

CITY COUNCIL
Lori Wilson, Mayor
Wanda Williams, Mayor Pro-Tem
Jane Day
Alma Hernandez
Michael J. Hudson



CITY COUNCIL MEETING

First and Third Tuesday
Every Month

A G E N D A

SPECIAL MEETING OF THE SUISUN CITY COUNCIL

TUESDAY, MAY 4, 2021

5:30 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 Jane Day, Alma Hernandez, Michael Hudson, Mayor Pro Tem Wanda Williams, and Mayor Lori Wilson. Teleconference locations are on file at City Hall, 701 Civic Center Blvd., Suisun City, CA 94585.

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

THE CITY COUNCIL HAS RESUMED IN-PERSON MEETINGS IN ADDITION TO ZOOM. A LIMITED NUMBER OF SEATS ARE AVAILABLE, TO RESERVE A SEAT PLEASE CONTACT THE CITY CLERK AT clerk@suisun.com OR 707 421-7302.

ZOOM MEETING INFORMATION:

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

MEETING ID: 818 6318 3120

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 4pm) OR

VIA WEBSITE OR PHONE APPLICATION, ZOOM

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

ROLL CALL

Council Members

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.)

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.)

CLOSED SESSION**City Council****1. PERSONNEL MATTERS**

Pursuant to California Government Code Section 54957(b)(1) et seq. the Suisun City Council will hold a Closed Session for the purpose of Public Employee Performance Evaluation: City Manager

CONVENE OPEN SESSION

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

ADJOURNMENT

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 - Suisun City Senior Center, 318 Merganser Drive, Suisun City, CA;
 - Joe Nelson Center, 611 Village Drive, Suisun City, CA;
 - Harbor Master Office, 800 Kellogg Street, Suisun City, CA.

I, Donna Pock, Deputy City Clerk for the City of Suisun City, declare under penalty of perjury that the above agenda for the meeting of May 4, 2021 was posted and available for review, in compliance with the Brown Act.

CITY COUNCIL
Lori Wilson, Mayor
Wanda Williams, Mayor Pro-Tem
Jane Day
Alma Hernandez
Michael J. Hudson



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, MAY 4, 2021

6:30 P.M.

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

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(Next Ord. No. – 782)

(Next City Council Res. No. 2021 – 31)

Next Suisun City Council Acting as Successor Agency Res. No. SA2021 - 01)

(Next Housing Authority Res. No. HA2021 – 01)

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SUCCESSOR AGENCY 421-7309 FAX 421-7366

ROLL CALL

Council / Board Members

Pledge of Allegiance

Invocation

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. City Manager/Executive Director/Staff
 - a. Introduction of new Suisun City Employees: Christina Penland, Human Resources Administrator and Jeff Henderson, Police Commander.

PRESENTATION/APPOINTMENTS

(Presentations, Awards, Proclamations, Appointments).

City Council

2. Mayoral Appointments to the Solano North County Navigation Center Sub-Committee – (Wilson: lwilson@suisun.com).
3. Proclamations Presented - (Wilson: lwilson@suisun.com).
 - a. Presentation of Proclamation Proclaiming May 22-28, 2021 as National Safe Boating Week.
 - b. Presentation of Proclamation Proclaiming May 16-23, 2021 as National Public Works Week.
 - c. Presentation of Proclamation Proclaiming May 9-15, 2021 as National Police Week and May 15, 2021 as Peace Officers Memorial Day.
4. Police Department Annual Report - (Roth: aroeth@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.2021-__: Adopting a List of Projects for Fiscal Year 2021-22 Funded by SB1: The Road Repair and Accountability Act of 2017 – (Lofthus/Lozano: klofthus@suisun.com / nlozano@suisun.com).
6. Council Adoption of Resolution No. 2021-__: Appointing the Housing Manager as the Representative Member and the City Manager as an Alternate Member of the Community Action Partnership of Solano Joint Powers Authority for a two-year Term to Expire June 30, 2023 – (Lawton: klawton@suisun.com).
7. Approving Appointments of City Staff Members to the Pooled Liability Assurance Network (PLAN) JPA Board of Directors and to the Local Agency Workers' Compensation Excess Joint Powers Authority's Governing Board – (gfolson@suisun.com).

- a. Council Adoption of Council Resolution No. 2021-__: Appointing One Director and One Alternate Director to the Pooled Liability Assurance Network (PLAN) JPA Board of Directors; and
 - b. Council Adoption of Council Resolution No. 2021-__: Appointing One Representative and One Alternate Representative to the Local Agency Workers' Compensation Excess Joint Powers Authority's Governing Board.
8. Initiate and Provide Intent to the Levy and Collection of Assessments for the City's Landscaping & Lighting Districts - (Lofthus: klofthus@suisun.com)
 - a. Council Adoption of Resolutions No. 2021-__: Initiating Proceedings for the Annual Levy and Collection of Assessments and Ordering the Preparation and Filing of the Engineer's Report Related to the Suisun City Maintenance Assessment Districts for Fiscal Year 2021-22.
 - b. Council Adoption of Resolutions No. 2021-__: Declaring its Intention to Levy and Collect Assessments Within the City's Maintenance Assessment Districts for Fiscal Year 2021-22 and Announcing That the Associated Public Hearing Will Be Held on June 1, 2021.
9. Initiate and Provide Intent to the Levy and Collection of Assessments for the Parking Benefit Assessment District – (Lofthus: klofthus@suisun.com).
 - a. Council Adoption of Resolution No. 2021-__: Initiating Proceedings for the Annual Levy and Collection of Assessments and Ordering the Preparation and Filing of the Engineer's Report Related to the McCoy Creek Parking Benefit Assessment District for Fiscal Year 2012-22; and
 - b. Council Adoption of Resolution No. 2021-__: Declaring Its Intention to Levy and Collect Assessments Within the McCoy Creek Parking Benefit Assessment District for Fiscal Year 2021
10. Council Adoption of Resolution No. 2021-__: Clarifying the Public Hearing Date, Time and Location for the 7-Eleven Annexation into Community Facilities District No. 2 - (Kearns: jkearns@suisun.com).
11. Council Adoption of Resolution No.2021-__: Approving a payment of \$65,000 to settle Brandon Merkel's July 14, 2020 claim against the City, subject to ABAG reimbursement – (City Attorney).

PUBLIC COMMENTS

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PUBLIC HEARING NONE**GENERAL BUSINESS NONE**

REPORTS: (Informational items only.)

12. Council Updates
 - a. Council/Boardmembers
 - b. Mayor

13. Non-Discussion Items

CLOSED SESSION

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

City Council

14. CONFERENCE WITH LABOR NEGOTIATOR

Pursuant to Government Code Section 54957.6

Agency negotiator: City Manager

Employee organizations:

Unrepresented Employees;
SCEA (Suisun City Employees' Association);
SCMPEA (Suisun City Management and Professional Employees' Association);
SCPOA (Suisun City Police Officers Association).

CONVENE OPEN SESSION

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

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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 May 4, 2021 was posted and available for review, in compliance with the Brown Act.

Office of the Mayor
Suisun City, California

Proclamation



WHEREAS, recreational boating is fun and enjoyable, and we are fortunate that we have resources to accommodate a variety of pleasure boating demands. While being a marvelous source of recreation, boating, to the unprepared, can be a risky sport. Not knowing or obeying the Navigation Rules, being under the influence while operating a boat, or choosing not to wear your life jacket when doing so are dangerous choices; and

WHEREAS, one particular behavior that can reduce the number of boaters who lose their lives by drowning each year by approximately 80% is the wearing of a life jacket; and

WHEREAS, Suisun City operates a full-service marina providing recreational resources to our community and works to spread the message of boating safety not only during National Safe Boating Week but throughout the entire year; and

WHEREAS, in partnership with the Coast Guard Auxiliary and the Suisun City Harbormasters Office, loaner lifejackets are available in 2 locations to provide life saving devices to our boating community; and

WHEREAS, on average, 600-700 people die each year in boating-related accidents in the U.S. and 80 percent of these are fatalities caused by drowning; and

WHEREAS, the vast majority of these accidents are caused by human error or poor judgment and not by the boat, equipment, or environmental factors.

NOW, THEREFORE, BE IT RESOLVED, that I, Lori D. Wilson, Mayor of the City of Suisun City do hereby proclaim the May 22-28, 2021 as

“NATIONAL SAFE BOATING WEEK”

The City of Suisun City is committed to promoting safe boating practices and is determined to expand the lifejacket loaner program at the Suisun marina to help keep our boating community safe.



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



Lori D. Wilson, Mayor

ATTEST:



DATE:

May 4, 2021

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Office of the Mayor
Suisun City, California

Proclamation



WHEREAS, public works professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of Suisun City; and

WHEREAS, these infrastructure, facilities and services could not be provided without the dedicated efforts of Suisun City public works professionals, who are maintenance personnel, engineers, managers and administrative support and who are responsible for rebuilding, improving and protecting our cities roadways, storm water systems, waste water, parks, medians, street lights, traffic lights, debris clean up, and public facilities, essential for our citizens; and

WHEREAS, it is in the public interest for the citizens, civic leaders and children in Suisun City to gain knowledge of and to maintain an ongoing interest and understanding of the importance of public works and public works programs in their respective communities; and

WHEREAS, the year 2021 marks the 61st annual National Public Works Week sponsored by the American Public Works Association.

NOW, THEREFORE, BE IT RESOLVED, that I, Lori D. Wilson, Mayor of the City of Suisun City do hereby proclaim the May 16-23, 2021 as National Public Works Week.

“NATIONAL PUBLIC WORKS WEEK”

The City of Suisun City Public Works Department touches the lives of our community on a daily basis by providing maintenance of our parks, streetlights, storm drains, sewers, traffic signals, medians, and sports fields.

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



Lori D. Wilson, Mayor

ATTEST:



DATE:

May 4, 2021



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Office of the Mayor
Suisun City, California

Proclamation



WHEREAS, National Police Officer Memorial Day (May 15th of each year) and National Police Week, May 9-15, 2021, was established in 1962 by John F. Kennedy and a joint resolution of Congress, to pay tribute to the local, State, and Federal law enforcement officers who serve and protect us with courage and dedication; and

WHEREAS, the members of the Suisun City Police Department play an integral role in safeguarding the rights and freedoms of the residents and visitors to Suisun City; and

WHEREAS, police officers throughout our community work tirelessly to protect and serve residents, enforce city laws, and continue to keep neighborhoods, schools, and families safe; and

WHEREAS, it is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement agency, and that members of the Suisun City Police Department recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and

WHEREAS, members of the Suisun City Police Department unceasingly provide a vital public service and responded to 26,555 calls for service during the year 2020.

NOW, THEREFORE, I, Lori D. Wilson, Mayor of the City of Suisun City, call upon all citizens of Suisun City to observe the week of May 9-15, 2021, as:

“NATIONAL POLICE WEEK”


with appropriate observances and urge our citizens to join in commemorating the service of law enforcement officers, past and present, in our community and in communities across the nation.

I further call upon all residents of Suisun City to observe Saturday, May 15, 2021, as:

“PEACE OFFICERS’ MEMORIAL DAY”

in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes.

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



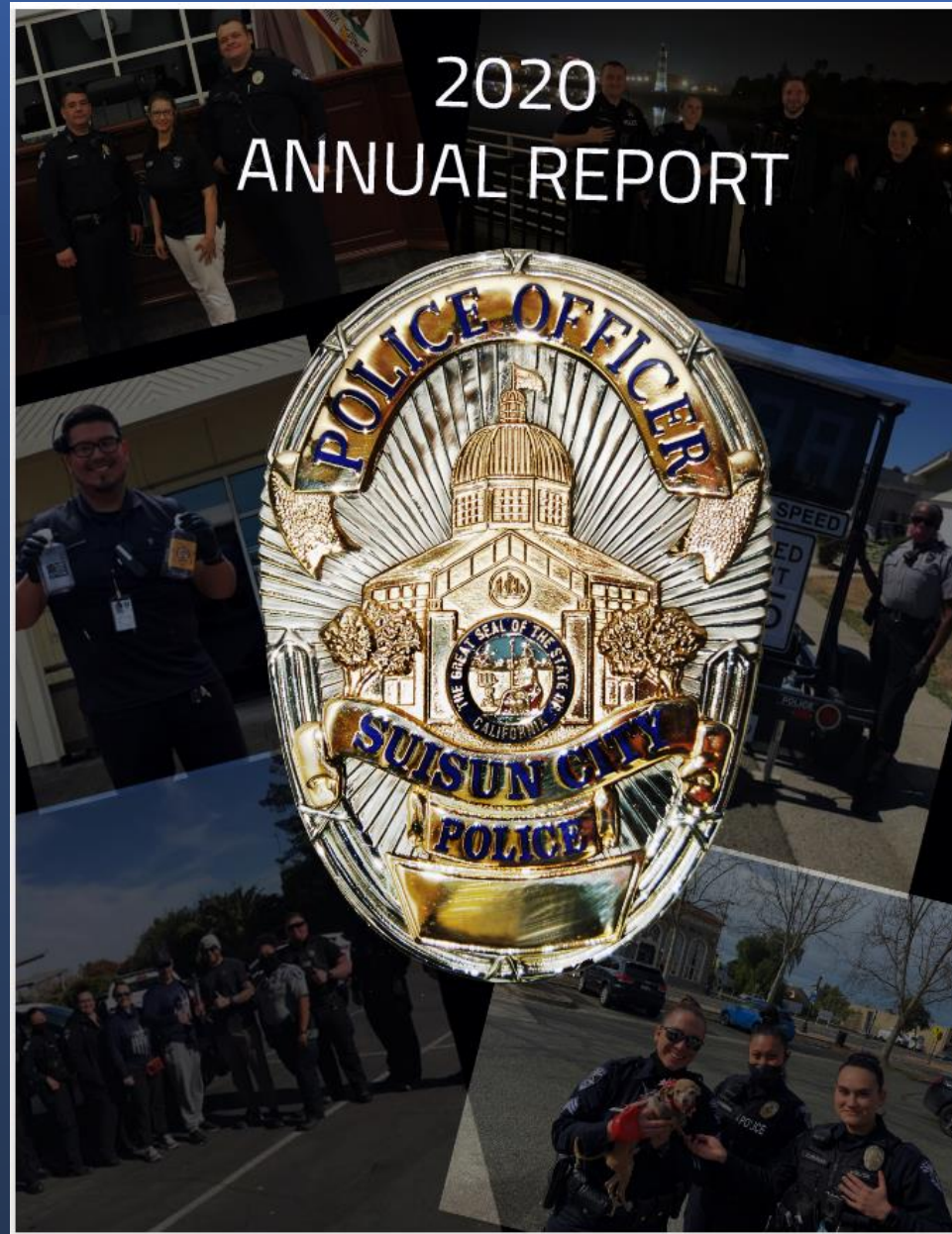
 Lori D. Wilson, Mayor


ATTEST: 

DATE: _____ May 4, 2021 _____



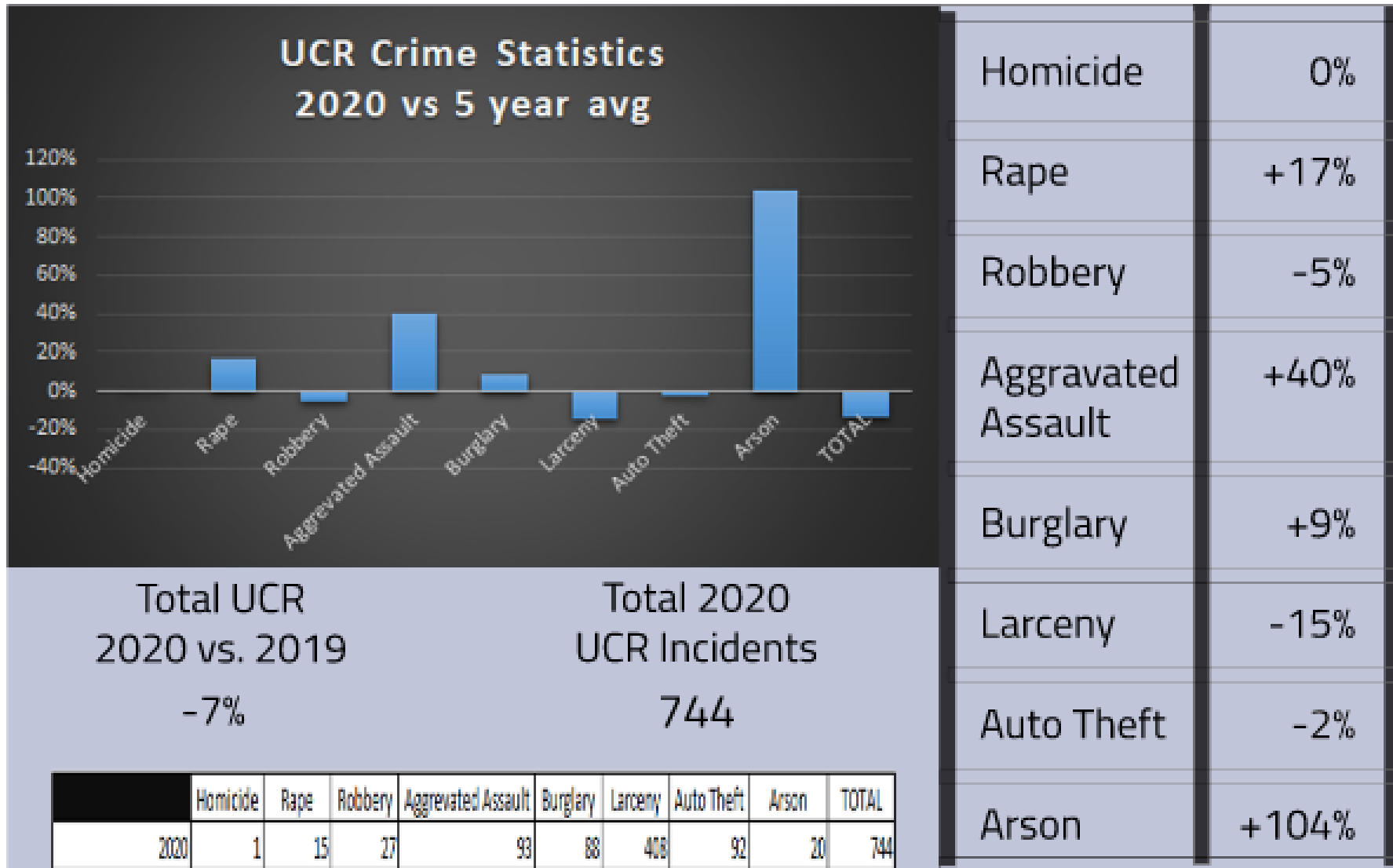
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Our Mission

It is the Mission of the Suisun City Police Department to safeguard the lives and property of the people we serve, reduce crime and disorder and enhance public safety. Our employees deliver the highest quality of service and pledge to do so with honor and integrity, while maintaining the highest ethical standards. We are committed to working in partnership with our diverse community to improve their quality of life.



Personnel-

The Suisun City Police Department continued the goal of recruiting and retaining highly qualified police and dispatch personnel throughout 2020. The department processed 67 police officer applications, which resulted in 5 police officers hired. The department also processed 59 dispatcher applications, which resulted in the hiring of 2 public safety dispatchers in 2020.

The current demographics of the Suisun City Police Department are:

SCPD STAFF

White-51%

Hispanic-22%

Asian-17%

Black-10%

SCPD SWORN STAFF

White-40%

Hispanic-35%

Asian-25%

Black-0%

*Data provided by Human Relations through a combination of "visual survey" and voluntarily submitted data by employees.

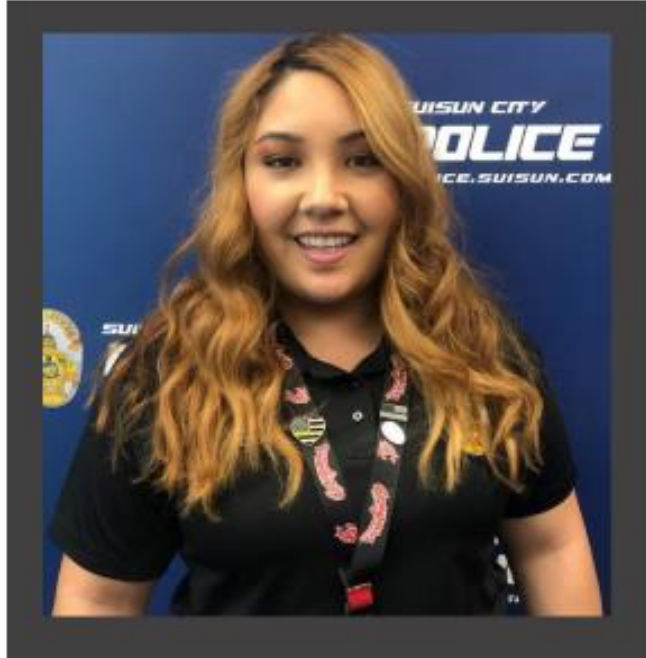
1602.13 Records as to racial or ethnic identity of employees: Employers may acquire the information necessary for completion of Section D of the EEO-1 either by visual surveys of the workforce, or at their option, by the maintenance of post-employment records as to the identity of employees where the same is permitted by State law.

Department Complaints & Use of Force 2020-

The Suisun City Police Department strives to provide quality service in every encounter. Officers are trained in crisis intervention, de-escalation and tactics that mitigate risks to those we contact. Unfortunately, police services result in complaints and uses of force throughout the year. These outcomes make up a small percentage of the total number of contacts made in a year. In 2020 the Department received 15 total citizen complaints, which resulted in one sustained complaint. The department had 16 reported use of force incidents in 2020. With 26,555 calls for service, we had a 0.0006% use of force contact ratio in 2020.

*Use of Force Definition: The application of physical techniques or tactics, chemical agents, or weapons to another person. Statistical data regarding all officer-involved shootings and incidents involving use of force resulting in serious bodily injury are reported to the California Department of Justice as required by Government Code Section 12525.2. SCPD did not have any reportable incidents in 2020.

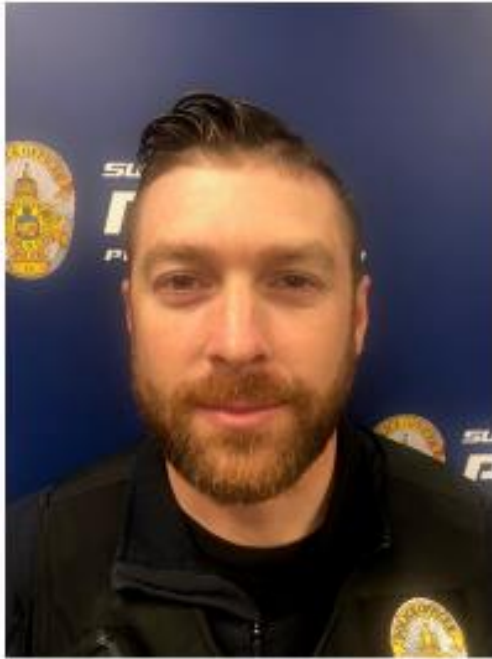




2020 Public Safety Dispatcher of the Year

Haley was nominated by her peers for her exemplary work as a Public Safety Dispatcher in 2019. Her peers recognized Haley for being a quick learner and her ability to seamlessly operate the dispatch center in such a short period of time. Haley has a friendly demeanor and is always professional

and courteous to the community and personnel. