

CITY COUNCIL  
Lori Wilson, Mayor  
Wanda Williams, Mayor Pro-Tem  
Anthony Adams  
Jane Day  
Michael A. Segala



CITY COUNCIL MEETING

First and Third Tuesday  
Every Month

## A G E N D A

### SPECIAL MEETING OF THE SUISUN CITY COUNCIL

TUESDAY, AUGUST 4, 2020

5:30 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), and Executive Order released on March 12, 2020, the following Council/Successor Agency/Housing Authority meeting includes teleconference participation by: Council/Board Members Anthony Adams, Jane Day, Michael A. Segala, and Mayor Pro Tem Wanda Williams. Teleconference locations are on file at City Hall, 701 Civic Center Blvd., Suisun City, CA 94585.*

*PER CITY POLICY, MEMBERS OF THE PUBLIC ARE REQUIRED TO WEAR FACE MASKS WHILE IN CITY FACILITIES. IF YOU DO NOT HAVE A FACE MASK, ONE WILL BE PROVIDED FOR YOU.*

*DUE TO CORONAVIRUS COVID-19 RESIDENTS ARE ENCOURAGED TO ATTEND THE CITY COUNCIL MEETING VIA THE APPLICATION, ZOOM.*

*ZOOM MEETING INFORMATION:*

**WEBSITE:** <https://zoom.us/join>

**MEETING ID:** 820 7069 9989

**CALL IN PHONE NUMBER:** (707) 438-1720

*TO VIEW TONIGHT'S MEETING ON SUISUN WEBSITE, LIVESTREAM*

*(URL: <https://www.suisun.com/government/meeting-video/>)*

*REMOTE PUBLIC COMMENT IS AVAILABLE FOR THE CITY COUNCIL MEETING*

*BY EMAILING [CLERK@SUISUN.COM](mailto:CLERK@SUISUN.COM) (PRIOR TO 5pm) OR*

*VIA WEBSITE OR PHONE APPLICATION, ZOOM.*

#### **ROLL CALL**

Council Members

#### **PUBLIC COMMENT**

*(Request by citizens to discuss any matter under our jurisdiction other than an item posted on this agenda per California Government Code §54954.3. Comments are limited to no more than 3 minutes unless allowable by the Mayor/Chair. Speaker cards are available on the table near the entry of the meeting room and should be given to the City Clerk. By law, no prolonged discussion or action may be taken on any item raised during the public comment period, although informational answers to questions may be given and matters may be referred for placement on a future agenda.)*

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

**CONFLICT OF INTEREST NOTIFICATION**

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

**CLOSED SESSION**

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

**1. CONFERENCE WITH LABOR NEGOTIATOR**

Pursuant to Government Code Section 54957.6

Agency negotiator: City Manager

Employee organizations:

Unrepresented Employees;

SCEA (Suisun City Employees' Association);

SCMPEA (Suisun City Management and Professional Employees' Association);

SCPOA (Suisun City Police Officers Association).

**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 (24 hours prior to a Council /Agency/Authority Meeting). 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.
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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 4, 2020 was posted and available for review, in compliance with the Brown Act.

CITY COUNCIL  
Lori Wilson, Mayor  
Wanda Williams, Mayor Pro-Tem  
Anthony Adams  
Jane Day  
Michael A. Segala



CITY COUNCIL MEETING  
First and Third Tuesday  
Every Month

## A G E N D A

**REGULAR MEETING OF THE  
SUISUN CITY COUNCIL  
SUISUN CITY COUNCIL ACTING AS SUCCESSOR AGENCY TO THE  
REDEVELOPMENT AGENCY OF THE CITY OF SUISUN CITY,  
AND HOUSING AUTHORITY  
TUESDAY, AUGUST 4, 2020  
6:30 P.M.**

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

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### **NOTICE**

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VIA WEBSITE OR PHONE APPLICATION, ZOOM*

*(If attending the meeting via phone press \*9 to raise your hand and \*6 to unmute/mute for public comment.)*

(Next Ord. No. – 774)  
(Next City Council Res. No. 2020 – 105)  
Next Suisun City Council Acting as Successor Agency Res. No. SA2020 - 02)  
(Next Housing Authority Res. No. HA2020 – 01)

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SUCCESSOR AGENCY 421-7309 FAX 421-7366

**ROLL CALL**

Council / Board Members  
Pledge of Allegiance  
Invocation

**PUBLIC COMMENT**

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**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. COVID-19 Update – (Folsom: [gfolson@suisun.com](mailto:gfolson@suisun.com)).

**PRESENTATIONS/APPOINTMENTS**

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

**City Council**

2. Suisun City Police Department, Annual Report – (Roth: [aroth@suisun.com](mailto:aroth@suisun.com)).
3. Solano Commission for Women and Girls – (Tiffani Thomas, Commissioner Representative).

**CONSENT CALENDAR**

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

**City Council**

4. Office of Traffic Safety Jaws of Life Grant: - (Vincent: [jvincent@suisun.com](mailto:jvincent@suisun.com))
  - a. Council Adoption of Resolution No. 2020-\_\_\_: Authorizing the City Manager to Execute a Grant Agreement with the California Office of Traffic Safety in the Amount of \$37,000.00.
  - b. Council Adoption of Resolution No. 2020-\_\_\_: Authorizing the City Manager to Purchase the Extrication Equipment from L.N. Curtis and Sons for \$36,999.22.
5. Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant (AFG) – (Vincent: [jvincent@suisun.com](mailto:jvincent@suisun.com))
  - a. Council Adoption of Resolution No. 2020-\_\_\_: Authorizing the Acceptance of a Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant (AFG) Covid-19 Supplemental for the Reimbursement and Purchase of Personal Protective Equipment (PPE) in the Amount Of \$36,120 with a City Cost Share of \$3,612.04.
  - b. Council Adoption of Resolution No. 2020-\_\_\_: Adopting the 7<sup>th</sup> Amendment to the Annual Appropriation Resolution No. 2019-65 to Appropriate City Cost Share for the Acceptance of a Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant (AFG) COVID-19 Supplemental for the Reimbursement and Purchase of Personal Protective Equipment (PPE)

6. Council Adoption of Resolution No. 2020-\_\_\_: Adopting the City of Suisun City Recreation Partnership Policy – (Lofthus: [klofthus@suisun.com](mailto:klofthus@suisun.com)).
7. Council Adoption of Ordinance No. 773: Amending Sections 8.04.010 (Definitions) and 8.04.020 (Possession, sale, or discharges generally), and Adding Sections 8.04.054 (Social host liability) and 8.04.070 (Penalty) of Chapter 8.04 (Fireworks) of Title 8 (Health and safety), and Amending Section 1.20.050 (Amount of administrative penalties) of Chapter 1.20 (Administrative citations) of Title 1 (General provisions) of the Suisun City Municipal Code Relating to Social Host Liability Provisions. (Introduced and Reading Waived on June 16<sup>th</sup>, 2020) – (Vincent: [jvincent@suisun.com](mailto:jvincent@suisun.com)).

## **PUBLIC HEARINGS**

### City Council

#### **8. ITEM OFF CALENDAR**

City Council Consider Adoption of Resolution No. 2020-\_\_\_: Approving an Extension of Tentative Subdivision Map No. TSM 07-02, for the Olive Tree Ranch Project (APN's 0038-222-060, 0038-232-010, and 0032-232-020) **This item will not be heard and will be re-noticed for consideration at a future City Council meeting** –(Kearns: [jkearns@suisun.com](mailto:jkearns@suisun.com)).

9. Council Introduce and Waive Reading of Ordinance No. \_\_\_: Amending 18.30.170 of Title 18 of the Suisun City Code and Amending the Waterfront District Specific Plan, Relating to Regulations for Accessory Dwelling Units in Residential Properties – (Kearns: [jkearns@suisun.com](mailto:jkearns@suisun.com)).

## **GENERAL BUSINESS**

### City Council

10. Discussion and Direction Regarding the Potential Change in Land Use for Property at the Southeast Corner of Marina Boulevard and Buena Vista Drive – (Folsom/Kearns: [gfolson@suisun.com](mailto:gfolson@suisun.com), [jkearns@suisun.com](mailto:jkearns@suisun.com)).

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

11. a. Council/Boardmembers  
b. Mayor/Chair
12. City Manager/Executive Director/Staff

## **PUBLIC COMMENT**

*(Additional time for request by citizens to discuss any matter under our jurisdiction other than an item posted on this agenda limited to no more than 3 minutes.)*

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  - Suisun City Senior Center, 318 Merganser Drive, Suisun City, CA;
  - Joe Nelson Center, 611 Village Drive, Suisun City, CA;
  - Harbor Master Office, 800 Kellogg Street, 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 4, 2020 was posted and available for review, in compliance with the Brown Act.

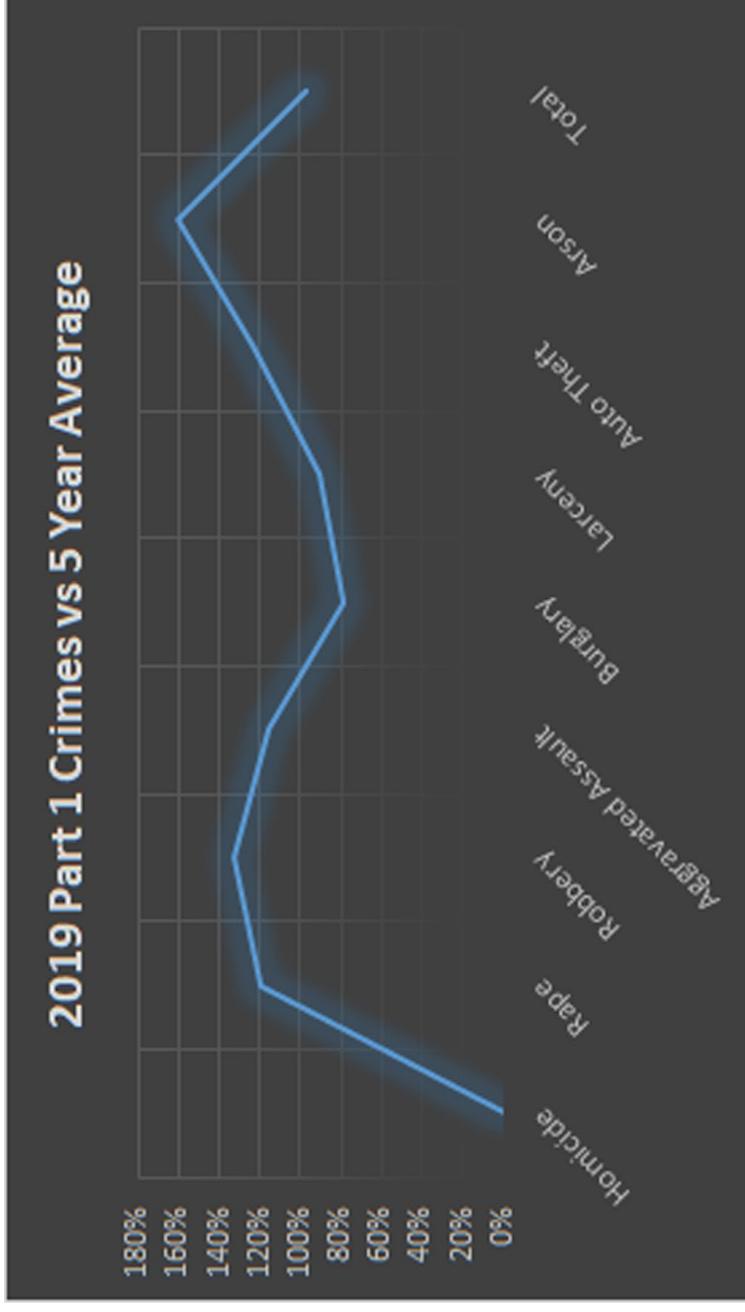
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# ANNUAL REPORT



## 2019 CRIME STATISTICS

- Robbery, Arson, Burglary and Auto Thefts increased from 2018 to 2019.
- Homicide, Rape, Larceny and Aggravated Assaults decreased from 2018 to 2019.
- Overall Part 1 crimes increased 1% in 2019 vs. 2018



# PATROL

- 24/7 Patrols resulted in over 10,000 officer initiated incidents and response to over 14,000 citizen initiated calls for service.
- Officers made 875 arrests.
- Field Training Officers trained numerous new employees and were placed on stand-by during their off time to ensure the city remained adequately staffed.



# COMMUNITY

- Establishment of volunteer community engagement coordinator.
- Neighborhood Watch Block Captains were reengaged and met as a group.
- Coffee with a Cop and the 1<sup>st</sup> Pizza with the Police held in Suisun City.
- Volunteers in Police Services (VIPS)



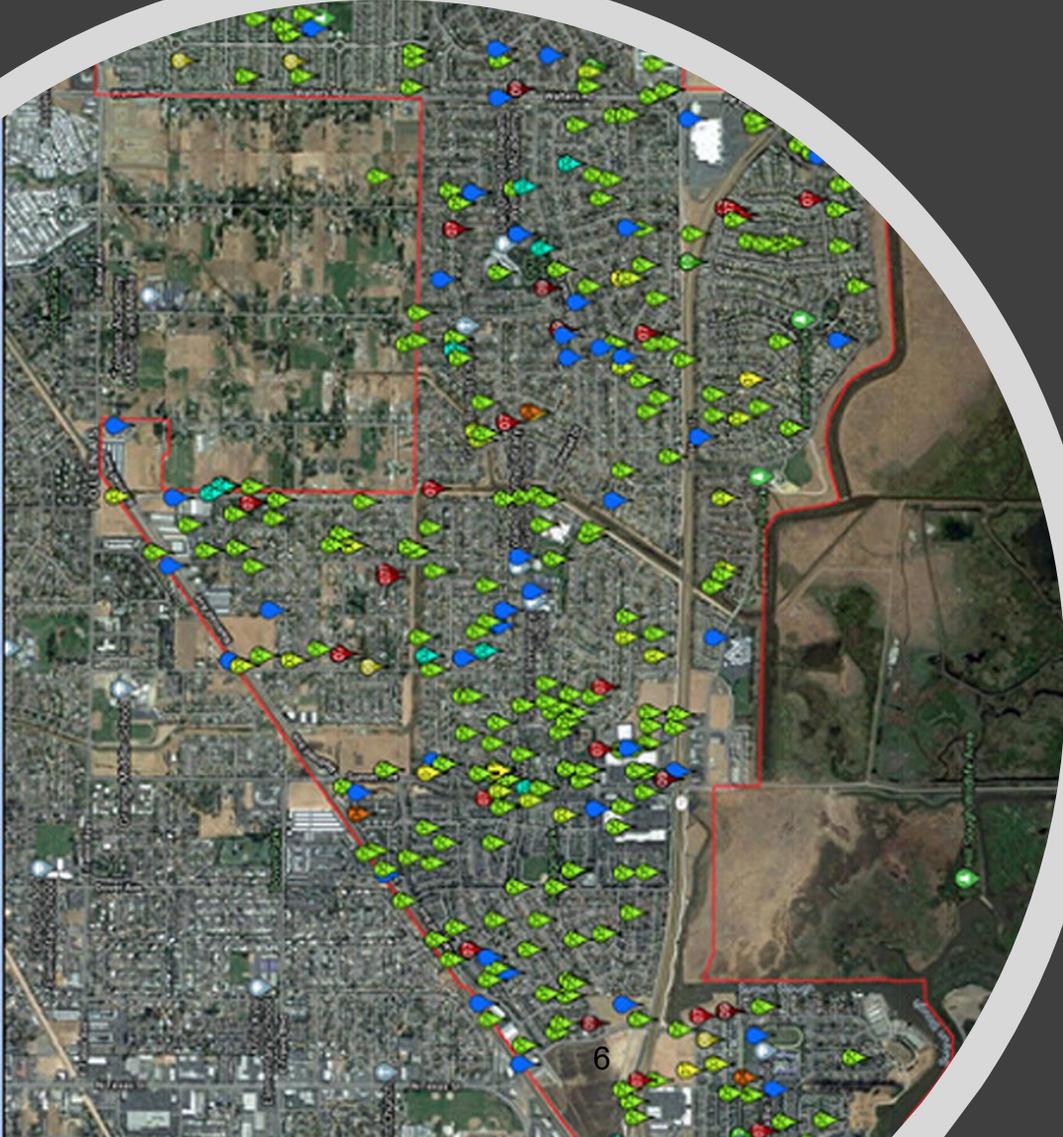
# DISPATCH

- 24/7 Dispatch of Police, Fire and Emergency Medical Services
- Answer emergency and non-emergency telephone calls in addition to records and lobby duties.
- SCPD Dispatch handled 62,604 calls in 2019, including 10,692 emergency 911 calls.
- Dispatchers were placed on stand-by due to maternity and medical leaves in addition to staffing shortages in 2019.



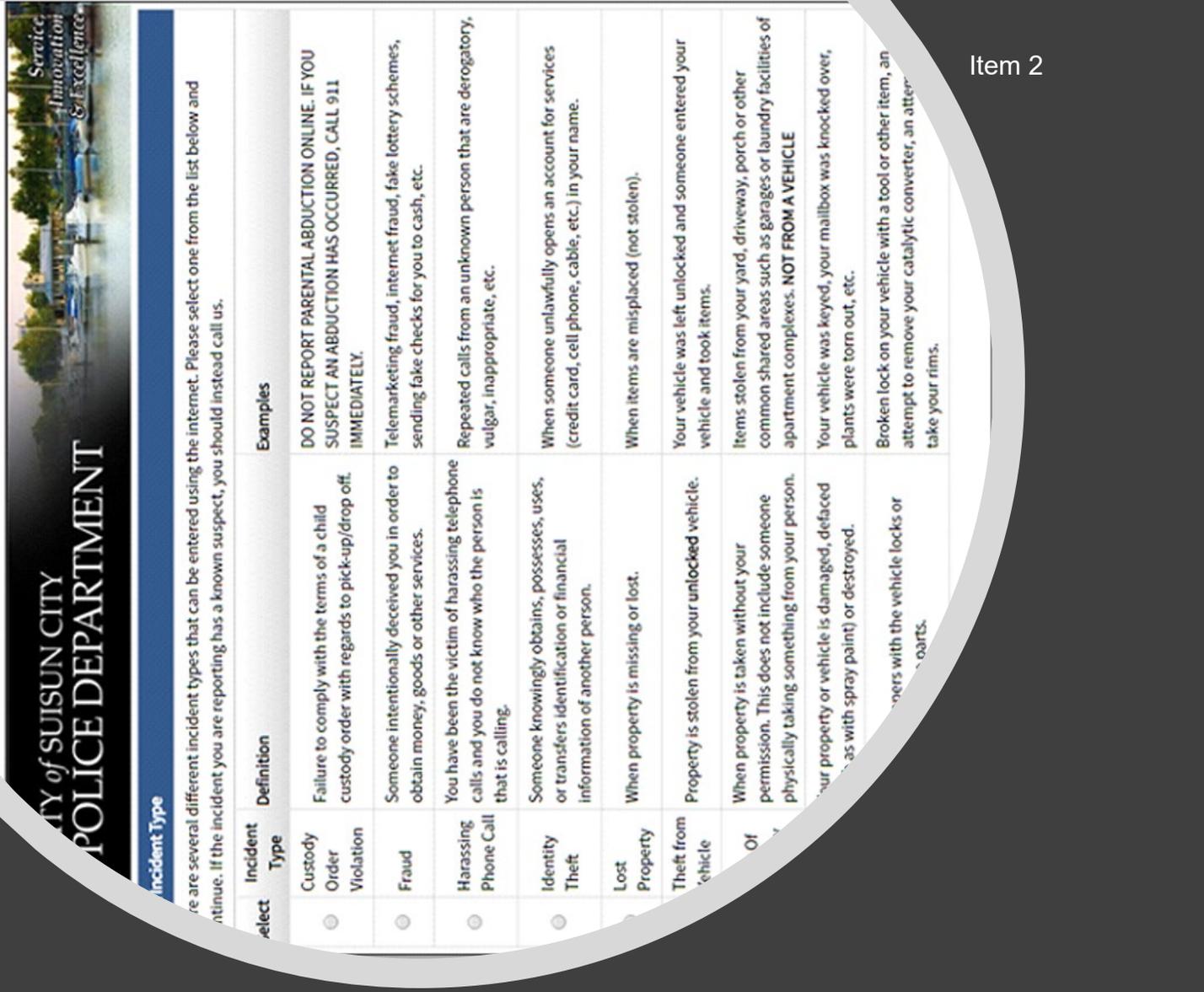
# 2019 PROJECTS

- In June 2019, SCPD went live with a new CAD/RMS System.
- System implementation effected all functionality of the Police Department.
- System allowed for improved service delivery and transparency to our community.



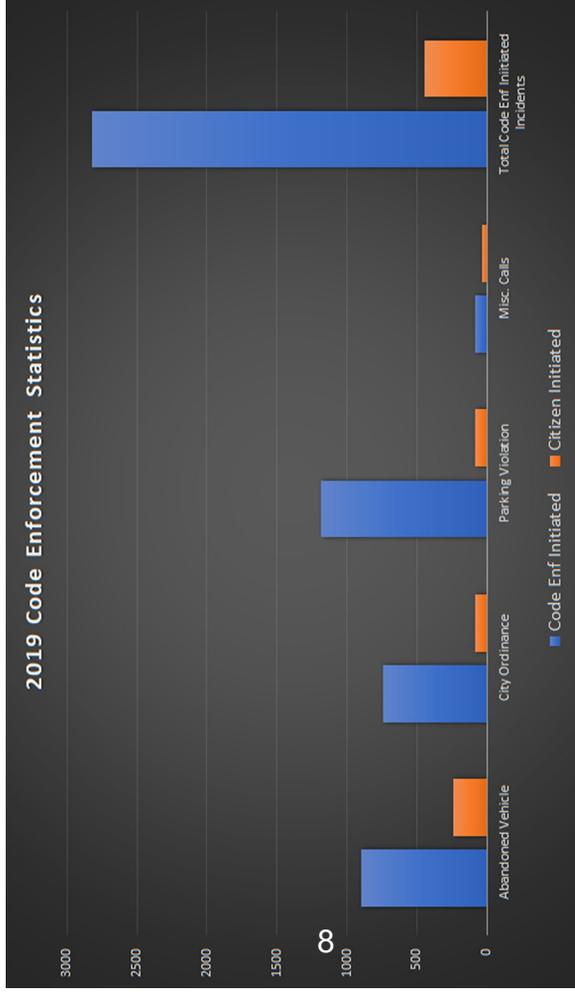
# 2019 PROJECTS CONT'D

- TEXT TO 911
  - As part of county-wide coordination SCPD went live with text to 911.
- FirstResponse 911
  - In partnership with MEDIC Ambulance, system allows medical calls to be transferred electronically.
- COPLOGIC
  - Expanded and standardized online crime reporting by citizens.



# COMMUNITY SERVICE OFFICERS

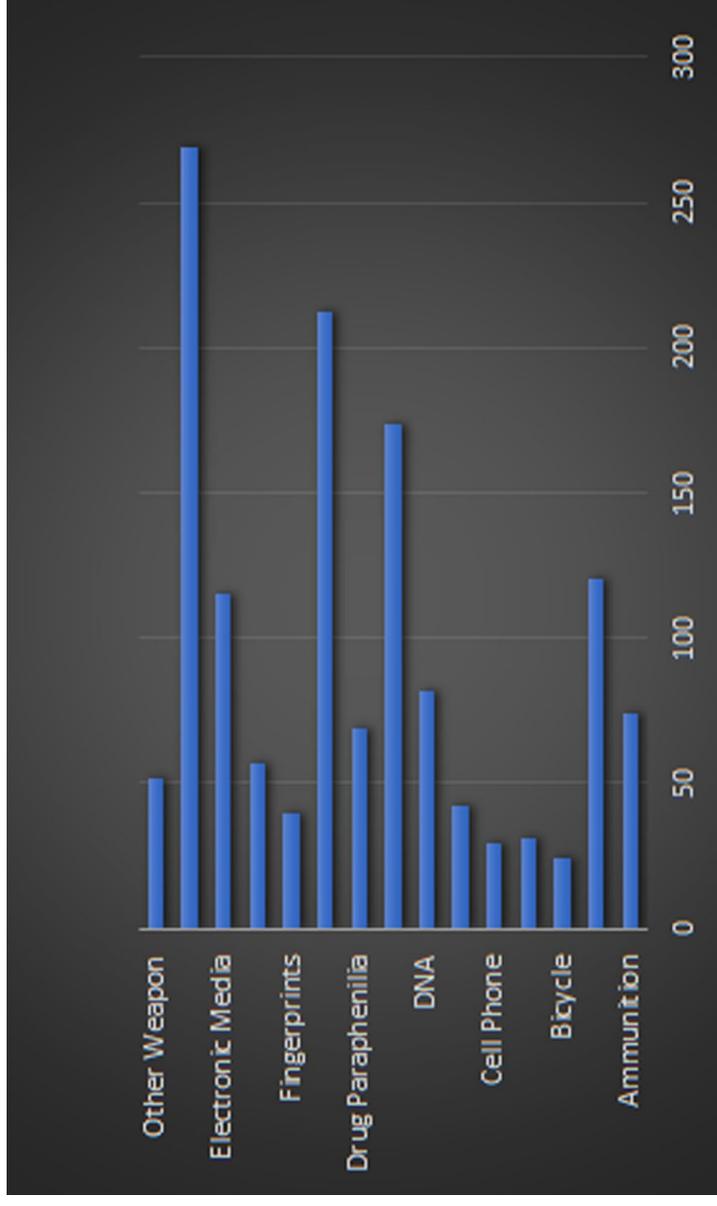
- SCPD CSOs initiated 2,819 calls and responded to 441 citizen initiated calls for service.
- Calls included abandoned vehicles, City ordinance violations, parking violations and miscellaneous calls.
- SCPD CSOs collaborated with City personnel on properties in significant violation of City ordinances.



# PROPERTY & EVIDENCE

- In 2019 1,390 items were booked into SCPD Property & Evidence.
- As a result of the external audit, SCPD purged 684 drug related packages and 122 firearms.
- Independent property audit assessed SCPD's property and evidence storage and recommended improvements based on industry best practices.

2019 Evidence Booked by Category



# DEPARTMENT DEMOGRAPHICS 2019



## SCPD STAFF

White - 62%  
Hispanic - 21%  
Pacific Islander - 7%  
Asian - 7%  
Black - 3%

## SCPD SWORN STAFF

White - 47%  
Hispanic - 26%  
Pacific Islander - 11%  
Asian - 11%  
Black - 5%

\*Data provided by HR made through a “visual survey” due to the absence of submitted data by personnel.

## 1602.13 Records as to racial or ethnic identity of employees

Employers may acquire the information necessary for completion of Section D of the EEO-1 either by visual surveys of the work force, or at their option, by the maintenance of post-employment records as to the identity of employees where the same is permitted by State law.

# DEPARTMENT COMPLAINTS & USE OF FORCE 2019



## Citizen Complaints

14 total written complaints (conduct, improper service, excessive force, dishonesty...)  
- Only 1 complaint sustained against a civilian employee.

## Use of Force

5 reported uses of force out of almost 24,000 incidents. A .0002% use of force to contact ratio

**Use of Force Definition:** The application of physical techniques or tactics, chemical agents, or weapons to another person.

Statistical data regarding all officer-involved shootings and incidents involving use of force resulting in serious bodily injury is to be reported to the California Department of Justice as required by Government Code § 12525.2. SCPD did not have any reportable incidents in 2019.

# HIRING, ENGAGING & IMPROVING

## 2020 GOALS

- Bring the Department to full staffing levels in both the police officer and public safety dispatcher job classifications.
- Engage the community in meaningful and equitable environments, including in person, online and at community events.
- Increase departmental capabilities through improvement of training, employee evaluation and development, in addition to leveraging technological and systematic efficiencies.
- Advance the Department’s commitment to the Suisun City 2020-2025 Strategic Plan and the six pillars of 21 Century Policing.

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## AGENDA TRANSMITTAL

**MEETING DATE:** August 4<sup>th</sup>, 2020

**CITY AGENDA ITEM:** Office of Traffic Safety Jaws of Life Grant:

- a. Council Adoption of Resolution No. 2020-\_\_\_: Authorizing the City Manager to Execute a Grant Agreement with the California Office of Traffic Safety in the Amount of \$37,000.00
- b. Council Adoption of Resolution No. 2020-\_\_\_: Authorizing the City Manager to Purchase the Extrication Equipment from L.N. Curtis and Sons for \$36,999.22

**FISCAL IMPACT:** There is no fiscal impact as the grant does not require matching funds.

**STRATEGIC PLAN:**

- Ensure Public Safety: 3.5. Optimize the use of technology to drive efficiency, productivity, and customer service.
- Ensure Fiscal Solvency: 5.5. Maximize grant opportunities.

**BACKGROUND:** The Office of Traffic Safety (OTS) was established by the National Highway Safety Act in 1967 in response to the nearly 51,000 lives lost in one year due to traffic accidents. The OTS provides federal traffic safety funds to the states, with the goal of making the roadways of the United States safer.

In the month of January 2020, the fire department submitted a grant application with the California Office of Traffic Safety for three sets of extrication equipment, more commonly known as the “Jaws of Life”. The fire department was awarded one set of extrication equipment due to the number of fire stations we currently operate.

The “Jaws of Life” is not one item, its a set of tools that consists of:

- Ram – Telescopic arm
- Spreader – has the ability to spread compressed metal and provide an opening for rescue.
- Cutter – has the ability to cut through the metal of a vehicle.

**STAFF REPORT:** The California Office of Traffic Safety has awarded the fire department a grant in the amount of \$37,000.00, for the purpose of purchasing extrication equipment. The grant will provide funding for one full set of equipment and will replace one set of existing equipment that has reached the end of its useful life span and is in need of replacement.

L.N. Curtis is the sole source vendor for Hursts line of extrication tools named eDRAULIC. The line of battery-powered tools no longer requires hoses and a power unit, freeing up rescue crews to focus on extrication instead of the lengthy set up process needed by our current extrication equipment. The battery-operated tools provide more cutting and spreading force then our current outdated units. Another unique, crucial ability provided by the Hurst tools is that units are watertight and can operate underwater with ease.

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

Justin Vincent, Fire Chief  
 Greg Folsom, City Manager

It is staff's recommendation that the City Council accept the grant from the California Office of Traffic Safety and authorize the purchase of the Hurst extrication equipment from L.N. Curtis and Sons.

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

- a. Council Adoption of Resolution No. 2020-\_\_\_: Authorizing the City Manager to Execute a Grant Agreement with the California Office of Traffic Safety in the Amount of \$37,000.
- b. Council Adoption of Resolution No. 2020-\_\_\_: Authorizing the City Manager to Purchase the Extrication Equipment from L.N. Curtis and Sons for \$36,999.

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**ATTACHMENTS:**

- 1. Council Adoption of Resolution No. 2020-\_\_\_: Authorizing the City Manager to Execute a Grant Agreement with the California Office of Traffic Safety in the Amount of \$37,000.00.
- 2. Council Adoption of Resolution No. 2020-\_\_\_: Authorizing the City Manager to Purchase the Extrication Equipment from L.N. Curtis and Sons for \$36,999.22.
- 3. California Office of Traffic Safety Grant Agreement.
- 4. Equipment Quote.

**RESOLUTION NO. 2020-**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A  
GRANT AGREEMENT WITH THE CALIFORNIA OFFICE OF TRAFFIC SAFETY  
IN THE AMOUNT OF \$37,000.00**

**WHEREAS**, the fire department applied for funding under the Emergency Medical Services Grant Program from the California Office of Traffic Safety (OTS) for the purchase of vehicle extrication equipment; and

**WHEREAS**, the mission of the California Office of Traffic Safety is dedicated to effectively and efficiently administer traffic safety grant funds to reduce traffic deaths and increase safety; and

**WHEREAS**, acceptance of this grant funding will fulfill the 2020-2025 Strategic Plan goal of ensuring fiscal solvency by maximizing grant opportunities; and

**WHEREAS**, the Suisun City Fire Department is determined to continue to provide a high standard of emergency rescue response; and

**WHEREAS**, the City Council of Suisun City recognizes that emergency extrication equipment can be used for an assortment of emergencies from vehicle extrication, to earthquake response; and

**NOW, THEREFORE**, be it here resolved by the City Council of Suisun City that the City Manager is authorized to enter into a grant agreement with the California Office Of Traffic Safety in the amount of \$37,000.00.

**PASSED AND ADOPTED** at a regular meeting of said City Council held on Tuesday, the 4<sup>th</sup> day of August 2020 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 4<sup>th</sup> day of August 2020.

\_\_\_\_\_  
Donna Pock, CMC  
Deputy City Clerk

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**RESOLUTION NO. 2020-**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE THE VEHICLE EXTRICATION EQUIPMENT FROM L.N. CURTIS AND SONS FOR \$36,999.22 FUNDED BY THE CALIFORNIA OFFICE OF TRAFFIC SAFETY GRANT**

**WHEREAS**, with the acceptance of the California Office of Traffic Safety (OTS) grant in the amount of \$37,000 to purchase extrication equipment for the fire department; and

**WHEREAS**, the purchase of this equipment will fulfill the 2020-2025 Strategic Plan goal of Ensuring Public Safety by Optimizing the use of technology to drive efficacy, productivity, and customer service (3.5); and

**WHEREAS**, L.N. Curtis is the sole source distributor of Hurst Extrication tools; and

**WHEREAS**, the fire department wishes to purchase extrication equipment for use following the administrative directives relating to purchases; and

**WHEREAS**, Administrative Directive 5 section XII provides for an exception to the competitive bidding requirements in cases where the City Council has approved findings which support and justify sole source suppliers; and

**NOW, THEREFORE**, be it here resolved by the City Council of Suisun City that the City Manager is authorized to purchase the vehicle extrication equipment from L.N. Curtis and sons for the amount \$36,999.22 funded by the California Office Of Traffic Safety Grant.

**PASSED AND ADOPTED** at a regular meeting of said City Council held on Tuesday, the 4<sup>th</sup> of August 2020 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 4<sup>th</sup> of August 2020.

\_\_\_\_\_  
Donna Pock, CMC  
Deputy City Clerk

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## Application Information

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Application No: 21-002798

Application Type: EMS	Agency (City or County): <a href="#">Suisun</a>	Department (Police Dept, DA Office, etc): <a href="#">Suisun City Fire Department</a>
Authorized Representative: <a href="#">Michelle Zunino</a>	DUNS Number: 004952834	DUNS Expiration Date:
DUNS Registered Address: 621 Pintail Dr.	DUNS City: City of Suisun City	DUNS ZIP+4: 94585-2199

## Application Summary

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Grants Made Easy Application Titles and Descriptions are pre-populated. For General Grants, provide the Application Title and Application Description.

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Application Title:

Regional Crash Response and Extrication Improvement Program

Application Description:

The city/county/fire protection district will serve as the lead agency for a regional extrication equipment distribution grant for their county. The extrication equipment is used by first responders to safely extricate victims trapped in traffic crashes. Best practice strategies will be used to reduce the response time for the arrival of appropriate extrication equipment to traffic crash scenes and the time to extricate the victims of traffic crashes, thus increasing survivability. The grant will provide funding for new equipment and training for fire departments without extrication equipment or those that have existing equipment that has reached the end of its usable lifespan and is in need of replacement.

Problem Statement:

Suisun City is the fourth largest city in Solano County, with a population of approximately 30,000 people. The Suisun City Fire Department provides emergency first responder services within the approximate 4.5 square miles of city limits. State Highway 12 runs the length of Suisun City and is covered by the Suisun City Fire Department. The majority of collisions in the city occur on Highway 12. Many of these collisions result in major injuries. This grant would provide new extrication equipment to replace outdated and unreliable tools. Replacing the obsolete equipment will improve the department's ability to save lives through traffic safety efforts.

Suisun City Fire Department was officially formed in 1861, to meet the needs of the community. Since that time, demand for service has drastically increased with the influx of population and traffic on our roadways. The department has struggled financially to purchase and or replace emergency equipment due to limited funding. Additionally, the economic downturn that affected California beginning in 2008 and continued for several years further exasperated the problem of limited funding, thereby reducing the agency's ability to replace old and unreliable equipment. The majority of extrication equipment currently used by Suisun City is at least 15 years old and/or older and experiences frequent mechanical breakdowns.

The grant would allow for modern and effective extrication equipment to be placed on all front line, 24-hour staffed, apparatus and be delivered to an emergency scene where it can be used efficiently and effectively to extricate and remove trapped victims, reducing serious injuries and death. With a limited number of personnel at an emergency scene, having the most capable and reliable equipment available will equate to a more rapid transport of victims and an increase in patient survivability.

Traffic Data Summary:

**Data:** Complete the table below using local data, do not use the OTS Rankings or SWITRS. Include all data for each **agency/location** that will receive equipment from this grant.

**REGIONAL TRAFFIC CRASH EXPERIENCE OVER THE PAST THREE YEARS HAS BEEN:**

Crash Type	2017		2018		2019	
	Crashes	Victims	Crashes	Victims	Crashes	Victims
Fatal	3	3	3	3	4	4
Injury	95	81	88	70	104	84

- For each station requesting equipment, explain the following under Problem Description: whether the station is located in a rural or urban area (list the community or city), the type of crashes (high speed, curvy roadway, over the side), and any section of highway(s) involved. Also indicate whether the station currently has extrication equipment and the age of the equipment. If the station doesn't have equipment, indicate the nearest equipment and estimated time of arrival.

**Station Name and Number: Suisun City Fire Department Station 47**

**Problem Description:** Suisun City Fire Department Station 47 is located in an urban area of Suisun City. Station 47 responds to a variety of motor vehicle accidents along CA State Highway 12 ranging from high speed, over the side, and vehicle verses pedestrian accidents. CA State Hwy 12 is a divided motorway with stoplights along its path. Many high speed accidents occur when drivers drive through a red light against traffic, often times leading to roll over incidents. Station 47 currently has extrication equipment on its first out units. The 15-year-old equipment has surpassed its useful life and has become obsolete to the advances in technology. Replacing and enhancing the extrication equipment will greatly shorten extrication times, enhancing rescuer safety, and not only save lives but reduce injuries. Hydraulic failures of the current obsolete extrication tools have resulted in extended extrication times, as Suisun has needed to wait for the mutual-aid agency equipment. Once requested the estimated travel time of the mutual-agency is anywhere from 10 to 15 minutes.

STATISTICS	2017	2018	2019
Total Number Of Responses (All Calls For Service)	2360	2437	2582
Total Number Of Traffic Crash Related Calls	98	91	108
Number Of Traffic Crash Victims Requiring Extrication In Region	4	7	8
Number Of Victims Where Mutual Aid Extrication Services Were Provided To Other Jurisdictions	0	0	0
Average Response Time For Appropriate Equipment (Receipt Of Call To Arrival At Crash Site)	4:35	5:11	5:24
Average Extrication Time (Arrival At Site To Transport)	N/A	12 minutes	17 minutes

## Proposed Solution

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### Strategies:

We will replace and enhance the extrication equipment which will greatly shorten extrication times and enhance rescuer safety. Not only will this save lives, but it will reduce injuries and ensure rescue and transport within the golden hour. Utilizing the new equipment will allow us to cut through the stronger steel vehicles are manufactured out of today and have quicker extrication times from more efficient and reliable tools will not fail during an extrication.

### Agency Qualifications:

Suisun City has made an investment in the fire department by hiring 2 additional full-time Division Chiefs and 3 additional full-time Engineers, enhancing from the prior existing staffing of 1 full-time Fire Chief and 3 full-time Fire Captains. This enhancement ensures that an increased minimum staffing level of fire personnel are staffing the fire station 24 hours a day, along with a Chief Officer always able to respond. The department is also supported 24 hours a day by 20 state trained and certified reserve Firefighters. Administrative staff has the knowledge and experience to execute the grant if it is awarded.

### Program Sustainability:

This project will have no ongoing costs once the initial purchase of equipment has been made, no future funding will be required. This will be the first time Suisun City Fire Department is applying for a Office of Traffic Safety grant. The Suisun City Fire Department takes great care and pride in it's apparatus and tools, therefore we have made our old extrication equipment last well beyond its expected lifespan. With changes in vehicle construction and changes in extrication equipment technology and capability, Suisun City is asking the Office of Traffic Safety for the one time financial support to acquire new extrication tools to increase reliability, shorten extrication times, and increase rescuer safety.

## Goals

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### Description

Reduce the number of persons killed in traffic crashes.

Reduce the number of persons injured in traffic crashes.

### Custom Description

Decrease the average response time for the arrival of appropriate equipment at the collision site.

## Objectives

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Included	Target Number	Description
Yes	2	Train firefighters in the use of the new equipment.
Yes	1	Issue a press release announcing the kick-off of the grant by November 15. The kick-off press releases and media advisories, alerts, and materials must be emailed to the OTS Public Information Officer at <a href="mailto:pio@ots.ca.gov">pio@ots.ca.gov</a> , and copied to your OTS Coordinator, for approval 14 days prior to the issuance date of the release.
Yes	1	Develop Memorandums of Understanding (MOUs) with recipient agencies which contain the following: a list and description of equipment; an explanation of the submission of data collection and quarterly reporting; the responsibility of maintaining equipment; and the yearly reporting of fair market value of equipment.
Yes	2	Purchase and place fully equipped extrication systems in strategic locations within the jurisdiction.
Yes	2	Purchase and place pieces of specialized rescue equipment in strategic locations within the jurisdiction.
Yes	0	Conduct traffic safety presentations with an effort to reach persons and communities.
Yes	2	Display the OTS funded equipment during Public Safety Fairs, community festivals and or other Department or community events.
Yes	1	Notify OTS in the event grant-funded equipment is used to save a life and provide the facts involving the incident.
Included	Target Number	Custom Description

## Method of Procedure

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Phase 1 - Program Preparation:

- Determine specific equipment requirements.
- Request equipment vendor price quotation for the required equipment per host agency requirement.
- Submit purchase orders to equipment vendors for purchase of the equipment.
- Prepare and execute Memorandums of Understanding (MOU) with recipient agencies.

Media Requirements

- Issue a press release announcing the kick-off of the grant by November 15, but no earlier than October 1. If unable to meet the November 15 date, communicate reasons to your OTS Coordinator. The kick-off press releases and any related media advisories, alerts, and materials must be emailed for approval to the OTS Public Information Officer at [pio@ots.ca.gov](mailto:pio@ots.ca.gov), and copied to your OTS Coordinator, 14 days prior to the issuance date of the release.

Phase 2 - Program Operations:

- Inventory the new equipment following delivery.
- Disperse equipment to identified recipient agencies.
- Plan a media event announcing the grant funded equipment.
- Recipient agencies will identify training needs and objectives and coordinate instructional staff to conduct a high quality training program for their respective agency.
- Recipient agencies will develop a preventive maintenance schedule for the new equipment following manufacturers' recommendations.

Media Requirements

- Send all grant-related activity press releases, media advisories, alerts and general public materials to the OTS Public Information Officer (PIO) at [pio@ots.ca.gov](mailto:pio@ots.ca.gov), with a copy to your OTS Coordinator. The following requirements are for grant-related activities and are different from those regarding any grant kick-off release or announcement.
- If an OTS-supplied, template-based press release is used, there is no need for pre-approval, however, the OTS PIO and Coordinator should be copied when the release is distributed to the press.
- If an OTS-supplied template is not used, or is substantially changed, a draft press release shall be sent to the OTS PIO for approval. Optimum lead-time would be 10 days prior to the release distribution date, but should be no less than 5 working days prior to the release distribution date.
- Press releases reporting the immediate and time-valued results of grant activities such as enforcement operations are exempt from the recommended advance approval process, but still should be copied to the OTS PIO and Coordinator when the release is distributed to the press.
- Activities such as warrant or probation sweeps and court stings that could be compromised by advanced publicity are exempt from pre-publicity, but are encouraged to offer embargoed media coverage and to report the results.
- Use the following standard language in all press, media, and printed materials: Funding for this program was provided by a grant from the California Office of Traffic Safety, through the National Highway Traffic Safety Administration.
- Email the OTS PIO at [pio@ots.ca.gov](mailto:pio@ots.ca.gov) and copy your OTS Coordinator at least 30 days in advance, a short description of any significant grant-related traffic safety event or program so OTS has sufficient notice to arrange for attendance and/or participation in the event.
- Submit a draft or rough-cut of all printed or recorded material (brochures, posters, scripts, artwork, trailer graphics, etc.) to the OTS PIO at [pio@ots.ca.gov](mailto:pio@ots.ca.gov) and copy your OTS Coordinator for approval 14 days prior to the production or duplication.
- Space permitting, include the OTS logo, on grant-funded print materials; consult your OTS Coordinator for specifics and format-appropriate logos.
- Contact the OTS PIO or your OTS Coordinator, sufficiently far enough in advance of need, for consultation when deviation from any of the above requirements might be contemplated.

Phase 3 - Data Collection:

1. Prepare and submit invoice claims (due January 30, April 30, July 30, and October 30)
2. Prepare and submit Quarterly Performance Reports (QPR) (due January 30, April 30, July 30, and October 30)
  - Collect and report quarterly, appropriate data that supports the progress of goals and objectives.
  - Provide a brief list of activity conducted, procurement of grant-funded items, and significant media activities. Include status of grant-funded personnel, status of contracts, challenges, or special accomplishments.
  - Provide a brief summary of quarterly accomplishments and explanations for objectives not completed or plans for upcoming activities.
  - Collect, analyze and report statistical data relating to the grant goals and objectives.

