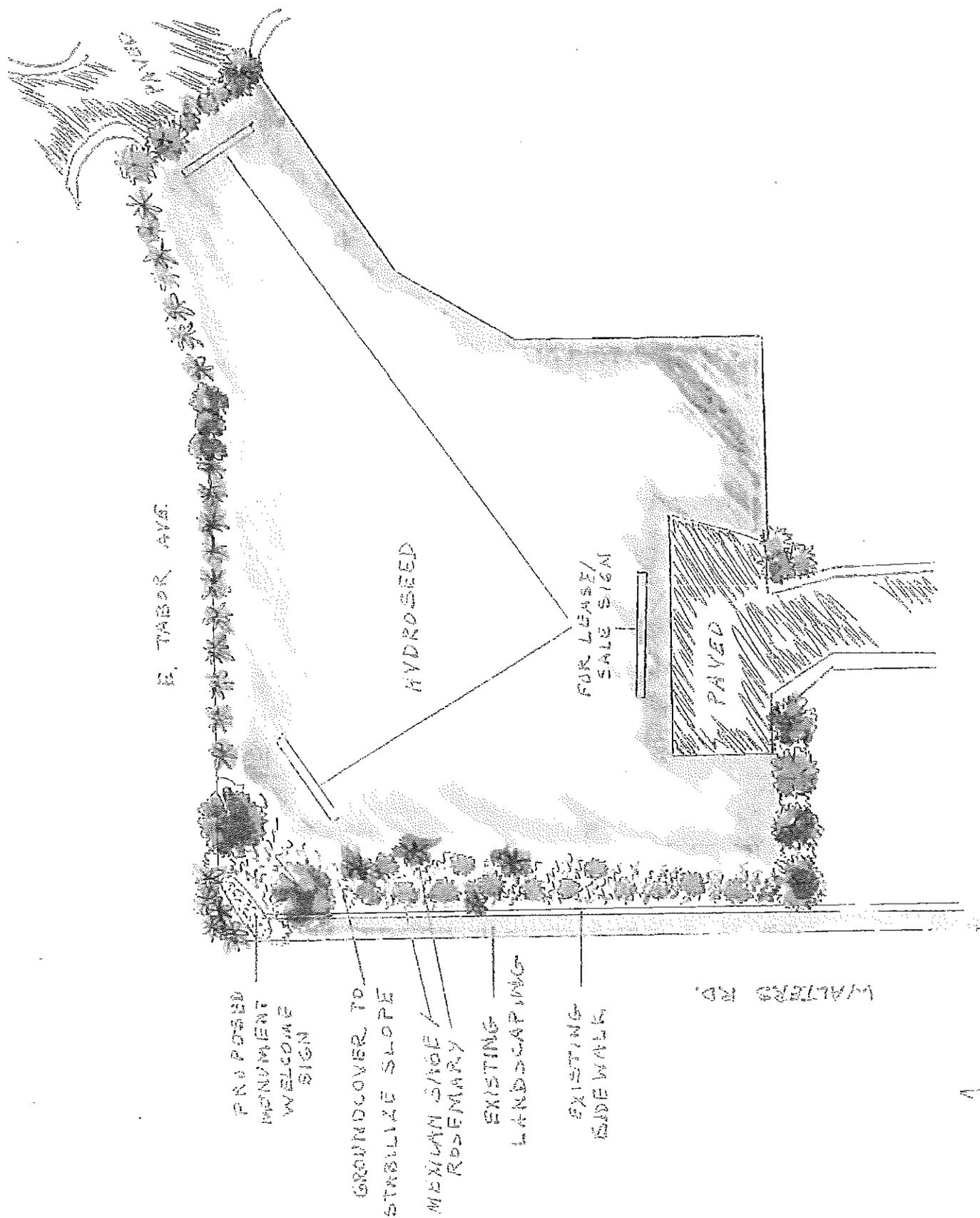
Based on the aforementioned, the Ad Hoc Committee reached a consensus that a proposed project with a 1.5-acre developable commercial parcel would be consistent with the intent of the Revenue-Based Land Use Policy.

The only issue before the City Council at this time is whether the proposed land use designations are consistent with the City's Revenue-Based Land Use Policy. There is no project for Council consideration at this time. No applications for the development of the site have been received to date. Upon receipt of the required applications, a proposed project would be processed consistent with the Suisun City Code, including review by Planning Commission and City Council.

RECOMMENDATION: It is recommended that the City Council Adopt Resolution No. 2013-__: Determining Whether a Commercial/Residential Land Use Proposal is Consistent with the City's Adopted Revenue-Based Land Use Policy

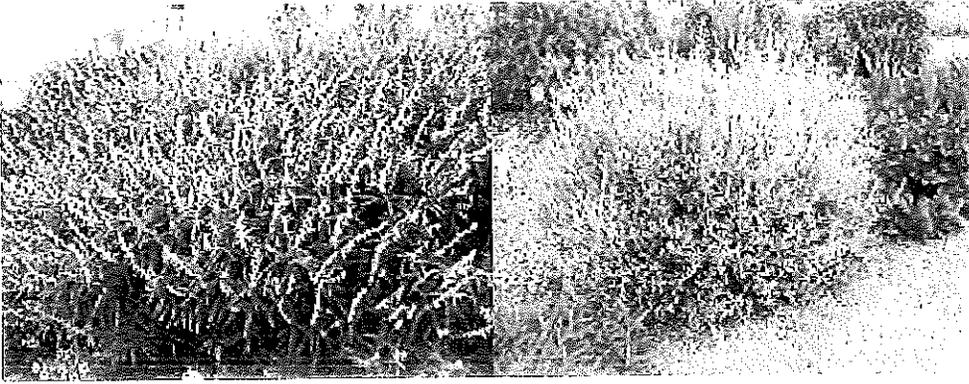
ATTACHMENTS:

- 1. Landscaping Concept.
- 2. Engineer's Estimate.
- 3. Resolution No. 2013-__: Determining Whether a Commercial/Residential Land Use Proposal is Consistent with the City's Adopted Revenue-Based Land Use Policy.



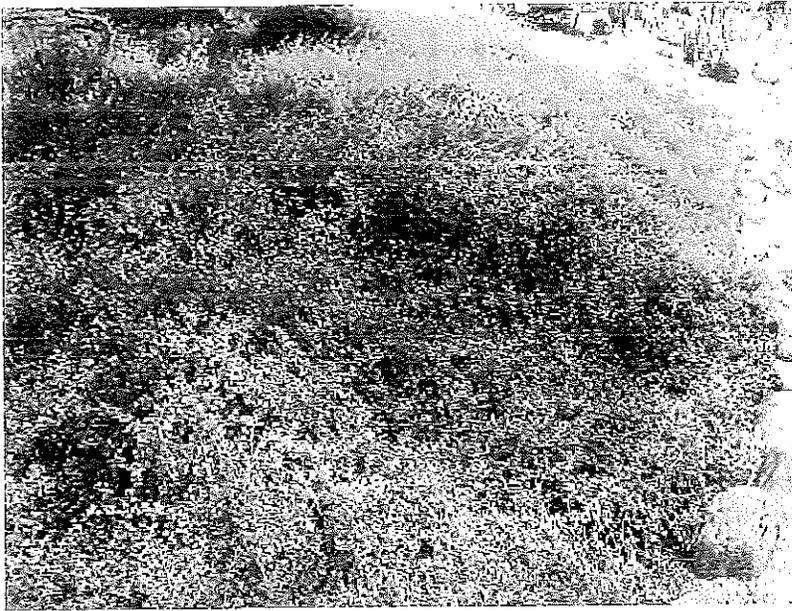
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Mexican Sage

Rosemary



Trailing Indigo Bush

SCO PLANNING & ENGINEERING, INC.
140 Litton Drive, Suite 240, Grass Valley, CA 95945-5079
T 530.272.5841 / F 530.272.5880 / martinwood@scopeinc.net
Prepared By: Martin D. Wood, Vice-President
Civil Engineering Designer

Date: August 7, 2013
Revised:

West Wind
Sign / Landscaping Estimate
SCO Master Job No. 201306

PRELIMINARY ENGINEER'S ESTIMATE

ITEM	NOTE	ITEM DESCRIPTION	QTY.	UNIT	ITEM PRICE	TOTAL PRICE
i.						
a.		Water Service with 5/8" Meter for Landscaping w/ Backflow Prev.	1	ea	3,250.00	3,250.00
b.		Secondary Electrical Trench (includes secondary boxes) and Meter	250	lf	\$30.00	\$7,500.00
c.		6' Landscape Strip (irrigated) Along Exterior of Commercial Area	4,500	sf	2.50	11,250.00
d.		Clear/Grub and Grading/Excavation	200	cy	20.00	4,000.00
e.		Erosion Control / BMP's	--	ls	1,500.00	1,500.00
f.		Welcome to Suisun Sign (Masonry Base w/ 8' x 12' Sign Above)	--	ls	16,000.00	16,000.00
g.		Hydroseed Entire Commercial Pad (Low grow - No water)	65,000	sf	0.12	7,800.00
						\$51,300.00
		SUBTOTAL:	--	--	--	\$51,300.00
		15% CONTINGENCY:	--	--	--	7,695.00
					TOTAL:	\$58,995.00

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RESOLUTION NO. 2013-__

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY
DETERMINING WHETHER A COMMERCIAL/RESIDENTIAL LAND USE
PROPOSAL IS CONSISTENT WITH THE CITY'S ADOPTED
REVENUE-BASED LAND USE POLICY**

WHEREAS, the City Council adopted a Revenue-Based Land Use Policy (the "Policy") in July 2006 for projects requiring a general plan amendment and rezoning of commercial lands for alternative development scenarios; and

WHEREAS, a proposal has been put forth to develop approximately 8.6 acres located at the southeast corner of Walters Road and East Tabor Avenue (APN 0174-120-230 currently zoned as 6.0 acres of commercial and 2.6 acres of multi-family residential) to accommodate a 1.5-acre developable commercial parcel located at the northwestern most portion of the site with the remainder of the site to accommodate single-family residential uses; and

WHEREAS, several concessions have been offered to provide value to the City in lieu of the perceived revenue generation shortfalls; and

WHEREAS, the City Council has determined the components of the proposed concessions outlined in Exhibit A attached hereto meet the criteria of the City's Policy to provide alternative means of value to the City in lieu of revenue generation thresholds identified in the Policy.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby determines that the proposal to develop the 8.6-acre site located at the southeast corner of Walters Road and East Tabor Avenue (APN 0174-120-230) as outlined in Exhibit A attached hereto is consistent with the City's adopted Revenue-Based Land Use Policy.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Suisun City duly held on Tuesday, the 3rd day of September 2013, by the following vote:

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

WITNESS my hand and the seal of said City this 3rd day of September 2013.

Donna Pock, CMC
Deputy City Clerk

Exhibit A

1. The proposed land use for the 8.6-acre site located at the southeast corner of Walters Road and East Tabor Avenue (APN 0174-120-230) is for a 1.5-acre developable commercial parcel at the northwestern most portion of the site, with the remainder of the site single-family residential.
2. The Developer shall cause the 1.5-acre developable commercial parcel to be transferred to the City (or other entity as designated by the City) not later than the second anniversary of the date a grading permit is issued if a commercial project has not commenced.
3. At any point at which the Developer desires to convey title to the 1.5-acre developable parcel, Developer shall present the proposed conveyance to the Revenue-based Land Use Ad Hoc to ensure that the proposed conveyance is consistent with the intent of the Revenue-based Land Use Policy.
4. In order to eliminate potential for blight on the vacant commercial site and to create an aesthetically pleasing entryway to Suisun City until a commercial project is commenced, Developer agrees to commence with the following improvements upon issuance of a grading permit:
 - a. Developer shall acquire all necessary approvals and shall install a "Welcome" monument sign at the northwestern corner of the site.
 - b. If a commercial project has not commenced, Developer shall proceed with landscaping of the commercial site, consisting of ground cover and shrubbery around the perimeter of the site on Walters Road and East Tabor Avenue, with necessary irrigation, and the remainder of the site covered with hydro-seed.
 - c. The aforementioned signage and landscaping improvements shall be completed within 6-months of the issuance of a grading permit and must be completed prior to a conveyance of the commercial parcel to the City (or other entity as designated by the City).