

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, JULY 7, 2020
6:30 P.M.**

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

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.

*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: 870 4858 9571

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 (PRIOR TO 6pm) OR
VIA WEBSITE OR PHONE APPLICATION, ZOOM*

(Next Ord. No. – 774)

(Next City Council Res. No. 2020 – 84)

Next Suisun City Council Acting as Successor Agency Res. No. SA2020 - 03)

(Next Housing Authority Res. No. HA2020 – 02)

ROLL CALL

Council / Board Members
Pledge of Allegiance
Invocation

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

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.)

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).
2. July 4th Illegal Fireworks Update – (Vincent: jvincent@suisun.com).

PRESENTATIONS/APPOINTMENTS

(Presentations, Awards, Proclamations, Appointments).

City Council

3. Presentation of Plaque to Allen Rainey, Retiring after 15 Years of Service with Suisun City Public Works Department – (Medill: mmedill@suisun.com).
4. Presentation of Proclamation Proclaiming July 2020, as “Parks Make Life Better Month!@.” (Lofthus: klofthus@suisun.com).

CONSENT CALENDAR

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

City Council

5. Council Adoption of Resolution No. 2020-___: Authorizing the City Manager to Execute a Contract with Matrix Consulting Group to conduct a Needs Assessment for the Suisun City Police Department (SCPD) – (Roth: aaroth@suisun.com).
6. Resolutions Calling for, Requesting Consolidation of November 3, 2020 General Municipal Election and Adopting Regulations Pertaining to Candidate Statements – (Folsom: gfolson@suisun.com).
 - a Council Adoption of Resolution No. 2020-___: Giving Notice and Calling for the Holding of a General Municipal Election to be Held on Tuesday, November 3, 2020, for the Election of Certain Officers as Required by the Provisions of the Laws of the State of California Relating to General Law Cities; and
 - b Council Adoption of Resolution No. 2020-___: Requesting the Board of Supervisors of the County of Solano to Consolidate a General Municipal Election to be Held on Tuesday, November 3, 2020, with the Statewide General Election to be Held on the Date Pursuant to Section 10403 of the Elections Code; and
 - c Council Adoption of Resolution No. 2020-___: Adopting Regulations for Candidates for Elective Office Pertaining to Candidates Statements Submitted to the Voters at an Election to be Held on Tuesday, November 3, 2020.

7. Council Adoption of Resolution No. 2020-___: Updating Annual Work Plan of the Public Safety & Emergency Management Citizen Advisory Committee – (Folsom: gfolson@suisun.com).

PUBLIC HEARINGS

GENERAL BUSINESS

City Council

8. Submission of a Transactions and Use Tax (“ Sales Tax”) Measure at the November 3, 2020, Election, which includes: (Folsom: gfolson@suisun.com).
 - a. Council Adoption of Resolution No. 2020-___: Calling and Giving Notice of the Holding of a General Municipal Election to be held on November 3, 2020, for the Purpose of Submitting to the Voters a Measure, which adds Chapter 3.15 to Title 3 of the Suisun City Municipal Code thereby Establishing an Additional Transaction and Use General Tax; Requesting the County of Solano to Consolidate the City’s General Municipal Election to be held on November 3, 2020, with the Statewide General Election to be held on that date Pursuant to Section 10403 of the Elections Code; and Approving the Ordinance Adding Chapter 3.15 as Provided Above.
 - b. Council Adoption of Resolution No. 2020-___: Authorizing the Drafting of Arguments, Setting Priorities for Filing Written Argument(s) and Directing the City Attorney to Prepare an Impartial Analysis, Regarding a City Measure, Entitled The Suisun City Essential Services and Public Safety Protection Measure, Submitted at the General Municipal Election on November 3, 2020.
 - c. Council Adoption of Resolution No. 2020-___: Providing for the Filing of Rebuttal Argument Regarding a City Measure, Entitled Suisun City Essential Services and Public Safety Protection Measure, Submitted at the General Municipal Election on November 3, 2020.
 - d. Council Introduction and first reading, by title only, of the Proposed Sales Tax Ordinance, Imposing a Transactions and Use General Tax to be Administered by the California Department of Tax and Fee Administration

REPORTS: (Informational items only.)

9.
 - a. Council/Boardmembers
 - b. Mayor/Chair
10. 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.)

ADJOURNMENT

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

PLEASE NOTE:

1. The City Council/Agency/Authority hopes to conclude its public business by 10:00 P.M. Ordinarily, no new items will be taken up after the 10:00 P.M. cutoff and any items remaining will be agendized for the next meeting. The agendas have been prepared with the hope that all items scheduled will be discussed within the time allowed.
2. Suisun City is committed to providing full access to these proceedings; individuals with special needs may call 421-7300.
3. Agendas are posted at least 72 hours in advance of regular meetings at Suisun City Hall, 701 Civic Center Boulevard, Suisun City, CA. Agendas may be posted at other Suisun City locations including:
 - Suisun City Fire Station, 621 Pintail Drive, Suisun City, CA;
 - 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 July 7, 2020 was posted and available for review, in compliance with the Brown Act.

Office of the Mayor
Suisun City, California
Proclamation



WHEREAS, the Suisun City Recreation, Parks, and Marina (RPM) Department is an integral part of our community and is vital to the mental health and wellbeing of our community members ; and

WHEREAS, RPM promotes physical and emotional health through organized and self-directed fitness, play, and activity; and

WHEREAS, RPM supports the economic vitality of our community by providing frontline jobs, childcare for the essential work force and promoting community revitalization; and

WHEREAS, RPM creates memorable experiences through engaging virtual and physically distanced programs, dynamic online events and new learning opportunities designed to keep families active while stay-at-home orders are in place and beyond; and

WHEREAS, RPM fosters social cohesiveness in communities by celebrating diversity, providing spaces to come together peacefully, modeling compassion, promoting social equity, connecting social networks, and ensuring all people have access to its benefits; and

WHEREAS, RPM supports human development and endless learning opportunities that foster social, intellectual, physical and emotional growth in people of all ages and abilities; and

WHEREAS, RPM strengthens community identity by providing facilities and services that reflect and celebrate community character, heritage, culture, history, aesthetics and landscape; and

WHEREAS, RPM facilitates community problem and issue resolution by providing safe spaces to come together peacefully and facilitating conversations and services in order that our communities may heal both physically and emotionally; and

WHEREAS, RPM supports safe, vibrant, attractive, progressive communities that make life better through positive alternatives offered in their recreational opportunities; and

WHEREAS, The California Park & Recreation Society has released a statewide public awareness campaign, "Parks Make Life Better!®" to inform citizens of the many benefits of utilizing parks, facilities, programs, and services.

NOW, THEREFORE, I, Lori D. Wilson, Mayor of the City of Suisun City hereby proclaim the month of July 2020 as:

"PARKS MAKE LIFE BETTER!® MONTH"

in the City of Suisun City and in doing so, urge all residents to support our Recreation, Parks, and Marina Department and recognize the importance of our local parks, trails, open space, and facilities for the health, wellness, development, inspiration, and safety of our residents.

In witness whereof I have hereunto set my hand and caused this seal to be affixed.

Lori D. Wilson, Mayor

ATTEST: _____

DATE: July 7, 2020



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AGENDA TRANSMITTAL

MEETING DATE: July 7, 2020

CITY AGENDA ITEM: Council Adoption of Resolution No. 2020-__: Authorizing the City Manager to Execute a Contract with Matrix Consulting Group to Conduct a Needs Assessment for the Suisun City Police Department (SCPD).

FISCAL IMPACT: The total fiscal impact of the SCPD Needs Assessment will be \$45,000. The Department currently has \$45,000 budgeted for Professional Studies (312-93310-9987).

STRATEGIC PLAN IMPACT: Ensure Public Safety, Provide Good Governance and Ensure Fiscal Solvency.

BACKGROUND: Development impacts fees have been collected by Suisun City to help plan for future development and the impacts on services within the City. Included in the fees collected were fees specifically intended to study the impact of future development on police resources. The industry standard planning in policing is a needs assessment. A needs assessment is a data driven study that considers multiple factors in consideration of current and future needs of the City's police department. The study will consider community-oriented law enforcement, comparison of SCPD to law enforcement best practices and evaluate current and projected staffing needs. This tool will allow the City and the Department to make better informed decisions about the current capabilities and future needs of SCPD. The data gathered in the study will work in direct conjunction with the Suisun City 5-Year Strategic Plan and work towards accomplishing the goals associated with the police department.

STAFF REPORT: There has been a nation-wide movement towards ensuring police departments are functioning at a highly trained and professional level. The need for a data-driven study of police capabilities and needs has never been so clear. Using an outside expert firm, the City will ensure a thorough and transparent analysis of the Department's strengths and weaknesses. Through this process the City and community will be able to determine the immediate and future needs of the police department.

On February 3, 2020, the Suisun City Police Department sought a vendor to conduct the needs assessment. The Request for Qualifications was posted to the Suisun City Web Page and disseminated amongst law enforcement consulting firms. On March 2, 2020, the application process concluded. Matrix Consulting was the only firm that bid on this project. Staff reviewed the proposal of Matrix Consulting Group and determined it covered the deliverables desired by the City. Additionally, Matrix was the same company that conducted a needs assessment for SCPD in 2005. While much has changed in law enforcement and Suisun City since that time, their historic knowledge of the City is an added benefit.

PREPARED BY: Daniel Healy, Support Commander & Aaron Roth, Police Chief
REVIEWED/APPROVED BY: Greg Folsom, City Manager

STAFF RECOMMENDATION: It is recommended that the City Council adopt Resolution No. 2020-__: Authorizing the City Manager to Execute a Contract with Matrix Consulting Group to conduct a Needs Assessment for the Suisun City Police Department (SCPD).

ATTACHMENTS:

1. Resolution No. 2020-__: Authorizing the City Manager to Execute a Contract with Matrix Consulting Group to Conduct a Needs Assessment for the Suisun City Police Department (SCPD).
2. Matrix Consulting Group Proposal.

RESOLUTION NO. 2020-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY
AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH
MATRIX CONSULTING GROUP TO CONDUCT A NEEDS ASSESSMENT FOR
THE SUISUN CITY POLICE DEPARTMENT (SCPD)**

WHEREAS, the City of Suisun City recognizes the value of having an outside expert source to analyze and provide a needs assessment of the police department; and

WHEREAS, the Suisun City Police Department advertised and reached out to several service providers seeking requests for qualifications; and

WHEREAS, Matrix Consulting Group provided a scope of work consistent with the expectations of staff and was in the expected cost of similar studies; and

WHEREAS, the proposed study will better position Suisun City to improve service delivery now and in the future; and

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby authorizes the City Manager, to execute a contract with Matrix Consulting Group to complete a Needs Assessment for the Suisun City Police Department.

PASSED AND ADOPTED at a Regular Meeting of the City Council of the City of Suisun City held on Tuesday the 7th day of July 2020 by the following vote:

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

WITNESS my hand and the seal of said City this 7th day of July 2020.

Donna Pock, CMC
Deputy City Clerk

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Proposal to Conduct a Police Department Needs Assessment

CITY OF SUISUN CITY, CALIFORNIA



Table of Contents

Letter of Transmittal	i
.....	
Scope of Work and Approach	1
.....	
Firm Experience	12
.....	
Project Team Experience	15
.....	
Project Cost	22
.....	



March 2, 2020

Commander Daniel Healy
Suisun City Police Department
701 Civic Center Bl
Suisun City, CA 94585

The Matrix Consulting Group is pleased to submit our proposal to develop a Police Department Needs Assessment City of Suisun City. Our firm has extensive experience conducting studies for law enforcement agencies, having worked with over 400 client across the country – over 100 of these studies have been in California alone. We have assisted client police chiefs, policymakers, and municipal managers in evaluating management, staff needs, deployment strategies, and department organization.

Some of our recent police department clients include the following (with California clients **bolded**).

Arlington, TX	Kansas City, KS	Portland, OR
Asheville, NC	Kansas City, MO	Raleigh, NC
Austin, TX	Kaua'i County, HI	Redding, CA
Berkeley, CA	Las Vegas Metro, NV	Rockford, IL
Beverly Hills, CA	Lynnwood, WA	Roseville, CA
Birmingham, AL	Miami Beach, FL	Sacramento, CA
Chula Vista, CA	Midwest City, OK	San Antonio, TX
Columbia, MO	Nashville, TN	San Jose, CA
Davenport, IA	Orange County, CA	Sunnyvale, CA
Fort Worth, TX	Oshkosh, WI	Tacoma, WA
Hayward, CA	Peoria, AZ	West Sacramento, CA
Howard County, MD	Phoenix, AZ	Wichita, KS
Jacksonville, FL	Puyallup, WA	Winnipeg, MB

In addition, we are currently completing law enforcement studies for **Los Angeles** (redesigning the City's beat system), **San Francisco** (developing an interactive staffing model), **Fremont** and **Mountain View** (current and future staffing and beat design).

It should also be noted that the firm conducted a staffing study for the Suisun Police Department in 2005.

Our firm combines leading analytical capabilities with extensive expertise in conducting studies for law enforcement clients, as evidenced by our project team:

1650 S. Amphlett Blvd., Suite 213 ■ San Mateo, CA 94402 ■ 650.858.0507
SF Bay Area (Headquarters), Boston, Charlotte, Dallas, Irvine, Phoenix, Portland, St. Louis

- **Richard Brady**, the President of the firm, has over 30 years of consulting experience, which comprises over 300 studies for police department clients. He will be the project manager on the study, and will be involved in every project task, in addition to being the key point of contact.
- **John Scruggs**, a Manager, has over 26 years of law enforcement experience. He co-authored legislation on body worn cameras in Oregon.
- **Ian Brady**, a Vice President, specializes in law enforcement consulting and develops our deployment optimization, patrol redistricting, and service needs planning models. He has worked on over 70 studies for law enforcement clients.
- **Adrian Gonzales**, a Manager, who has been an administrative services consultant, including within police contexts, for over 10 years.
- **Ryan Peterson**, a Consultant, who develops our data and GIS analytics.

We have developed a detailed approach to the successful conduct of this study. This approach includes:

- Extensive input from staff and external stakeholders.
- Extensive and in depth data collection.
- Detailed analysis of operations, services and staffing needs.
- Corroboration and interaction with the City and the Department as the study proceeds.

These approaches lead to successful implementation of results through the support for recommendations in the analysis and the buy-in from internal and external stakeholders.

If you have any questions, please do not hesitate to contact me, the President of the firm and proposed project manager, at either the address on the letterhead, by phone at 650-858-0507 or by email at rbrady@matrixcg.net.

Richard P. Brady
Matrix Consulting Group

Richard Brady
President

matrix #
consulting group

1 Scope of Work and Approach



1. Study Objectives

The Request for Proposals for consulting services to the City of Suisun City for the Police Department clearly centers around three overall key objectives:

- **An analysis of community oriented law enforcement** – including how the Police Department builds community support and partnerships consistent with 21st Century Policing concepts.
- **Compare the Police Department to law enforcement ‘best practices’** and to develop a ‘gap analysis’ to identify improvement opportunities.
- **An evaluation of current and projected staffing** – to evaluate staffing and operations of the Department for its services to the community and determine the appropriate levels of these staff resources to meet the needs of the community over the next 10 years. An overview of facility needs is also expected

The City of Suisun City is a small stable community of almost 30,000. Its Police Department is similarly small with 25 sworn and 12 civilian personnel.

While a safe and low crime community, crime and especially violent crime has risen in recent years (through 2017), as shown below:

	2013	2014	2015	2016	2017	
Violent Crime	64	68	81	80	101	
Criminal Homicide	1	1	1	0	3	
Rape	3	9	5	16	8	
Robbery	35	29	20	23	38	
Aggravated Assault	25	29	55	41	52	
Property crime	630	606	872	654	689	
Burglary	132	109	120	79	110	
Larceny-Theft	379	393	655	495	490	
Motor Vehicle Theft	119	104	97	80	89	
Arson	2	2	5	5	8	
Part I Crimes Per 1,000	26.6					
5YR Violent Crime						▲ 58%
5YR Property Crime						▲ 9%

The following sections outline the project team's approaches to this study, including key deliverables.

2. Project Task Plan

The following subsections outline each task in our project team's proposed plan to provide Police Department consulting services.

Task 1 | Project Kickoff and Initial Interviews

The project team will first develop an initial understanding of the department, its organization and its service environment. This task, allows the project team to learn about the unique characteristics, policing programs, and services provided by the department and how these services are organized and managed. This process includes the following elements:

- Interviews with the City Manager and the City Council (if desired) in order to obtain their views on police service issues and improvement opportunities, as well as to confirm the goals and objectives of the study.
- Interviews with the Chief, and management / supervisory staff, also to obtain their views on police service issues and improvement opportunities.
- Conduct interviews with Suisun City Police Department personnel in order to develop our understanding of staff roles as well as issues pertinent to this study.
- As part of this input, interview collective bargaining group representatives to explain the study and obtain their views on key study issues.

These initial interviews will focus on determining individual attitudes toward current law enforcement services and organizational considerations, including the following topics:

- Adequacy of existing service levels.
- Management systems.
- Responsiveness to community priorities and other service needs, as well as relations with community groups and organizations.
- Perceived gaps in existing service levels, resources, and programs.

The project team will also begin to collect various documents, including departmental goals, vision, and objectives statements, as well as other organizational materials and

budgetary documents. We will also begin to collect demographic information and projections.