## Budget

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### Travel Expenses

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Display Order	Cost Category	Item Name	Unit Cost or Rate	Units	Calculated Cost to Grant
200.0	B. Travel Expenses	None	\$0.00	1	\$0.00

Travel Expenses: \$0.00

### Equipment (must have Unit Cost of at least \$5000)

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Display Order	Cost Category	Item Name	Unit Cost or Rate	Units	Calculated Cost to Grant
400.0	D. Equipment	Fully Equipped Extrication System	\$39,524.90	3	\$118,574.70

Equipment: \$118,574.70

### Other Direct Costs

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Display Order	Cost Category	Item Name	Unit Cost or Rate	Units	Calculated Cost to Grant
500.0	E. Other Direct Costs	None	\$0.00	1	\$0.00

Other Direct Costs: \$0.00

### Indirect Costs

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Item Name should indicate the % and the Cost Category for Indirect Costs e.g. 15% of Salaries and Benefits. Use the Percent Paid by Grant for the Indirect Rate and the Unit Cost or Rate field to indicate the total amount for which Indirect Costs will be claimed. The system will calculate the Cost to Grant.

Display Order	Cost Category	Item Name	Indirect Rate	Amount Subject to Indirect	Calculated Cost to Grant
600.0	F. Indirect Costs	None			\$0.00

Indirect Costs: \$0.00

Total Requested Funding: \$118,574.70

## Narrative Review

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### Review and update Narrative for Budget Items

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Cost Category	Item	Narrative
B. Travel Expenses	None	None
D. Equipment	Fully Equipped Extrication System	Fully equipped extrication systems are generally comprised of a hydraulic pump, fluid, hoses, control valves, and hydraulically actuated spreaders and cutters used primarily for vehicle extrication incidents as well as edraulic tools. It includes every piece of extrication equipment, modifications, attachments, accessories, and auxiliary apparatus necessary to make it usable for the purpose it was acquired, and costs \$5,000 or more (including tax, shipping, and installation).
E. Other Direct Costs	None	None
F. Indirect Costs	None	None

## Upload Documents (Optional)

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Please try to include all information in the application itself, but if necessary, upload additional documents here

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Document Name	Update Date/Time
EM21005 Tentative Award Letter.pdf	6/29/2020 5:03 PM
Application Report 2020-01-29 20:49:51.pdf	5/26/2020 8:55 AM

## Evaluation, Support, and Submittal

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### Evaluation, Support, and Submittal

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Method of Evaluation:

Using the data compiled during the grant, the Grant Director will complete the "Final Evaluation" section in the fourth/final Quarterly Performance Report (QPR). The Final Evaluation should provide a brief summary of the grant's accomplishments, challenges and significant activities. This narrative should also include whether goals and objectives were met, exceeded, or an explanation of why objectives were not completed.

Administrative Support:

This program has full administrative support, and every effort will be made to continue the grant activities after grant conclusion.

Total Requested Funding:

\$118,574.70

Ph: 510-839-5111  
 TF: 800-443-3556  
 Fax: 510-839-5325  
[oaksales@lncurtis.com](mailto:oaksales@lncurtis.com)  
 DUNS#: 00-922-4163



Item 4  
 Attachment 4  
 Pacific North Division  
 185 Lennon Lane Suite 110  
 Walnut Creek, CA 94598  
[www.LNCURTIS.com](http://www.LNCURTIS.com)  
 Quotation No. 160237

# Quotation

**CUSTOMER:**  
 Suisun City Fire Department  
 701 Civic Center Boulevard  
 Suisun City CA 94585

**SHIP TO:**  
 Suisun City Fire Department  
 621 Pintail Drive  
 Suisun City CA 94585

QUOTATION NO.	ISSUED DATE	EXPIRATION DATE
160237	07/20/2020	09/18/2020

SALESPERSON	CUSTOMER SERVICE REP
Steve Perry <a href="mailto:sperry@lncurtis.com">sperry@lncurtis.com</a> 510-219-7649	Amy Cresto <a href="mailto:acresto@lncurtis.com">acresto@lncurtis.com</a> 510-268-3335

REQUISITION NO.	REQUESTING PARTY	CUSTOMER NO.	TERMS	OFFER CLASS
	Greg Renucci	C36364	Net 30	FR

F.O.B.	SHIP VIA	DELIVERY REQ. BY
DEST	Standard Shipping	

### NOTES & DISCLAIMERS

THANK YOU FOR THIS OPPORTUNITY TO QUOTE. WE ARE PLEASED TO OFFER REQUESTED ITEMS AS FOLLOWS. IF YOU HAVE ANY QUESTIONS, NEED ADDITIONAL INFORMATION, OR WOULD LIKE TO PLACE AN ORDER, PLEASE CONTACT YOUR SALESPERSON OR CUSTOMER SERVICE REP AS NOTED ABOVE.

TRANSPORTATION IS INCLUDED IN BELOW PRICING.

LN	QTY	UNIT	PART NUMBER	DESCRIPTION	UNIT PRICE	TOTAL PRICE
1	1	EA	272288000-9 HURST	S 788EWXT CUTTER 9Ah PACKAGE, INCLUDES; * S 788EWXT CUTTER eDRAULIC WATERTIGHT TOOL * 2ea. 9Ah BATTERY * 110V CHARGER	\$12,100.00	\$12,100.00
2	1	EA	271255000-9 HURST	SP 555EWXT SPREADER 9Ah PACKAGE, INCLUDES; * SP 555EWXT SPREADER eDRAULIC WATERTIGHT TOOL * 2ea. 9Ah BATTERY * 110V CHARGER	\$13,115.00	\$13,115.00
3	1	EA	274286000-9 HURST	R 522 ewxt ram eDraulic watertight extrication tool package, Including: 1 - R 522 ewxt ram 2 - 9ah batteries 1 - 110v charger	\$8,925.00	\$8,925.00

Ph: 510-839-5111  
TF: 800-443-3556  
Fax: 510-839-5325  
[oaksales@lncurtis.com](mailto:oaksales@lncurtis.com)  
DUNS#: 00-922-4163



Item 4  
Attachment 4  
Pacific North Division  
185 Lennon Lane Suite 110  
Walnut Creek, CA 94598  
[www.LNCURTIS.com](http://www.LNCURTIS.com)  
Quotation No. 160237

LN	QTY	UNIT	PART NUMBER	DESCRIPTION	UNIT PRICE	TOTAL PRICE
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DUNS NUMBER: 009224163  
SIC CODE: 5099  
FEDERAL TAX ID: 94-1214350

THIS PRICING REMAINS FIRM UNTIL 09/18/2020. CONTACT US FOR UPDATED PRICING AFTER THIS DATE.

<b>Subtotal</b>	\$34,140.00
<b>Tax Total</b>	\$2,859.22
<b>Transportation</b>	\$0.00
<b>Total</b>	\$36,999.22

[View Terms of Sale and Return Policy](#)

## AGENDA TRANSMITTAL

**MEETING DATE:** August 4<sup>th</sup>, 2020

**CITY AGENDA ITEM:** Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant (AFG):

- a. Council Adoption of Resolution No. 2020-\_\_\_: Authorizing the Acceptance of a Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant (AFG) Covid-19 Supplemental for the Reimbursement and Purchase of Personal Protective Equipment (PPE) in the Amount Of \$36,120 with a City Cost Share of \$3,612.04
- b. Council Adoption of Resolution No. 2020-\_\_\_: Adopting the 7<sup>th</sup> Amendment to the Annual Appropriation Resolution No. 2019-65 to Appropriate City Cost Share for the Acceptance of a Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant (AFG) COVID-19 Supplemental for the Reimbursement and Purchase of Personal Protective Equipment (PPE)

**FISCAL IMPACT:** The fiscal impact of accepting this grant will result in a cost share match of \$3,612. The match funds will be transferred from the General Fund, Field Supplies account (010-91435-2610) to Firefighter Assistance Grant Fund, FEMA Grant account (161-76710-2622). The monies awarded will be placed in Fund 161 (Firefighter Assistance Grant Fund) for the sole purpose of purchasing or reimbursing the costs incurred for PPE.

**STRATEGIC PLAN:**

- Ensure Fiscal Solvency: 5.5. Maximize grant opportunities.

**BACKGROUND:** The primary goal Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant (AFG) is to enhance the safety of the public and firefighters with respect to the fire-related hazards by providing direct financial assistance to eligible fire departments, nonaffiliated Emergency Medical Services organizations, and State Fire Training Academies. FEMA added a supplementary grant this year specifically for COVID-19 assistance. The Coronavirus Aid, Relief, and Economic Security (CARES) Act authorized \$100 million in FY20 Assistance to Firefighters Grants – COVID-19 Supplemental funds for the purchase of personal protective equipment (PPE) and related supplies for our nation’s first responders. The application period opened on April 28 and closed on May 15, 2020. AFG-S funds can be used to reimburse for the acquisition of eligible PPE after Jan. 1, 2020.

**STAFF REPORT:** The Fire Department applied for the COVID-19 Supplemental grant with the idea of purchasing new PPE for future use and reimbursement of funds already expended on vital PPE for the COVID-19 response. There were three categories for the purpose of the requests; reimbursement, immediate use of PPE, and future response capabilities. Using these classifications, the Fire Department began listing the supplies that are required immediately and the supplies that will be needed in the future. With assistance from the building department, a list of previous purchases was also created. The items requested were further defined between “Supplies” or “Equipment. The final requested amount was **\$54,372.39 (Supplies \$39,732.39/Equipment \$14,640.00)**. FEMA has agreed to fund **\$36,102.35** with a **10%** cost share of **\$3,612.04**.

**PREPARED BY:**

**REVIEWED AND APPROVED BY:**

Justin Vincent, Fire Chief  
Greg Folsom, City Manager

The Fire Department is already obligated by law to provide the proper PPE for our first responders to respond to COVID-19 calls for service. These funds will reimburse the general fund **\$2,727.68** for previous purchases and will fund **\$33,392.67** to future PPE supply purchases to alleviate pressure on the general funds to supply medical equipment to the fire department. In the purchase of immediate and future supplies Suisun City will have to spend a 10% cost match of **\$3,612.04** of the purchase of supplies. Supplies to be purchased are bulk amounts of N95 masks, face masks, gowns, eye protection, Tyvex suits, respirators, and latex gloves.

Reimbursement/ Immediate/ Future	Item	QTY	Supplies Cost	Equipment Cost	Total
Reimbursement	MSA Advantage L Profile P100	1	\$12.00		
Reimbursement	PortaCount Model 8048 – Tablet***	1		\$2,740.00	
Reimbursement	MSA Advantage 420 Quantitive Fit Test Adapter	1	\$55.00		
Reimbursement	SAFETEC Instant Hand Sanitizer (Case)	1	\$77.28		
Reimbursement	PortaCount Model 8048***	1		\$11,900.00	
Reimbursement	MAS Respirator ADV	7	\$1,155.00		
Reimbursement	Sani-Hands ALC Hand Wipe	4	\$350.40		
Reimbursement	SAFETEC Instant Hand Sanitizer (Case)	6	\$280.80		
Reimbursement	Sani-Hands ALC Hand Wipe	4	\$350.40		
Reimbursement	MSA N95 Filter Pads 2pk	10	\$70.00		
Reimbursement	SAFETEC Instant Hand Sanitizer (Case)	4	\$187.20		
Reimbursement	Lysol Disinfectant Spray	12	\$189.60		
Immediate	MSA Respirators Advantage Fill Face	21	\$3,465.00		
Immediate	Safety Glasses 4 pack	7	\$144.83		
Immediate	Tyvex Suits	28	\$666.12		
Immediate	MSA Advantage L Profile P100	21	\$252.00		
Future	Surgical Mask	2340	\$5,850.00		
Future	N95 Respirator	4020	\$8,040.00		
Future	Surgical Gloves	188	\$2,562.44		
Future	Gowns	1404	\$14,025.96		
Future	Tyvex Suits	84	\$1,998.36		
<b>Total</b>			<b>\$39,732.39</b>	<b>\$14,640.00</b>	<b>\$54,372.39</b>

\*\*\* Items not funded

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

- a. Resolution No. 2020-\_\_\_: Authorizing the Acceptance of A Federal Emergency Management Agency (FEMA) Assistance To Firefighters Grant (AFG) Covid-19 Supplemental for the Reimbursement and Purchase of Personal Protective Equipment (PPE) in the Amount Of \$36,120.35 with a City Cost Share of \$3,612.04
- b. Resolution No. 2020-\_\_\_: Adopting the 7<sup>th</sup> Amendment to the Annual Appropriation Resolution No. 2019-65 to Appropriate City Cost Share for the Acceptance of a Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant (AFG) COVID-19 Supplemental for the Reimbursement and Purchase of Personal Protective Equipment (PPE)

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**ATTACHMENTS:**

1. Council Adoption of Resolution No. 2020-\_\_\_: Authorizing the Acceptance of a Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant (AFG) Covid-19 Supplemental for the Reimbursement and Purchase of Personal Protective Equipment (PPE) in the Amount Of \$36,120 with a City Cost Share of 3,612.04
2. Council Adoption of Resolution No. 2020-\_\_\_: Adopting the 7<sup>th</sup> Amendment to the Annual Appropriation Resolution No. 2019-65 to Appropriate City Cost Share for the Acceptance of a Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant (AFG) COVID-19 Supplemental for the Reimbursement and Purchase of Personal Protective Equipment (PPE)
3. Notification of Funding Letter and Summary Award Memo

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**RESOLUTION NO. 2020-**

**A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) ASSISTANCE TO FIREFIGHTERS GRANT (AFG) COVID-19 SUPPLEMENTAL FOR THE REIMBURSEMENT AND PURCHASE OF PERSONAL PROTECTIVE EQUIPMENT (PPE) IN THE AMOUNT OF \$36,120.35 WITH A CITY COST SHARE OF \$3,612.04**

**WHEREAS**, the fire department applied for funding under the Assistance to Firefighters (AFG-S) COVID-19 Supplemental under the Federal Emergency Management Agency (FEMA) for the reimbursement and purchase of personal protective equipment (PPE); and

**WHEREAS**, the primary goal of FEMA AFG is to enhance the safety of the public and firefighters with respect to the fire-related hazards by providing direct financial assistance to eligible fire departments, nonaffiliated Emergency Medical Services organizations, and State Fire Training Academies; and

**WHEREAS**, acceptance of this grant funding will fulfill the 2020-2025 Strategic Plan goal of ensuring fiscal solvency by maximizing grant opportunities; and

**WHEREAS**, the total funds awarded are \$36,120.35 with a cost share for the city of \$3,612.04; and

**WHEREAS**, the Suisun City Fire Department is determined to continue to provide a high standard of emergency medical response; and

**WHEREAS**, the City Council of Suisun City recognizes that emergency medical protective gear is necessary to protect the staff who work with the public by providing adequate personal protective equipment during and after the pandemic response; and

**NOW, THEREFORE**, be it here resolved by the City Council of Suisun City that the City Manager is authorized to enter into a grant agreement with the Federal Emergency Management Agency in the amount of \$36,120.35 with cost share of \$3,612.04.

**PASSED AND ADOPTED** at a regular meeting of said City Council held on Tuesday, the 4<sup>th</sup> day of August 2020 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 4<sup>th</sup> day of August 2020.

\_\_\_\_\_  
Donna Pock, CMC  
Deputy City Clerk

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**RESOLUTION NO. 2020-\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY  
ADOPTING THE 7th AMENDMENT TO THE ANNUAL APPROPRIATION RESOLUTION NO. 2019-65 TO  
ACCEPT A FEDERAL EMERGENCY MANAGEMENT AGENCY ASSISTANCE TO FIREFIGHTERS GRANT  
COVID-19 SUPPLEMENTAL FOR REIMBURSEMENT AND PURCHASE OF PERSONAL PROTECTIVE  
EQUIPMENT**

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

**THAT** Section 161 of Part III of the Annual Appropriation Resolution No. 2019-65 be and is hereby amended as follows:

		<u>Increase/ (Decrease)</u>
TO:	FIREFIGHTER ASSISTANCE GRANT FUND	\$ 36,100
	Firefighter Equipment	
	TOTAL Section 161	<u>\$ 36,100</u>

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

		<u>Sources</u>	<u>Uses</u>
<u>General Fund</u>			
Revenue:			
A/C No. 010-81161-2615	Transfer from Firefighter Assistance Grant	\$ (2,700)	
Appropriations:			
A/C No. 010-85161-2610	Transfer to Firefighter Assistance Grant Fund		\$ 3,600
A/C No. 010-91455-2610	Uniform/Clothing/Safety	\$ 3,600	
	Total Fund 10	<u>\$ 900</u>	<u>\$ 3,600</u>
<u>Firefighter Assistance Grant Fund</u>			
Revenue:			
A/C No. 161-76950-2625	Grants/Other	\$ (36,100)	
Appropriations:			
A/C No. 161-81010-2625	Transfer to the General Fund		\$ 2,700
A/C No. 161-93120-2625	Field Equipment Under \$5k		\$ 33,400
	Total Fund 161	<u>\$ (36,100)</u>	<u>\$ 36,100</u>

**THAT** the purpose is to accept and appropriate the Federal Emergency Management Agency Assistance to Firefighters Grant COVID-19 Supplemental for reimbursement and purchase of Personal Protective Equipment, including required General Fund matching fund.

**ADOPTED AND PASSED** at a regular meeting of the City Council of the City of Suisun City duly held on the 4th day of August, 2020 by the following vote:

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

**WITNESS** my hand and seal of the said City this 4th day of August 2020.

---

Linda Hobson, CMC  
City Clerk

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## Award Letter

U.S. Department of Homeland Security  
Washington, D.C. 20472

Michelle Zunino  
SUISUN CITY, CITY OF  
621 PINTAIL DR  
SUISUN CITY, CA 94585



EMW-2020-FG-01473

Dear Michelle Zunino,

Congratulations on behalf of the Department of Homeland Security. Your application submitted for the Fiscal Year 2020 Assistance to Firefighters Grant Program - COVID-19 Supplemental (AFG-S) has been approved in the amount of \$36,120.35 in Federal funding. As a condition of this grant, you are required to contribute non-Federal funds equal to or greater than 10.0% of the Federal funds awarded, or \$3,612.04 for a total approved budget of \$39,732.39. Please see the FY 2020 AFG-S Notice of Funding Opportunity for information on how to meet this cost share requirement.

Before you request and receive any of the Federal funds awarded to you, you must establish acceptance of the award through the FEMA Grants Outcomes (FEMA GO) system. By accepting this award, you acknowledge that the terms of the following documents are incorporated into the terms of your award:

- Summary Award Memo - included in this document
- Agreement Articles - included in this document
- Obligor Document - included in this document
- FY 2020 AFG-S Notice of Funding Opportunity (NOFO) - incorporated by reference

Please make sure you read, understand, and maintain a copy of these documents in your official file for this award.

Sincerely,

A handwritten signature in blue ink that reads "Bridget Bean". The signature is fluid and cursive, with a long horizontal stroke at the end.

Bridget Bean  
Assistant Administrator  
Grant Programs Directorate

## Summary Award Memo

**Program:** Fiscal Year 2020 Assistance to Firefighters Grant Program - COVID-19 Supplemental

**Recipient:** SUISUN CITY, CITY OF

**DUNS number:** 052634058

**Award number:** EMW-2020-FG-01473

### Summary description of award

The purpose of the Assistance to Firefighters Grant Program - COVID-19 Supplemental (AFG-S) is to provide funds for the purchase of PPE and related supplies, including reimbursements, to prevent, prepare for, and respond to coronavirus. After careful consideration, FEMA has determined that the recipient's project or projects submitted as part of the recipient's application and detailed in the project narrative as well as the request details section of the application - including budget information - was consistent with the Assistance to Firefighters Grant Program - COVID-19 Supplemental (AFG-S)'s purpose and was worthy of award.

Except as otherwise approved as noted in this award, the information you provided in your application for FY 2020 Assistance to Firefighters Grant Program - COVID-19 Supplemental (AFG-S) funding is incorporated into the terms and conditions of this award. This includes any documents submitted as part of the application.

### Amount awarded

The amount of the award is detailed in the attached Obligating Document for Award.

The following are the budgeted estimates for object classes for this award (including Federal share plus your cost share, if applicable):

Object Class	Total
Personnel	\$0.00
Fringe benefits	\$0.00
Travel	\$0.00
Equipment	\$0.00
Supplies	\$39,732.39
Contractual	\$0.00
Construction	\$0.00
Other	\$0.00
Indirect charges	\$0.00
Federal	\$36,120.35
Non-federal	\$3,612.04
Total	\$39,732.39
Program Income	\$0.00

## Approved scope of work

After review of your application, FEMA has approved the below scope of work. Justifications are provided for any differences between the scope of work in the original application and the approved scope of work under this award. You must submit scope or budget revision requests for FEMA's prior approval, via an amendment request, as appropriate per 2 C.F.R. § 200.308 and the AFG-S NOFO.

### Approved request details:

## Personal Protective Equipment (PPE)

<b>Respirators</b>				
DESCRIPTION				
MSA Advantage L Profile Cartridges P100 2/pkg				
	QUANTITY	UNIT PRICE	TOTAL	BUDGET CLASS
Cost 1	1	\$12.00	\$12.00	Supplies

<b>Respirators</b>				
<b>Ineligible</b>				
DESCRIPTION				
PortaCount Model 8048-T w/Tablet - QC Cal Contract, 3-YR				
	QUANTITY	UNIT PRICE	TOTAL	BUDGET CLASS
Cost 1	1	\$2,740.00	\$2,740.00	Equipment
CHANGE FROM APPLICATION				
<b>Item marked ineligible</b>				
JUSTIFICATION				
The award reflects a reduction from the amount requested in the application. This reduction removes ineligible costs for PortaCount Model 8048-t w/Tablet requested in the application.				

<b>Respirators</b>				
DESCRIPTION MSA Advantage 420 Quantitative Fit Test Adapter				
	QUANTITY	UNIT PRICE	TOTAL	BUDGET CLASS
Cost 1	1	\$55.00	\$55.00	Supplies
CHANGE FROM APPLICATION Cost 1 <b>Budget class</b> from <b>Equipment</b> to <b>Supplies</b>				
JUSTIFICATION Update budget class from equipment to supplies.				

<b>Supplies</b>				
DESCRIPTION Case of SAFETEC Instant Hand Sanitizer, 8 oz.				
	QUANTITY	UNIT PRICE	TOTAL	BUDGET CLASS
Cost 1	1	\$77.28	\$77.28	Supplies

<b>Respirators</b>				
DESCRIPTION				
MSA Respirators Advantage Rubber Full Face Respirator				
	QUANTITY	UNIT PRICE	TOTAL	BUDGET CLASS
Cost 1	21	\$165.00	\$3,465.00	Supplies
CHANGE FROM APPLICATION				
Cost 1 <b>Budget class</b> from <b>Equipment</b> to <b>Supplies</b>				
JUSTIFICATION				
Update the budget class from equipment to supplies.				

<b>Surgical Type Face Masks</b>				
DESCRIPTION				
Surgical Mask				
	QUANTITY	UNIT PRICE	TOTAL	BUDGET CLASS
Cost 1	2,340	\$2.50	\$5,850.00	Supplies

<b>Respirators</b>				
<b>Ineligible</b>				
DESCRIPTION				
PotaCount Model 8048-T with Tablet - N95 fit tester				
	QUANTITY	UNIT PRICE	TOTAL	BUDGET CLASS
Cost 1	1	\$11,900.00	\$11,900.00	Equipment
CHANGE FROM APPLICATION				
<b>Item marked ineligible</b>				
JUSTIFICATION				
The award reflects a reduction from the amount requested in the application. This reduction removes ineligible costs for PortaCount Model 8048-t w/Tablet requested in the application.				

<b>Respirators</b>				
DESCRIPTION				
MSA Respirator ADV 3200, Rubber Hard, MD				
	QUANTITY	UNIT PRICE	TOTAL	BUDGET CLASS
Cost 1	7	\$165.00	\$1,155.00	Supplies
CHANGE FROM APPLICATION				
Cost 1 <b>Budget class</b> from <b>Equipment</b> to <b>Supplies</b>				
JUSTIFICATION				
Update budget class from equipment to supplies				

<b>Supplies</b>				
DESCRIPTION Sani-Hands ALC Hand wipe (Tub of 135) Inv.977669, 3/2/2020				
	QUANTITY	UNIT PRICE	TOTAL	BUDGET CLASS
Cost 1	4	\$87.60	\$350.40	Supplies

<b>Supplies</b>				
DESCRIPTION SAFETEC Instant Hand Sanitizer, 4 oz Inv.977669, 3/2/2020				
	QUANTITY	UNIT PRICE	TOTAL	BUDGET CLASS
Cost 1	6	\$46.80	\$280.80	Supplies

<b>Respirators</b>				
DESCRIPTION N95 Respirators				
	QUANTITY	UNIT PRICE	TOTAL	BUDGET CLASS
Cost 1	4,020	\$2.00	\$8,040.00	Supplies

<b>Eye Protection</b>				
DESCRIPTION Safety Glasses 4 pack				
	QUANTITY	UNIT PRICE	TOTAL	BUDGET CLASS
Cost 1	7	\$20.69	\$144.83	Supplies

<b>Protective Coveralls</b>				
DESCRIPTION				
Tyvex Suits				
	QUANTITY	UNIT PRICE	TOTAL	BUDGET CLASS
Cost 1	28	\$23.79	\$666.12	Supplies

<b>Supplies</b>				
DESCRIPTION				
Sani-Hands ALC Hand Wipe (Tub of 135) Inv.978110, 3/2/2020				
	QUANTITY	UNIT PRICE	TOTAL	BUDGET CLASS
Cost 1	4	\$87.60	\$350.40	Supplies

<b>Respirators</b>				
DESCRIPTION				
MSA N95 Filter Pads, Pack of 2				
	QUANTITY	UNIT PRICE	TOTAL	BUDGET CLASS
Cost 1	10	\$7.00	\$70.00	Supplies

<b>Supplies</b>				
DESCRIPTION				
SAFETEC Instant Hand Sanitizer, 4 oz Inv.978110, 3/2/2020				
	QUANTITY	UNIT PRICE	TOTAL	BUDGET CLASS
Cost 1	4	\$46.80	\$187.20	Supplies

<b>Supplies</b>				
DESCRIPTION				
MSA Advantage L Profile Cartridges P100 2pk				
	QUANTITY	UNIT PRICE	TOTAL	BUDGET CLASS
Cost 1	21	\$12.00	\$252.00	Supplies

<b>Supplies</b>				
DESCRIPTION				
REC04650 Lysol Disinfectant Spray, Carton				
	QUANTITY	UNIT PRICE	TOTAL	BUDGET CLASS
Cost 1	12	\$15.80	\$189.60	Supplies

<b>Gloves</b>				
DESCRIPTION				
Surgical Gloves				
	QUANTITY	UNIT PRICE	TOTAL	BUDGET CLASS
Cost 1	188	\$13.63	\$2,562.44	Supplies

<b>Isolation Gowns</b>				
DESCRIPTION				
Gowns				
	QUANTITY	UNIT PRICE	TOTAL	BUDGET CLASS
Cost 1	1,404	\$9.99	\$14,025.96	Supplies

<b>Protective Coveralls</b>				
DESCRIPTION				
Tyvex Suits				
	QUANTITY	UNIT PRICE	TOTAL	BUDGET CLASS
Cost 1	84	\$23.79	\$1,998.36	Supplies

## Agreement Articles

**Program:** Fiscal Year 2020 Assistance to Firefighters Grant Program - COVID-19 Supplemental

**Recipient:** SUISUN CITY, CITY OF

**DUNS number:** 052634058

**Award number:** EMW-2020-FG-01473

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**Article 1 Assurances, Administrative Requirements, Cost Principles, Representations and Certifications**

DHS financial assistance recipients must complete either the Office of Management and Budget (OMB) Standard Form 424B Assurances – Non-Construction Programs, or OMB Standard Form 424D Assurances – Construction Programs, as applicable. Certain assurances in these documents may not be applicable to your program, and the DHS financial assistance office (DHS FAO) may require applicants to certify additional assurances. Applicants are required to fill out the assurances applicable to their program as instructed by the awarding agency. Please contact the DHS FAO if you have any questions. DHS financial assistance recipients are required to follow the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located at Title 2, Code of Federal Regulations (C.F.R.) Part 200, and adopted by DHS at 2 C.F.R. Part 3002.

**Article 2 DHS Specific Acknowledgements and Assurances**

All recipients, subrecipients, successors, transferees, and assignees must acknowledge and agree to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff. 1. Recipients must cooperate with any compliance reviews or compliance investigations conducted by DHS. 2. Recipients must give DHS access to, and the right to examine and copy, records, accounts, and other documents and sources of information related to the federal financial assistance award and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations and other applicable laws or program guidance. 3. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports. 4. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance. 5. Recipients of federal financial assistance from DHS must complete the DHS Civil Rights Evaluation Tool within thirty (30) days of receipt of the Notice of Award or, for State Administering Agencies, thirty (30) days from receipt of the DHS Civil Rights Evaluation Tool from DHS or its awarding component agency. Recipients are required to provide this information once every two (2) years, not every time an award is made. After the initial submission for the first award under which this term applies, recipients are only required to submit updates every two years, not every time a grant is awarded. Recipients should submit the completed tool, including supporting materials to [CivilRightsEvaluation@hq.dhs.gov](mailto:CivilRightsEvaluation@hq.dhs.gov). This tool clarifies the civil rights obligations and related reporting requirements contained in the DHS Standard Terms and Conditions. Subrecipients are not required to complete and submit this tool to DHS. The evaluation tool can be found at <https://www.dhs.gov/publication/dhs-civil-rights-evaluation-tool>. 6. The DHS Office for Civil Rights and Civil Liberties will consider, in its discretion, granting an extension if the recipient identifies steps and a timeline for completing the tool. Recipients should request extensions by emailing the request to [CivilRightsEvaluation@hq.dhs.gov](mailto:CivilRightsEvaluation@hq.dhs.gov) prior to expiration of the 30-day deadline.

<b>Article 3</b>	<b>Acknowledgement of Federal Funding from DHS</b> Recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposal, bid invitations, and other documents describing projects or programs funded in whole or in part with federal funds.
<b>Article 4</b>	<b>Activities Conducted Abroad</b> Recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.
<b>Article 5</b>	<b>Age Discrimination Act of 1975</b> Recipients must comply with the requirements of the Age Discrimination Act of 1975, Pub. L. No. 94-135 (1975) (codified as amended at Title 42, U.S. Code, § 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.
<b>Article 6</b>	<b>Americans with Disabilities Act of 1990</b> Recipients must comply with the requirements of Titles I, II, and III of the Americans with Disabilities Act, Pub. L. No. 101-336 (1990) (codified as amended at 42 U.S.C. §§ 12101–12213), which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities.
<b>Article 7</b>	<b>Best Practices for Collection and Use of Personally Identifiable Information (PII)</b> Recipients who collect PII are required to have a publicly available privacy policy that describes standards on the usage and maintenance of the PII they collect. DHS defines personally identifiable information (PII) as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. Recipients may also find the DHS Privacy Impact Assessments: Privacy Guidance and Privacy Template as useful resources respectively.
<b>Article 8</b>	<b>Civil Rights Act of 1964 – Title VI</b> Recipients must comply with the requirements of Title VI of the Civil Rights Act of 1964 (codified as amended at 42 U.S.C. § 2000d et seq.), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. DHS implementing regulations for the Act are found at 6 C.F.R. Part 21 and 44 C.F.R. Part 7.

**Article 9 Civil Rights Act of 1968**

Recipients must comply with Title VIII of the Civil Rights Act of 1968, Pub. L. No. 90-284, as amended through Pub. L. 113-4, which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (see 42 U.S.C. § 3601 et seq.), as implemented by the U.S. Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units—i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)—be designed and constructed with certain accessible features. (See 24 C.F.R. Part 100, Subpart D.)

**Article 10 Copyright**

Recipients must affix the applicable copyright notices of 17 U.S.C. §§ 401 or 402 and an acknowledgement of U.S. Government sponsorship (including the award number) to any work first produced under federal financial assistance awards.

**Article 11 Debarment and Suspension**

Recipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders (E.O.) 12549 and 12689, which are at 2 C.F.R. Part 180 as adopted by DHS at 2 C.F.R. Part 3000. These regulations restrict federal financial assistance awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.

**Article 12 Drug-Free Workplace Regulations**

Recipients must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the recipient is an individual) of 2 C.F.R. Part 3001, which adopts the Government-wide implementation (2 C.F.R. Part 182) of Sec. 5152-5158 of the Drug-Free Workplace Act of 1988 (41 U.S.C. §§ 8101-8106).

**Article 13 Duplication of Benefits**

Any cost allocable to a particular federal financial assistance award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other federal financial assistance awards to overcome fund deficiencies; to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions; or for other reasons. However, these prohibitions would not preclude recipients from shifting costs that are allowable under two or more awards in accordance with existing federal statutes, regulations, or the federal financial assistance award terms and conditions.

<p><b>Article 14</b></p>	<p><b>Education Amendments of 1972 (Equal Opportunity in Education Act) – Title IX</b>  Recipients must comply with the requirements of Title IX of the Education Amendments of 1972, Pub. L. No. 92-318 (1972) (codified as amended at 20 U.S.C. § 1681 et seq.), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. DHS implementing regulations are codified at 6 C.F.R. Part 17 and 44 C.F.R. Part 19.</p>
<p><b>Article 15</b></p>	<p><b>Energy Policy and Conservation Act</b>  Recipients must comply with the requirements of the Energy Policy and Conservation Act, Pub. L. No. 94- 163 (1975) (codified as amended at 42 U.S.C. § 6201 et seq.), which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.</p>
<p><b>Article 16</b></p>	<p><b>False Claims Act and Program Fraud Civil Remedies</b>  Recipients must comply with the requirements of the False Claims Act, 31 U.S.C. §§ 3729-3733, which prohibits the submission of false or fraudulent claims for payment to the federal government. (See 31 U.S.C. §§ 3801-3812, which details the administrative remedies for false claims and statements made.)</p>
<p><b>Article 17</b></p>	<p><b>Federal Debt Status</b>  All recipients are required to be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. (See OMB Circular A-129.)</p>
<p><b>Article 18</b></p>	<p><b>Federal Leadership on Reducing Text Messaging while Driving</b>  Recipients are encouraged to adopt and enforce policies that ban text messaging while driving as described in E.O. 13513, including conducting initiatives described in Section 3(a) of the Order when on official government business or when performing any work for or on behalf of the federal government.</p>
<p><b>Article 19</b></p>	<p><b>Fly America Act of 1974</b>  Recipients must comply with Preference for U.S. Flag Air Carriers (air carriers holding certificates under 49 U.S.C. § 41102) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974, 49 U.S.C. § 40118, and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B-138942.</p>
<p><b>Article 20</b></p>	<p><b>Hotel and Motel Fire Safety Act of 1990</b>  In accordance with Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. § 2225a, recipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with federal funds complies with the fire prevention and control guidelines of the Federal Fire Prevention and Control Act of 1974, (codified as amended at 15 U.S.C. § 2225.)</p>

**Article 21 Limited English Proficiency (Civil Rights Act of 1964, Title VI)**  
Recipients must comply with Title VI of the Civil Rights Act of 1964, (42 U.S.C. § 2000d et seq.) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance: <https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited> and additional resources on <http://www.lep.gov>.

**Article 22 Lobbying Prohibitions**  
Recipients must comply with 31 U.S.C. § 1352, which provides that none of the funds provided under a federal financial assistance award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any federal action related to a federal award or contract, including any extension, continuation, renewal, amendment, or modification.

**Article 23 National Environmental Policy Act**  
Recipients must comply with the requirements of the National Environmental Policy Act of 1969 (NEPA), Pub. L. No. 91-190 (1970) (codified as amended at 42 U.S.C. § 4321 et seq.) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which require recipients to use all practicable means within their authority, and consistent with other essential considerations of national policy, to create and maintain conditions under which people and nature can exist in productive harmony and fulfill the social, economic, and other needs of present and future generations of Americans.

**Article 24 Nondiscrimination in Matters Pertaining to Faith-Based Organizations**  
It is DHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by DHS or its component agencies, enabling those organizations to participate in providing important social services to beneficiaries. Recipients must comply with the equal treatment policies and requirements contained in 6 C.F.R. Part 19 and other applicable statutes, regulations, and guidance governing the participations of faith-based organizations in individual DHS programs.

**Article 25 Non-supplanting Requirement**  
Recipients receiving federal financial assistance awards made under programs that prohibit supplanting by law must ensure that federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-federal sources.

<b>Article 26</b>	<b>Notice of Funding Opportunity Requirements</b> All the instructions, guidance, limitations, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this program are incorporated here by reference in the award terms and conditions. All recipients must comply with any such requirements set forth in the program NOFO.
<b>Article 27</b>	<b>Patents and Intellectual Property Rights</b> Recipients are subject to the Bayh-Dole Act, 35 U.S.C. § 200 et seq, unless otherwise provided by law. Recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from federal financial assistance awards located at 37 C.F.R. Part 401 and the standard patent rights clause located at 37 C.F.R. § 401.14.
<b>Article 28</b>	<b>Procurement of Recovered Materials</b> States, political subdivisions of states, and their contractors must comply with Section 6002 of the Solid Waste Disposal Act, Pub. L. No. 89-272 (1965), (codified as amended by the Resource Conservation and Recovery Act, 42 U.S.C. § 6962.) The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.
<b>Article 29</b>	<b>Rehabilitation Act of 1973</b> Recipients must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, Pub. L. No. 93-112 (1973), (codified as amended at 29 U.S.C. § 794,) which provides that no otherwise qualified handicapped individuals in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.
<b>Article 30</b>	<b>Reporting of Matters Related to Recipient Integrity and Performance</b> If the total value of any currently active grants, cooperative agreements, and procurement contracts from all federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this federal award, then the recipients must comply with the requirements set forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated here by reference in the award terms and conditions.
<b>Article 31</b>	<b>Reporting Subawards and Executive Compensation</b> Recipients are required to comply with the requirements set forth in the government-wide award term on Reporting Subawards and Executive Compensation located at 2 C.F.R. Part 170, Appendix A, the full text of which is incorporated here by reference in the award terms and conditions.

<b>Article 32</b>	<b>SAFECOM</b> Recipients receiving federal financial assistance awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.
<b>Article 33</b>	<b>Terrorist Financing</b> Recipients must comply with E.O. 13224 and U.S. laws that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Recipients are legally responsible to ensure compliance with the Order and laws.
<b>Article 34</b>	<b>Trafficking Victims Protection Act of 2000 (TVPA)</b> Recipients must comply with the requirements of the government-wide financial assistance award term which implements Section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), codified as amended at 22 U.S.C. § 7104. The award term is located at 2 C.F.R. § 175.15, the full text of which is incorporated here by reference.
<b>Article 35</b>	<b>Universal Identifier and System of Award Management (SAM)</b> Recipients are required to comply with the requirements set forth in the government-wide financial assistance award term regarding the System for Award Management and Universal Identifier Requirements located at 2 C.F.R. Part 25, Appendix A, the full text of which is incorporated here by reference.
<b>Article 36</b>	<b>USA Patriot Act of 2001</b> Recipients must comply with requirements of Section 817 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT Act), Pub. L. No. 107-56, which amends 18 U.S.C. §§ 175–175c.
<b>Article 37</b>	<b>Use of DHS Seal, Logo and Flags</b> Recipients must obtain permission from their DHS FAO prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.
<b>Article 38</b>	<b>Whistleblower Protection Act</b> Recipients must comply with the statutory requirements for whistleblower protections (if applicable) at 10 U.S.C § 2409, 41 U.S.C. § 4712, and 10 U.S.C. § 2324, 41 U.S.C. §§ 4304 and 4310.

**Article 39 Acceptance of Post Award Changes**

In the event FEMA determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate recipient acceptance of the changes to the award. Please call the FEMA/GMD Call Center at (866) 927-5646 or via e-mail to ASK-GMD@dhs.gov if you have any questions.

**Article 40 Prior Approval for Modification of Approved Budget**

Before making any change to the DHS/FEMA approved budget for this award, you must request prior written approval from DHS/FEMA where required by 2 C.F.R. § 200.308. DHS/FEMA is also utilizing its discretion to impose an additional restriction under 2 C.F.R. § 200.308(e) regarding the transfer of funds among direct cost categories, programs, functions, or activities. Therefore, for awards with an approved budget where the Federal share is greater than the simplified acquisition threshold (currently \$250,000), you may not transfer funds among direct cost categories, programs, functions, or activities without prior written approval from DHS/FEMA where the cumulative amount of such transfers exceeds or is expected to exceed ten percent (10%) of the total budget DHS/FEMA last approved. You must report any deviations from your DHS/FEMA approved budget in the first Federal Financial Report (SF-425) you submit following any budget deviation, regardless of whether the budget deviation requires prior written approval.

**Article 41 Disposition of Equipment Acquired Under the Federal Award**

When original or replacement equipment acquired under this award by the recipient or its subrecipients is no longer needed for the original project or program or for other activities currently or previously supported by DHS/FEMA, you must request instructions from DHS/FEMA to make proper disposition of the equipment pursuant to 2 C.F.R. § 200.313.

**Article 42 Environmental Planning and Historic Preservation**

DHS/FEMA funded activities that may require an EHP review are subject to FEMA's Environmental Planning and Historic Preservation (EHP) review process. This review does not address all Federal, state, and local requirements. Acceptance of Federal funding requires recipient to comply with all Federal, state and local laws. Failure to obtain all appropriate federal, state and local environmental permits and clearances may jeopardize Federal funding. DHS/FEMA is required to consider the potential impacts to natural and cultural resources of all projects funded by DHS/FEMA grant funds, through its EHP Review process, as mandated by the National Environmental Policy Act; National Historic Preservation Act of 1966, as amended; National Flood Insurance Program regulations; and, any other applicable laws and Executive Orders. To access the FEMA's Environmental and Historic Preservation (EHP) screening form and instructions go to the DHS/FEMA website at: <https://www.fema.gov/media-library/assets/documents/90195>. In order to initiate EHP review of your project(s), you must complete all relevant sections of this form and submit it to the Grant Programs Directorate (GPD) along with all other pertinent project information. Failure to provide requisite information could result in delays in the release of grant funds. If ground disturbing activities occur during construction, applicant will monitor ground disturbance, and if any potential archeological resources are discovered, applicant will immediately cease work in that area and notify the pass-through entity, if applicable, and DHS/FEMA.

## Obligating document

<b>1. Agreement No.</b> EMW-2020-FG-01473	<b>2. Amendment No.</b> N/A	<b>3. Recipient No.</b> 946000437	<b>4. Type of Action</b> AWARD	<b>5. Control No.</b> WX03218N2020T		
<b>6. Recipient Name and Address</b> SUISUN CITY, CITY OF 621 PINTAIL DR SUISUN CITY, CA 94585		<b>7. Issuing FEMA Office and Address</b> Grant Programs Directorate 500 C Street, S.W. Washington DC, 20528-7000 1-866-927-5646		<b>8. Payment Office and Address</b> FEMA, Financial Services Branch 500 C Street, S.W., Room 723 Washington DC, 20742		
<b>9. Name of Recipient Project Officer</b> Michelle Zunino		<b>9a. Phone No.</b> 7073652406	<b>10. Name of FEMA Project Coordinator</b> Assistance to Firefighters Grant Program		<b>10a. Phone No.</b> 1-866-274-0960	
<b>11. Effective Date of This Action</b> 07/06/2020	<b>12. Method of Payment</b> OTHER - FEMA GO	<b>13. Assistance Arrangement</b> COST SHARING		<b>14. Performance Period</b> 07/13/2020 to 07/12/2021 <b>Budget Period</b> 07/13/2020 to 07/12/2021		
<b>15. Description of Action a. (Indicate funding data for awards or financial changes)</b>						
<b>Program Name Abbreviation</b>	<b>Assistance Listings No.</b>	<b>Accounting Data(ACCS Code)</b>	<b>Prior Total Award</b>	<b>Amount Awarded This Action + or (-)</b>	<b>Current Total Award</b>	<b>Cumulative Non-Federal Commitment</b>
AFG	97.044	2020-FC-GB01 - P431-xxxx-4101-D	\$0.00	\$36,120.35	\$36,120.35	\$3,612.04
Totals			\$0.00	\$36,120.35	\$36,120.35	\$3,612.04
<b>b. To describe changes other than funding data or financial changes, attach schedule and check here:</b> N/A						
<b><del>16. FOR NON-DISASTER PROGRAMS: RECIPIENT IS REQUIRED TO SIGN AND RETURN THREE (3) COPIES OF THIS DOCUMENT TO FEMA (See Block 7 for address)</del></b> This field is not applicable for digitally signed grant agreements						

<b>17. RECIPIENT SIGNATORY OFFICIAL (Name and Title)</b>	<b>DATE</b>
<b>18. FEMA SIGNATORY OFFICIAL (Name and Title)</b>	<b>DATE</b>
<b>Bridget Bean, Assistant Administrator Grant Programs Directorate</b>	<b>07/06/2020</b>

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## AGENDA TRANSMITTAL

**MEETING DATE:** August 4, 2020

**CITY AGENDA ITEM:** Council Adoption of Council Resolution No. 2020-\_\_: Adopting the City of Suisun City Recreation Partnership Policy

**FISCAL IMPACT:** Adopting the City of Suisun City Recreation Partnership policy does not have any fiscal impact.

**STRATEGIC PLAN IMPACT:** Provide Good Governance.

**BACKGROUND:** For many years the City of Suisun City Recreation, Parks, and Marina Department (RPM) has worked with a variety of organizations to provide programs, services, facilities, and park enhancements to Suisun City residents. As the RPM Department provides more activities to the community, it seeks further expansion of partnerships to increase opportunities but minimizing cost. With the goal of expanding partnerships, the RPM Department recognized the need to create more formal policies and procedures in order to ensure that the partnerships are consistent with RPM's mission and that partners are treated with consistency and equity. Business associations, community based organizations, civic groups, and school districts have all been partners with Suisun City in the past. These partners although beneficial to the community have never had a formal agreement that delineates the process, financial considerations, liability concerns, and staff resources used to manage these partnerships.

**STAFF REPORT:** The purpose of the Partnership Policy is to establish policies, guidelines and procedures that govern how partnerships between Suisun City Recreation, Parks, and Marina (RPM) and external entities are evaluated, entered into and managed. This policy provides a framework for expanding opportunities for interested parties to engage the community and support the mission of the RPM Department.

The purpose of a partnership is to expand or enhance the services RPM delivers to Suisun City citizens. Partnerships should be willing and able to mobilize additional resources for park and recreation programs while also promoting greater effectiveness of those programs. Partnerships also positively affect the quality of recreational, cultural and outdoor experiences.

Partnerships must be recognized in one of the following categories:

- Community Groups
- Businesses or corporations
- Social service clubs
- Faith based organizations
- Non-profit organizations
- Volunteer/neighborhood organizations
- Governmental entities
- Public school districts

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

Kris Lofthus, Recreation, Parks, and Marina Director  
Greg Folsom, City Manager

Partners generally provide one or more of the following activities:

- Funding for programs or projects
- Volunteer time
- Programming and activation services for constituents
- Park and facility operational support and improvements
- In-kind goods and services
- Park and recreation facility development and maintenance

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**RECOMMENDATION:** It is recommended that the City Council adopt Resolution No. 2020-\_\_: Adopting the City of Suisun City Recreation Partnership Policy

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**ATTACHMENTS:**

1. Resolution No. 2020-\_\_: Adopting the City of Suisun City Recreation Partnership Policy
2. City of Suisun Partnership Policy
3. City of Suisun City Partnership Application

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**RESOLUTION NO. 2020-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY  
ADOPTING THE CITY OF SUISUN CITY PARTNERSHIP POLICY**

**WHEREAS,** It is the desire of the City Council to provide more services to the community while minimizing costs; and

**WHEREAS,** Suisun City values the current and past partners, but must establish polices, guidelines, and procedures to govern said partnerships; and

**WHEREAS,** the Suisun City Partnership Policy will enhance the services delivered by the Recreation, Parks, and Marina Department; and

**WHEREAS,** Partnerships positively affect the quality of recreational, cultural and outdoor experiences by providing funding for projects, volunteers, programming activation, park and facility operational support and improvements, in-kind goods and services, and park and recreation facility development; and

**NOW, THEREFORE, BE IT RESOLVED,** that the City Council adopting the City of Suisun City Partnership Policy public.

**PASSED AND ADOPTED** at a Regular Meeting of said City Council of the City of Suisun City duly held on Tuesday, the 4th day of August 2020, 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 4<sup>th</sup> day of August 2020.

\_\_\_\_\_  
Donna Pock, CMC  
Deputy City Clerk

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## City of Suisun City Recreation, Parks, & Marina Department

### PARTNERSHIP POLICY

1. **Policy Purpose:** The purpose of the Partnership Policy is to establish policies, guidelines and procedures that govern how partnerships between Suisun City Recreation, Parks, and Marina (RPM) and external entities are evaluated, entered into and managed. This policy provides a framework for expanding opportunities for interested parties to engage the community and support the mission of the RPM Department.
2. **Partnership Purpose:** The purpose of a partnership is to expand or enhance the services RPM delivers to Suisun City citizens. Partnerships should be willing and able to mobilize additional resources for park and recreation programs while also promoting greater effectiveness of those programs. Partnerships also positively affect the quality of recreational, cultural and outdoor experiences.
3. **Background:** For many years the RPM Department has worked with a variety of organizations to provide programs, services, facilities, and park enhancements to Suisun City residents. As the RPM Department grows, it seeks further expansion of partnerships to increase opportunities but minimize cost. With the goal of expanding partnerships, the RPM Department recognized the need to create more formal policies and procedures in order to ensure that the partnerships are consistent with RPM's mission and that partners are treated with consistency and equity.
4. **Partnership Categories:** Suisun City Recreation, Parks, and Marina engages with partners that fall into one of the following categories:
  - Community Groups
  - Businesses or corporations
  - Social service clubs
  - Faith based community
  - Non-profit organizations
  - Volunteer/neighborhood organizations
  - Governmental entities
  - Public School Districts

Partners generally provide one or more of the following activities:

- Funding for programs or projects
- Volunteer time
- Programming and activation services for constituents
- Park and facility operational support and improvements
- In-kind goods and services
- Park and recreation facility development and maintenance

**5. Definitions:**

- **Partnership:** a working relationship with another organization that has compatible values and goals which results in mutual benefit. The partnership may be formed around a single activity or event, or it may be long-term and multi-faceted. This definition of Partnership specifically excludes any agency or legal partnership as a separate business entity or joint venture relationship with the City.
  - **Partner:** an individual, organization or group that, through a written agreement, provides a service or benefit to Suisun City Recreation, Parks, and Marina or Suisun City's citizens and in exchange gets some benefit from Suisun City Recreation, Parks, and Marina.
  - **Partnership Application:** a standardized application each potential Partner completes and submits to RPM.
  - **Partnership Agreement:** a written and formally executed agreement between RPM and an outside party that details the terms of the Partnership. The Partnership Agreement must be signed by all parties, including formal execution in accordance with City laws, before Partner work can begin.
  - **Public Benefit:** an activity or service that accomplishes a public purpose promoting the needs, interests, social, economic and cultural well-being, or the health and safety of a community and complements the vision and direction of RPM.
6. **Guidelines:** All partnership applications will be evaluated based upon the following guidelines. The guidelines are delineated by required conditions and compatible considerations.

**Required Conditions:**

- The Partnership must align with RPM's missions, values and goals.
- The Partnership must comply with all applicable laws, rules and policies.
- The Partner must have the necessary competency, resources, or license(s) (if applicable) to engage in the proposed activity.
- The Partner must meet insurance coverage requirements as determined by the City's Risk Management Division.
- The Partner must agree to submit proposed activities to RPM for review and approval.
- The Partner must agree to meet all applicable RPM maintenance standards and construction requirements (if applicable)
- The Partner must attest to receiving and agree to following all communication

requirements which include:

- Regular communication
- Public meetings (as necessary)
- Fundraising and development
- Branding requirements (City Logo)

Compatibility Considerations:

- Is the proposed Partnership activity consistent with RPM's current priorities?
- Does the Partnership provide public benefit by increasing access to parks, facilities and/or RPM programs?
- Does the Partnership meet the needs and interests of underserved or diverse populations?
- Does the Partnership engage populations that otherwise do not utilize RPM programs and services?
- If the proposed Partnership activity displaces existing RPM programs or other Partner programs, does it allow RPM to reallocate current resources to new programs and services, provide more benefit to the public or increase the efficiency of utilization of RPM resources?
- If the proposed Partnership activity is housed at a RPM facility and the activity is similar to a program that RPM has already established at this facility, does the proposed activity add value?
- Does the Partnership require RPM to commit resources or create the expectation of RPM to commit resources in the future?
- Does the proposed activity adversely impact or restrict public access, or require an adverse change in use to parks, facilities, programs or natural areas?
- Does the proposed Partnership activity create public safety issues or concerns?
- Does the Partnership increase RPM's capacity to deliver or enhance the quality of existing programs or services?
- Does the Partnership have the potential to reduce RPM operating, maintenance or capital costs?
- Will the Partnership provide money, labor (manual or employment), political support, overall management or operational assistance to RPM?
- Will the Partnership promote undue or over commercialization or a perception of undue or over commercialization without offset of public benefit?

- Does the proposed Partnership activity negatively impact traffic, parking or the public's enjoyment of the park or facility?
- Will the proposed Partnership activity create noise that will be a disturbance to users or the surrounding community?
- Will the activities performed through the Partnership generate revenue to the City?

Potential Partnerships will be evaluated on a case by case basis based on the information in the Partnership Application. Applications may also require additional review or approval by the Recreation, Parks, Marina, and Arts Commission or City Council.

7. **Procedures:** Potential Partnerships shall be evaluated on an individual basis and the following process must be followed:

- All potential Partnership opportunities must be sent to the Recreation, Parks, and Marina Director or designee.
- Interested party must complete the Partnership Application.
- Partnership Application is submitted to the RPM Director.
- RPM Director identifies appropriate RPM staff to include in the evaluation of the proposed Partnership.
- RPM staff review application for content and assess the application utilizing the established guidelines.
- RPM Director will determine whether the application is approved, denied or requires additional information or approval.
- RPM Department notifies applicant of application status.
- If approved the application will run through the following approval process:
  - RPM Staff will look for similar agreements to create consistency among partnerships.
  - RPM Staff and applicant will negotiate the terms of the agreement.
  - RPM Staff will inform the Applicant whether the Recreation, Parks, Marina, and Arts Commission or City Council review or approval is needed.
  - RPM Director along with the City Attorney's Office (as required) will finalize the terms of the Agreement and prepare for formal execution.
- If the Application is approved, RPM will draft a written agreement and process it according to established procedures and forward to the Partner for review and signature.



**City of Suisun City**  
**Recreation, Parks, & Marina Department**  
**PARTNERSHIP APPLICATION**

Organization Name: \_\_\_\_\_

Main Contact Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Other Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Email Address: \_\_\_\_\_

Website: \_\_\_\_\_

2nd Contact Name: \_\_\_\_\_

2nd Contact Phone: \_\_\_\_\_ Other Phone: \_\_\_\_\_

2nd Contact Email: \_\_\_\_\_

**Type of Partnership**

- Community Group
- Business or Corporation
- Social Service Club
- Non-Profit
- Volunteer
- Government
- Public School District

**Partnership Activity (Check all that apply)**

- Funding
- Volunteer
- Programming
- Park or Facility Operational Support
- Park or Facility Development
- In-Kind Goods or Services

**PARTNERSHIP DESCRIPTION**

Location: Please list location of activity, park, community center, or other location. If necessary, attach map.

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Please describe in detail proposed partnership activity. Please include scope of those you serve, e.g. the number of people, frequency of proposed activity, scale of program, program duration, etc.

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Does the City of Suisun City currently offer this activity?

- Yes
- No
- Not Sure

If “Yes” please explain how the proposed activity is different or complementary to Suisun City’s activity.

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Does this project include other partners?

- Yes
- No

If "Yes" Please list each partner and their role in this activity.

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What is the benefit of your activity to the Suisun City community?

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What is the benefit to the City of Suisun City?

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Please describe in detail why you or your organization is qualified to offer this specific activity.

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Other information you would like to share.

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## **SUPPORTING DOCUMENTATION**

Please include the following:

### **Costs:**

Please attach a complete proposed partnership budget. The following items must be included:

- a. City staffing requirements
- b. How are you funding this service?
- c. Sources of your funding
- d. What is your capacity to manage this activity
- e. Total project costs

### **Other Supporting Documentation:**

- a. Project design
- b. Letters of support
- c. Management plan – long and short term
- d. Monitoring plan – long and short term
- e. Insurance

## AGENDA TRANSMITTAL

**MEETING DATE:** August 4, 2020

**CITY AGENDA ITEM:** Council Adoption of Ordinance No. \_\_\_ : Amending Sections 8.04.010 (Definitions) and 8.04.020 (Possession, sale, or discharges generally), and Adding Sections 8.04.054 (Social host liability) and 8.04.070 (Penalty) of Chapter 8.04 (Fireworks) of Title 8 (Health and safety), and Amending Section 1.20.050 (Amount of administrative penalties) of Chapter 1.20 (Administrative citations) of Title 1 (General provisions) of the Suisun City Municipal Code Relating to Social Host Liability Provisions. (Introduced and Reading Waived on June 16<sup>th</sup>, 2020)

**FISCAL IMPACT:** There is no fiscal impact to the City.

**STRATEGIC PLAN IMPACT:** Provide Good Governance; Ensure Public Safety; and Enhance the Environment.

**BACKGROUND:** On June 16<sup>th</sup>, 2020 the City Council held a public hearing where staff recommended that the Council introduce and waive further reading of the Ordinance 8.04.054 and also adopt, by a 4/5 vote, the same version of Ordinance No. 772 on an urgency basis, so that it could be effective for this year's July 4<sup>th</sup> celebrations.

**STAFF REPORT:** Staff is recommending that Chapter 8.04 (Fireworks) be amended to include a new "social host" regulation in order to ensure those who have possession of a residence or other property are held legally responsible for dangerous illegal fireworks possessions and use on that property.

In developing the amendments to the ordinance, the Fire Department reviewed like ordinances for reference, and is recommending to align the fireworks fines with the fines associated with other current public nuisances such as underage alcohol consumption at parties' social events at private residents. Once a first draft of an ordinance was developed, staff consulted the City Attorney for legal review.

The significant changes are as follows (a tracked version of the ordinance is included for the council's convenience):

- Added definition of social host
- Added social host liability provisions
- Added administrative fines in an amount of \$1,000 for the first offense, \$1,500 for the second, and \$2,000 for the third offense within a 12-month period

**RECOMMENDATION:** It is recommended that the City Council adopt the Ordinance as submitted by staff.

01107.0010/651822.1

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

Justin Vincent, Fire Chief  
Greg Folsom, City Manager

Council Adoption of Ordinance No. \_\_\_ : Amending Sections 8.04.010 (Definitions) and 8.04.020 (Possession, sale, or discharges generally), and Adding Sections 8.04.054 (Social host liability) and 8.04.070 (Penalty) of Chapter 8.04 (Fireworks) of Title 8 (Health and safety), and Amending Section 1.20.050 (Amount of administrative penalties) of Chapter 1.20 (Administrative citations) of Title 1 (General provisions) of the Suisun City Municipal Code Relating to Social Host Liability Provisions. (Introduced and Reading Waived on June 16th, 2020)

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**ATTACHMENTS:**

1. Council Adoption of Ordinance No. \_\_\_ : Amending Sections 8.04.010 (Definitions) and 8.04.020 (Possession, sale, or discharges generally), and Adding Sections 8.04.054 (Social host liability) and 8.04.070 (Penalty) of Chapter 8.04 (Fireworks) of Title 8 (Health and safety), and Amending Section 1.20.050 (Amount of administrative penalties) of Chapter 1.20 (Administrative citations) of Title 1 (General provisions) of the Suisun City Municipal Code Relating to Social Host Liability Provisions. (Introduced and Reading Waived on June 16<sup>th</sup>, 2020).
2. Ordinance with tracked changes.

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUISUN, CALIFORNIA, AMENDING SECTIONS 8.04.010 (DEFINITIONS) AND 8.04.020 (POSSESSION, SALE, OR DISCHARGES GENERALLY), AND ADDING SECTIONS 8.04.054 (SOCIAL HOST LIABILITY) AND 8.04.070 (PENALTY) OF CHAPTER 8.04 (FIREWORKS) OF TITLE 8 (HEALTH AND SAFETY), AND AMENDING SECTION 1.20.050 (AMOUNT OF ADMINISTRATIVE PENALTIES) OF CHAPTER 1.20 (ADMINISTRATIVE CITATIONS) OF TITLE 1 (GENERAL PROVISIONS) OF THE SUISUN CITY MUNICIPAL CODE RELATING TO SOCIAL HOST LIABILITY PROVISIONS**

**WHEREAS**, the City of Suisun (City) is authorized to regulate or prohibit the sale, use, or discharge of fireworks pursuant to California Health and Safety Code section 12541; and

**WHEREAS**, pursuant to Chapter 8.04 (Fireworks) of the City of Suisun Municipal Code (SMC), the City currently prohibits the sale, possession and use of “dangerous fireworks,” as defined by state law, within the City, unless the fire chief grants a permit for activities enumerated in California Health and Safety Code section 12640; and

**WHEREAS**, the City periodically reviews its ordinances to ensure that they are achieving their aims, while continuing to adhere to legal requirements; and

**WHEREAS**, the City Council of the City of Suisun City finds that the aims of Chapter 8.04 would be better achieved by penalizing not only those individuals who use fireworks in violation of the SMC, but also those individuals who allow such illegal use on property that they either own or control; and

**WHEREAS**, Chapter 8.04 of the Municipal Code, however, does not currently include a fireworks “social host” ordinance; and

**WHEREAS**, the City has experienced an increased use of illegal fireworks around the 4th of July and New Year’s Eve celebrations each year and wishes to implement an ordinance in order to reduce the likelihood of injuries or property damage as a result of these illegal fireworks; and

**WHEREAS**, the City desires to implement a new “social host” regulation in order to ensure those who have possession of a residence or other property are held legally responsible for dangerous illegal firework possession and use on that property; and

**WHEREAS**, the City Council finds that holding property owners responsible for illegal firework use is necessary to protect the public health, safety and welfare; and

**WHEREAS**, the City Council desires to amend and update its Municipal Code to reflect the current needs of the City, and to ensure the health, safety and welfare of the public and law enforcement personnel.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SUISUN CITY AS FOLLOWS:**

**SECTION 1.** The forgoing recitals are true and correct and incorporated herein by this reference.

**SECTION 2.** Section 8.04.010 (Definitions) of Chapter 8.04 (Fireworks) of Title 8 (Health and Safety) of the Suisun Municipal Code is amended to read:

- A. "Dangerous fireworks" shall mean "dangerous fireworks" as defined in California Health and Safety Code Sections 12505 and 12561, and the relevant sections of Title 19, California Code of Regulations, and Subchapter 6, which are hereby incorporated by reference.
- B. "Fireworks stand" shall mean any structure of a temporary nature used in the sale, offering for sale or display for sale of "safe and sane fireworks."
- C. "Fireworks wholesaler" shall mean any person, other than an importer, exporter or manufacturer, who purchases fireworks from a manufacturer, importer or exporter for resale to a retailer or any other person for resale, or any person who sells fireworks to other wholesalers or retailers for resale.
- D. "Nonprofit organization" shall mean any nonprofit association, charity or corporation organized primarily for veteran, patriotic, welfare, civic betterment, religious, athletic or charitable purposes pursuant to the Internal Revenue Code or state revenue and taxation code, or a group that is an integral part of a recognized national organization having such tax-exempt status, or an organization affiliated with and officially recognized by an elementary school, middle school and/or high school and/or school district that serves, in whole or in part, the residents of the city.
- E. "Person" shall mean a natural person or a legal entity that is also an owner, tenant, lessee and/or other person with any right to possession or control of the property where a violation of this code occurred.
- F. "Serving Suisun City residents and businesses" shall be determined by, but not limited to, principal or permanent location within city limits, a significant service population of city residents, and a significant percentage of members residing in or owning businesses in the city.
- G. "Qualified applicants" shall mean any group or organization that has met all of the following criteria for a continuous period of not less than one full year preceding submittal of an application for a permit to sell required by this chapter, and that continues to meet the criteria for the duration of any permit to sell issued by the city pursuant to this chapter:
  - 1. The organization shall be a nonprofit organization. Only one application per nonprofit organization will be allowed. If an organization is affiliated with a recognized educational institution as defined in this section, but maintains a separate tax-exempt status with the Internal Revenue Service or the state franchise tax board, said nonprofit organization shall be allowed a separate application.

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2. The organization shall be organized primarily for educational, youth development, veterans, patriotic, welfare, civic betterment, religious, athletic, or charitable purposes. City council, at its discretion, may determine priorities and preferences amongst the population served by the nonprofit organization for purposes of selecting organizations to sell fireworks pursuant to this chapter.
3. Has a minimum bona fide membership of at least ten members who have agreed to participate and staff a fireworks sales stand.
4. Has not been found by any court of competent jurisdiction or city administrative hearing officer to be in violation of any civil or criminal local, state or federal law within 24 calendar months prior to the organization's submittal of an application for a permit to sell fireworks;
5. Has not had a permit to sell fireworks revoked within 24 months prior to the organization's submittal of an application for a permit to sell fireworks.

H. "Safe and sane fireworks" (or "state-approved fireworks") shall mean "safe and sane fireworks" as set forth in California Health and Safety Code Sections 12529 and 12562 and the relevant sections of Title 19, California Code of Regulations, Subchapter 6, which are hereby incorporated by reference.

I. "Designated sales period" is the applicable period set forth in the current city council resolution during which sane and sane fireworks may be sold.

J. "Property" shall mean:

1. Private Property including: a home, yard, apartment, condominium, hotel, or motel room or other dwelling unit, a hall or meeting room, or commercial property, whether occupied on a temporary or permanent basis, whether occupied as a dwelling, party or other social function, and whether owned, leased, rented, or used with or without compensation.
2. Public Property such as rented or reserved public facilities including space at a public park or beach.

K. "Social host" means any of the following:

1. Any owner of property as listed on the most recent assessment roll;
2. Any person who has the right to use, possess or occupy a property under a lease, permit, license, rental agreement, reservation or contract; or
3. Any person who hosts, organizes, supervises, officiates, conducts, or accepts responsibility for a gathering.

**SECTION 3.** Section 8.04.020 (Possession, sale, or discharge generally) of Chapter 8.04 (Fireworks) of Title 8 (Health and Safety) of the Suisun Municipal Code is amended to read:

1 “8.04.020 - Possession, sales, or discharge generally.

2 It is unlawful to possess, sell, or discharge any and all fireworks, as defined by the  
3 California Health and Safety Code, and the California Fire Code as adopted by the  
4 city, or to permit the same, within the city limits unless specifically allowed in this  
5 chapter.

6 **SECTION 4.** Section 8.04.054 (Social host liability) of Chapter 8.04 (Fireworks) of Title 8  
(Health and Safety) of the Suisun Municipal Code is added to read:

7 “8.04.054 Social host liability

8 Any social host shall be strictly liable and subject to a fine for any unlawful ignition,  
9 use, discharge or display of any fireworks in violation of Sections 8.04.020 or  
10 8.04.050 at their property or gathering.”

11 **SECTION 5.** Section 8.04.070 (Penalty) of Chapter 8.04 (Fireworks) of Title 8 (Health and  
12 Safety) of the Suisun Municipal Code is added to read:

13 “8.04.070 Penalty

14 Violations of this chapter are subject to the penalties provided for in Chapters 1.08  
15 (General Penalty) and 1.20 (Administrative Citations), provided that the amount of  
16 any administrative citation shall be as follows:

- 17 1. \$1,000 for a first violation;
- 18 2. \$1,500 for a second violation within a 12-month period;
- 19 3. \$2,000 for a third violation within a 12-month period.

20 All fines that are not timely paid or appealed are subject to a 10% late fee.”

21 **SECTION 6.** Section 1.20.050 (Amount of administrative penalties) of Chapter 1.20  
22 (Administrative Citations) of Title 1 (General Provisions) is amended to read:

23 “1.20.050 - Amount of administrative penalties.

24 The amounts of administrative penalties for code violations imposed pursuant to this  
25 chapter are set forth in Chapter 1.08, "General penalty," of the Suisun City Code,  
26 except where otherwise specified.”

27 **SECTION 7. EFFECT OF AMENDMENTS.** Except as otherwise specifically provided in  
28 this Ordinance, all other provisions of Title 8 of the City of Suisun Municipal Code remain  
the same.

**SECTION 8. SEVERABILITY.** 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 competent jurisdiction, such decision will 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, or phrase not declared  
invalid or unconstitutional without regard to whether any portion of the ordinance would be  
subsequently declared invalid or unconstitutional.

**SECTION 9. ADOPTION AND EFFECTIVE DATE.** This Ordinance shall be in full  
force and effect thirty (30) days after its second reading and adoption.

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**SECTION 10.** LIBERAL CONSTRUCTION. The provisions of these Sections shall be liberally construed as necessary to effectively carry out its purposes, which are hereby found and declared to be in furtherance of the public health, safety and convenience.

**SECTION 11.** PUBLICATION. The City Clerk is directed to cause this Ordinance to be published within 15 days of its passage in a newspaper of general circulation published and circulated within the City of Suisun.

[SIGNATURES OF FOLLOWING PAGE]

**PASSED, APPROVED, AND ADOPTED** at a regular meeting of the City Council  
of the City of Suisun City, California, on this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

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\_\_\_\_\_  
Lori D. Wilson, Mayor

ATTEST:

\_\_\_\_\_  
Donna Pock, CMC  
Deputy City Clerk

APPROVED AS TO FORM  
AND LEGAL CONTENT:

\_\_\_\_\_  
Aleshire & Wynder, LLP

**CERTIFICATION**

I, Donna Pock, Deputy City Clerk of the City of Suisun City and ex-officio Clerk of  
the City Council of said City, do hereby certify that the above and foregoing ordinance was  
introduced at a regular meeting of the said City Council held on \_\_\_\_\_, 2020 and  
passed and adopted at a regular meeting of said City Council held on \_\_\_\_\_,  
2020, by the following vote:

**AYES:** Councilmembers: \_\_\_\_\_  
**NOES:** Councilmembers: \_\_\_\_\_  
**ABSENT:** Councilmembers: \_\_\_\_\_  
**ABSTAIN:** Councilmembers: \_\_\_\_\_

**WITNESS** my hand and the seal of said City this \_\_\_\_\_ day of \_\_\_\_\_  
\_\_\_\_\_ 2020.

\_\_\_\_\_  
Donna Pock, CMC  
Deputy City Clerk

**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUISUN, CALIFORNIA, AMENDING SECTIONS 8.04.010 (DEFINITIONS) AND 8.04.020 (POSSESSION, SALE, OR DISCHARGES GENERALLY), AND ADDING SECTIONS 8.04.054 (SOCIAL HOST LIABILITY) AND 8.04.070 (PENALTY) OF CHAPTER 8.04 (FIREWORKS) OF TITLE 8 (HEALTH AND SAFETY), AND AMENDING SECTION 1.20.050 (AMOUNT OF ADMINISTRATIVE PENALTIES) OF CHAPTER 1.20 (ADMINISTRATIVE CITATIONS) OF TITLE 1 (GENERAL PROVISIONS) OF THE SUISUN CITY MUNICIPAL CODE RELATING TO SOCIAL HOST LIABILITY PROVISIONS**

**WHEREAS**, the City of Suisun (City) is authorized to regulate or prohibit the sale, use, or discharge of fireworks pursuant to California Health and Safety Code section 12541; and

**WHEREAS**, pursuant to Chapter 8.04 (Fireworks) of the City of Suisun Municipal Code (SMC), the City currently prohibits the sale, possession and use of “dangerous fireworks,” as defined by state law, within the City, unless the fire chief grants a permit for activities enumerated in California Health and Safety Code section 12640; and

**WHEREAS**, the City periodically reviews its ordinances to ensure that they are achieving their aims, while continuing to adhere to legal requirements; and

**WHEREAS**, the City Council of the City of Suisun City finds that the aims of Chapter 8.04 would be better achieved by penalizing not only those individuals who use fireworks in violation of the SMC, but also those individuals who allow such illegal use on property that they either own or control; and

**WHEREAS**, Chapter 8.04 of the Municipal Code, however, does not currently include a fireworks “social host” ordinance; and

**WHEREAS**, the City has experienced an increased use of illegal fireworks around the 4<sup>th</sup> of July and New Year’s Eve celebrations each year and wishes to implement an ordinance in order to reduce the likelihood of injuries or property damage as a result of these illegal fireworks; and

**WHEREAS**, the City desires to implement a new “social host” regulation in order to ensure those who have possession of a residence or other property are held legally responsible for dangerous illegal firework possession and use on that property; and

**WHEREAS**, the City Council finds that holding property owners responsible for illegal firework use is necessary to protect the public health, safety and welfare; and

**WHEREAS**, the City Council desires to amend and update its Municipal Code to reflect the current needs of the City, and to ensure the health, safety and welfare of the public and law enforcement personnel.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SUISUN CITY AS FOLLOWS:**

**SECTION 1.** The forgoing recitals are true and correct and incorporated herein by this reference.

**SECTION 2.** Section 8.04.010 (Definitions) of Chapter 8.04 (Fireworks) of Title 8 (Health and Safety) of the Suisun Municipal Code is amended to read (added text in **bold**, deleted text in ~~striketrough~~):

- A. "Dangerous fireworks" shall mean "dangerous fireworks" as defined in California Health and Safety Code Sections 12505 and 12561, and the relevant sections of Title 19, California Code of Regulations, and Subchapter 6, which are hereby incorporated by reference.
- B. "Fireworks stand" shall mean any structure of a temporary nature used in the sale, offering for sale or display for sale of "safe ad sane fireworks."
- C. "Fireworks wholesaler" shall mean any person, other than an importer, exporter or manufacturer, who purchases fireworks from a manufacturer, importer or exporter for resale to a retailer or any other person for resale, or any person who sells fireworks to other wholesalers or retailers for resale.
- D. "Nonprofit organization" shall mean any nonprofit association, charity or corporation organized primarily for veteran, patriotic, welfare, civic betterment, religious, athletic or charitable purposes pursuant to the Internal Revenue Code or state revenue and taxation code, or a group that is an integral part of a recognized national organization having such tax-exempt status, or an organization affiliated with and officially recognized by an elementary school, middle school and/or high school and/or school district that serves, in whole or in part, the residents of the city.
- E. "Person" shall mean a natural person or a legal entity that is also an owner, tenant, lessee and/or other person with any right to possession or control of the property where a violation of this code occurred.
- F. "Serving Suisun City residents and businesses" shall be determined by, but not limited to, principal or permanent location within city limits, a significant service

population of city residents, and a significant percentage of members residing in or owning businesses in the city.

G. "Qualified applicants" shall mean any group or organization that has met all of the following criteria for a continuous period of not less than one full year preceding submittal of an application for a permit to sell required by this chapter, and that continues to meet the criteria for the duration of any permit to sell issued by the city pursuant to this chapter:

1. The organization shall be a nonprofit organization. Only one application per nonprofit organization will be allowed. If an organization is affiliated with a recognized educational institution as defined in this section, but maintains a separate tax-exempt status with the Internal Revenue Service or the state franchise tax board, said nonprofit organization shall be allowed a separate application.

2. The organization shall be organized primarily for educational, youth development, veterans, patriotic, welfare, civic betterment, religious, athletic, or charitable purposes. City council, at its discretion, may determine priorities and preferences amongst the population served by the nonprofit organization for purposes of selecting organizations to sell fireworks pursuant to this chapter.

3. Has a minimum bona fide membership of at least ten members who have agreed to participate and staff a fireworks sales stand.

4. Has not been found by any court of competent jurisdiction or city administrative hearing officer to be in violation of any civil or criminal local, state or federal law within 24 calendar months prior to the organization's submittal of an application for a permit to sell fireworks;

5. Has not had a permit to sell fireworks revoked within 24 months prior to the organization's submittal of an application for a permit to sell fireworks.

H. "Safe and sane fireworks" (or "state-approved fireworks") shall mean "safe and sane fireworks" as set forth in California Health and Safety Code Sections 12529 and 12562 and the relevant sections of Title 19, California Code of Regulations, Subchapter 6, which are hereby incorporated by reference.

I. "Designated sales period" is the applicable period set forth in the current city council resolution during which sane and sane fireworks may be sold.

**J. "Property" shall mean:**

1. **Private Property including: a home, yard, apartment, condominium, hotel, or motel room or other dwelling unit, a hall or meeting room, or commercial property, whether occupied on a temporary or permanent basis, whether occupied as a dwelling, party or other social function, and whether owned, leased, rented, or used with or without compensation.**

2. **Public Property such as rented or reserved public facilities including space at a public park or beach K. "Social host" means any of the following:**

1. **Any owner of property as listed on the most recent assessment roll;**

2. **Any person who has the right to use, possess or occupy a property under a lease, permit, license, rental agreement, reservation or contract; or**

3. **Any person who hosts, organizes, supervises, officiates, conducts, or accepts responsibility for a gathering.**

**SECTION 3.** Section 8.04.020 (Possession, sale, or discharge generally) of Chapter 8.04 (Fireworks) of Title 8 (Health and Safety) of the Suisun Municipal Code is amended to read (added text in **bold**, deleted text in ~~strikethrough~~):

“8.04.020 - Possession, sales, or discharge generally.

It is unlawful to possess, sell, or discharge any and all fireworks, ~~the same~~ as defined by the California Health and Safety Code, and the California Fire Code as adopted by the city, **or to permit the same**, within the city limits unless specifically allowed in this chapter.

**SECTION 4.** Section 8.04.054 (Social host liability) of Chapter 8.04 (Fireworks) of Title 8 (Health and Safety) of the Suisun Municipal Code is added to read (added text in **bold**, deleted text in ~~strikethrough~~):

**“8.04.054 Social host liability**

**Any social host shall be strictly liable and subject to a fine for any unlawful ignition, use, discharge or display of any fireworks in violation of Sections 8.04.020 or 8.04.050 at their property or gathering.”**

**SECTION 5.** Section 8.04.070 (Penalty) of Chapter 8.04 (Fireworks) of Title 8 (Health and Safety) of the Suisun Municipal Code is added to read (added text in **bold**, deleted text in ~~strikethrough~~):

**“8.04.070 Penalty**

**Violations of this chapter are subject to the penalties provided for in Chapters 1.08 (General Penalty) and 1.20 (Administrative Citations), provided that the amount of any administrative citation shall be as follows:**

- 1. \$1,000 for a first violation;**
- 2. \$1,500 for a second violation within a 12-month period;**
- 3. \$2,000 for a third violation within a 12-month period.**

**All fines that are not timely paid or appealed are subject to a 10% late fee.”**

**SECTION 6.** Section 1.20.050 (Amount of administrative penalties) of Chapter 1.20 (Administrative Citations) of Title 1 (General Provisions) is amended to read (added text in **bold**, deleted text in ~~strikethrough~~):

“1.20.050 - Amount of administrative penalties.

~~A.~~—The amounts of administrative penalties for code violations imposed pursuant to this chapter are set forth in Chapter 1.08, "General penalty," of the Suisun City Code, **except where otherwise specified.**”

**SECTION 7.** **EFFECT OF AMENDMENTS.** Except as otherwise specifically provided in this Ordinance, all other provisions of Title 8 of the City of Suisun Municipal Code remain the same.

**SECTION 8.** **SEVERABILITY.** 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 competent jurisdiction, such decision will 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, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

**SECTION 9.** **ADOPTION AND EFFECTIVE DATE.** This Ordinance shall be in full force and effect thirty (30) days after its second reading and adoption.

**SECTION 10.**    **LIBERAL CONSTRUCTION.** The provisions of these Sections shall be liberally construed as necessary to effectively carry out its purposes, which are hereby found and declared to be in furtherance of the public health, safety and convenience.

**SECTION 11.**    **PUBLICATION.** The City Clerk is directed to cause this Ordinance to be published within 15 days of its passage in a newspaper of general circulation published and circulated within the City of Suisun.

[SIGNATURES OF FOLLOWING PAGE]

**PASSED, APPROVED, AND ADOPTED** at a regular meeting of the City Council of the City of Suisun City, California, on this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

\_\_\_\_\_  
Lori D. Wilson, Mayor

ATTEST:

\_\_\_\_\_  
Donna Pock, CMC  
Deputy City Clerk

APPROVED AS TO FORM  
AND LEGAL CONTENT:

\_\_\_\_\_  
Aleshire & Wynder, LLP

**CERTIFICATION**

I, Donna Pock, Deputy City Clerk of the City of Suisun City and ex-officio Clerk of the City Council of said City, do hereby certify that the above and foregoing ordinance was introduced at a regular meeting of the said City Council held on \_\_\_\_\_, 2020 and passed and adopted at a regular meeting of said City Council held on \_\_\_\_\_, 2020, by the following vote:

**AYES:** Councilmembers: \_\_\_\_\_  
**NOES:** Councilmembers: \_\_\_\_\_  
**ABSENT:** Councilmembers: \_\_\_\_\_  
**ABSTAIN:** Councilmembers: \_\_\_\_\_

**WITNESS** my hand and the seal of said City this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

\_\_\_\_\_  
Donna Pock, CMC  
Deputy City Clerk

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## AGENDA TRANSMITTAL

**MEETING DATE:** August 4, 2020

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**CITY AGENDA ITEM: ITEM OFF CALENDAR** City Council Consider Adoption of Resolution No. 2020-\_\_\_: Approving an Extension of Tentative Subdivision Map No. TSM 07-02, for the Olive Tree Ranch Project (APN's 0038-222-060, 0038-232-010, and 0032-232-020) **This item will not be heard and will be re-noticed for consideration at a future City Council meeting.**

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**STRATEGIC PLAN:** Develop Sustainable Economy.

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**BACKGROUND/STAFF REPORT:** This item was noticed in the paper for August 4, 2020 but is now cancelled. It will be re-noticed for consideration at a future staff meeting.

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**RECOMMENDATION:** It is recommended that the City Council re-notice this item for future consideration.

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

John Kearns, Senior Planner  
Greg Folsom, City Manager

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## AGENDA TRANSMITTAL

**MEETING DATE:** August 4, 2020

**CITY AGENDA ITEM:** PUBLIC HEARING: Accessory Dwelling Units:

Council Introduce and Waive Reading of Ordinance No. \_\_\_: Amending 18.30.170 of Title 18 of the Suisun City Code and Amending the Waterfront District Specific Plan, Relating to Regulations for Accessory Dwelling Units in Residential Properties

**FISCAL IMPACT:** Accessory Dwelling Units of 750 square feet or less are exempt from Development Impact Fees. There is no fiscal impact to the City's General Fund.

**STRATEGIC PLAN IMPACT:** Provide Good Governance.

**BACKGROUND:** The State legislature amendments to California law, effective January 1, 2020, regarding the creation of accessory dwelling units (ADU) and junior accessory dwelling units (JADU). Chapter 653, Statutes of 2019 (Senate Bill 13, Section 3), Chapter 655, Statutes of 2019 (Assembly Bill 68, Section 2) and Chapter 659 (Assembly Bill 881, Section 1.5 and 2.5) build upon recent changes to ADU and JADU law (Government Code Section 65852.2, 65852.22 and Health & Safety Code Section 17980.12) and further address barriers to the development of ADUs and JADUs. This action was taken in order to clarify and improve various provisions in order to promote the development of ADUs and junior accessory dwelling units (JADUs). These include allowing ADUs and JADUs to be built concurrently with a single-family dwelling; opening areas where ADUs can be created to include all zoning districts that allow single-family and multi-family uses; limited exemptions or reductions in impact fees; and reduced parking requirements.

City Staff has conducted two ADU Workshops; the first on May 1<sup>st</sup>, 2019 and the second on June 8<sup>th</sup>, 2019. Staff gave a presentation on how to apply for a building permit. A workbook was provided (Attachment 6) educating on State Legislature and the path to obtaining a permit in Suisun City, as well as current fees. At both meetings, staff took thoughts and concerns from those in attendance, and held a short exercise in which priorities of those that attended could be memorialized.

The Suisun City Planning Commission held a public hearing on March 10, 2020 in which they voted 4-1 recommending City Council adoption of the ordinance.

The City Council opened and continued the public hearing from June 16 to August 4. This allowed the City Council to consider other more urgent matters.

**STAFF REPORT:** Staff is recommending the approval of the changes to the Zoning Ordinance, Waterfront District Specific Plan and Master Fee Schedule. A complete red-line of the proposed

**PREPARED BY:**

John Kearns, Senior Planner

**REVIEWED/APPROVED BY:**

Greg Folsom, City Manager

amendments to the ordinance is included as Attachment 1. Below is a high-level summary of the significant proposed amendments:

### **Junior Accessory Dwelling Unit (JADU)**

JADUs are allowed to be created within the walls of a proposed or existing single-family residence and shall contain no more than 500 square feet. They may share central systems, contain a basic kitchen utilizing small plug-in appliances, and may share a bathroom with the primary dwelling, all to reduce development costs. JADUs present no additional stress on utility services or infrastructure because they simply repurpose existing space within the residence and do not expand the dwelling's planned occupancy.

### **Other**

- Added a purpose to the Accessory Dwelling Unit section.
- ADUs are created through the conversion of a garage, carport or covered parking structure; replacement off-street parking spaces cannot be required.
- Reduces the maximum ADU and JADU application review time from 120 days to 60 days.
- Reduces the maximum size of ADU's to 1000 square feet from 1200 square feet.
- Section 18.31 Standards for Residential Districts, Table 18.31.01 Development Standards in Residential Zones, changed to meet minimum standards for rear and side setbacks to 4 feet.
- Requires accessory dwelling unit to be constructed on a permanent foundation.
- Added a rental section, stating that the rented unit shall not be leased for any period less than 30 days.
- Updated the Recordation of Deed Restriction section legalizing the rental section.

### **Waterfront District Specific Plan**

- Main Street Mixed Use (MSMU) table; added "secondary dwellings"
- Downtown Mixed Use (DMU); added "secondary dwellings"
- Changed wording in Section 6.2 at the bottom of the page from "Ch. 18.44.150" to "Ch. 18.31.01"
- Table 6.1 Secondary Dwelling – Side Setback; changed from 0' to 4'. Change the building maximum height from 20' to 16' and in the notes under #6.

### **Master Fee Schedule – Impact Fees**

The recent changes to California Senate Bill No. 13, prohibits charging impact fees for ADUs under 750 square feet. For ADUs over 750 square feet, impact fees may be charged proportionately in relation to the primary dwelling unit square footage. ADU's are classified as multifamily and are charged under the existing multifamily rate in the master fee schedule. With the passage of the Master Fee Schedule in June, a note was included under Section 11: Development Impact Fees section stating "Accessory Dwelling Units under 750 square feet are exempt from Development Impact Fees." This is consistent with the above referenced state law.

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**RECOMMENDATION:** It is recommended that the City Council:

1. Take staff's presentation; and
2. Take Public Comment; and
3. Close the Public Hearing; and
4. Introduce and waive the reading of Ordinance No. \_\_\_\_: Repealing and Replacing Section 18.30.170 of Title 18 of the Suisun City Code and Amending the Waterfront

District Specific Plan, Relating to Regulations for Accessory Dwelling Units in Residential Properties.

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**ATTACHMENTS:**

1. Ordinance No. \_\_\_: An Ordinance of the City Council of the City of Suisun City, California, Repealing and Replacing Section 18.30.170 of Title 18 of the Suisun City Code and Amending the Waterfront District Specific Plan, Relating to Regulations for Accessory Dwelling Units in Residential Properties.
  - a. Exhibit A Waterfront Specific Plan
2. Draft Redlines.
3. PowerPoint Presentation.

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**ORDINANCE NO.**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY,  
CALIFORNIA, REPEALING AND REPLACING SECTION 18.30.170 OF TITLE 18  
OF THE SUISUN CITY CODE AND AMENDING THE WATERFRONT DISTRICT  
SPECIFIC PLAN, RELATING TO REGULATIONS FOR ACCESSORY DWELLING  
UNITS IN RESIDENTIAL PROPERTIES**

**WHEREAS**, The State legislature amendments to California law, effective January 1, 2020, regarding the creation of accessory dwelling units (ADU) and junior accessory dwelling units (JADU). Chapter 653, Statutes of 2019 (Senate Bill 13, Section 3), Chapter 655, Statutes of 2019 (Assembly Bill 68, Section 2) and Chapter 659 (Assembly Bill 881, Section 1.5 and 2.5) build upon recent changes to ADU and JADU law (Government Code Section 65852.2, 65852.22 and Health & Safety Code Section 17980.12) and further address barriers to the development of ADUs and JADUs; and

**WHEREAS**, SB13 requires jurisdictions to exempt ADU’s below 750 square feet from Development Impact Fees.

**WHEREAS**, the Suisun City Planning Commission held a public hearing on March 10, 2020 in which they voted 4-1 recommending City Council adoption of the ordinance.; and

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

**SECTION 1. RECITALS.** The City Council finds that the above recitals are true and correct and are incorporated as though fully set forth herein.

**SECTION 2. SECTION 18.04 “DEFINITIONS” OF TITLE 18 OF THE SUISUN CITY  
CODE IS HEREBY REPEALED AND REPLACED AS FOLLOWS:**

**18.04 Definitions**  
Amending 18.04 Definitions

**Accessory Dwelling Unit.** An attached or a detached residential dwelling unit that provides complete, independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions in accordance to California state building code for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multi-family dwelling is or will be situated. An accessory dwelling unit also includes an efficiency unit and a manufactured home but does not include trailers.

- a. Attached Accessory Dwelling Unit. An accessory dwelling unit that shares at least one common wall with the primary dwelling and is not fully contained within the existing space of the primary dwelling or an accessory structure.
- b. Detached Accessory Dwelling Unit. An accessory dwelling unit that does not share a common wall with the primary dwelling and is not fully contained within the existing

space of an accessory structure.

- c. Internal Accessory Dwelling Unit. An accessory dwelling unit that is fully contained within the existing space of the primary dwelling or an accessory structure.
- d. Junior Accessory Dwelling Unit. A unit that is no more than 500 square feet in size and contained entirely within a single-family residence. A junior accessory dwelling unit may include separate sanitation facilities or may share sanitation facilities with the existing structure.

**SECTION 3. SECTION 18.30.170 “ACCESSORY DWELLING UNITS” OF TITLE 18 OF THE SUISUN CITY CODE IS HEREBY REPEALED AND REPLACED AS FOLLOWS:**

**18.30.170 Accessory Dwelling Units**

Purpose. This section is intended to achieve the goals of the City’s housing element and of the California Government Code by permitting accessory dwelling units, thereby increasing housing opportunities for the community through use of existing housing resources and infrastructure.

The following regulations shall apply to all accessory dwelling units in a residential zoning district:

- A. An accessory dwelling unit may be established on any residentially zoned parcels, in any district where single-family or multi-family dwellings are a permitted use; and on any lot with an existing or proposed single-family or multi-family dwelling.
- B. Accessory dwelling units shall not exceed the allowable density for the lot upon which the accessory dwelling unit is located.
- C. Accessory dwelling units are a residential use that shall be consistent with the existing general plan and zoning designation for the lot.
- D. There will be only up to one accessory dwelling unit and one junior accessory dwelling unit per lot.
- E. The accessory dwelling unit can either be attached to and designed to be located within the living area of the existing dwelling or detached from and no less than 5 feet from the existing single family dwelling.
- F. The proposed increase in gross floor area of an attached or detached accessory dwelling unit shall not exceed 50 percent of the existing living area up to a maximum of 1000 square feet.
- G. Accessory dwelling units shall be located no closer than 4 feet from any side or rear property lines, be on the rear 50% of the lot and must meet the requirements of Section 18.31 Standards for Residential Districts, Table 18.31.01 Development Standards in Residential Zones.
- H. An internal ADU may be constructed regardless of whether it conforms to the current zoning requirement for building separation or setbacks.
- I. If an internal ADU is proposed to be constructed within an existing accessory structure, the city shall ministerially permit an expansion of the existing accessory structure by up

to 150 square feet for the purpose of accommodating ingress and egress.

1 J. If an existing structure is demolished and replaced with an accessory dwelling unit, an  
2 accessory dwelling unit may be constructed in the same location and to the same  
3 dimensions as the demolished structure.

4 K. The accessory dwelling unit shall be architecturally integrated into the existing building  
5 design.

6 L. Foundation. An accessory dwelling unit shall be constructed on a permanent foundation.

7 M. The accessory dwelling unit shall not be placed on top of any easements.

8 N. Connection Fees. A local agency is prohibited from requiring a new or separate utility  
9 connection for an accessory dwelling unit if contained within the existing space of a  
10 single-family residence or accessory structure (in accordance with Government Code  
11 Section 65852.2(f)).

12 O. Parking

13 a. Maximum of one space per unit or one space per bedroom. Tandem parking on  
14 an existing driveway is allowed, which may be within setback areas.

15 b. No additional parking for accessory dwelling units can be required when:

16 a. An accessory dwelling unit is located:

17 1. Within one-half mile walking distance of public transit;

18 2. Within an architecturally and historically significant historic  
19 district;

20 3. Within an existing primary residence or an existing accessory  
21 structure;

22 4. Within an area where off-street parking is required, but no permit  
23 is offered to the occupant of the accessory dwelling unit;

24 5. Within one block of a car share vehicle.

25 c. When a garage, carport, or covered parking structure is demolished in  
26 conjunction with the construction of an accessory dwelling unit or converted to  
27 an accessory dwelling unit, replacement parking stalls are not required for the  
28 demolished parking structure.

P. Rental

a. An accessory dwelling unit may be rented but shall not be sold or otherwise  
conveyed separately from the primary dwelling.

b. The rented unit shall not be leased for any period less than 30 days.

Q. Recordation of Deed Restriction: An executed deed restriction, on a form provided by  
the city, shall be submitted to the city prior to issuance of a building permit and shall be  
recorded prior to final occupancy. The deed restriction shall stipulate all of the  
following:

a. That the rented unit shall not be rented for any period less than 30 days at a time;

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and

- b. That the accessory dwelling shall not be sold separately from the primary dwelling.
- c. For junior accessory dwelling units, restrictions on size and attributes in conformance with this section.

**R. Ministerial consideration**

1. New Construction. If the Development Services Department receives an application to construct an accessory dwelling unit (by either adding on to an existing structure, or constructing a new detached structure), and the proposal meets all of the requirements of the Municipal Code as determined by Section 18.30.170 Accessory Dwelling Units, then within 60 days of receipt of a complete application for the accessory dwelling unit, the Development Services Department staff shall ministerially approve the application without a hearing.
2. No Expansion. If the applicant will not be adding floor area, and instead has submitted a complete application for an accessory dwelling unit entirely within the existing space of a single-family residence or accessory structure, then the director shall, without a hearing, ministerially approve a complete application for a building permit to create an accessory dwelling unit if all of the following apply:
  - a. The unit is contained entirely within the existing space of a single-family residence or accessory structure (without adding floor area to the existing residence or accessory structure) and doesn't exceed 50 percent of the existing primary dwelling.
  - b. The unit is in any district where single-family or multi-family dwellings are a permitted use.
  - c. On any lot with an existing or proposed single-family or multi-family dwelling.
  - d. The unit has independent exterior access from the existing residence.
  - e. Fire sprinklers are provided to the same extent that they are required for the primary residence.

**18.31 Standards for Residential Districts**

Amend Section 18.31 Standards for Residential Districts

Table 18.31.01 Development Standards in Residential Zones					
Development Standards	RL	RM	RH1	RH2	RMU
<b>Lot Size</b>					
<b>Setback</b>					
<b>Accessory Dwelling Unit 7.</b>					

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New Construction, Conversion and Replacing 8. 10.					
Minimum Side Setback, interior	4	4	4	4	4
Minimum Side Setback, street	4	4	4	4	4
Minimum Rear Setback	4	4	4	4	4
Maximum Height of stand-alone unit	16	16	16	16	16
Maximum Floor Area 9.	Attached	1000 sq. ft.			
	Detached	1000 sq. ft.			
	Internal	50 percent of the existing primary dwelling.			
	Junior	500 sq. ft.			
Front	Must be in the rear 50% of the lot				
Building Separation	A minimum 5-foot distance shall be maintained between a detached accessory dwelling unit the primary building on the site. A detached accessory structure shall be set back from other structures on the site as required by the building code.				
<b>Notes:</b>					
7. For Junior Accessory Dwelling Units and Internal ADUs, no setbacks and height required, other than that of the primary dwelling.					
8. Conversion and replacing applies only to existing, permitted accessory dwelling units.					
9. The proposed increase in gross floor area of an attached or detached accessory dwelling unit shall not exceed 50 percent of the existing living area.					

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10. Please refer to section 18.30.170 - H., I., J.”

- H. An internal ADU may be constructed regardless of whether it conforms to the current zoning requirement for building separation or setbacks;
- I. If an internal ADU is proposed to be constructed within an existing accessory structure, the city shall ministerially permit an expansion of the existing accessory structure by up to 150 square feet for the purpose of accommodating ingress and egress;
- J. If an existing structure is demolished and replaced with an accessory dwelling unit, an accessory dwelling unit may be constructed in the same location and to the same dimensions as the demolished structure.

**SECTION 4. THE WATERFRONT DISTRICT SPECIFIC PLAN IS HEREBY AMENDED AND ENFORCED IN ACCORDANCE WITH THE IMPLEMENTING REGULATIONS, ATTACHED AS EXHIBIT A, AND INCORPORATED BY REFERENCE.**

**SECTION 5. SEVERABILITY.** If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Suisun City hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that anyone or more sections, subsections, sentences, clauses, phrases, or portions thereof may be declared invalid or unconstitutional.

**SECTION 6. EFFECTIVE DATE.** This Ordinance shall be in full force and effect thirty (30) days after its adoption following second reading.

**SECTION 7. CERTIFICATION.** The City Clerk shall certify to the adoption of this ordinance and shall cause the same to be posted and codified in the manner required by law.

**PASSED, APPROVED, AND ADOPTED** at a regular meeting of the City Council  
of the City of Suisun City, California, on this \_\_\_\_\_ 2020.

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\_\_\_\_\_  
Lori D. Wilson, Mayor

ATTEST:

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

**CERTIFICATION**

I, Linda Hobson, City Clerk of the City of Suisun City and ex-officio Clerk of the City Council of said City, do hereby certify that the above and foregoing ordinance was introduced at a regular meeting of the said City Council held on Tuesday, August 4, 2020 and passed and adopted at a regular meeting of said City Council held on Tuesday, \_\_\_\_\_, 2020, by the following vote:

- AYES:** Councilmembers:
- NOES:** Councilmembers:
- ABSENT:** Councilmembers:
- ABSTAIN:** Councilmembers:

**WITNESS** my hand and the seal of said City this \_\_\_\_\_ 2020.

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

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3.1 Proposed Land Use Zones



TABLE 3.5: MAIN STREET MIXED USE ZONE ALLOWED USES	
Permitted Uses <sup>1</sup>	Administrative Review and Conditionally Permitted Uses
<ul style="list-style-type: none"> <li>▪ Art, modeling, music, and/or dance studio (U)</li> <li>▪ Artist studios; art supply stores</li> <li>▪ Bed and breakfast inn</li> <li>▪ Business services (U)</li> <li>▪ Commercial services</li> <li>▪ Communication services</li> <li>▪ Community social services</li> <li>▪ Eating and drinking places</li> <li>▪ Educational services</li> <li>▪ Finance, insurance, and real estate offices</li> <li>▪ General merchandise and hardware store</li> <li>▪ Movie theater</li> <li>▪ Optical shop or optometrist</li> <li>▪ Personal services</li> <li>▪ Professional or medical offices (U)</li> <li>▪ Specialty retail shops<sup>2</sup></li> </ul>	<p>Administrative Review:</p> <ul style="list-style-type: none"> <li>▪ Food and grocery stores</li> <li>▪ Medical health care facility</li> <li>▪ Public/quasi-public use (e.g., community center, school, fire station, library, church)</li> </ul> <p>Conditionally Permitted:</p> <ul style="list-style-type: none"> <li>▪ Commercial amusement or entertainment</li> <li>▪ Drive-through facilities (only north of Driftwood Drive)</li> <li>▪ Entertainment (i.e., nightclub and bar/lounge)</li> <li>▪ Furniture stores</li> <li>▪ Upholstery and furniture repair; antique refinishing</li> <li>▪ Residential dwellings<sup>2</sup></li> <li>▪ Convenience market</li> <li>▪ Shops selling age-restricted goods or providing age-restricted services</li> </ul>
<p>▪ Any other retail, service, or public/quasi-public uses that are similar in nature, function, and operations to the permitted, administrative review clearance, and conditionally permitted uses listed above.</p>	
<p><b>Notes:</b></p> <ol style="list-style-type: none"> <li>1. Where a "U" is denoted next to a particular use, that use is permitted on the upper floor(s) of a building.</li> <li>2. Permits the same type of residential dwellings as the RHD zone.</li> <li>3. Specialty retail shops are defined as small retail stores with distinctive, one-of-a-kind merchandise, often supplied locally, not including sale of age-restricted goods or providing age-restricted services.</li> </ol>	

**B. Commercial/Office/Residential (C/O/R) Zone**

The C/O/R zone is envisioned to be developed with a mix of uses, including business/professional offices, retail commercial, dining and entertainment uses. Offices and a hotel have already been established in this zone. Residential uses are also permitted to be developed as a "stand alone" development or as an integrated part of a commercial/office development (e.g., on upper floors over ground floor commercial uses). Because of the unique character of the site and its strategic location, any proposed uses and development for all or any portion of the site must be approved through the Planned Unit Development process, as described in Chapter 7 of this Specific Plan.

Generally, permitted and conditional uses allowed in this zone are the same as those specified in the MSMU zone, described above, and in

**D. Downtown Mixed Use (DMU) Zone**

This DMU zone is proposed as a new commercial mixed-use zone, intended to replace the General Commercial and Commercial Service zone designations that are proposed to be phased out in both the General Plan Update, adopted in 2015 and the Zoning Code Update, planned for adoption in 2016. This zone allows a mix of retail, commercial service, civic, office, and other complementary non-residential uses, as well as higher-density residential development. Allowed uses permitted within the DMU zone are indicated in Table 3.7.

TABLE 3.7: DOWNTOWN MIXED USE ZONE ALLOWED USES	
Permitted Uses	Administrative Review and Conditionally Permitted Uses
<ul style="list-style-type: none"> <li>▪ Antique shop</li> <li>▪ Art, modeling, music, and/or dance studio</li> <li>▪ Artist studios; art supply stores</li> <li>▪ Bed and breakfast inn</li> <li>▪ Business services</li> <li>▪ Clothing and costume stores</li> <li>▪ Commercial services</li> <li>▪ Communication services <span style="color: red;">• Secondary Dwellings</span></li> <li>▪ Community social services</li> <li>▪ Eating and drinking places</li> <li>▪ Educational services</li> <li>▪ Finance, insurance, and real estate offices</li> <li>▪ Food and grocery stores</li> <li>▪ General merchandise and hardware store</li> <li>▪ Medical health care facility</li> <li>▪ Theater (i.e., motion picture or live)</li> <li>▪ Optical shop or optometrist</li> <li>▪ Personal services</li> <li>▪ Professional or medical offices</li> <li>▪ Specialty retail shops<sup>1</sup></li> <li>▪ Residential dwellings<sup>2</sup></li> </ul>	<p>Administrative Review:</p> <ul style="list-style-type: none"> <li>▪ Public/quasi-public use (e.g., community center, school, fire station, library, church)</li> </ul> <p>Conditionally Permitted:</p> <ul style="list-style-type: none"> <li>▪ Commercial amusement or entertainment</li> <li>▪ Commercial retail or services greater than 40,000 square feet</li> <li>▪ Drive-through facilities (only north of Driftwood Drive)</li> <li>▪ Entertainment (i.e., nightclub and bar/lounge)</li> <li>▪ Furniture stores</li> <li>▪ Hospital</li> <li>▪ Reupholstery and furniture repair; antique refinishing</li> <li>▪ Convenience market</li> <li>▪ Shops selling age-restricted goods or providing age-restricted services</li> </ul>
<p>▪ Any other retail, service, public/quasi-public, or residential uses that are similar in nature, function, and operations to the permitted, administrative review clearance, and conditionally permitted uses listed above.</p>	
<p><b>Notes:</b></p> <ol style="list-style-type: none"> <li>1. Specialty retail shops are defined as small retail stores with distinctive merchandise, often supplied locally or with a local theme, not including sale of age-restricted goods or providing age-restricted services.</li> <li>2. Permits the same type of residential dwellings permitted in the RHD zone.</li> </ol>	

**ORDINANCE NO.**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY, CALIFORNIA, REPEALING AND REPLACING SECTION 18.30.170 OF TITLE 18 OF THE SUISUN CITY CODE AND AMENDING THE WATERFRONT DISTRICT SPECIFIC PLAN, RELATING TO REGULATIONS FOR ACCESSORY DWELLING UNITS IN RESIDENTIAL PROPERTIES**

**WHEREAS**, The State legislature amendments to California law, effective January 1, 2020, regarding the creation of accessory dwelling units (ADU) and junior accessory dwelling units (JADU). Chapter 653, Statutes of 2019 (Senate Bill 13, Section 3), Chapter 655, Statutes of 2019 (Assembly Bill 68, Section 2) and Chapter 659 (Assembly Bill 881, Section 1.5 and 2.5) build upon recent changes to ADU and JADU law (Government Code Section 65852.2, 65852.22 and Health & Safety Code Section 17980.12) and further address barriers to the development of ADUs and JADUs; and

**WHEREAS**, SB13 requires jurisdictions to exempt ADU’s below 750 square feet from Development Impact Fees.

**WHEREAS**, the Suisun City Planning Commission held a public hearing on March 10, 2020 in which they voted 4-1 recommending City Council adoption of the ordinance.; and

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

**SECTION 1. RECITALS.** The City Council finds that the above recitals are true and correct and are incorporated as though fully set forth herein.

**SECTION 2. SECTION 18.04 “DEFINITIONS” OF TITLE 18 OF THE SUISUN CITY CODE IS HEREBY REPEALED AND REPLACED AS FOLLOWS:**

**18.04 Definitions**  
Amending 18.04 Definitions

Accessory Dwelling Unit. An attached or a detached residential dwelling unit that provides complete, independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions in accordance to California state building code for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multi-family dwelling is or will be situated. An accessory dwelling unit also includes an efficiency unit and a manufactured home, but does not include trailers.

a. Attached Accessory Dwelling Unit. An accessory dwelling unit that shares at least one common wall with the primary dwelling and is not fully contained within the existing space of the primary dwelling or an accessory structure.

b. Detached Accessory Dwelling Unit. An accessory dwelling unit that does not share a common wall with the primary dwelling and is not fully contained within the existing space of an accessory structure.

- c. Internal Accessory Dwelling Unit. An accessory dwelling unit that is fully contained within the existing space of the primary dwelling or an accessory structure.
- d. Junior Accessory Dwelling Unit. A unit that is no more than 500 square feet in size and contained entirely within a single-family residence. A junior accessory dwelling unit may include separate sanitation facilities or may share sanitation facilities with the existing structure.

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**18.30.170 Accessory Dwelling Units**

Purpose. This section is intended to achieve the goals of the C53 city's housing element and of the California Government Code by permitting accessory dwelling units, thereby increasing housing opportunities for the community through use of existing housing resources and infrastructure.

The following regulations shall apply to all accessory dwelling units in a residential zoning district:

**A. Ministerial consideration**

- 1. ~~New Construction. If the director of development services receives an application to construct an accessory dwelling unit (by either adding on to an existing structure, or constructing a new detached structure), and the proposal meets all of the requirements of the Municipal Code, then within 120 days of receipt of a complete application for the accessory dwelling unit, the director of development services shall ministerially approve the application without a hearing.~~
- 2. ~~No Expansion. If the applicant will not be adding floor area, and instead has submitted a complete application for an accessory dwelling unit entirely within the existing space of a single-family residence or accessory structure, then the director shall, without a hearing, ministerially approve a complete application for a building permit to create an accessory dwelling unit if all of the following apply:~~
  - a. ~~The unit is contained entirely within the existing space of a single-family residence or accessory structure (without adding floor area to the existing residence or accessory structure).~~
  - b. ~~The unit is on a lot zoned R-M (Medium Density Residential), R-H1 or RH2 (High-Density Residential).~~
  - c. ~~There will be only one accessory dwelling unit on the lot.~~
  - d. ~~The unit has independent exterior access from the existing residence.~~
  - e. ~~The side and rear setbacks are sufficient for fire safety as determined by the Fire Marshal.~~
  - f. ~~Fire sprinklers are provided to the same extent that they are required for the primary residence.~~

~~B.A. An accessory dwelling unit may be established on any residentially zoned parcels, in any district where single-family or multi-family dwellings are a permitted use; and on any lot with an existing or proposed single-family or multi-family dwelling, which permits single-family dwellings containing an existing single-family dwelling.~~

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- ~~C.~~ B. Accessory dwelling units shall not exceed the allowable density for the lot upon which the accessory dwelling unit is located.
- C. Accessory dwelling units are a residential use that shall be consistent with the existing general plan and zoning designation for the lot.
- ~~3.~~ D. There will be only up to one accessory dwelling unit and one junior accessory dwelling unit per lot.
- ~~D.~~ An applicant must be both an owner and the current resident of the property for which an accessory dwelling unit is proposed.
- E. The accessory dwelling unit can either be attached to and designed to be located within the living area of the existing dwelling or detached from and no less than ~~ten~~ 5 feet from the existing single family dwelling, and such unit shall be architecturally integrated into the existing building design.
- F. The proposed increase in gross floor area of an attached or detached accessory dwelling unit shall not exceed 50 percent of the existing living area up to a maximum of ~~twelve hundred~~ 1000 square feet.
- G. ~~A~~ Detached accessory dwelling units shall be located no closer than ~~five~~ 4 feet from any side or rear property lines, be on the rear 50% of the lot and must meet the requirements of Section 18.31 Standards for Residential Districts, Table 18.31.01 Development Standards in Residential Zones.
- H. An internal ADU may be constructed regardless of whether it conforms to the current zoning requirement for building separation or setbacks.
- ~~G.~~ I. If an internal ADU is proposed to be constructed within an existing accessory structure, the city shall ministerially permit an expansion of the existing accessory structure by up to 150 square feet for the purpose of accommodating ingress and egress.
- ~~H.~~ J. If an existing structure is demolished and replaced with an accessory dwelling unit, an accessory dwelling unit may be constructed in the same location and to the same dimensions as the demolished structure.
- K. The accessory dwelling unit shall be architecturally integrated into the existing building design.
- L. Foundation. An accessory dwelling unit shall be constructed on a permanent foundation.
- ~~4.~~ M. The accessory dwelling unit shall not be placed on top of any easements.
- ~~I.~~ As part of any such building permit application, the applicant shall submit a copy of the deed to the property including a full and complete set of any conditions, covenants and restrictions.
- ~~J.~~ N. Connection Fees. A local agency is prohibited from requiring a new or separate utility connection for an accessory dwelling unit if contained within the existing space of a single-family residence or accessory structure (in accordance with Government Code Section 65852.2(f)).
- O. Parking

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- a. Maximum of one space per unit or one space per bedroom. Tandem parking on an existing driveway is allowed, which may be within setback areas.
- b. No additional parking for accessory dwelling units can be required when:
  - a. An accessory dwelling unit is located:
    - 1. Within one-half mile walking distance of public transit;
    - 2. Within an architecturally and historically significant historic district;
    - 3. Within an existing primary residence or an existing accessory structure;
    - 4. Within an area where off-street parking is required, but no permit is offered to the occupant of the accessory dwelling unit;
    - 5. Within one block of a car share vehicle.
  - c. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or converted to an accessory dwelling unit, replacement parking stalls are not required for the demolished parking structure.

P. Rental

- a. An accessory dwelling unit may be rented but shall not be sold or otherwise conveyed separately from the primary dwelling.
- b. The rented unit shall not be leased for any period less than 30 days.

Q. Recordation of Deed Restriction: An executed deed restriction, on a form provided by the city, shall be submitted to the city prior to issuance of a building permit and shall be recorded prior to final occupancy. The deed restriction shall stipulate all of the following:

- a. That the rented unit shall not be rented for any period less than 30 days at a time; and
- b. That the accessory dwelling shall not be sold separately from the primary dwelling.
- c. For junior accessory dwelling units, restrictions on size and attributes in conformance with this section.

~~Maximum of one space per unit or one space per bedroom. Tandem parking on an existing driveway is allowed, which may be within setback areas.~~

~~No additional parking for accessory dwelling units can be required when:~~

- ~~An accessory dwelling unit is located:~~
  - ~~Within one-half mile of public transit;~~
  - ~~Within an architecturally and historically significant historic district;~~

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- ~~— Within an existing primary residence or an existing accessory structure;~~
- ~~— On street parking permits are required but not offered to the occupant of the accessory dwelling unit; or~~
- ~~— There is a car share vehicle located within one block of the accessory dwelling unit.~~

**R. Ministerial consideration**

1. New Construction. If the Development Services Department receives an application to construct an accessory dwelling unit (by either adding on to an existing structure, or constructing a new detached structure), and the proposal meets all of the requirements of the Municipal Code as determined by Section 18.30.170 Accessory Dwelling Units, then within 60 days of receipt of a complete application for the accessory dwelling unit, the Development Services Department staff shall ministerially approve the application without a hearing.
2. No Expansion. If the applicant will not be adding floor area, and instead has submitted a complete application for an accessory dwelling unit entirely within the existing space of a single-family residence or accessory structure, then the director shall, without a hearing, ministerially approve a complete application for a building permit to create an accessory dwelling unit if all of the following apply:
  - a. The unit is contained entirely within the existing space of a single-family residence or accessory structure (without adding floor area to the existing residence or accessory structure) and doesn't exceed 50 percent of the existing primary dwelling.
  - b. The unit is in any district where single-family or multi-family dwellings are a permitted use.
  - c. On any lot with an existing or proposed single-family or multi-family dwelling.
  - d. The unit has independent exterior access from the existing residence.
  - e. Fire sprinklers are provided to the same extent that they are required for the primary residence.

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**18.31 Standards for Residential Districts**

Amend Section 18.31 Standards for Residential Districts

Table 18.31.01 Development Standards in Residential Zones					
Development Standards	RL	RM	RH1	RH2	RMU
<b>Lot Size</b>					
<b>Setback</b>					

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# Accessory Dwelling Units

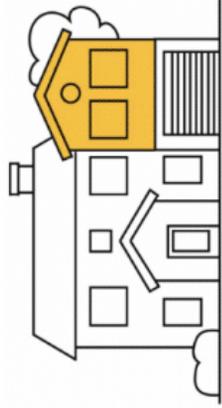
August 4, 2020



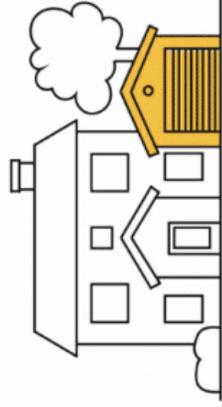


# Definitions

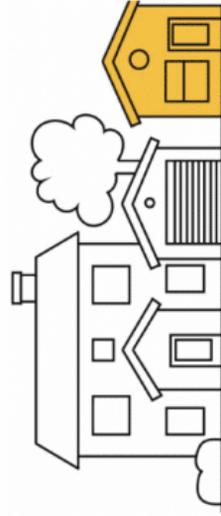
Accessory Dwelling Units (ADUs) have been known by many names: granny flats, in-law units, backyard cottages, secondary units and more. No matter what you call them, ADUs are an innovative, affordable, effective option for adding in needed housing in California.



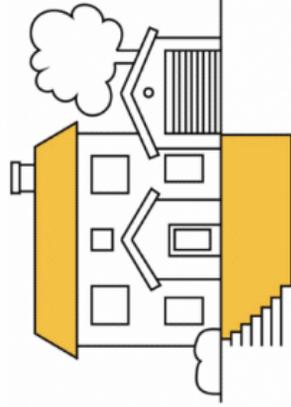
*Over the Garage*



*Garage Conversion*



*Stand-Alone Unit*



*Basement or Attic Conversion*



## New Laws Effective January 1, 2020

- Our code is currently out of compliance with State Law.
- The Legislature further updated ADU and JADU law effective January 1, 2020 to clarify and improve various provisions in order to promote the development of ADUs and junior accessory dwelling units (JADUs). These include:
  - Allowing ADUs and JADUs to be built concurrently with a single-family dwelling.
  - Opening areas where ADUs can be created to include all zoning districts that allow single-family and multifamily uses.
  - Modifying fees from utilities such as special districts and water corporations.
  - Limited exemptions or reductions in impact fees.
  - Reduced parking requirements.



## Sections to be Amended

- 18.04 Definitions
- 18.30.170 Accessory Dwelling Units
- 18.31 Standards for Residential Districts - Table 18.31.01 Development Standards in Residential Zones
- Waterfront District Specific Plan
  - Table 3.5 Main Street Mixed Use Zone Allowed Uses
  - Table 3.7 Downtown Mixed Use Zone Allowed Uses
  - Section 6.2.2
  - Table 6.1 Residential Development Standards



# Definitions

Amending Section 18.04

There currently doesn't exist a definition for Accessory Dwelling Units.

## Accessory Dwelling Unit:

- An attached or a detached residential dwelling unit that provides complete, independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence.
- An accessory dwelling unit also includes an efficiency unit and a manufactured home but does not include trailers.



# Definitions

Amending Section 18.04

Continued...

## Accessory Dwelling Unit:

- a. Attached Accessory Dwelling Unit. An ADU that shares at least one common wall with the primary dwelling and is not fully contained within the existing space of the primary dwelling or an accessory structure.
- b. Detached Accessory Dwelling Unit. An ADU that does not share a common wall with the primary dwelling and is not fully contained within the existing space of an accessory structure.
- c. Internal Accessory Dwelling Unit. An ADU that is fully contained within the existing space of the primary dwelling or an accessory structure.
- d. Junior Accessory Dwelling Unit. A unit that is no more than 500 square feet in size and contained entirely within a single-family residence. A junior accessory dwelling unit may include separate sanitation facilities or may share sanitation facilities with the existing structure.



# 18.30.170

## Accessory Dwelling Units

- Added a purpose to the Accessory Dwelling Unit section.
- ADUs are created through the conversion of a garage, carport or covered parking structure, replacement off-street parking spaces cannot be required.
- Reduces the maximum ADU and JADU application review time from 120 days to 60 days.
- Reduces the maximum size of ADU's to 1000 square feet from 1200 square feet.



## 18.30.170

Accessory Dwelling Units  
Continued...

- Requires accessory dwelling unit to be constructed on a permanent foundation.
- Added a rental section, stating that the rented unit shall not be leased for any period less than 30 days.
- Updated the Recordation of Deed restriction section legalizing the rental section.



# Section 18.31

## Table 18.31.01

- Section 18.31 Standards for Residential Districts, Table 18.31.01 Development Standards in Residential Zones, changed to meet minimum standards for rear and side setbacks to 4 feet.
- Maximum Floor Area:
  - Attached - 1,000 sq. ft.
  - Detached - 1,000 sq. ft.
  - Internal - 50 percent of the existing primary dwelling.
  - Junior – 500 sq. ft.
- Must be in the rear 50% of the lot.



## Section 18.31

### Table 18.31.01

#### Continued

- A minimum 5-foot distance shall be maintained between a detached accessory dwelling units and the primary building on the site. A detached accessory structure shall be set back from the other structures on the site as required by the building code.
- #7. For Junior Accessory Dwelling Units and Internal ADUs, no setbacks and height required, other than that of the primary dwelling.
- #8. Conversion and replacing applies only to existing, permitted accessory dwelling units.
- #9. The proposed increase in gross floor area of an attached or detached accessory dwelling unit shall not exceed 50 percent of the existing living area.



# Section 18.31

## Table 18.31.01

### Continued

- #10. Please refer to section 18.30.170 - H., I., J.

H. An internal ADU may be constructed regardless of whether it conforms to the current zoning requirement for building separation or setbacks;

I. If an internal ADU is proposed to be constructed within an existing accessory structure, the city shall ministerially permit an expansion of the existing accessory structure by up to 150 square feet for the purpose of accommodating ingress and egress;

J. If an existing structure is demolished and replaced with an accessory dwelling unit, an accessory dwelling unit may be constructed in the same location and to the same dimensions as the demolished structure.



# Waterfront District Specific Plan

Table 3.5 Main Street Mixed Use Zone Allowed Uses

Table 3.7 Downtown Mixed Use Zone Allowed Uses

Section 6.2.2

Table 6.1 Residential Development Standards



## Summary of Amendments

- Add “secondary units” as a permitted use in Main Street Mixed Use (MSMU) and Downtown Mixed Use (DMU) zones.
- Correction to provide proper reference to zoning code.
- Amendments to Table 6.1 Residential Development Standards.
  - Change allowable side setbacks from 0 to 4’.
  - Change the maximum height from 20’ to 16’.



## Staff Recommendation

The City Council is being asked to hold a Public Hearing to discuss the draft ordinance. There are several actions the City Council can take:

- Introduce and waive reading of Ordinance as submitted by staff;
- Introduce and waive reading of Ordinance with amendments made by the City Council;
- Direct staff to make certain amendments or research certain items before coming back to the City Council at a subsequent Public Hearing; or
- Table discussion of the Ordinance at this time.

## AGENDA TRANSMITTAL

**MEETING DATE:** August 4, 2020

**CITY AGENDA ITEM:** Discussion and Direction Regarding the Potential Change in Land Use for Property at the Southeast Corner of Marina Boulevard and Buena Vista Drive.

**FISCAL IMPACT:** The item before the City Council will not immediately provide a fiscal impact. The ultimate fiscal impact will dependent on how the property develops.

**STRATEGIC PLAN IMPACT:** Develop sustainable economy; Provide good governance.

**BACKGROUND:** In 2015, the City Council adopted the 2035 General Plan and 2015-2023 Housing Element for the city. As part of the Land Use Element, the vacant property located at the southeast corner of Marina Boulevard and Buena Vista Drive was designated “Mixed Use” with a zoning classification of “High-Density Residential 2” with the remainder classified as “Commercial Retail”. The Housing Element also counted the residentially zoned portion toward its Regional Housing Needs Allocation (RHNA) to show compliance.

**STAFF REPORT:** Recently, there has been serious interest in developing the subject property (including the commercially zoned portion) with multi-family housing. Within the Residential High-Density 2 land use, up to 45 units/acre of residential is permitted while the Commercial Retail would not allow such residential. The portion of land that is currently commercial zoned is approximately 2.18 acres in size and wraps around the current Arco service station at the corner. This leaves the site with Highway 12 visibility, but access would need to be taken from Marina Boulevard and no additional access would be permitted by Caltrans.

In order to process a residential project on the entirety of the site, it would require a General Plan Amendment and Rezone to be considered by the Planning Commission and City Council. Below are descriptions for both the “Mixed Use” and “Higher Density Residential” land use designations for City Council reference:

### **Higher-Density Residential**

*Provides for townhomes, apartments, condominiums, other types of multi-family housing, public services and facilities, live-work units, home occupations, and other compatible uses. 20 to 45 units per gross acre.*

### **Mixed Use**

*Provides for “horizontal” (same site) and “vertical” (same building) mixed-use development. Allows retail, commercial service, professional office, public services and facilities, and other compatible uses. Allows higher-density residential uses, as described in the “Higher-Density Residential” Land Use Designation. Mixed-use projects may use FAR to regulate intensity of*

**PREPARED BY:**

John Kearns, Senior Planner

**REVIEWD/APPROVED BY:**

Greg Folsom, City Manager

*combined residential and nonresidential sites or may use the FAR and density (units per acre) separately for the nonresidential and residential portions of the project. **0.3 to 1.0 FAR. 10 to 45 units per gross acre.***

If the City Council would entertain such a discussion, staff would work with the potential developer to prepare a complete application and allow a project to move forward. No decisions are being made on a project at this time by the City Council. Staff is simply seeking direction from the City Council if this is something that the Council would like to entertain moving forward.

Key considerations for the City Council to keep in mind during the discussions are:

- Viability of the property as commercial.
- Access to a from the site for a future project.
- Potential benefits of maximizing the site for housing as it relates to the City's obligation to meet its RHNA numbers.
- Compatibility of adjacent land uses with existing designation and with any change.

For reference, staff has provided conceptual plans (Attachment 1) provided by an interested party in the property as well as a focused map showing the existing zoning of the property (diagram within Attachment 2).

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**CEQA ANALYSIS:** This discussion and direction item is not considered a project per state law. A CEQA analysis will need to be completed with the future processing of any development project or land use change.

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**RECOMMENDATION:** It is recommended that the City Council direct staff on how the subject property should be designated.

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**ATTACHMENTS:**

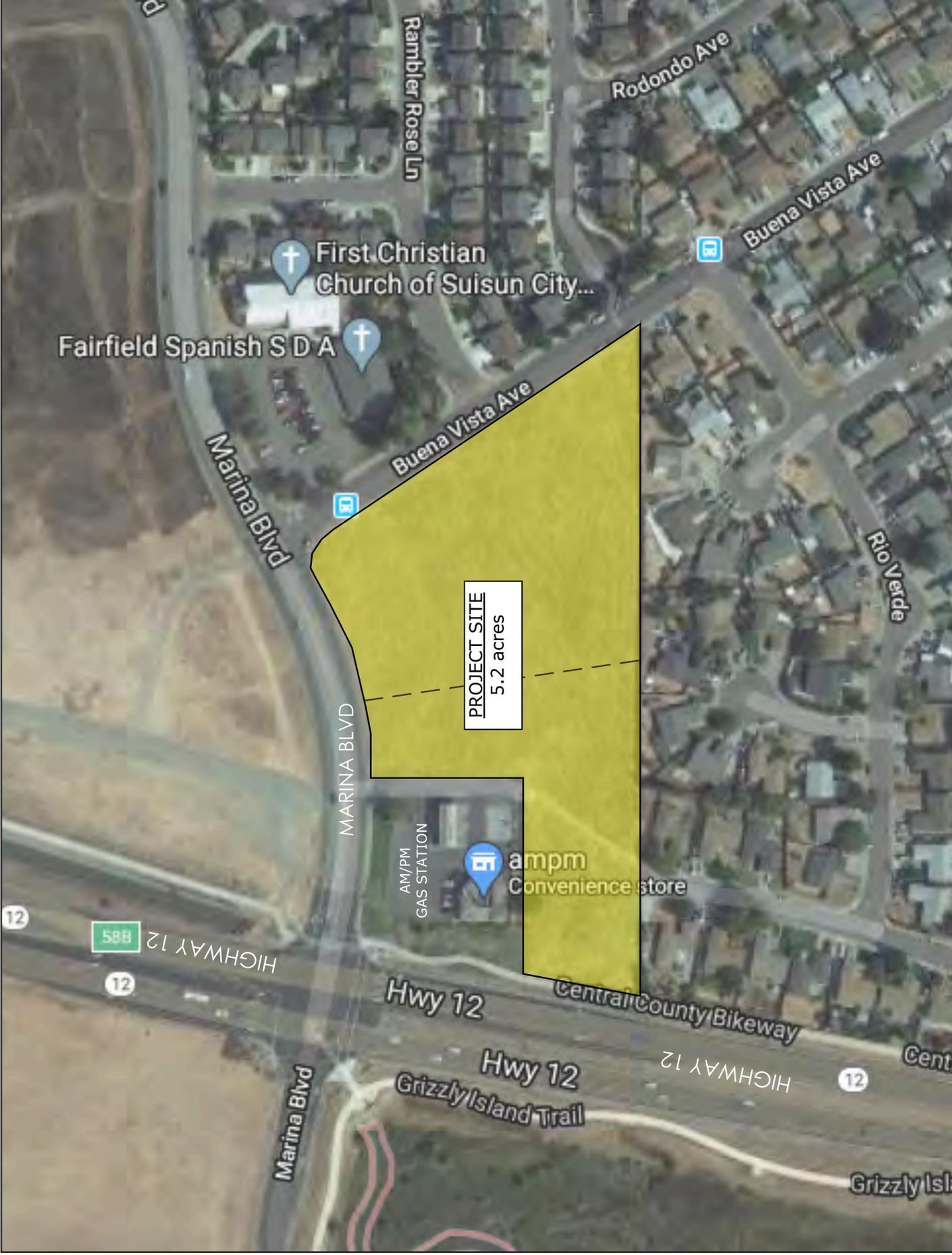
1. Preliminary Conceptual Plans.
2. PowerPoint Presentation.



AREA MAP

PROJECT LOCATION:	200 MARINA BLVD. SUISUN, CA 94585
APN:	0000-0000-0000
ZONING:	RH2 HIGH DENSITY
LOT SIZE:	5.2 ac = 226,512 sf 3.2 ac = 139,392 sf 2.0 ac = 87,120 sf
BUILDING USE:	RESIDENTIAL / APT.
OCCUPANCY:	R2
CONST. TYPE:	VA
TOTAL UNITS	= +/- 216 units
Total Studio / 1bds	= 65 (30%)
Total 2 Bedrm	= 54 (25%)
Total 3 Bedrm	= 97 (45%)
No. of units allowed	= 234 units (45 du/ac)
TOTAL PARKING:	= +/- 180 stalls
Req'd Parking 1.5/unit	= 307 stalls
50% reduction for affordable housing	
Total Required	= 154 stalls / 180 provided

PROJECT DATA



VICINITY MAP (site north rotated for sheet layout)

**Marina Village - Housing Study**  
Solano Affordable Housing Foundation  
Suisun, CA  
07.26.20

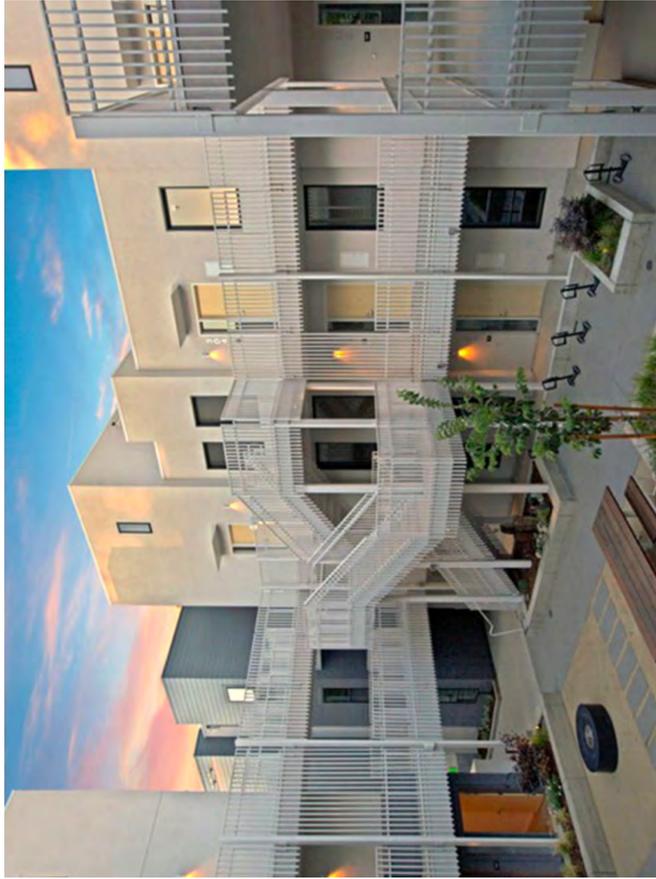
**Marina Village - Housing Study**  
Solano Affordable Housing Foundation  
Suisun, CA  
07.26.20



**Site Plan**

Total Parking Provided: = +/- 180 stalls

Total Units	=	+/- 216 units
Total Studio / 1bds	=	65 (30%)
Total 2 Bedrm	=	54 (25%)
Total 3 Bedrm	=	97 (45%)



Precedent Images

Marina Village - Housing Study  
Solano Affordable Housing Foundation  
Suisun, CA  
07.26.20

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# Discussion and Direction Land Use of Property at Marina Blvd. and Buena Vista Dr.

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AUGUST 4, 2020



# Background

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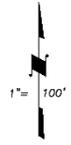
- ❑ City Council adoption of 2035 General Plan and 2015-2023 Housing Element.
- ❑ Existing designation of property at the southeast corner of Marina Boulevard and Buena Vista Drive.
- ❑ The Housing Element discussion of property.



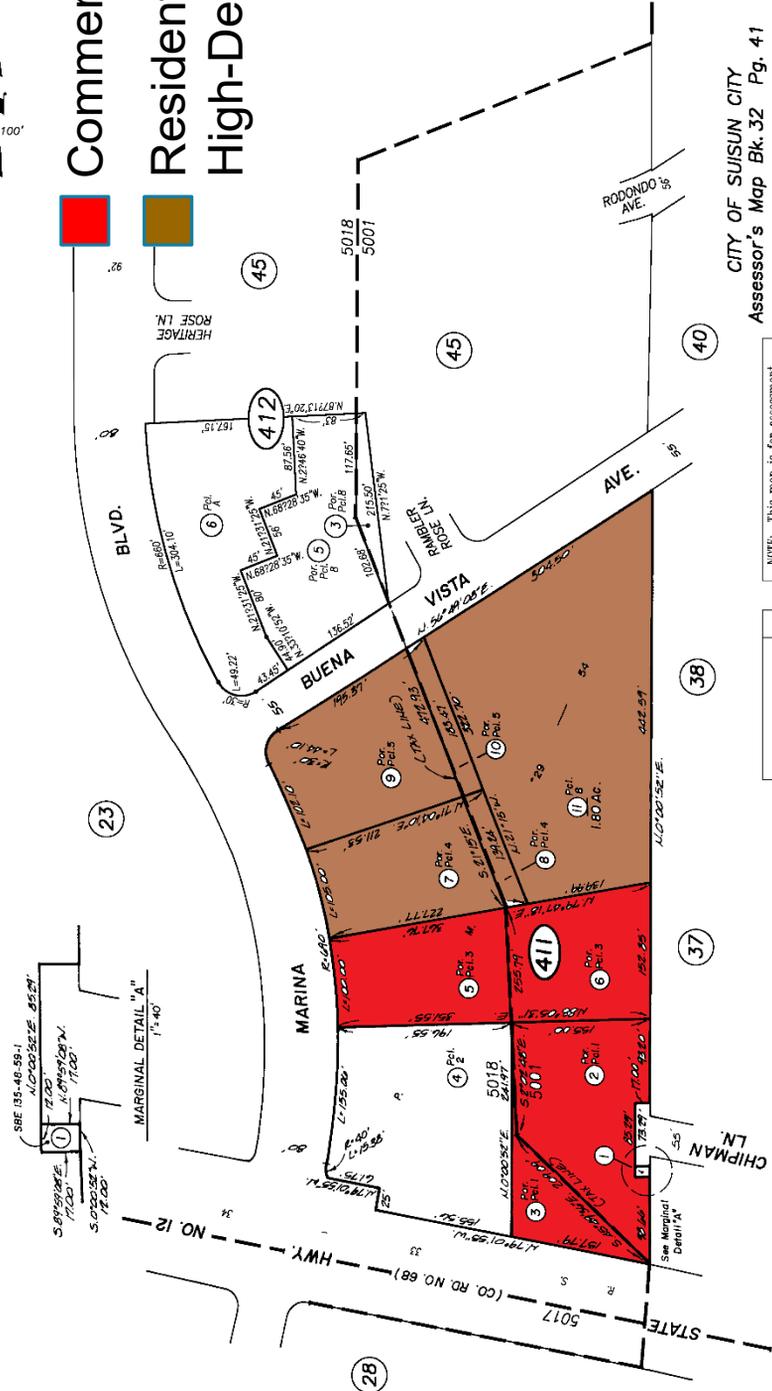
# Location Map with General Plan Land Uses

POR. LOT 37, SUISUN RANCHO  
POR. SEC.25, T.5N., R.2W., M.D.B. & M. EXT.

32-41



**Commercial Retail**  
**Residential High-Density 2**



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NOTE: This map is for assessment purposes only. It is not intended to define legal boundary rights or imply compliance with land division laws.

REVISION	DATE	BY
6-7-18	6-7-18	CP
6-22-20	6-22-20	RL
6-22-20	6-22-20	RL

CITY OF SUISUN CITY  
Assessor's Map Bk. 32 Pg. 41  
County of Solano, Calif.

19-20

Assessor's Block Numbers Shown in Ellipses, Assessor's Parcel Numbers Shown in Circles



# General Plan Land Use Descriptions

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## Higher-Density Residential

Provides for townhomes, apartments, condominiums, other types of multi-family housing, public services and facilities, live-work units, home occupations, and other compatible uses. **20 to 45 units per gross acre.**

## Mixed Use

Provides for “horizontal” (same site) and “vertical” (same building) mixed-use development. Allows retail, commercial service, professional office, public services and facilities, and other compatible uses. Allows higher-density residential uses, as described in the “Higher-Density Residential” Land Use Designation. Mixed-use projects may use FAR to regulate intensity of combined residential and nonresidential sites or may use the FAR and density (units per acre) separately for the nonresidential and residential portions of the project. **0.3 to 1.0 FAR. 10 to 45 units per gross acre.**



# Key Considerations

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Key considerations for the City Council to keep in mind during the discussions are:

- Viability of the property as commercial.
- Access to a from the site for a future project.
- Potential benefits of maximizing the site for housing as it relates to the City’s obligation to meet its RHNA numbers.
- Compatibility of adjacent land uses with existing designation and with any change.



# Staff Recommendation

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- It is recommended that the City Council direct staff on how the subject property should be designated.