TASK RESULT

Based on the results of these interviews and initial data collection, the project team will prepare an issues list that will provide the basis for subsequent analytical steps.

Task 2 | Document Employee Attitudes Toward Department Strengths and Improvement Opportunities

We have found in our previous work that in addition to interviewing many (most) employees in a department this size, the use of a survey instrument is an ideal way to maximize input and increase the perception of the study as an objective effort. Documentation and analysis of employee attitudes will consist of the following:

- Preparation of a confidential online employee questionnaire for all sworn and civilian employees.
- The employee survey will elicit responses to such issues as operations and service management, training and internal communications and goal setting.
- Preparation of an issues paper that summarizes questionnaire results, identifying the specific areas that will require more extensive exploration in subsequent study work tasks.

TASK RESULT

The summarized results will be made available to all employees in the Department.

Task 3 | Descriptive Profile of the Police Department

The project team will document its initial understanding of the department, its service levels, staffing, and service environment in a descriptive profile of the Suisun City Police Department. The profile will also present workload data, preliminary analysis, organizational charts, deployment schedules, and a summary of key characteristics and dynamics of the community. The descriptive profile will detail:

- Current (filled) and authorized staffing levels by classification.

- Deployment of field patrol services by area and shift.
- For investigations - total caseloads and case management practices.
- Scheduling of other staff.
- Scope of responsibilities and duties for other units.
- Training, recruitment and retention.
- Management and supervisory staff roles.

The draft document will be reviewed with the project team, with corrections and revisions being made thereafter.

TASK RESULT

A descriptive profile will detail the staffing, workload levels, and deployment schedules of the Department, as well as any key characteristics of the service environment. It will be reviewed with the Department.

Task 4 | Identify Key Organizational and Operational Issues Through a Comparison to Best Practices in Law Enforcement

By this point in the process, the project team will not only have documented the 'as is' state of the Police Department as well as initial issues regarding operations and staffing. The project team will develop a detailed list of issues of the Department in order to identify issues in staffing, organization, and management practices.

The comparison to 'best practices' and aspirational innovations used in this assessment represent the project team's experience working with police agencies, as well as standards from other organizations (e.g., CALEA, IACP, etc.). Special attention will be paid to comparisons to the goals identified in the report from the Commission on 21st Century Policing.

TASK RESULT

The results of this analysis will be documented in an assessment of issues in the Department in terms of comparisons to best practices in policing. This key interim deliverable would be reviewed with the Police Department and the City.

Task 5 | Analysis of Current Staffing

The project team will develop a comprehensive analysis of staffing needs for each function of the Department, as well as strategies achieving the best use of existing resources. While different analytical factors and processes are used to determine staffing needs for each function, the project team will examine strategies for deploying, allocating, and managing the operations of personnel around a number of key considerations:

- The adequacy of staffing levels to handle workloads and meet service level objectives:
 - For patrol operations, this includes the ability to meet specified targets for proactivity and community policing effectiveness, both at an overall level and at peak hours throughout the day. Critically, the analysis of patrol proactivity to determine how proactive capabilities are utilized and targeted.
 - In investigative, this includes whether effective targets are met for caseloads, as well as ensuring that objectives for providing support and services to victims are met.
 - For other staffed functions, determining the efficiency of business practices and the meeting of service objectives.
 - Are resources deployed effectively to deal with crime related issues affecting the community such as traffic, etc.
- Fulfillment of the department's mission and objectives for community policing:
 - Do training, recruitment, and operations management practices support these philosophies?
 - Are specialized resources in place to proactively engage and coordinate solutions to issues within individual areas of the community?

The following provide examples of the firm's approaches to analyzing crime, calls for service, and patrol proactivity:

(1) Patrol Proactive Time by Hour and Weekday

Analysis of patrol proactivity (or % of uncommitted time) at a detailed level is able to show whether the strategies for deploying resources are able to most efficiently provide resources against workload levels as they vary throughout the day and week:

Time	# Units	S	M	T	W	Th	F	Sa	Overall
2am-6am	31.4	15%	59%	55%	58%	57%	46%	26%	45%
6am-10am	37.0	57%	47%	46%	46%	49%	47%	52%	48%
10am-2pm	38.9	19%	-1%	3%	5%	5%	1%	8%	6%
2pm-6pm	73.6	46%	38%	36%	34%	33%	37%	41%	43%
6pm-10pm	52.3	15%	8%	14%	10%	14%	7%	17%	16%
10pm-2am	53.6	8%	35%	29%	37%	34%	28%	9%	35%
Overall	47.8	32%	33%	33%	34%	34%	30%	30%	32%

(2) Incident/Crime Occurrence Trends

Analysis of when specific incident types and crimes occur provides insight on whether the right types of resources are deployed at certain times of the day:

Incident Type	# CFS	Time	12a	4a	8a	12p	4p	8p
INFO/DETAIL	12,966	39.7						
DISTURBANCE	8,986	35.6						
SUSPICIOUS PERSON	5,620	34.8						
WATCHORDER	3,819	25.1						
ALARM/AUDIBLE	3,719	25.0						
PHONE REPORT CALL	3,297	20.2						
THEFT	3,132	55.6						
ACCIDENT	2,986	76.8						
ASSAULT/BATTERY	1,423	67.9						
ACCIDENT/INJURY	792	86.9						
All Other Types	9,901	69.3						
Total	56,641	44.9						

(3) Calls for Service by Hour and Weekday

Hour	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Total
12am	45	24	17	14	29	24	38	191
1am	34	19	25	16	25	20	36	175
2am	26	12	13	18	19	22	31	141
3am	13	23	12	22	21	19	21	131
4am	16	20	21	16	17	19	19	128
5am	17	23	13	28	26	26	18	151
6am	17	37	50	47	44	36	35	266
7am	46	55	59	50	63	34	50	357
8am	51	71	64	79	74	87	66	492
9am	58	91	78	101	87	98	66	579
10am	57	90	77	107	72	86	94	583
11am	64	92	86	110	82	88	80	602
12pm	72	96	94	76	94	82	73	587
1pm	56	85	75	73	75	111	53	528
2pm	63	82	104	89	98	93	77	606
3pm	50	103	78	83	90	92	52	548
4pm	59	80	94	71	76	85	95	560
5pm	58	85	83	64	66	85	45	486
6pm	39	83	67	49	53	64	67	422
7pm	44	63	56	49	60	72	65	409
8pm	46	53	60	50	41	52	60	362
9pm	36	57	69	56	52	50	44	364
10pm	27	31	44	39	38	42	55	276
11pm	28	20	32	46	25	39	38	228
Total	1,022	1,395	1,371	1,353	1,327	1,426	1,278	9,172

Preliminary findings of the analysis of staffing needs and deployment strategies will be reviewed, with revisions and further analysis being completed thereafter.

TASK RESULT

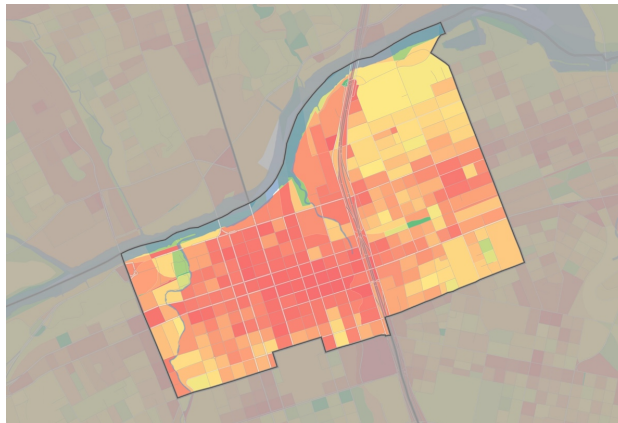
The project team will develop an analysis of resources, staffing needs, deployment, and management of operations as an interim deliverable.

Task 6 | Projection of the Police Department’s 10 Year Service Demands and Personnel Resource Needs

Unique factors of a community shape the service environment that Police personnel operate in. The modeling system we have developed to determine the impacts of development and growth on police service demands is the combined product of using advanced technical capabilities and our experience in working with local government clients.

Key aspects of the model employed to create an accurate and defensive model for planning service and personnel needs include the following:

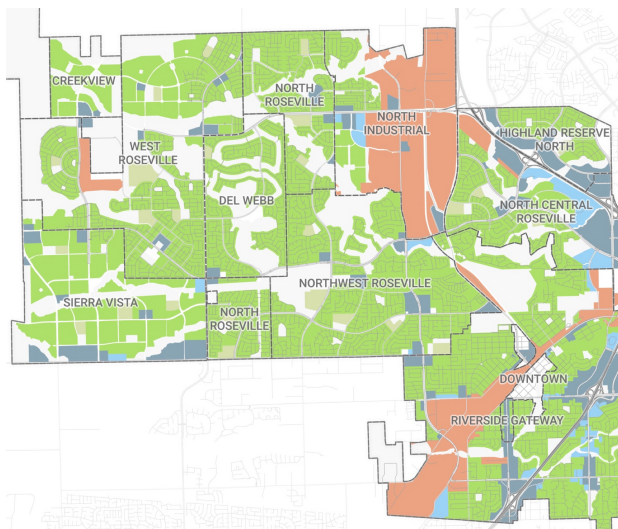
Illustrative Factors Considered to Project Future Staffing Needs



Geographic Analysis of Service Needs

In order to model the effects of the anticipated growth in Suisun City, it is critical to understand the rates at which existing and similar developments generate workloads and other public safety service needs.

Our analysis will utilize a GIS-centered approach to examine geospatial trends in service demand.

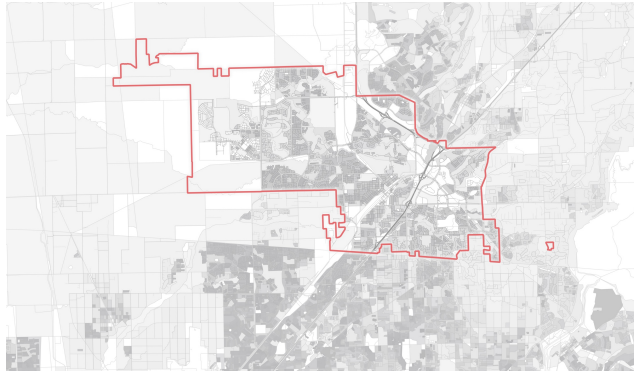


Land Use and Redevelopment

Different types of residential, commercial, and industrial zoning spaces have unique impacts on public safety service needs.

We will meet with Suisun City’s Planning staff to understand how land is used currently, as well as the configurations of any anticipated development and redevelopment, in order to accurately model how these needs will evolve.

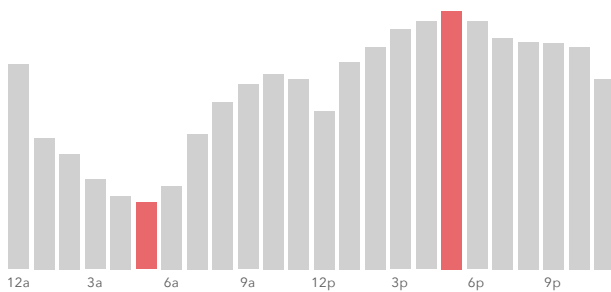
The data collected from Planning and other resources will form the basis of our GIS model of how police service needs will evolve over the projection timeframe.



Regional Interactions

Understanding the context of the community within its surrounding region is essential to forecasting its planning needs.

This includes developing an understanding of factors such as the daytime working population and effects on field resource demands.



Workload-Based Projections

Rather than base projections for future staffing needs on a simple ratio such as officers per capita, our analysis builds staffing needs from how workload is changing – whether driven by calls for service, investigative cases, or reports and administrative workloads for records staff.

Data collected for the analysis of projected service and personnel needs includes the following:

- CAD data (up to the past three years if current CAD system has been in place for that timeframe)
- Supporting information for CAD analysis (e.g., unit code and incident type lists, patrol schedules, incident report totals, arrest and booking totals)
- UCR/NIBRS (up to the past three years; including location coordinates if data systems allow)
- Planning and land use GIS shapefiles (preferably including information such as commercial space, housing unit counts, and other key data)
- Information on planned developments, including expected timeframes for completion when possible

The project team will collect other publicly available data used for the analysis, such as road networks, census data, and geographical features.

The results of the service needs and staffing projections will be developed into an interim deliverable that provides comprehensive projections for service and staffing

needs for each Police Department function. The projections will be provided at multiple timeframes in order to provide for a more accurate planning process.

TASK RESULT

The analysis will result in an interim deliverable that comprehensively projects public safety service and staffing needs over the next 10 years for each function of the Police Department. The project team will review the draft deliverable with the steering committee and make revisions as needed.

Task 7 | Develop a High Level Assessment of Future Facility Needs.

After projected staffing needs have been developed, the project team will develop an initial high level estimate of projected future operational space needs. To project estimated space needs, the following approach will be utilized:

- The project team will tour existing facilities to determine current allocation of space for specialty areas.
- Identify issues associated with current space including adequacy for effective functioning, quality, adjacency, etc.
- Apply space standards developed for staff to projected future space needs. The project team has composed space standard from various sources, including the General Services Administration, International Chief of Police, North American Fleet Association, and utilizing the project team’s experience in conducting similar space studies law enforcement agencies.
- Apply space standards to support spaces to determine support area spatial needs.

Space projections will be calculated over the 10 year planning horizon by functional / operational area. These projections should be viewed a preliminary and subject to further evaluation.

TASK RESULT

Spatial needs will be determined by functional area including support spaces (e.g. storage, meeting space, training, etc.).

Task 8 | Development of a Report on the Department’s Staffing and Service Delivery.

The project team will develop a summary report on the Suisun City Police Department based on the completion of the preceding tasks. We would be prepared to present it to the City Council.

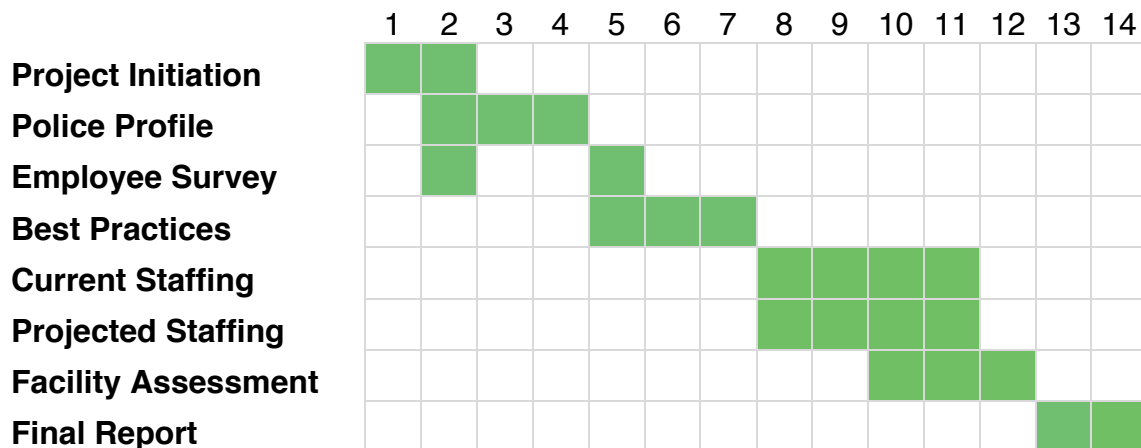
- What are the current strengths of the Department in terms of its management and service working with the community?
- How does the Police Department work with the community in identifying and solving problems identified by them? How engaged are police personnel in providing services?
- Does the Department evaluate its services and needs and plan for the future?
- Is training used to promote positive values?
- What staff and other resources are needed now and over the next 10 years?

TASK RESULT

The result of this task will be a draft and final report of the Suisun City Police Department’s needs now and over the next 10 years.

3. Project Schedule

The table, below, graphically displays the tentative schedule to conduct the Police Department Needs Assessment. The chart shows the sequencing of each proposed work task and the elapsed time it would take to complete each task. As can be seen from the chart, we are proposing that the study be completed in 14 weeks.



2 Firm Experience

1. Introduction to the Matrix Consulting Group

The Matrix Consulting Group was formed by senior consultants who created it in order to pursue a service in which the senior people actually do the work. Our only business focus is the provision of organization and management analytical services to local government. Our firm's history and composition are summarized below:

- We were founded in 2002. However, the principals and senior staff of our firm have worked together in this and other consulting organizations *as one team* for between 10 and 30 years.
- Our *only* market and service focus is management, staffing and operations analysis of local government.
- Our firm maintains two offices in California – San Mateo and Irvine. We currently have 20 full-time and 4 part-time staff.

We are proud of our track record in providing analytical assistance to local governments in general, and to police departments specifically.

2. Police Consulting Experience

While we provide a variety of services to local government our most significant service area is police services. The Matrix Consulting Group project team has conducted studies of more than 400 law enforcement agencies throughout the United States, including over 100 in California. Our services in police consulting are varied and include:

- Staffing, scheduling and deployment
- Organizational and management services
- Resource planning
- Implementation of 21st Century Policing concepts

Some of our recent police department clients include the following (with California clients **bolded**).

Arlington, TX	Kansas City, KS	Portland, OR
Asheville, NC	Kansas City, MO	Raleigh, NC
Austin, TX	Kaua'i County, HI	Redding, CA
Berkeley, CA	Las Vegas Metro, NV	Rockford, IL
Beverly Hills, CA	Lynnwood, WA	Roseville, CA
Birmingham, AL	Miami Beach, FL	Sacramento, CA
Chula Vista, CA	Midwest City, OK	San Antonio, TX
Columbia, MO	Nashville, TN	San Jose, CA
Davenport, IA	Orange County, CA	Sunnyvale, CA
Fort Worth, TX	Oshkosh, WI	Tacoma, WA
Hayward, CA	Peoria, AZ	West Sacramento, CA
Howard County, MD	Phoenix, AZ	Wichita, KS
Jacksonville, FL	Puyallup, WA	Winnipeg, MB

In addition, we are currently completing law enforcement studies for **Los Angeles** (redesigning the City's beat system), **San Francisco** (developing an interactive staffing model), and a workload and staffing study for **Mountain View**.

It should also be noted that the firm conducted a staffing study for the Suisun Police Department in 2005.

3. References

The following abstracts and references are for recent police deployment and strategic planning studies conducted by our firm. We urge you to contact these references to better understand the quality of our work and the responsiveness of our team.

References and Descriptions of Similar Projects

<p>Roseville, California</p> <p>Police Department Planning Study</p> <p>Chief James Maccoun Project Coordinator (916) 774-5011 jmaccoun@roseville.ca.us</p>	<p>Matrix completed a comprehensive planning study for the Roseville Police Department, developing detailed 10-year service needs and staffing projections through the year 2026.</p> <p>The analysis made extensive use of planning and economic forecasting data to model the effects of the city's rapid growth on future levels of crime and police call for service volumes. The forecasts then translated these workloads into the required staffing levels at each position level in the department.</p>
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**Lower Saucon Township,
Pennsylvania**

**Police Department
Organizational and Staffing
Assessment**

Leslie Huhn
Township Manager
(610) 865-3291
manager@lowersaucontownship.org

In this study, the project team provided a comprehensive assessment of the Police Department. Key staffing recommendations included ensuring that shifts had supervisors (or Team Leaders) and lowered minimum staffing requirements (2 rather than 3). In management areas, the project team recommended a more positive approach by the Chief in dealing with staff and Township officials, a more engaging approach with the community, and the development of a 'strategic plan' with and for the community.

Since the study was completed the Chief has retired and we provided an interim chief and assisted the Township in recruiting a permanent one.

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Oshkosh, Wisconsin

**Police Department Staffing
Study and Projections**

Dean Smith
Chief of Police
(920) 236-5700
dsmith@ci.oshkosh.wi.us

In this recently completed study the project team developed short and longer range projections of staffing and organizational needs. Key to the study were the longer range needs associated with redevelopment of downtown and the waterfront.

The project team also evaluated how the management structure will change over time and how roles need to evolve in the process of getting there. Finally, opportunities to improve operations management in patrol and investigations were identified.

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Yarmouth, Massachusetts

**Police and Fire Department
Operational Reviews**

Chris Dwelley
Assistant Town Manager
(508) 398-2231
cdwelley@yarmouth.ma.us

In this study, the firm developed a comprehensive assessment of internal and shared service improvement opportunities for both Police and Fire.

In the Police Department study, the project team validated current patrol approaches, but recommended a more robust approach to managing proactive efforts; in investigations, changes were recommended in case management as well as a sergeant to oversee proactive investigations; in administration, additional counter time to serve the public.

Finally, the project team also examined short and long term opportunities for internal and external shared services. Most significant among these was a proposed consolidation of police and fire emergency communications.

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3 Project Team Experience

The following table provides abbreviated biographical summaries for the proposed project team. Richard Brady, the project manager, would serve as the primary point of contact.

Summary of Project Team Qualifications

Richard Brady
President,
Project Manager

Mr. Brady has been providing management consulting services to municipalities for 35+ years across all governmental functions, including over 250 law enforcement department clients, conducting costs and financial analysis, organizational and operational assessments, organizational structure reviews, feasibility studies, technology and equipment reviews, and performance audits.

This includes recent police department assessments for Lansing (IL), Oshkosh (WI), Lower Saucon Township and Carlisle (PA), Austin and San Antonio (TX), Goodyear and Phoenix (AZ), DeKalb County (GA), Wichita (KS), Asheville (NC), Elko (NV), Columbia (MO), Pacifica, Hayward and Chula Vista (CA), Portland (OR), Omaha (NE), Aurora (CO), Hennepin County (MN), Mahwah, Mendham and Lawrence Township (NJ), Arlington (WA), Montpelier (VT), Lansing (IL), and Birmingham (AL).

He has a Doctoral Degree from Oxford University and a BA from Cal State, Hayward.

John Scruggs
Manager,
Project Analyst

John Scruggs is a Manager with the Matrix Consulting Group. He has a strong background in law enforcement, including having previously served as a Captain for the Portland Police Bureau. He has served in all facets of law enforcement including patrol, investigations, training and administration during his 26-year career.

Mr. Scruggs was a member of our police department study teams for Oshkosh (WI), Lower Saucon Township and Narberth (PA), Kansas City (KS) and Kansas City (MO), Wichita (KS) and Midwest City (OK), Riverside County, Sacramento and San Jose (CA). Recently, he has provided additional assistance to Lower Saucon Township by acting as their interim police chief and has assisted them in recruitment of a permanent one.

Mr. Scruggs has a Master of Public Administration from Portland State University. He received his Bachelor's degree in Political Science from Portland State University. Mr. Scruggs has also received mid-management and executive management course certificates from the Oregon Department of Public Safety Standards and Training.

Ian Brady

Vice President,
Project Analyst

Ian Brady is a Vice President with the Matrix Consulting Group as part of our Management Services Division. He has over 7 years of consulting experience. He specializes in public safety and is dedicated to providing analysis for all of our police studies. Mr. Brady also developed the firm's analytical models for scheduling and deployment as well as GIS tools for analyzing field workloads, beat/district design, and service need projections. He has also developed our staffing planning models that are used by many of our previous clients.

Mr. Brady has recently worked on police management studies for Lansing (IL), Oshkosh (WI), San Jose (CA), Orange County (FL), Peoria (AZ), Kansas City (MO), Wichita (KS), Austin (TX), Hayward (CA), Raleigh (NC), Birmingham (AL), DeKalb County (GA), and Kauai (HI).

He received his BA in Political Science from Willamette University.

Adrian Gonzalez

Manager

Project Analyst

Mr. Gonzales is a Manager with Matrix Consulting Group based in our headquarters' CA office. He has over 10 years' experience in local government consulting having worked with cities, counties, special districts, and nonprofits across the country.

Mr. Gonzales's breadth of consulting experiences includes performing a range of audit and general consulting engagements in accordance with GAGAS and IIA standards. He is also experienced in researching, interpreting and applying best practices from sources such as GFOA, GASB, Green Book.

Mr. Gonzales graduated from Whittier College with two bachelor's degrees in Political Science and Studies in Public Policy through the Whittier Scholars Program.

Ryan Peterson

Consultant,
Project Analyst

Ryan Peterson is a Consultant with the Matrix Consulting Group, specializing in GIS and data analytics. He has over five years of experience in conducting geospatial analysis for local and regional governments, having previously worked for the City of Portland and City of Beaverton, as well as the Tri-County Metropolitan Transportation District of Oregon (TriMet).

Mr. Peterson is currently working on police analytical projects for West Sacramento (CA), Davenport (IA), and Orange County (FL).

He holds a BS in Geography/GIS from University of Oregon, as well as a GIS Graduate Certificate from Portland State University, and a certificate in programming from the Epicodus School.

More extensive resumes follow this page.

RICHARD P. BRADY
President, Matrix Consulting Group
Project Manager

Background

Richard Brady is the Matrix Consulting Group's President. Mr. Brady has been a management consultant to local government for more than 39 years. Prior to joining the Matrix Consulting Group, he was the MAXIMUS national Vice President in charge of its local government consulting practice, and before that the managing partner of the California-based management consulting firm of Hughes, Heiss & Associates. Mr. Brady has conducted numerous studies of every local government function. However, the vast majority of his work is in the law enforcement, criminal justice and public safety areas. In recent years, he has led the firm in its assistance to police departments in implementing 21st Century policing concepts.

Experience in Law Enforcement Analysis

The following points summarize Mr. Brady's project experience.

- **Law enforcement management and operations studies** covering workload, staffing, service levels, and internal procedures and policies. Clients served include:

Alaska	Anchorage
Arizona	Goodyear, Peoria, Phoenix, Prescott Valley
California	Alameda County, Anaheim, Berkeley, Butte County, Chula Vista, Citrus Heights, Contra Costa County, Galt, Gilroy, Goleta, Glendale, Kern County, Laguna Hills, Los Angeles, Los Angeles County, Los Gatos, Lynwood, Monrovia, Napa, Ontario, Orange County, Palmdale, Palo Alto, Pittsburg, Poway, Redding, Riverside County, Roseville, San Jose, Pasadena, Patterson, San Bernardino, San Bernardino County, San Mateo County, San Rafael, Santa Ana, Santa Barbara County, Santa Monica, Sonoma County, Sunnyvale and Vernon
Colorado	Aurora
Connecticut	Stamford
Florida	Alachua County, Coral Gables, Jacksonville, Jupiter, Miami Beach, North Miami Beach, Orange County, Pasco County, Pinellas County, Port Richey and Venice
Georgia	Americus, Augusta-Richmond County, DeKalb County, Fulton County, Hall County, and Chatham County

Illinois	Lansing
Kansas	Kansas City, Wichita and Wyandotte County
Louisiana	Alexandria
Massachusetts	Beverly, Boston, Lawrence, Milford, Mansfield, Burlington, Pelham, Watertown, Wayland, Westwood, Whitman
Minnesota	Anoka County, Hennepin County and Ramsey County
Missouri	Kansas City, Columbia, Des Peres and Raymore
Nebraska	Omaha
Nevada	Las Vegas Metropolitan Police Department, Elko, Sparks and Reno
New Hampshire	Portsmouth
New Mexico	Albuquerque
New Jersey	Mahwah, Mendham, Lawrence Township, Franklin Township, Montvale, Woodcliff Lake and Park Ridge
New York	Albany, Carthage, Endicott, Newburgh, Vestal and Briarcliff Manor
North Carolina	Burke County, Raleigh and Durham
Michigan	Alpena and Detroit
Oklahoma	Midwest City
Ohio	Fairborn
Oregon	Portland, Clackamas County and Grants Pass
Pennsylvania	Carlisle, Lower Saucon, Mt. Lebanon and York
South Carolina	Beaufort County, Charleston County, Hilton Head Island, Spartanburg County
Tennessee	Nashville-Davidson County and Knox County
Texas	Arlington, Austin, El Paso, Grand Prairie Kyle, San Antonio, Terrell, and Southlake
Utah	Salt Lake City
Vermont	Brattleboro and Montpelier
Virginia	Richmond, Leesburg and Loudoun County
Washington	Arlington, Spokane, Kirkland and Snohomish County

Wisconsin	Oshkosh, Sun Prairie, Milwaukee, Dodge County and Dane County
Canada	Winnipeg

Law Enforcement Program Studies: Mr. Brady has performed a wide variety of studies of law enforcement programs and services. Selected studies have included the following:

- **Emergency Communications** – over 75 studies of existing communications centers (e.g., Monterey County, CA) as well as consolidation alternatives (e.g., San Mateo County, CA).
- **Regional Law Enforcement Feasibility Studies:** Mr. Brady has been involved or managed several law enforcement regionalization studies. These have included the following:
 - **Police Joint Powers Authority Feasibility Study.** Nine cities that contract with the Riverside County Sheriff’s Department have an interest in creating a law enforcement vehicle outside of the County. This study demonstrated that such an effort could duplicate current services at substantially less cost.
 - **Regionalization Opportunities in Training and Communications for the Boston Metropolitan Area.** The Regionalization Commission chose members of this project team to work with over 110 agencies on public safety regional issues.
 - **Law Enforcement Consolidation Feasibility Study for Broome County, New York:** All police services have begun to consolidate all support functions (communications, records, information systems, training) as well as shift supervision as a first step to consolidation.
 - **Regional Law Enforcement Feasibility Study for Riverside and San Bernardino County, California Contract Cities:** In each study, cities receive contracted law enforcement services from County Sheriff’s Office. Because of the philosophy of contracting, costs increased dramatically.
 - **Three Community Police Consolidation Feasibility Study** – for Montvale, Woodcliff Lake and Park Ridge (NJ).

Education

BA, California State University, Hayward
Ph.D., Oxford University, United Kingdom

JOHN SCRUGGS

Manager, Matrix Consulting Group

Background

John Scruggs is a Manager with the Matrix Consulting Group. He has a strong background in law enforcement, including having previously served as a Captain for the Portland Police Bureau. He has served in all facets of law enforcement including patrol, investigations, training and administration during his 26-year career. In addition to his law enforcement background, Mr. Scruggs has extensive experience in the legislative process. He has authored or co-authored five state laws and city ordinances. He received the 2015 partnership award from the Oregon Chiefs of Police Association and the Oregon State Sheriff's Association for his work on the Oregon Body Worn Camera bill. Mr. Scruggs also served as the Chair of the National Policy Board for the Gang Resistance Education and Training (G.R.E.A.T.) program.

Project Experience

He has worked with Matrix Consulting Group as internal project manager for the recent Portland Police Bureau (OR) staffing study.

His consulting experience includes law enforcement studies for Lansing (IL), Oshkosh (WI), Lower Saucon Township and Narberth (PA), Glenn Heights (TX), Kansas City (MO), Kansas City and Wyandotte County (KS), Narberth (PA), Wichita (KS), Sacramento (CA), San Jose (CA), and Midwest City (OK).

Recently, he has provided additional assistance to Lower Saucon Township by acting as their interim police chief and has assisted them in recruitment of a permanent one.

Education

Mr. Scruggs has a Master of Public Administration from Portland State University. He received his Bachelor's degree in Political Science from Portland State University. Mr. Scruggs has also received mid-management and executive management course certificates from the Oregon Department of Public Safety Standards and Training.

IAN BRADY

Vice President, Matrix Consulting Group

Background

Ian Brady is a Vice President with the Matrix Consulting Group as part of our Management Services Division. He has over 8 years of consulting experience. He specializes in public safety and is dedicated to providing analytical support for all of our police, fire, emergency communications and criminal justice system studies. Mr. Brady also developed the firm's GIS-based analytical tools for analyzing field service workloads and service levels, beat design and efficiency, and alternatives to resource deployment and scheduling.

Experience in Law Enforcement Studies

Mr. Brady has experience conducting law enforcement management, staffing and operations studies, including recently for the following clients:

Adams County, Colorado	Midwest City, Oklahoma
Anoka County, Minnesota	Mahwah, New Jersey
Arlington, Washington	Orange County, Florida
Austin, Texas	Portland, Oregon
Berkeley, California	Patterson, California
Birmingham, Alabama	Peoria, Arizona
Carlisle, Pennsylvania	Raleigh, North Carolina
Chula Vista, California	Ramsey County, Minnesota
Columbia, Missouri	Redding, California
Cooper City, Florida	Rio Rancho, New Mexico
DeKalb County, Georgia	Rockingham County, New Hampshire
Hanford, California	Roseville, California
Hayward, California	Sacramento, California
Hennepin County, Minnesota	San Jose, California
Howard County, Maryland	Shasta County, California
Huntington Beach, California	Suffolk, Virginia
Kansas City, Missouri	West Sacramento, California
Kauai County, Hawaii	Wichita, Kansas
Kyle, Texas	Winnipeg, Manitoba
Lynnwood, Washington	Wyandotte County, Kansas

Education

Mr. Brady received his BA in Political Science from Willamette University.

4 Project Cost

The following chart provides our proposed costs for developing the Police Department Needs Assessment to the City of Suisun City including a breakdown of project staff hours by staff consulting level. As the table shows, we are prepared to enter into a fixed price contract for **\$45,000**.

	Project Manager	Sr Manager Manager	Consultant	Hours
Initiation	8	8	0	16
Employee Survey	0	4	8	12
Department Profile	8	32	8	48
Best Practices	8	16	8	32
Current Staffing	8	32	16	56
Projected Staffing	8	16	16	40
Facility Assessment	4	16	8	28
Final Report	8	32	8	48
Total Hours	52	156	72	280
Hourly Rate	\$200	\$150	\$100	
Total Professional Fees	\$10,400	\$23,400	\$7,200	\$ 41,000
Project Expenses				\$4,000
Total Project Cost				\$45,000

Our usual approach to invoicing is on a monthly basis. However, we are also amenable to invoicing on a deliverable basis.

AGENDA TRANSMITTAL

MEETING DATE: July 7, 2020

CITY AGENDA ITEM: Resolutions Calling for, Requesting Consolidation of November 3, 2020 General Municipal Election and Adopting Regulations Pertaining Candidate Statements:

- a. Council Adoption of Resolution No. 2020-___: Giving Notice and Calling for the Holding of a General Municipal Election to be Held on Tuesday, November 3, 2020, for the Election of Certain Officers as Required by the Provisions of the Laws of the State of California Relating to General Law Cities; and
- b. Council Adoption of Resolution No. 2020-___: Requesting the Board of Supervisors of the County of Solano to Consolidate a General Municipal Election to be Held on Tuesday, November 3, 2020, with the Statewide General Election to be Held on the Date Pursuant to Section 10403 of the Elections Code; and
- c. Council Adoption of Resolution No. 2020-___: Adopting Regulations for Candidates for Elective Office Pertaining to Candidates Statements Submitted to the Voters at an Election to be Held on Tuesday, November 3, 2020.

FISCAL IMPACT: With approximately 15,765 registered voters, the estimated cost of the November 3, 2020 election is \$40,000. This estimate depends upon the size of the ballot and the degree of consolidation with other regularly scheduled statewide general elections. Funding for this expenditure is included in the FY 2020-21 Annual Budget.

STRATEGIC PLAN IMPACT: Provide Good Governance.

BACKGROUND: Pursuant to the Elections Code, it is necessary to adopt certain Resolutions for conducting an election. The required Resolutions call and give notice of the November 3, 2020 General Municipal Election and request the Solano County Board of Supervisors to consolidate the General Municipal Election with the Statewide General Election.

STAFF REPORT: The resolution requesting consolidation with Solano County authorizes the Registrar of Voters to consolidate the General Municipal Election with the Statewide General Election, to conduct the election and canvass the returns of the election. The City agrees to reimburse the County for costs of election services provided to the City for its portion of the consolidated election.

The candidate nomination filing period is July 13 through August 7 2020. If an incumbent does not file nomination papers by 5:00 p.m. on August 7, 2020, the filing period is extended until August 12, 2020 at 5:00 p.m. No incumbent may file during the extension period. Any person wishing to submit nomination papers must be a registered voter at the time nomination papers are issued.

PREPARED, REVIEWED AND APPROVED BY:

Greg Folsom, City Manager

At every local election, a candidate is given the opportunity to place his/her "Statement of Qualifications" in the Sample Ballot. Candidate statements are optional, the cost is passed on to the candidate. The cost is based on translating, typesetting, printing and distribution. Payment is required from the candidate at the time the statement is filed. The Solano County Registrar of Voters has estimated and published the cost for filing a 200-word Candidate's Statement of Qualifications. The estimated cost for filing a candidate's Statement of Qualifications printed in English is \$203.27. This year candidates have the option of having the candidate's Statement of Qualifications printed in Spanish and/or Tagalog. There is an additional cost of \$253.27 to have the statement translated and printed in each additional language. Each translated statement is in addition to the cost of the English statement.

RECOMMENDATION: It is recommended that the City Council Adopt Resolutions Calling for, Requesting Consolidation of November 3, 2020 General Municipal Election and Adopting Regulations Pertaining Candidate Statements:

- a. Council Adoption of No.2020-___: Giving Notice and Calling for the Holding of a General Municipal Election to be Held on Tuesday, November 3, 2020, for the Election of Certain Officers as Required by the Provisions of the Laws of the State of California Relating to General Law Cities; and
- b. Council Adoption of Resolution No. 2020-___: Requesting the Board of Supervisors of the County of Solano to Consolidate a General Municipal Election to be Held on Tuesday, November 3, 2020, with the Statewide General Election to be Held on the Date Pursuant to Section 10403 of the Elections Code; and
- c. Council Adoption of Resolution No. 2020-___: Adopting Regulations for Candidates for Elective Office Pertaining to Candidates Statements Submitted to the Voters at an Election to be Held on Tuesday, November 3, 2020.

ATTACHMENTS:

1. Resolution No. 2020-___: Giving Notice and Calling for the Holding of a General Municipal Election to be Held on Tuesday, November 3, 2020, for the Election of Certain Officers as Required by the Provisions of the Laws of the State of California Relating to General Law Cities; and
2. Resolution No. 2020-___: Requesting the Board of Supervisors of the County of Solano to Consolidate a General Municipal Election to be Held on Tuesday, November 3, 2020, with the Statewide General Election to be Held on the Date Pursuant to Section 10403 of the Elections Code; and
3. Resolution No. 2020-___: Adopting Regulations for Candidates for Elective Office Pertaining to Candidates Statements Submitted to the Voters at an Election to be Held on Tuesday, November 3, 2020.
4. Solano County Registrar of Voters Candidate's Statement of Qualifications and Cost.

RESOLUTION NO. 2020-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY GIVING NOTICE AND CALLING FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES

WHEREAS, under the provisions of the laws relating to general law cities in the State of California a General Municipal Election shall be held on Tuesday, November 3, 2020, for the election of Municipal Officers.

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF SUISUN CITY, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of the laws of the State of California relating to General Law Cities there is called and ordered to be held in the City of Suisun City, California, on Tuesday, November 3, 2020 a General Municipal Election for the purpose of electing a two Members of the City Council for the full term of four years; a City Clerk for the full term of four years; and a City Treasurer for the full term of four years.

SECTION 2. That the ballots to be used at the election shall be in form and content as required by law.

SECTION 3. That the City Clerk is authorized, instructed and directed to coordinate with the County of Solano Registrar of Voters to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

SECTION 4. That the polls for the election shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, pursuant to Election Code Section 10242, except as provided in Section 14401 of the Elections Code of the State of California.

1 **SECTION 5.** That in all particulars not recited in this resolution, the election shall be
2 held and conducted as provided by law for holding municipal elections.

3 **SECTION 6.** That notice of the time and place of holding the election is given and the
4 City Clerk is authorized, instructed, and directed to give further or additional notice of the
5 election, in time, form, and manner as required by law

6 **SECTION 7.** That the City Clerk shall certify to the passage and adoption of this
7 Resolution and enter it into the book of original Resolutions.

8 **PASSED, APPROVED, AND ADOPTED** at a regular meeting of the City Council
9 of the City of Suisun City, California, on July 7, 2020.

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Lori D. Wilson, Mayor

ATTEST:

Donna Pock, CMC
Deputy City Clerk

CERTIFICATION

I, Donna Pock, Deputy City Clerk of the City of Suisun City, do hereby certify that the
above and foregoing Resolution No. 2020-____ was duly passed, approved and adopted, by
the City Council of the City of Suisun City at a regular meeting held on July 7, 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 July 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 REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF SOLANO TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020 WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE DATE PURSUANT TO § 10403 OF THE ELECTIONS CODE

WHEREAS, the City Council of the City of Suisun City called a General Municipal Election to be held on November 3, 2020, for the purpose of the election of two Members of the City Council for the full term of four years; a City Clerk for the full term of four years; and a City Treasurer for the full term of four years; and

WHEREAS, it is desirable that the General Municipal Election be consolidated with the Statewide General Election to be held on the same date and that within the city the precincts, polling places and election officers of the two elections be the same, and that the county election department of the County of Solano canvass the returns of the General Municipal Election and that the election be held in all respects as if there were only one election.

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF SUISUN CITY DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of §10403 of the Elections Code, the Board of Supervisors of the County of Solano is hereby requested to consent and agree to the consolidation of a General Municipal Election with the Statewide General Election on Tuesday, November 3, 2020, for the purpose of the election of a two Members of the City Council for the full term of four years; a City Clerk for the full term of four years; and a City Treasurer for the full term of four years; and

SECTION 2. That the County Election Department is authorized to canvass the returns of the General Municipal Election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used. The election will be held and conducted in accordance with the provisions of law regulating the statewide election.

1 **SECTION 3.** That the Board of Supervisors is requested to issue instructions to the County
2 Election Department to take any and all steps necessary for the holding of the consolidated
3 election.

4 **SECTION 4.** That the City of Suisun City recognizes that additional costs will be incurred
5 by the County by reason of this consolidation and agrees to reimburse the County for any costs.

6 **SECTION 5.** That the City Clerk is hereby directed to file a certified copy of this resolution
7 with the Board of Supervisors and the County Election Department of the County of Solano.

8 **SECTION 6.** That the City Clerk shall certify to the passage and adoption of this resolution
9 and enter it into the book of original resolutions.

10 **PASSED, APPROVED, AND ADOPTED** at a regular meeting of the City Council
11 of the City of Suisun City, California, on July 7, 2020.

12
13 _____
Lori D. Wilson, Mayor

14 ATTEST:

15 _____
16 Donna Pock, CMC
17 Deputy City Clerk

18 **CERTIFICATION**

19 I, Donna Pock, Deputy City Clerk of the City of Suisun City, do hereby certify that the
20 above and foregoing Resolution No. 2020-____ was duly passed, approved and adopted, by
the City Council of the City of Suisun City at a regular meeting held on July 7, 2020, by the
following vote:

21 **AYES:** Councilmembers: _____
22 **NOES:** Councilmembers: _____
23 **ABSENT:** Councilmembers: _____
24 **ABSTAIN:** Councilmembers: _____

25 **WITNESS** my hand and the seal of said City this ____ day of July 2020.

26 _____
27 Donna Pock, CMC
28 Deputy City Clerk

RESOLUTION NO. 2020-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020

WHEREAS, §13307 of the Elections Code of the State of California provides that the governing body of any local agency adopt regulations pertaining to materials prepared by any candidate for a municipal election, including costs of the candidates statements.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SUISUN CITY, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1. GENERAL PROVISIONS.

That pursuant to §13307 of the Elections Code of the State of California, each candidate for elective office to be voted for at an Election to be held in the City of Suisun City on November 3, 2020, may prepare a candidate's statement on an appropriate form provided by the City Clerk. The statement may include the name, age and occupation of the candidate and a brief description of no more than two hundred (200) words of the candidate's education and qualifications expressed by the candidate himself or herself. The statement shall not include party affiliation of the candidate, nor membership or activity in partisan political organizations. The statement shall be filed in the office of the City Clerk at the time the candidate's nomination papers are filed. The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.

SECTION 2. FOREIGN LANGUAGE POLICY

Pursuant to the Federal Voting Rights Act, the county shall have translated, at the candidate's expense, the candidates' statements of those candidates who request translation into all languages required by the County of Solano. The County is required to translate candidate's statements into the following languages: Spanish and/or Tagalog.

1 The County will print and mail voter information guides and candidates statements to all voters,
2 and shall print the translation in the voter information guides at the candidate's expense.

3 **SECTION 3. PAYMENT**

4 A. Translations

- 5
6 1. The candidate shall be required to pay for the cost of translating the candidates statement
7 into any required foreign language as specified in Section 2 above pursuant to Federal
8 and/or State law.

9 B. Printing

- 10 1. The City Clerk shall estimate the total cost of printing, handling, translating, and mailing
11 the candidate's statements filed pursuant to this section, including costs incurred as a result
12 of complying with the Voting Rights Act of 1965 (as amended), and require each candidate
13 filing a statement to pay in advance to the local agency his or her estimated pro rata share
14 as a condition of having his or her statement included in the voter's pamphlet. In the event
15 the estimated payment is required, the estimate is just an approximation of the actual cost
16 that varies from one election to another election and may be significantly more or less than
17 the estimate, depending on the actual number of candidates filing statements. Accordingly,
18 the clerk is not bound by the estimate and may, on a pro rata basis, bill the candidate for
19 additional actual expense or refund any excess paid depending on the final actual cost. In
20 the event of underpayment, the clerk may require the candidate to pay the balance of the
21 cost incurred. In the event of overpayment, the clerk shall prorate the excess amount
22 among the candidates and refund the excess amount paid within 30 days of the election.

- 23
24 a. The candidate at the time of filing their candidate statement shall be required to pay
25 for the estimated cost of printing, handling, and mailing his or her candidate's
26 statement of qualifications in English in the main voter pamphlet in the amount of
27 \$203.27.

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- b. The candidate at the time of filing their candidate statement shall be required to pay for the estimated cost of printing, handling, and mailing his or her candidate’s statement of qualifications in Spanish in the main voter pamphlet in the amount of \$253.27.
- c. The candidate at the time of filing their candidate statement shall be required to pay for the estimated cost of printing, handling, and mailing his or her candidate’s statement of qualifications in Tagalog in the main voter pamphlet in the amount of \$253.27.

SECTION 4. ADDITIONAL MATERIALS

No candidate will be permitted to include additional materials in the voter information guide.

SECTION 5.

That the City Clerk shall provide each candidate or the candidate's representative a copy of this Resolution at the time nominating petitions are issued.

SECTION 6.

That all previous resolutions establishing Council policy on payment for candidates’ statements are repealed.

SECTION 7.

That this resolution shall apply only to the election to be held on November 3, 2020 and shall then be repealed.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the City Council
of the City of Suisun City, California, on July 7, 2020.

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Lori D. Wilson, Mayor

ATTEST:

Donna Pock, CMC
Deputy City Clerk

CERTIFICATION

I, Donna Pock, Deputy City Clerk of the City of Suisun City, do hereby certify that the
above and foregoing Resolution No. 2020-____ was duly passed, approved and adopted, by
the City Council of the City of Suisun City at a regular meeting held on July 7, 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 July 2020.

Donna Pock, CMC
Deputy City Clerk



**SOLANO
COUNTY**

REGISTRAR OF VOTERS

TIM FLANAGAN
Chief Information Officer
Registrar of Voters
TPFlanagan@solanocounty.com
(707) 784-6675

JOHN H. GARDNER
Assistant Registrar of Voters
JHGardner@solanocounty.com
(707) 784-3366

**200-WORD CANDIDATE'S
STATEMENT OF QUALIFICATIONS COSTS**

Office	District	English	Spanish*	Tagalog*
City of Benicia		\$227.42	\$277.42	\$277.42
City of Dixon		\$170.72	\$220.72	\$220.72
City of Dixon	3	\$120.94	\$170.94	\$170.94
City of Dixon	4	\$120.59	\$170.59	\$170.59
City of Fairfield		\$473.88	\$523.88	\$523.88
City of Fairfield	4	\$175.46	\$225.46	\$225.46
City of Fairfield	5	\$145.77	\$195.77	\$195.77
City of Fairfield	6	\$173.38	\$223.38	\$223.38
City of Rio Vista		\$146.61	\$196.61	\$196.61
City of Suisun		\$203.27	\$253.27	\$253.27
City of Vacaville		\$442.08	\$492.08	\$492.08
City of Vacaville	1	\$168.11	\$218.11	\$218.11
City of Vacaville	3	\$143.27	\$193.27	\$193.27
City of Vacaville	5	\$162.54	\$212.54	\$212.54
City of Vallejo		\$521.72	\$571.72	\$571.72
City of Vallejo	1	\$178.86	\$228.86	\$228.86
City of Vallejo	3	\$182.40	\$232.40	\$232.40
City of Vallejo	6	\$167.07	\$217.07	\$217.07

* Each translated statement is in addition to the cost of the English statement.

Candidate statement costs are based on translating, typesetting, printing and distribution. Payment is required at the time the statement is filed.

The candidate statement cost is an estimate of the actual cost that varies from one election to another election and may be significantly more or less than the estimate, depending on the actual number of candidates filing statements. Accordingly, the Solano County Registrar of Voters office may, on a pro rata basis, bill the candidate for additional actual expense or refund any excess paid depending on the final actual cost. Elections Code §13307(c).

If you receive payment from your candidates for their candidate statement, please have them make their checks payable to you. The Registrar of Voters will include the candidate statement costs in your election billing.

675 Texas Street, Suite 2600
Fairfield, CA 94533
(707) 784-6675
Fax (707) 784-6678

www.solanocounty.com

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AGENDA TRANSMITTAL

MEETING DATE: July 7, 2020

CITY AGENDA ITEM: Council Adoption of Resolution No. 2020-____: Updating Annual Work Plan of the Public Safety & Emergency Management Citizen Advisory Committee

FISCAL IMPACT: No known fiscal impact.

STRATEGIC PLAN IMPACT: Ensure Public Safety. Provide Good Governance.

BACKGROUND: The City Council on February 5, 2019 endorsed the creation of Citizen’s Advisory Committees. As provided for in the Background section of the February 5, 2019 Staff Report, the creation of the Committees was one more step towards establishing an organizational culture that champions civic engagement in Suisun City by the current City Council.

On February 19, 2019, the City Council established the Public Safety & Emergency Management Citizen Advisory Committee. This Committee centers on reviewing critical public safety functions including but not limited to, scheduling and participation in disaster preparedness training through the Federal Emergency Management Agency (FEMA) Incident Command System (ISC), reverse 911 testing and evacuation modeling, involvement in “Table Top” exercises, creation, training and maintenance of Community Emergency Response Teams (CERT), evaluation of Essential Services Facilities as defined by State and Federal Regulations, support for and creation of Neighborhood Watch Captains and periodic reviews of public safety response levels of service (LOS). All annual Fire and Police Annual Reports will be made to the Advisory Committee for Public Safety & Emergency Management prior to the City Council.

As noted on the February 19, 2019 staff report, on occasion, the City Council or Commission may direct the Committee to review a particular item and may request a report with a specific date or time certain.

STAFF REPORT: On June 13, 2020, The Mayor called a Special Meeting to address the letter from the African American Organizations of Solano County and request from residents to review police policies related to Campaign Zero’s general campaign and their specific campaign of #8cantwait. In addition, based on the national conversation and local protest, renew the social contract between Suisun City Police Department and the Community of Suisun City.

At that meeting, the Council drew consensus on a number of items which will come to the Council in various forms over the next 3 months in order to publicly notice actions taken by September 30, 2020.

The following items specifically relate to actions of review by the Public Safety & Emergency Management Citizen Advisory Committee with a report to the Council by September 15, 2020.

- Review policy and procedures related providing training on implicit bias

PREPARED/REVIEWED/APPROVED BY:

Greg Folsom, City Manager

- Review policies on recruiting for diversity reflective of our community
- Review of “broken window” type policing policies
- Review policies related to purchasing or using military weaponry; craft a policy for Council review regarding annual notification of the purchase and inventory of military weaponry
- Review community complaint policy and process for complaint review
- Review content of Annual Police Report to include diversity of police department; number of citizen complaints; breakout of crimes by self-reported race; and any additional statistics that will require transparency.

RECOMMENDATION: Council Adoption of Resolution No. 2020-__: Updating Annual Work Plan of the Public Safety & Emergency Management Citizen Advisory Committee

ATTACHMENTS:

1. Resolution No. 2020 - __: Updating Annual Work Plan of the Public Safety & Emergency Management Citizen Advisory Committee

RESOLUTION NO. 2020-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY
UPDATING ANNUAL WORK PLAN OF THE PUBLIC SAFETY & EMERGENCY
MANAGEMENT CITIZEN ADVISORY COMMITTEE**

WHEREAS, the on February 19, 2019, the City Council established the Public Safety & Emergency Management Citizen Advisory Committee; and

WHEREAS, the Committee was established to review critical public safety functions and provide reports and findings to the Council; and

WHEREAS, On June 13, 2020, a Special Meeting of the City Council was held to address the letter from the African American Organizations of Solano County; and

WHEREAS, at that meeting, the Council drew consensus on a number of items to address over the next 3 months and to publicly notice actions taken by September 30, 2020.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby approves an Updated Annual Work Plan of the Public Safety & Emergency Management Citizen Advisory Committee as follows:

- Review policy and procedures related providing training on implicit bias
- Review policies on recruiting for diversity reflective of our community
- Review of “broken window” type policing policies
- Review policies related to purchasing or using military weaponry; craft a policy for Council review regarding annual notification of the purchase and inventory of military weaponry
- Review community complaint policy and process for complaint review
- Review content of Annual Police Report to include diversity of police department; number of citizen complaints; breakout of crimes by self-reported race; and any additional statistics that will require transparency.

FURTHER, BE IT RESOLVED that the Public Safety & Emergency Management Citizen Advisory Committee is directed to provide a report to the City Council by September 1, 2020.

PASSED AND ADOPTED at a Regular Meeting of the City Council of the City of Suisun City held on Tuesday the 7th day of July 2020 by the following vote:

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

WITNESS my hand and the seal of said City this 7th day of July 2020.

Donna Pock, CMC
Deputy City Clerk

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AGENDA TRANSMITTAL

MEETING DATE: July 7, 2020

CITY AGENDA ITEM: Submission of a Transactions and Use Tax (“ Sales Tax”) Measure at the November 3, 2020, Election, which includes:

- a. Council Adoption of Resolution No. 2020-___: Calling and Giving Notice of the Holding of a General Municipal Election to be held on November 3, 2020, for the Purpose of Submitting to the Voters a Measure, which adds Chapter 3.15 to Title 3 of the Suisun City Municipal Code thereby Establishing an Additional Transaction and Use General Tax; Requesting the County of Solano to Consolidate the City’s General Municipal Election to be held on November 3, 2020, with the Statewide General Election to be held on that date Pursuant to Section 10403 of the Elections Code; and Approving the Ordinance Adding Chapter 3.15 as Provided Above.
- b. Council Adoption of Resolution No. 2020-___: Authorizing the Drafting of Arguments, Setting Priorities for Filing Written Argument(s) and Directing the City Attorney to Prepare an Impartial Analysis, Regarding a City Measure, Entitled The Suisun City Essential Services and Public Safety Protection Measure, Submitted at the General Municipal Election on November 3, 2020.
- c. Council Adoption of Resolution No. 2020-___: Providing for the Filing of Rebuttal Argument Regarding a City Measure, Entitled Suisun City Essential Services and Public Safety Protection Measure, Submitted at the General Municipal Election on November 3, 2020.
- d. Council Introduction and first reading, by title only, of the Proposed Sales Tax Ordinance, Imposing a Transactions and Use General Tax to be Administered by the California Department of Tax and Fee Administration

FISCAL IMPACT: The estimated cost of submitting the transactions and use tax measure to the City’s electorate at the November 3, 2020, general election is \$4,000.

STRATEGIC PLAN IMPACT: Provide Good Governance; Develop Sustainable Economy; Ensure Fiscal Solvency.

BACKGROUND/STAFF REPORT:

1. Overview

Section 2 of this Report discusses the proposed transactions and use tax (commonly known as a “sales tax”).

PREPARED BY:
REVIEWED BY:

Greg Folsom, City Manager
Greg Folsom, City Manager

Section 3 of this Report discusses the election resolutions needed to submit the proposed tax measure to the voters at the November 3, 2020, election.

Section 4 of this Report discusses the procedural requirements, including the actions needed to be taken, vote requirements for the City Council to submit the measure to the voters, and voter approval requirements.

2. Proposed Transactions and Use Tax

State law permits the City to impose a “transactions and use tax” (commonly known as a “sales tax”). For purposes of this report, the term “sales tax” will be used to refer to “transactions and use tax”). The City currently has a sales tax which is codified in Chapter 3.14 of the Suisun Municipal Code (“Chapter 3.14”). The current rate under Chapter 3.14 is 1% and is set to expire in 2026. State law effectively caps the total sales tax that may be imposed in the county at 2%, including sales taxes imposed by other public entities (e.g., Solano County). Effectively, this means that the City is able to adopt an additional sales tax rate of 0.75% on top of the Chapter 3.14 rate.

Attached to this report is an ordinance (“Sales Tax Ordinance”) that, if approved by the voters, would enact a transactions and use tax rate of 0.75%. This proposed tax would be a general tax and collected revenues would be deposited in the City’s General Fund to fund City services and programs. If approved by the voters, the total annual revenue resulting from this proposed transactions and use tax is estimated to be \$1,600,000.

The Sales Tax Ordinance also establishes a citizen’s oversight committee in its Section 3.15.210 with the same membership as the oversight committee established under Chapter 3.14 (i.e., Measure S) as follows:

“A city general tax oversight committee is hereby established to review the expenditure of the revenues collected pursuant to this ordinance. Except as provided by resolution of the City Council, the committee shall consist of the same membership, same terms, and same duties and qualifications as the committee established pursuant to Section 3.14.220 of Chapter 3.14 of Title 3 of the Suisun Municipal Code. Such resolution may be amended by resolution of the City Council.”

The City Council is asked to take the actions necessary (see below) to submit a general sales tax measure with a rate of 0.75% to the voters at the November 3, 2020, general municipal election.

3. Three Election Resolutions

A. **Generally.**

Three election resolutions concerning the proposed general sales tax are presented for consideration by the City Council.

The first resolution orders the submission of the proposed sales tax to the voters at the November 3, 2020, election, approves the Sales Tax Ordinance for the purposes of submission to the voters,

and requests that the County Board of Supervisors consolidate the same with the Statewide General Election occurring on the same date.

The second resolution authorizes the Mayor to write an argument in favor of the sales tax ballot measure, as well as directing the City Attorney to prepare an impartial analysis of the proposed Sales Tax Ordinance. The second resolution further establishes priorities under State law for choosing among multiple arguments.

The third resolution provides for the filing of rebuttal arguments to the primary written arguments. The rebuttal arguments are prepared by the opposite authors of the primary written arguments.

B. Ballot Label.

The first resolution includes a “ballot label” which describes the proposed Sales Tax ordinance and which is the question actually presented to the voters. Ballot labels are limited to 75 words or less. The Council may revise the language used for the ballot label within the following state law restrictions:

- i. “If the proposed measure imposes a tax or raises the rate of a tax, the ballot shall include in the statement of the measure to be voted on the amount of money to be raised annually and the rate and duration of the tax to be levied.” (Election Code section 13119(b).)
- ii. “The statement of the measure shall be a true and impartial synopsis of the purpose of the proposed measure, and shall be in language that is neither argumentative nor likely to create prejudice for or against the measure.” (Election Code section 13119(c).)
- iii. The ballot label must be in the form of “Shall the measure ... be adopted?”

This proposed sales tax is a general tax and the revenue will be deposited into the General Fund and may be spent for unrestricted general revenue purposes, and the ballot label may make reference to possible uses (while not committing the revenue to those uses).

C. Argument Authorization.

The second resolution authorizes the Mayor to write an argument in favor concerning the ballot measure, and further establishes the priorities if multiple arguments are submitted (whether in favor or against).

D. Rebuttals.

Rebuttal arguments are optional under state law and are allowed at the discretion of the City Council. If the City Council does not desire to authorize rebuttal arguments, then Council should not approve this third election resolution.

4. Procedural Requirements

A two-thirds (i.e., 4 Councilmembers) vote of all members of the City Council (Gov't Code § 53724(b); Rev. & Taxation Code Section 7285.9) will be required to pass the resolution to order the submission of the proposed Sales Tax to the voters and to approve the Sales Tax Ordinance. Additionally, Revenue & Taxation Code Section 7285.9 requires that the City Council approve the Sales Tax Ordinance, which includes the City Council conducting the first reading, by title only, of the Sales Tax Ordinance. The City Council will subsequently adopt the Sales Tax Ordinance after the November 3, 2020, election if it is approved by the voters.

Passage of the Sales Tax measure will require approval by a majority of the voters. The proposed taxes will generate revenue, deposited in the general fund, available for any general governmental purpose. Thus, the taxes are considered "general taxes." Under Proposition 218, the levy of a new general tax must be approved by a majority of voters. (Cal. Const. art. 13C, § 2(b).)

RECOMMENDATION: It is recommended that the City Council:

1. Adopt Resolution No. 2020-___: Submitting a Transactions and Use General Tax Measure to the Voters at the November 3, 2020, Election, Requesting Solano County Consolidation of the Same with the Statewide General Election on the same date, and Approving the Sales Tax Ordinance for purposes of submission to the voters; and
2. Adopt Resolution No. 2020-___: Authorizing the Drafting of the Argument in favor, Setting Priorities for Selection if Multiple Arguments Are Submitted, and Directing the City Attorney to Draft an Impartial Analysis; and
3. Adopt Resolution No. 2020-___: Authorizing Rebuttal Arguments.
4. First Reading of Sales Tax Ordinance: If the City Council adopts the Resolutions above, then Conduct the First Reading, by title only, of the proposed Sales Tax Ordinance.

ATTACHMENTS:

1. Resolution No. 2020-___: Calling and Giving Notice of the Holding of a General Municipal Election to be held on November 3, 2020, for the Purpose of Submitting to the Voters a Measure, which adds Chapter 3.15 to Title 3 of the Suisun City Municipal Code thereby Establishing an Additional Transaction and Use General Tax; Requesting the County of Solano to Consolidate the City's General Municipal Election to be held on November 3, 2020, with the Statewide General Election to be held on that date Pursuant to Section 10403 of the Elections Code; and Approving the Ordinance Adding Chapter 3.15 ss Provided Above.
2. Council Adoption of Resolution No. 2020-___: Authorizing the Drafting of Arguments, Setting Priorities for Filing Written Argument(s) and Directing the City Attorney to Prepare an Impartial Analysis, Regarding a City Measure, Entitled The Suisun City Essential Services and Public Safety Protection Measure, Submitted at the General Municipal Election on November 3, 2020.

3. Council Adoption of Resolution No. 2020-___: Providing for the Filing of Rebuttal Argument Regarding a City Measure, Entitled Suisun City Essential Services and Public Safety Protection Measure, Submitted at the General Municipal Election on November 3, 2020.
4. Council Introduction and first reading, by title only, of the Proposed Sales Tax Ordinance: Imposing a Transactions and Use General Tax to be Administered by the California Department of Tax and Fee Administration.

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RESOLUTION NO. 2020-

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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 3, 2020, FOR THE PURPOSE OF SUBMITTING TO THE VOTERS A MEASURE, WHICH ADDS CHAPTER 3.15 TO TITLE 3 OF THE SUISUN CITY MUNICIPAL CODE THEREBY ESTABLISHING AN ADDITIONAL TRANSACTION AND USE GENERAL TAX; REQUESTING THE COUNTY OF SOLANO TO CONSOLIDATE THE CITY’S GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 3, 2020, WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THAT DATE PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE; AND APPROVING THE ORDINANCE ADDING CHAPTER 3.15 AS PROVIDED ABOVE

WHEREAS, on July 7, 2020, the City Council called and gave notice of a general municipal election on November 3, 2020, and requested consolidation of the same with the Statewide General Election to be held on that date pursuant to Elections Code Section 10403; and

WHEREAS, the City currently has a general transactions and use tax pursuant to Chapter 3.14 of the Suisun City Municipal Code at a rate of 1% (“Current Sales Tax”); and

WHEREAS, the City of Council of the City of Suisun City desires to submit to the voters at the General Municipal Election on November 3, 2020, a ballot measure to consider approval a proposed ordinance which adds Chapter 3.15 to Title 3 of the Suisun City Municipal Code thereby establishing an additional transactions and use at the rate of 0.75% (“Sales Tax”); and

WHEREAS, approving the Sales Tax requires approval of the majority of voters at either a general or a special election; and

WHEREAS, the City Council of the City of Suisun City is authorized and directed by statute to the submit to the voters the foregoing ballot measure, and the City Council therefore wishes to have the voters consider the same at a General Municipal Election to be held on November 3, 2020; and

WHEREAS, it is desirable that the proposed Sales Tax measure to be submitted at the General Municipal Election be consolidated with the Statewide General Election to be held on the same date and that within the City of Suisun City the precincts, polling places and election officers of the two elections be the same, and the Solano County Registrar of Voters canvass the returns of the General Municipal Election and the election be held in all respects as if there were only one election;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SUISUN CITY, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

1 **Section 1.** That pursuant to the requirements of the California Elections Code,
2 Section 306, 9222 and 1301, there is called and ordered to be held in the City of Suisun City,
3 California, on Tuesday, November 3, 2020, a General Municipal Election for the purpose of
4 submitting to the voters of the City of Suisun City an ordinance which adds Chapter 3.15 to
5 Title 3 of the Suisun City Municipal Code thereby establishing an additional transactions and
6 use general tax at the rate of 0.75%. As required by Elections Code Section 13247, the
7 abbreviated form of the measure to appear on the ballot is specified below in Section 2 of this
8 Resolution. The measure shall be entitled the “Suisun City Essential Services and Public
9 Safety Protection Measure.” The City’s designated elections official is hereby authorized and
10 directed to make any changes to the text of the proposition or this resolution as required to
11 conform to any requirements of law.

8 **Section 2.** That the City Council of the City of Suisun City, hereby orders the
9 following measure be submitted to the voters at the aforementioned general municipal
10 election:

<p>Suisun City Essential Services and Public Safety Protection Measure. To provide emergency funding for Suisun City - that cannot be taken by the State - and maintain general city services, such as fire and 911 emergency medical response; fire protection; street maintenance; retaining experienced firefighters; neighborhood police patrols; youth/pre-school/senior programs, shall the measure, establishing a ¾¢ sales tax, providing approximately \$1,600,000 annually for 6 years, requiring independent audits/citizen oversight and all funds for Suisun City, be adopted?</p>	YES
	NO

24 **Section 3.** That the text of the proposed ordinance as provided above that is to be
25 submitted to the voters is attached as Exhibit “A” to this Resolution (“Ordinance”), and the
26 City Council hereby approves the Ordinance, the form thereof, pursuant to Revenue &
27 Taxation Code Section 7285.9 and approves its submission to the voters at the November 3,
28 2020, general municipal election. The City’s designated elections official is hereby authorized
and directed to make any changes to the text of the Ordinance or this resolution as required to
conform to any requirements of law.

1 **Section 4.** That the vote requirement for the measure to pass is a majority (50%
+1) of the votes cast.

2 **Section 5.** That the City’s designated elections official is authorized, instructed
3 and directed to procure and furnish any and all official ballots, notices, printed matter and all
4 supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully
conduct the election.

5 **Section 6.** That the ballots to be used at the election shall be in form and content
6 as required by law, and that the election shall be held and conducted in the manner prescribed
7 by law.

8 **Section 7.** That the City Council authorizes its designated elections official to
9 administer the election and is authorized, instructed, and directed to procure and furnish any
and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia
10 that may be necessary in order to properly and lawfully conduct the election.

11 **Section 8.** Pursuant to California Election Code Section 10242, the polls for the
12 General Municipal Election shall open at seven o’clock a.m. on the day of the election, and
shall remain open continuously from that time until eight o’clock p.m. of the same day when
13 the polls shall be closed, except as otherwise provided in California Election Code Section
14401.

14 **Section 9.** That in all particulars not recited in this Resolution, the General
15 Municipal Election shall be held and conducted in accordance with the provisions of law
regulating municipal and statewide elections, including, but not limited to, Elections Code
16 Section 10418.

17 **Section 10.** That notice of the time and place of holding the General Municipal
18 Election is hereby given and the City’s designated elections official is authorized, instructed
and directed to give further or additional notice of the election, in the time, form and manner
19 required by law.

20 **Section 11.** That pursuant to Sections 10402 and 10403 of the Elections Code, the
21 Solano County Board of Supervisors is hereby requested to consent and agree to the
consolidation of the submission of the above-mentioned proposed measure at the General
22 Municipal Election with the election conducted by Solano County to be held on Tuesday,
November 3, 2020.

23 **Section 12.** That the Solano County Registrar of Voters is authorized to canvass the
24 returns of the General Municipal Election. The election shall be held in all respects as if there
25 were only one election, and only one form of ballot shall be used.

26 **Section 13.** That the Solano County Board of Supervisors is requested to issue
27 instructions to the Solano County Registrar of Voters to take any and all necessary steps for
the holding of this consolidated election.

1 **Section 14.** That the City of Suisun City recognizes that additional costs will be
2 incurred by Solano County by reason of this consolidation and agrees to reimburse Solano
3 County for any costs.

4 **Section 15.** That the designated elections official is hereby directed to file a
5 certified copy of this resolution with the Solano County Board of Supervisors and the Solano
6 County Registrar of Voters.

7 **Section 16.** That the City Clerk shall certify to the passage and adoption of this
8 Resolution and enter it into the book of original Resolutions. This Resolution shall be
9 effective immediately upon passage and adoption.

10 **PASSED, APPROVED AND ADOPTED** this 7th day of July 2020.

11 _____
12 Lori D. Wilson, Mayor

13 ATTEST:

14 _____
15 Linda Hobson, CMC
16 City Clerk

17 STATE OF CALIFORNIA)
18 COUNTY OF SOLANO) SS:
19 CITY OF SUISUN CITY)

20 **CERTIFICATION**

21 I, _____, City Clerk of the City of Suisun City, do hereby certify that the
22 foregoing Resolution, being Resolution No. _____ was passed and approved by the City
23 Council of the City of Suisun City, at a regular meeting of said Council held on July 7, 2020
24 and that said Resolution was adopted by the following vote:

25 **AYES:** Councilmembers: _____
26 **NOES:** Councilmembers: _____
27 **ABSENT:** Councilmembers: _____
28 **ABSTAIN:** Councilmembers: _____

Linda Hobson, CMC
City Clerk

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EXHIBIT A
ORDINANCE

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ORDINANCE NO. _____

**AN ORDINANCE OF THE PEOPLE OF THE CITY OF SUISUN CITY
IMPOSING A TRANSACTIONS AND USE GENERAL TAX TO BE
ADMINISTERED BY THE CALIFORNIA DEPARTMENT OF TAX
AND FEE ADMINISTRATION**

WHEREAS, Article XIIC, Section 2 of the California Constitution authorizes a city to impose a general tax if approved by a majority vote of the qualified electors; and

WHEREAS, Part 1.6 (commencing with Section 7251) of Division 2 of the California Revenue and Taxation Code, and Section 7285.9 of the California Revenue and Taxation Code, authorizes a city to adopt a transactions and use (sales) tax ordinance, which shall be operative if a majority of the electors voting on the measure vote to approve the imposition of the tax at an election called for that purpose; and

WHEREAS, Suisun City residents strongly prioritize maintaining and protecting key city services that protect public safety and maintain property values; and

WHEREAS, Suisun City, along with many other cities across the state, has been greatly affected by the COVID-19 pandemic and related steep downturn in economic activity; and

WHEREAS, Suisun City has been working hard to continue providing essential city services and to maintain the City's long-term financial stability; and

WHEREAS, 73% of fire department 911 calls are for medical emergencies and for years Suisun City's volunteer firefighters and emergency medical personnel kept our community safe; and

WHEREAS, the City only has one-quarter of the volunteer firefighter and emergency personnel force it had a decade ago and current police staffing levels are nearly 20% lower than budgeted levels; and

WHEREAS, there has been a 125% increase in fire call volume this year and current firefighter staffing levels have made it difficult to respond quickly to these emergencies; and

WHEREAS, investing in training and recruiting volunteer and professional fire and emergency medical staff would help ensure that first responders have the training, staffing and equipment they need to respond to emergencies and save lives; and

WHEREAS, without additional funding, public safety services and staffing could be further impacted and Suisun City would have to make cuts to city services and programs, such as senior and youth programs, parks services and public nuisance code enforcement; and

WHEREAS, this Ordinance proposes a transactions and use general tax at a rate of 0.75% and which will sunset 6 years from the Operative Date, as that term is defined below, with collected revenue being deposited in the City's General Fund ("Sales Tax"); and

1 **WHEREAS**, this time-limited emergency Sales Tax would help prevent cuts to City
2 services and maintain fire and police response until the recession and coronavirus crisis is
over; and

3 **WHEREAS**, this Sales Tax would require fiscal accountability protections, including
4 annual independent financial audits and public review of expenditures; and

5 **WHEREAS**, this Sales Tax would assist the City in maintaining essential general
6 services including, but not limited to, fire and emergency 911 medical services and response
7 times; local fire protection and retain experienced firefighters in Suisun City; streets
8 maintenance and pothole repairs; addressing crime and public nuisances associated with
9 homelessness and maintaining neighborhood police patrols; and

10 **WHEREAS**, this Ordinance will maintain funding for those vital City services
11 outlined above; and

12 **WHEREAS**, this Ordinance creates a locally-controlled funding source that can only
13 be used for local services and address local priorities, which is legally-protected from being
14 taken by the State; and

15 **WHEREAS**, by its Resolution No. _____ adopted on July 7, 2020, the City Council
16 submitted this Ordinance to the City’s voters at the November 3, 2020, election, approved this
17 Ordinance, pursuant to Revenue & Taxation Code Section 7285.9, subject to the City’s
18 voters’ approval, and approved this Ordinance’s submission to the City’s voters; and

19 **WHEREAS**, this Ordinance imposes a general tax where generated revenues will be
20 deposited in the City’s General Fund.

21 **NOW THEREFORE**, on the basis of the foregoing, the People of the City of Suisun
22 City, at the November 3, 2020, general municipal election do hereby Ordain as follows:

23 **SECTION 1. RECITALS.** The recitals set forth above are all true and correct and
24 are incorporated herein.

25 **SECTION 2. NEW CHAPTER 3.15.** A new Chapter 3.15, entitled “SUISUN
26 CITY ESSENTIAL SERVICES AND PUBLIC SAFETY PROTECTION TRANSACTIONS
27 AND USE TAX ORDINANCE” is hereby added to the Suisun City Municipal Code to read
28 as follows:

“Section 3.15.010. **Title.**

This ordinance shall be known as the “Suisun City Essential Services and
Public Safety Protection Transactions And Use Tax Ordinance”. The City of
Suisun City hereinafter shall be called "City." This ordinance shall be
applicable in the incorporated territory of the City.

Section 3.15.020. Operative Date.

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"Operative Date" means the first day of the first calendar quarter commencing more than 110 days after the adoption of this ordinance, the date of such adoption being as set forth below.

Section 3.15.030. Purpose.

This ordinance is adopted to achieve the following, among other purposes, and directs that the provisions hereof be interpreted in order to accomplish those purposes:

A. To impose a retail transactions and use tax in accordance with the provisions of Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code and Section 7285.9 of Part 1.7 of Division 2 which authorizes the City to adopt this tax ordinance which shall be operative if a majority of the electors voting on the measure vote to approve the imposition of the tax at an election called for that purpose.

B. To adopt a retail transactions and use tax ordinance that incorporates provisions identical to those of the Sales and Use Tax Law of the State of California insofar as those provisions are not inconsistent with the requirements and limitations contained in Part 1.6 of Division 2 of the Revenue and Taxation Code.

C. To adopt a retail transactions and use tax ordinance that imposes a tax and provides a measure therefore that can be administered and collected by the California Department of Tax and Fee Administration in a manner that adapts itself as fully as practicable to, and requires the least possible deviation from, the existing statutory and administrative procedures followed by the California Department of Tax and Fee Administration in administering and collecting the California State Sales and Use Taxes.

D. To adopt a retail transactions and use tax ordinance that can be administered in a manner that will be, to the greatest degree possible, consistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, minimize the cost of collecting the transactions and use taxes, and at the same time, minimize the burden of record keeping upon persons subject to taxation under the provisions of this ordinance.

Section 3.15.040. Contract With State.

Prior to the operative date, the City shall contract with the California Department of Tax and Fee Administration to perform all functions incident to the administration and operation of this transactions and use tax ordinance; provided, that if the City shall not have contracted with the California Department of Tax and Fee Administration prior to the operative date, it shall nevertheless so contract and in such a case the operative date shall be the first day of the first calendar quarter following the execution of such a contract.

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Section 3.15.050. Transactions Tax Rate.

For the privilege of selling tangible personal property at retail, a tax is hereby imposed upon all retailers in the incorporated territory of the City at the rate of three quarters of a cent per dollar (.75%) of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in said territory on and after the operative date of this ordinance.

Section 3.15.060. Place of Sale.

For the purposes of this ordinance, all retail sales are consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. The gross receipts from such sales shall include delivery charges, when such charges are subject to the state sales and use tax, regardless of the place to which delivery is made. In the event a retailer has no permanent place of business in the State or has more than one place of business, the place or places at which the retail sales are consummated shall be determined under rules and regulations to be prescribed and adopted by the California Department of Tax and Fee Administration.

Section 3.15.070. Use Tax Rate.

An excise tax is hereby imposed on the storage, use or other consumption in the City of tangible personal property purchased from any retailer on and after the operative date of this ordinance for storage, use or other consumption in said territory at the rate of three quarters of a cent per dollar (.75%) of the sales price of the property. The sales price shall include delivery charges when such charges are subject to state sales or use tax regardless of the place to which delivery is made.

Section 3.15.080. Adoption of Provisions of State Law.

Except as otherwise provided in this ordinance and except insofar as they are inconsistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, all of the provisions of Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code are hereby adopted and made a part of this ordinance as though fully set forth herein.

Section 3.15.090. Limitations on Adoption of State Law and Collection of Use Taxes.

In adopting the provisions of Part 1 of Division 2 of the Revenue and Taxation Code:

1 A. Wherever the State of California is named or referred to as the
2 taxing agency, the name of this City shall be substituted therefor. However, the
3 substitution shall not be made when:

4 1. The word "State" is used as a part of the title of the State
5 Controller, State Treasurer, State Treasury, or the Constitution of the State of
6 California;

7 2. The result of that substitution would require action to be
8 taken by or against this City or any agency, officer, or employee thereof rather
9 than by or against the California Department of Tax and Fee Administration, in
10 performing the functions incident to the administration or operation of this
11 ordinance.

12 3. In those sections, including, but not necessarily limited to
13 sections referring to the exterior boundaries of the State of California, where
14 the result of the substitution would be to:

15 a. Provide an exemption from this tax with respect to
16 certain sales, storage, use or other consumption of tangible personal property
17 which would not otherwise be exempt from this tax while such sales, storage,
18 use or other consumption remain subject to tax by the State under the
19 provisions of Part 1 of Division 2 of the Revenue and Taxation Code, or;

20 b. Impose this tax with respect to certain sales, storage,
21 use or other consumption of tangible personal property which would not be
22 subject to tax by the state under the said provision of that code.

23 4. In Sections 6701, 6702 (except in the last sentence
24 thereof), 6711, 6715, 6737, 6797 or 6828 of the Revenue and Taxation Code.

25 B. The word "City" shall be substituted for the word "State" in the
26 phrase "retailer engaged in business in this State" in Section 6203 and in the
27 definition of that phrase in Section 6203.

28 1. "A retailer engaged in business in the District" shall also
include any retailer that, in the preceding calendar year or the current calendar
year, has total combined sales of tangible personal property in this state or for
delivery in the State by the retailer and all persons related to the retailer that
exceeds five hundred thousand dollars (\$500,000). For purposes of this section,
a person is related to another person if both persons are related to each other
pursuant to Section 267(b) of Title 26 of the United States Code and the
regulations thereunder.

Section 3.15.100. Permit Not Required.

1 If a seller's permit has been issued to a retailer under Section 6067 of the
2 Revenue and Taxation Code, an additional transactor's permit shall not be
required by this ordinance.

3 **Section 3.15.110. Exemptions and Exclusions.**

4 A. There shall be excluded from the measure of the transactions
5 tax and the use tax the amount of any sales tax or use tax imposed by the State
6 of California or by any city, city and county, or county pursuant to the
7 Bradley-Burns Uniform Local Sales and Use Tax Law or the amount of any
state-administered transactions or use tax.

8 B. There are exempted from the computation of the amount of
transactions tax the gross receipts from:

9 1. Sales of tangible personal property, other than fuel or
10 petroleum products, to operators of aircraft to be used or consumed principally
11 outside the county in which the sale is made and directly and exclusively in the
12 use of such aircraft as common carriers of persons or property under the
13 authority of the laws of this State, the United States, or any foreign
government.

14 2. Sales of property to be used outside the City which is
15 shipped to a point outside the City, pursuant to the contract of sale, by delivery
16 to such point by the retailer or his agent, or by delivery by the retailer to a
carrier for shipment to a consignee at such point. For the purposes of this
paragraph, delivery to a point outside the City shall be satisfied:

17 a. With respect to vehicles (other than commercial
18 vehicles) subject to registration pursuant to Chapter 1 (commencing with
19 Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in
20 compliance with Section 21411 of the Public Utilities Code, and
undocumented vessels registered under Division 3.5 (commencing with
21 Section 9840) of the Vehicle Code by registration to an out-of-City address
and by a declaration under penalty of perjury, signed by the buyer, stating that
22 such address is, in fact, his or her principal place of residence; and

23 b. With respect to commercial vehicles, by
24 registration to a place of business out-of-City and declaration under penalty of
perjury, signed by the buyer, that the vehicle will be operated from that
address.

25 3. The sale of tangible personal property if the seller is
26 obligated to furnish the property for a fixed price pursuant to a contract entered
27 into prior to the operative date of this ordinance.

28 4. A lease of tangible personal property which is a
continuing sale of such property, for any period of time for which the lessor is

1 obligated to lease the property for an amount fixed by the lease prior to the
2 operative date of this ordinance.

3 5. For the purposes of subparagraphs (3) and (4) of this
4 section, the sale or lease of tangible personal property shall be deemed not to
5 be obligated pursuant to a contract or lease for any period of time for which
6 any party to the contract or lease has the unconditional right to terminate the
7 contract or lease upon notice, whether or not such right is exercised.

8 C. There are exempted from the use tax imposed by this ordinance,
9 the storage, use or other consumption in this City of tangible personal property:

10 1. The gross receipts from the sale of which have been
11 subject to a transactions tax under any state-administered transactions and use
12 tax ordinance.

13 2. Other than fuel or petroleum products purchased by
14 operators of aircraft and used or consumed by such operators directly and
15 exclusively in the use of such aircraft as common carriers of persons or
16 property for hire or compensation under a certificate of public convenience and
17 necessity issued pursuant to the laws of this State, the United States, or any
18 foreign government. This exemption is in addition to the exemptions provided
19 in Sections 6366 and 6366.1 of the Revenue and Taxation Code of the State of
20 California.

21 3. If the purchaser is obligated to purchase the property for
22 a fixed price pursuant to a contract entered into prior to the operative date of
23 this ordinance.

24 4. If the possession of, or the exercise of any right or
25 power over, the tangible personal property arises under a lease which is a
26 continuing purchase of such property for any period of time for which the
27 lessee is obligated to lease the property for an amount fixed by a lease prior to
28 the operative date of this ordinance.

5. For the purposes of subparagraphs (3) and (4) of this
section, storage, use, or other consumption, or possession of, or exercise of any
right or power over, tangible personal property shall be deemed not to be
obligated pursuant to a contract or lease for any period of time for which any
party to the contract or lease has the unconditional right to terminate the
contract or lease upon notice, whether or not such right is exercised.

6. Except as provided in subparagraph (7), a retailer
engaged in business in the City shall not be required to collect use tax from the
purchaser of tangible personal property, unless the retailer ships or delivers the
property into the City or participates within the City in making the sale of the
property, including, but not limited to, soliciting or receiving the order, either
directly or indirectly, at a place of business of the retailer in the City or through

1 any representative, agent, canvasser, solicitor, subsidiary, or person in the City
2 under the authority of the retailer.

3 7. "A retailer engaged in business in the City" shall also
4 include any retailer of any of the following: vehicles subject to registration
5 pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the
6 Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public
7 Utilities Code, or undocumented vessels registered under Division 3.5
8 (commencing with Section 9840) of the Vehicle Code. That retailer shall be
9 required to collect use tax from any purchaser who registers or licenses the
10 vehicle, vessel, or aircraft at an address in the City.

11 D. Any person subject to use tax under this ordinance may credit
12 against that tax any transactions tax or reimbursement for transactions tax paid
13 to a district imposing, or retailer liable for a transactions tax pursuant to Part
14 1.6 of Division 2 of the Revenue and Taxation Code with respect to the sale to
15 the person of the property the storage, use or other consumption of which is
16 subject to the use tax.

17 **Section 3.15.120. Amendments.**

18 All amendments subsequent to the effective date of this ordinance to Part 1 of
19 Division 2 of the Revenue and Taxation Code relating to sales and use taxes
20 and which are not inconsistent with Part 1.6 and Part 1.7 of Division 2 of the
21 Revenue and Taxation Code, and all amendments to Part 1.6 and Part 1.7 of
22 Division 2 of the Revenue and Taxation Code, shall automatically become a
23 part of this ordinance, provided however, that no such amendment shall
24 operate so as to affect the rate of tax imposed by this ordinance.

25 **Section 3.15.130. Enjoining Collection Forbidden.**

26 No injunction or writ of mandate or other legal or equitable process shall issue
27 in any suit, action or proceeding in any court against the State or the City, or
28 against any officer of the State or the City, to prevent or enjoin the collection
under this ordinance, or Part 1.6 of Division 2 of the Revenue and Taxation
Code, of any tax or any amount of tax required to be collected.

Section 3.15.140. Annual Audit.

The proceeds resulting from the Transactions and Use Tax established in this
ordinance shall be deposited into the City's General Fund and become subject
to the same independent annual audit requirements as other General Fund
revenues.

Section 3.15.150 Penalties.

1 Without limiting any remedies available at law or equity, any person violating
2 any of the provisions of this ordinance shall be deemed guilty of a
3 misdemeanor.

3 **Section 3.15.160 Changes in Law.**

4 All amendments subsequent to the effective date of this ordinance to Part 1 of
5 Division 2 of the Revenue and Taxation Code relating to sales and use taxes
6 and which are not inconsistent with Part 1.6 and Part 1.7 of Division 2 of the
7 Revenue and Taxation Code, and all amendments to Part 1.6 and Part 1.7 of
8 Division 2 of the Revenue and Taxation Code, shall automatically become a
9 part of this ordinance, provided however, that no such amendment shall
10 operate so as to affect the rate of tax imposed by this ordinance.

9 **Section 3.15.170. Severability.**

10 If any provision of this ordinance or the application thereof to any person or
11 circumstance is held invalid, the remainder of the ordinance and the
12 application of such provision to other persons or circumstances shall not be
13 affected thereby.

13 **Section 3.15.180. Council Authority to Amend.**

14 Pursuant to Elections Code Section 9217, the City Council shall have and
15 retain the right and authority to amend this ordinance to further its purposes
16 and intent (including but not limited to amendment for more efficient
17 administration as determined by the City Council) in any manner that does not
18 increase a tax rate, or otherwise constitute a tax increase for which voter
19 approval is required by Article XIII C of the California Constitution.

18 **Section 3.15.190. Effective Date.**

19 This ordinance levying the tax described herein shall be effective ten (10) days
20 after the date on which the City Council has declared that the voters of the City
21 of Suisun City have approved the ordinance adopting this ordinance by a vote
22 of no less than a majority of the votes cast by the electors voting on the tax
23 measure set forth in this ordinance at that general municipal election to be held
24 on Tuesday, November 3, 2020.

24 **Section 3.15.200. Termination Date.**

25 The authority to levy the tax imposed by this ordinance shall expire 6 years
26 from the Operative Date.

26 **Section 3.15.210. Suisun City Oversight Committee.**

27 A city general tax oversight committee is hereby established to review the
28 expenditure of the revenues collected pursuant to this ordinance. Except as

1 provided by resolution of the City Council, the committee shall consist of the
2 same membership, same terms, and same duties and qualifications as the
3 committee established pursuant to Section 3.14.220 of Chapter 3.14 of Title 3
4 of the Suisun Municipal Code. Such resolution may be amended by resolution
5 of the City Council.”

6 **SECTION 3. COUNCIL AUTHORITY TO AMEND.** This is a City Council-
7 sponsored initiative Ordinance which otherwise would only be subject to amendment by the
8 voters of the City. However, pursuant to Elections Code Section 9217, the City Council shall
9 have and retain the right and authority to amend the Ordinance to further its purposes and
10 intent (including but not limited to amendment for more efficient administration as
11 determined by the City Council) in any manner that does not increase a tax rate, or otherwise
12 constitute a tax increase for which voter approval is required by Article XIII C of the
13 California Constitution.

14 **SECTION 4. SEVERABILITY.** If any section, subsection, sentence, clause or
15 phrase of this ordinance or the application thereof to any person or circumstance is for any
16 reason held to be invalid, such decision shall not affect the validity of the remaining portions
17 of this ordinance. The People of the City of Suisun City hereby declared that they would have
18 passed each subsection, subdivision, paragraph, sentence, clause, or phrase thereof,
19 irrespective of the fact that any one or more subsection, subdivision, paragraph, sentence,
20 clause, or phrase be declared unconstitutional.

21 **SECTION 5. CEQA EXEMPTION.** The adoption of this ordinance is not a
22 "project" subject to the requirements of the California Environmental Quality Act (CEQA)
23 (Public Resources Code Section §§ 21000 et seq.). CEQA Guideline 15378(b)(4) provides
24 that the creation of government funding mechanisms or other government fiscal activities that
25 do not involve any commitment to a specific project that may result in a potentially significant
26 physical impact on the environment are not projects subject to the requirements of CEQA.

27 **SECTION 6. APPROPRIATIONS LIMIT.** Pursuant to Article XIII B of the
28 California Constitution, the appropriations limit for the City of Suisun City is increased to the
maximum extent over the maximum period of time allowed under the law consistent with the
revenues generated by this general tax.

SECTION 7. PASSAGE AND EXECUTION. The Mayor shall sign this Ordinance
and the City Clerk shall attest and certify to the approval thereof and cause same to be
published or posted pursuant to law. This Ordinance shall only be in effect following the
approval of a majority of the voters at an election on November 3, 2020, as certified by the
election official.

1 PASSED AND ADOPTED by the voters of the City of Suisun City at an election held
2 on November 3, 2020.

3 _____
Lori D. Wilson, Mayor

4 ATTEST:

5 _____
6 Linda Hobson, CMC, City Clerk

7
8 *****

9 PASSED AND ADOPTED by the City Council of the City of Suisun City, State of
10 California, on this ____ day of _____ 2020.

11 _____
Lori D. Wilson, Mayor

12 ATTEST:

13 _____
14 Linda Hobson, City Clerk

15
16 **CERTIFICATION:**

17 I, Linda Hobson, City Clerk of the City of Suisun, California, do hereby certify that
18 Ordinance _ was adopted by the City Council of the City of Suisun City at a regular meeting
held on the _____ day of _____, 2020 by the following vote:

- 19 AYES:
20 NOES:
21 ABSENT:
22 ABSTAIN:

23 _____
Linda Hobson, CMC, City Clerk

24 Ordinance No. ____ was submitted to the People of the City of Suisun City at the
25 November 3, 2020, general municipal election. It was approved by the following vote of the
electors:

- 26 YES: _____
27 NO: _____

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RESOLUTION NO. 2020-

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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY, CALIFORNIA, AUTHORIZING THE DRAFTING OF ARGUMENTS, SETTING PRIORITIES FOR FILING WRITTEN ARGUMENT(S) AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS, REGARDING A CITY MEASURE, ENTITLED THE SUISUN CITY ESSENTIAL SERVICES AND PUBLIC SAFETY PROTECTION MEASURE, SUBMITTED AT THE GENERAL MUNICIPAL ELECTION ON NOVEMBER 3, 2020

WHEREAS, on July 7, 2020, the City Council called and gave notice of a general municipal election on November 3, 2020, and requested consolidation of the same with the Statewide General Election to be held on that date pursuant to Elections Code Section 10403; and

WHEREAS, the City currently has a general transactions and use tax pursuant to Chapter 3.14 of the Suisun City Municipal Code at a rate of 1% (“Current Sales Tax”); and

WHEREAS, on July 7, 2020, the City of Council of the City of Suisun City ordered the submission to the voters at the General Municipal Election on November 3, 2020, a ballot measure to consider approval a proposed ordinance which adds Chapter 3.15 to Title 3 of the Suisun City Municipal Code thereby establishing an additional transactions and use at the rate of 0.75% (“Sales Tax”):

<p>Suisun City Essential Services and Public Safety Protection Measure. To provide emergency funding for Suisun City - that cannot be taken by the State - and maintain general city services, such as fire and 911 emergency medical response; fire protection; street maintenance; retaining experienced firefighters; neighborhood police patrols; youth/pre-school/senior programs, shall the measure, establishing a $\frac{3}{4}\text{¢}$ sales tax, providing approximately \$1,600,000 annually for 6 years, requiring independent audits/citizen oversight and all funds for Suisun City, be adopted?</p>	<p>YES</p>
	<p>NO</p>

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SUISUN CITY, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

1 **Section 1.** Pursuant to Elections Code Sections 9282 and 9287, the City Council
2 hereby authorizes, but does not require, Mayor Lori D. Wilson to prepare a written argument in
3 favor for the foregoing measure.

4 **Section 2.** In the event that more than one argument for or against the foregoing
5 measure is timely submitted, the City Council’s duly appointed elections official shall give
6 preference and priority first to arguments submitted by a member of the City Council, as
7 authorized by this Resolution, and second to individual voters, bona fide associations, or a
8 combination thereof, in the order set forth at California Elections Code Section 9287.

9 **Section 3.** In accordance with the requirements of Division 9, Chapter 3, Article 4
10 of the California Elections Code, all written arguments for or against the foregoing measure:
11 (1) shall not exceed three hundred (300) words in length; (2) shall be filed with the City’s
12 designated elections official; (3) shall be accompanied by the printed name(s) and signature(s)
13 of the person(s) submitting it, or if submitted on behalf of an organization, the name of the
14 organization, and the printed name and signature of at least one of the principal officers who is
15 the author of the argument; and (4) shall be accompanied by the Form of Statement to be Filed
16 by Author(s) of Argument as provided for in California Elections Code Section 9600. All
17 written arguments may be changed or withdrawn until and including the date fixed by the City’s
18 designated elections official, after which time no arguments for or against the foregoing
19 measure may be submitted to the elections official.

20 **Section 4.** The City Council hereby directs the City’s designated elections official to
21 transmit a copy of the foregoing measure to the City Attorney. In accordance with California
22 Elections Code Section 9280, the City Attorney is hereby directed to prepare an impartial
23 analysis of the measure (“Impartial Analysis”), not to exceed five hundred (500) words in
24 length, showing the effect of the measure on the existing law and the operation of the measure.
25 The analysis shall include a statement indicating whether the measure was placed on the ballot
26 by a petition signed by the requisite number of voters or by the governing body of the City. In
27 the event the entire text of the measure is not printed on the ballot, nor in the voter information
28 portion of the sample ballot, there shall be printed immediately below the impartial analysis, in
no less than 10-point bold type, a legend substantially as follows: “The above statement is an
impartial analysis of Ordinance or Measure _____. If you desire a copy of the ordinance or
measure, please call the elections official's office at (insert telephone number) and a copy will
be mailed at no cost to you.” The impartial analysis shall be filed by the date set by the City’s
designated elections official for the filing of primary arguments.

Section 5. The City’s designated elections official shall cause the City Attorney’s
Impartial Analysis, and duly selected arguments, to be printed and distributed to voters in
accordance with State law regarding same.

Section 6. The City Clerk shall certify to the passage and adoption of this Resolution
and enter it into the book of original Resolutions. This Resolution shall be effective immediately
upon passage and adoption.

PASSED, APPROVED AND ADOPTED this 7th day of July 2020.

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Lori D. Wilson, Mayor

ATTEST:

Linda Hobson, CMC
City Clerk

STATE OF CALIFORNIA)
COUNTY OF SOLANO) SS:
CITY OF SUISUN CITY)

CERTIFICATION

I, _____, City Clerk of the City of Suisun City, do hereby certify that the foregoing Resolution, being Resolution No. _____ was passed and approved by the City Council of the City of Suisun City, at a regular meeting of said Council held on July 7, 2020 and that said Resolution was adopted by the following vote:

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

Linda Hobson, CMC
City Clerk

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RESOLUTION NO. 2020-

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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY, CALIFORNIA, PROVIDING FOR THE FILING OF REBUTTAL ARGUMENT REGARDING A CITY MEASURE, ENTITLED SUISUN CITY ESSENTIAL SERVICES AND PUBLIC SAFETY PROTECTION MEASURE, SUBMITTED AT THE GENERAL MUNICIPAL ELECTION ON NOVEMBER 3, 2020

WHEREAS, on July 7, 2020, the City Council called and gave notice of a general municipal election on November 3, 2020, and requested consolidation of the same with the Statewide General Election to be held on that date pursuant to Elections Code Section 10403; and

WHEREAS, the City currently has a general transactions and use tax pursuant to Chapter 3.14 of the Suisun City Municipal Code at a rate of 1% (“Current Sales Tax”); and

WHEREAS, on July 7, 2020, the City of Council of the City of Suisun City ordered the submission to the voters at the General Municipal Election on November 3, 2020, a ballot measure to consider approval a proposed ordinance which adds Chapter 3.15 to Title 3 of the Suisun City Municipal Code thereby establishing an additional transactions and use at the rate of 0.75% (“Sales Tax”):

<p>Suisun City Essential Services and Public Safety Protection Measure. To provide emergency funding for Suisun City - that cannot be taken by the State - and maintain general city services, such as fire and 911 emergency medical response; fire protection; street maintenance; retaining experienced firefighters; neighborhood police patrols; youth/pre-school/senior programs, shall the measure, establishing a ¾¢ sales tax, providing approximately \$1,600,000 annually for 6 years, requiring independent audits/citizen oversight and all funds for Suisun City, be adopted?</p>	<p>YES</p>
	<p>NO</p>

1 **WHEREAS**, California Elections Code Section 9285 authorizes the City Council, by
2 majority vote, to adopt provisions to provide for the filing of rebuttal arguments regarding city
measures submitted at municipal elections.

3 **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SUISUN**
4 **CITY, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS**
FOLLOWS:

5 **Section 1.** That pursuant to Elections Code Section 9285, when the City's
6 designated elections official has selected the arguments for and against the foregoing measure
7 which will be printed and distributed to the voters, the City's designated elections official
8 shall send copies of the argument in favor of the measure to the authors of the argument
9 against, and copies of the argument against to the authors of the argument in favor. The author
10 or a majority of the authors of an argument relating to the foregoing city measure may prepare
11 and submit a rebuttal argument not to exceed two hundred and fifty (250) words in length. A
12 rebuttal argument may not be signed by more than five (5) authors. The rebuttal arguments
13 shall be filed with the City Clerk not more than ten (10) days after the final date for filing
direct arguments. The rebuttal arguments shall be accompanied by the Form of Statement to
be Filed by Author(s) of Argument as provided for in California Elections Code Section 9600.
Rebuttal arguments shall be printed in the same manner as the direct arguments. Each
rebuttal argument shall immediately follow the direct argument which it seeks to rebut.

14 **Section 2.** That all previous resolutions providing for the filing of rebuttal
arguments for city measures are repealed.

15 **Section 3.** That the provisions of Section 1 of this Resolution shall apply only to
16 the General Municipal Election to be held on November 3, 2020, and shall then be repealed.

17 **Section 4.** That the City Clerk shall certify to the passage and adoption of this
18 Resolution and enter it into the book of original Resolutions. This Resolution shall be

19 **PASSED, APPROVED AND ADOPTED** this 7th day of July 2020.

20 _____
21 Lori D. Wilson, Mayor

22 ATTEST:

23 _____
24
25 Linda Hobson, CMC
26 City Clerk

1 STATE OF CALIFORNIA)
2 COUNTY OF SOLANO) SS:
3 CITY OF SUISUN CITY)

4 **CERTIFICATION**

5 I, _____, City Clerk of the City of Suisun City, do hereby certify that the
6 foregoing Resolution, being Resolution No. _____ was passed and approved by the City
7 Council of the City of Suisun City, at a regular meeting of said Council held on July 7, 2020
8 and that said Resolution was adopted by the following vote:

9 **AYES:** Councilmembers: _____
10 **NOES:** Councilmembers: _____
11 **ABSENT:** Councilmembers: _____
12 **ABSTAIN:** Councilmembers: _____

13 _____
14 Linda Hobson, CMC
15 City Clerk
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ORDINANCE NO. _____

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**AN ORDINANCE OF THE PEOPLE OF THE CITY OF SUISUN CITY
IMPOSING A TRANSACTIONS AND USE GENERAL TAX TO BE
ADMINISTERED BY THE CALIFORNIA DEPARTMENT OF TAX
AND FEE ADMINISTRATION**

WHEREAS, Article XIIC, Section 2 of the California Constitution authorizes a city to impose a general tax if approved by a majority vote of the qualified electors; and

WHEREAS, Part 1.6 (commencing with Section 7251) of Division 2 of the California Revenue and Taxation Code, and Section 7285.9 of the California Revenue and Taxation Code, authorizes a city to adopt a transactions and use (sales) tax ordinance, which shall be operative if a majority of the electors voting on the measure vote to approve the imposition of the tax at an election called for that purpose; and

WHEREAS, Suisun City residents strongly prioritize maintaining and protecting key city services that protect public safety and maintain property values; and

WHEREAS, Suisun City, along with many other cities across the state, has been greatly affected by the COVID-19 pandemic and related steep downturn in economic activity; and

WHEREAS, Suisun City has been working hard to continue providing essential city services and to maintain the City’s long-term financial stability; and

WHEREAS, 73% of fire department 911 calls are for medical emergencies and for years Suisun City’s volunteer firefighters and emergency medical personnel kept our community safe; and

WHEREAS, the City only has one-quarter of the volunteer firefighter and emergency personnel force it had a decade ago and current police staffing levels are nearly 20% lower than budgeted levels; and

WHEREAS, there has been a 125% increase in fire call volume this year and current firefighter staffing levels have made it difficult to respond quickly to these emergencies; and

WHEREAS, investing in training and recruiting volunteer and professional fire and emergency medical staff would help ensure that first responders have the training, staffing and equipment they need to respond to emergencies and save lives; and

WHEREAS, without additional funding, public safety services and staffing could be further impacted and Suisun City would have to make cuts to city services and programs, such as senior and youth programs, parks services and public nuisance code enforcement; and

WHEREAS, this Ordinance proposes a transactions and use general tax at a rate of 0.75% and which will sunset 6 years from the Operative Date, as that term is defined below, with collected revenue being deposited in the City’s General Fund (“Sales Tax”); and

1 **WHEREAS**, this time-limited emergency Sales Tax would help prevent cuts to City
2 services and maintain fire and police response until the recession and coronavirus crisis is
over; and

3 **WHEREAS**, this Sales Tax would require fiscal accountability protections, including
4 annual independent financial audits and public review of expenditures; and

5 **WHEREAS**, this Sales Tax would assist the City in maintaining essential general
6 services including, but not limited to, fire and emergency 911 medical services and response
7 times; local fire protection and retain experienced firefighters in Suisun City; streets
8 maintenance and pothole repairs; addressing crime and public nuisances associated with
9 homelessness and maintaining neighborhood police patrols; and

10 **WHEREAS**, this Ordinance will maintain funding for those vital City services
11 outlined above; and

12 **WHEREAS**, this Ordinance creates a locally-controlled funding source that can only
13 be used for local services and address local priorities, which is legally-protected from being
14 taken by the State; and

15 **WHEREAS**, by its Resolution No. _____ adopted on July 7, 2020, the City Council
16 submitted this Ordinance to the City’s voters at the November 3, 2020, election, approved this
17 Ordinance, pursuant to Revenue & Taxation Code Section 7285.9, subject to the City’s
18 voters’ approval, and approved this Ordinance’s submission to the City’s voters; and

19 **WHEREAS**, this Ordinance imposes a general tax where generated revenues will be
20 deposited in the City’s General Fund.

21 **NOW THEREFORE**, on the basis of the foregoing, the People of the City of Suisun
22 City, at the November 3, 2020, general municipal election do hereby Ordain as follows:

23 **SECTION 1. RECITALS.** The recitals set forth above are all true and correct and
24 are incorporated herein.

25 **SECTION 2. NEW CHAPTER 3.15.** A new Chapter 3.15, entitled “SUISUN
26 CITY ESSENTIAL SERVICES AND PUBLIC SAFETY PROTECTION TRANSACTIONS
27 AND USE TAX ORDINANCE” is hereby added to the Suisun City Municipal Code to read
28 as follows:

“Section 3.15.010. Title.

This ordinance shall be known as the “Suisun City Essential Services and
Public Safety Protection Transactions And Use Tax Ordinance”. The City of
Suisun City hereinafter shall be called "City." This ordinance shall be
applicable in the incorporated territory of the City.

Section 3.15.020. Operative Date.

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"Operative Date" means the first day of the first calendar quarter commencing more than 110 days after the adoption of this ordinance, the date of such adoption being as set forth below.

Section 3.15.030. Purpose.

This ordinance is adopted to achieve the following, among other purposes, and directs that the provisions hereof be interpreted in order to accomplish those purposes:

A. To impose a retail transactions and use tax in accordance with the provisions of Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code and Section 7285.9 of Part 1.7 of Division 2 which authorizes the City to adopt this tax ordinance which shall be operative if a majority of the electors voting on the measure vote to approve the imposition of the tax at an election called for that purpose.

B. To adopt a retail transactions and use tax ordinance that incorporates provisions identical to those of the Sales and Use Tax Law of the State of California insofar as those provisions are not inconsistent with the requirements and limitations contained in Part 1.6 of Division 2 of the Revenue and Taxation Code.

C. To adopt a retail transactions and use tax ordinance that imposes a tax and provides a measure therefore that can be administered and collected by the California Department of Tax and Fee Administration in a manner that adapts itself as fully as practicable to, and requires the least possible deviation from, the existing statutory and administrative procedures followed by the California Department of Tax and Fee Administration in administering and collecting the California State Sales and Use Taxes.

D. To adopt a retail transactions and use tax ordinance that can be administered in a manner that will be, to the greatest degree possible, consistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, minimize the cost of collecting the transactions and use taxes, and at the same time, minimize the burden of record keeping upon persons subject to taxation under the provisions of this ordinance.

Section 3.15.040. Contract With State.

Prior to the operative date, the City shall contract with the California Department of Tax and Fee Administration to perform all functions incident to the administration and operation of this transactions and use tax ordinance; provided, that if the City shall not have contracted with the California Department of Tax and Fee Administration prior to the operative date, it shall nevertheless so contract and in such a case the operative date shall be the first day of the first calendar quarter following the execution of such a contract.

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Section 3.15.050. Transactions Tax Rate.

For the privilege of selling tangible personal property at retail, a tax is hereby imposed upon all retailers in the incorporated territory of the City at the rate of three quarters of a cent per dollar (.75%) of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in said territory on and after the operative date of this ordinance.

Section 3.15.060. Place of Sale.

For the purposes of this ordinance, all retail sales are consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. The gross receipts from such sales shall include delivery charges, when such charges are subject to the state sales and use tax, regardless of the place to which delivery is made. In the event a retailer has no permanent place of business in the State or has more than one place of business, the place or places at which the retail sales are consummated shall be determined under rules and regulations to be prescribed and adopted by the California Department of Tax and Fee Administration.

Section 3.15.070. Use Tax Rate.

An excise tax is hereby imposed on the storage, use or other consumption in the City of tangible personal property purchased from any retailer on and after the operative date of this ordinance for storage, use or other consumption in said territory at the rate of three quarters of a cent per dollar (.75%) of the sales price of the property. The sales price shall include delivery charges when such charges are subject to state sales or use tax regardless of the place to which delivery is made.

Section 3.15.080. Adoption of Provisions of State Law.

Except as otherwise provided in this ordinance and except insofar as they are inconsistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, all of the provisions of Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code are hereby adopted and made a part of this ordinance as though fully set forth herein.

Section 3.15.090. Limitations on Adoption of State Law and Collection of Use Taxes.

In adopting the provisions of Part 1 of Division 2 of the Revenue and Taxation Code:

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A. Wherever the State of California is named or referred to as the taxing agency, the name of this City shall be substituted therefor. However, the substitution shall not be made when:

1. The word "State" is used as a part of the title of the State Controller, State Treasurer, State Treasury, or the Constitution of the State of California;

2. The result of that substitution would require action to be taken by or against this City or any agency, officer, or employee thereof rather than by or against the California Department of Tax and Fee Administration, in performing the functions incident to the administration or operation of this ordinance.

3. In those sections, including, but not necessarily limited to sections referring to the exterior boundaries of the State of California, where the result of the substitution would be to:

a. Provide an exemption from this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not otherwise be exempt from this tax while such sales, storage, use or other consumption remain subject to tax by the State under the provisions of Part 1 of Division 2 of the Revenue and Taxation Code, or;

b. Impose this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not be subject to tax by the state under the said provision of that code.

4. In Sections 6701, 6702 (except in the last sentence thereof), 6711, 6715, 6737, 6797 or 6828 of the Revenue and Taxation Code.

B. The word "City" shall be substituted for the word "State" in the phrase "retailer engaged in business in this State" in Section 6203 and in the definition of that phrase in Section 6203.

1. "A retailer engaged in business in the District" shall also include any retailer that, in the preceding calendar year or the current calendar year, has total combined sales of tangible personal property in this state or for delivery in the State by the retailer and all persons related to the retailer that exceeds five hundred thousand dollars (\$500,000). For purposes of this section, a person is related to another person if both persons are related to each other pursuant to Section 267(b) of Title 26 of the United States Code and the regulations thereunder.

Section 3.15.100. Permit Not Required.

1 If a seller's permit has been issued to a retailer under Section 6067 of the
2 Revenue and Taxation Code, an additional transactor's permit shall not be
required by this ordinance.

3 **Section 3.15.110. Exemptions and Exclusions.**

4 A. There shall be excluded from the measure of the transactions
5 tax and the use tax the amount of any sales tax or use tax imposed by the State
6 of California or by any city, city and county, or county pursuant to the
7 Bradley-Burns Uniform Local Sales and Use Tax Law or the amount of any
state-administered transactions or use tax.

8 B. There are exempted from the computation of the amount of
transactions tax the gross receipts from:

9 1. Sales of tangible personal property, other than fuel or
10 petroleum products, to operators of aircraft to be used or consumed principally
11 outside the county in which the sale is made and directly and exclusively in the
12 use of such aircraft as common carriers of persons or property under the
13 authority of the laws of this State, the United States, or any foreign
government.

14 2. Sales of property to be used outside the City which is
15 shipped to a point outside the City, pursuant to the contract of sale, by delivery
16 to such point by the retailer or his agent, or by delivery by the retailer to a
carrier for shipment to a consignee at such point. For the purposes of this
paragraph, delivery to a point outside the City shall be satisfied:

17 a. With respect to vehicles (other than commercial
18 vehicles) subject to registration pursuant to Chapter 1 (commencing with
19 Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in
20 compliance with Section 21411 of the Public Utilities Code, and
undocumented vessels registered under Division 3.5 (commencing with
21 Section 9840) of the Vehicle Code by registration to an out-of-City address
and by a declaration under penalty of perjury, signed by the buyer, stating that
22 such address is, in fact, his or her principal place of residence; and

23 b. With respect to commercial vehicles, by
24 registration to a place of business out-of-City and declaration under penalty of
perjury, signed by the buyer, that the vehicle will be operated from that
25 address.

26 3. The sale of tangible personal property if the seller is
27 obligated to furnish the property for a fixed price pursuant to a contract entered
into prior to the operative date of this ordinance.

28 4. A lease of tangible personal property which is a
continuing sale of such property, for any period of time for which the lessor is

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obligated to lease the property for an amount fixed by the lease prior to the operative date of this ordinance.

5. For the purposes of subparagraphs (3) and (4) of this section, the sale or lease of tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

C. There are exempted from the use tax imposed by this ordinance, the storage, use or other consumption in this City of tangible personal property:

1. The gross receipts from the sale of which have been subject to a transactions tax under any state-administered transactions and use tax ordinance.

2. Other than fuel or petroleum products purchased by operators of aircraft and used or consumed by such operators directly and exclusively in the use of such aircraft as common carriers of persons or property for hire or compensation under a certificate of public convenience and necessity issued pursuant to the laws of this State, the United States, or any foreign government. This exemption is in addition to the exemptions provided in Sections 6366 and 6366.1 of the Revenue and Taxation Code of the State of California.

3. If the purchaser is obligated to purchase the property for a fixed price pursuant to a contract entered into prior to the operative date of this ordinance.

4. If the possession of, or the exercise of any right or power over, the tangible personal property arises under a lease which is a continuing purchase of such property for any period of time for which the lessee is obligated to lease the property for an amount fixed by a lease prior to the operative date of this ordinance.

5. For the purposes of subparagraphs (3) and (4) of this section, storage, use, or other consumption, or possession of, or exercise of any right or power over, tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

6. Except as provided in subparagraph (7), a retailer engaged in business in the City shall not be required to collect use tax from the purchaser of tangible personal property, unless the retailer ships or delivers the property into the City or participates within the City in making the sale of the property, including, but not limited to, soliciting or receiving the order, either directly or indirectly, at a place of business of the retailer in the City or through

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any representative, agent, canvasser, solicitor, subsidiary, or person in the City under the authority of the retailer.

7. "A retailer engaged in business in the City" shall also include any retailer of any of the following: vehicles subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, or undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code. That retailer shall be required to collect use tax from any purchaser who registers or licenses the vehicle, vessel, or aircraft at an address in the City.

D. Any person subject to use tax under this ordinance may credit against that tax any transactions tax or reimbursement for transactions tax paid to a district imposing, or retailer liable for a transactions tax pursuant to Part 1.6 of Division 2 of the Revenue and Taxation Code with respect to the sale to the person of the property the storage, use or other consumption of which is subject to the use tax.

Section 3.15.120. Amendments.

All amendments subsequent to the effective date of this ordinance to Part 1 of Division 2 of the Revenue and Taxation Code relating to sales and use taxes and which are not inconsistent with Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, and all amendments to Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, shall automatically become a part of this ordinance, provided however, that no such amendment shall operate so as to affect the rate of tax imposed by this ordinance.

Section 3.15.130. Enjoining Collection Forbidden.

No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding in any court against the State or the City, or against any officer of the State or the City, to prevent or enjoin the collection under this ordinance, or Part 1.6 of Division 2 of the Revenue and Taxation Code, of any tax or any amount of tax required to be collected.

Section 3.15.140. Annual Audit.

The proceeds resulting from the Transactions and Use Tax established in this ordinance shall be deposited into the City's General Fund and become subject to the same independent annual audit requirements as other General Fund revenues.

Section 3.15.150 Penalties.

1 Without limiting any remedies available at law or equity, any person violating
2 any of the provisions of this ordinance shall be deemed guilty of a
misdemeanor.

3 **Section 3.15.160 Changes in Law.**

4 All amendments subsequent to the effective date of this ordinance to Part 1 of
5 Division 2 of the Revenue and Taxation Code relating to sales and use taxes
6 and which are not inconsistent with Part 1.6 and Part 1.7 of Division 2 of the
7 Revenue and Taxation Code, and all amendments to Part 1.6 and Part 1.7 of
8 Division 2 of the Revenue and Taxation Code, shall automatically become a
part of this ordinance, provided however, that no such amendment shall
operate so as to affect the rate of tax imposed by this ordinance.

9 **Section 3.15.170. Severability.**

10 If any provision of this ordinance or the application thereof to any person or
11 circumstance is held invalid, the remainder of the ordinance and the
12 application of such provision to other persons or circumstances shall not be
affected thereby.

13 **Section 3.15.180. Council Authority to Amend.**

14 Pursuant to Elections Code Section 9217, the City Council shall have and
15 retain the right and authority to amend this ordinance to further its purposes
16 and intent (including but not limited to amendment for more efficient
17 administration as determined by the City Council) in any manner that does not
increase a tax rate, or otherwise constitute a tax increase for which voter
approval is required by Article XIII C of the California Constitution.

18 **Section 3.15.190. Effective Date.**

19 This ordinance levying the tax described herein shall be effective ten (10) days
20 after the date on which the City Council has declared that the voters of the City
21 of Suisun City have approved the ordinance adopting this ordinance by a vote
22 of no less than a majority of the votes cast by the electors voting on the tax
measure set forth in this ordinance at that general municipal election to be held
on Tuesday, November 3, 2020.

23 **Section 3.15.200. Termination Date.**

24 The authority to levy the tax imposed by this ordinance shall expire 6 years
25 from the Operative Date.

26 **Section 3.15.210. Suisun City Oversight Committee.**

27 A city general tax oversight committee is hereby established to review the
28 expenditure of the revenues collected pursuant to this ordinance. Except as

1 provided by resolution of the City Council, the committee shall consist of the
2 same membership, same terms, and same duties and qualifications as the
3 committee established pursuant to Section 3.14.220 of Chapter 3.14 of Title 3
of the Suisun Municipal Code. Such resolution may be amended by resolution
of the City Council.”

4 **SECTION 3. COUNCIL AUTHORITY TO AMEND.** This is a City Council-
5 sponsored initiative Ordinance which otherwise would only be subject to amendment by the
6 voters of the City. However, pursuant to Elections Code Section 9217, the City Council shall
7 have and retain the right and authority to amend the Ordinance to further its purposes and
8 intent (including but not limited to amendment for more efficient administration as
9 determined by the City Council) in any manner that does not increase a tax rate, or otherwise
constitute a tax increase for which voter approval is required by Article XIII C of the
California Constitution.

10 **SECTION 4. SEVERABILITY.** If any section, subsection, sentence, clause or
11 phrase of this ordinance or the application thereof to any person or circumstance is for any
12 reason held to be invalid, such decision shall not affect the validity of the remaining portions
13 of this ordinance. The People of the City of Suisun City hereby declared that they would have
14 passed each subsection, subdivision, paragraph, sentence, clause, or phrase thereof,
irrespective of the fact that any one or more subsection, subdivision, paragraph, sentence,
clause, or phrase be declared unconstitutional.

15 **SECTION 5. CEQA EXEMPTION.** The adoption of this ordinance is not a
16 "project" subject to the requirements of the California Environmental Quality Act (CEQA)
17 (Public Resources Code Section §§ 21000 et seq.). CEQA Guideline 15378(b)(4) provides
18 that the creation of government funding mechanisms or other government fiscal activities that
do not involve any commitment to a specific project that may result in a potentially significant
physical impact on the environment are not projects subject to the requirements of CEQA.

19 **SECTION 6. APPROPRIATIONS LIMIT.** Pursuant to Article XIIB of the
20 California Constitution, the appropriations limit for the City of Suisun City is increased to the
21 maximum extent over the maximum period of time allowed under the law consistent with the
revenues generated by this general tax.

22 **SECTION 7. PASSAGE AND EXECUTION.** The Mayor shall sign this Ordinance
23 and the City Clerk shall attest and certify to the approval thereof and cause same to be
24 published or posted pursuant to law. This Ordinance shall only be in effect following the
approval of a majority of the voters at an election on November 3, 2020, as certified by the
election official.

1 PASSED AND ADOPTED by the voters of the City of Suisun City at an election held
2 on November 3, 2020.

3 _____
Lori D. Wilson, Mayor

4 ATTEST:

5 _____
6 Linda Hobson, CMC, City Clerk

7
8 *****

9 PASSED AND ADOPTED by the City Council of the City of Suisun City, State of
10 California, on this ____ day of _____ 2020.

11 _____
Lori D. Wilson, Mayor

12 ATTEST:

13 _____
14 Linda Hobson, City Clerk

15
16 **CERTIFICATION:**

17 I, Linda Hobson, City Clerk of the City of Suisun, California, do hereby certify that
18 Ordinance _ was adopted by the City Council of the City of Suisun City at a regular meeting
held on the _____ day of _____, 2020 by the following vote:

- 19 AYES:
20 NOES:
21 ABSENT:
22 ABSTAIN:

23 _____
Linda Hobson, CMC, City Clerk

24 Ordinance No. ____ was submitted to the People of the City of Suisun City at the
25 November 3, 2020, general municipal election. It was approved by the following vote of the
electors:

- 26 YES: _____
27 NO: _____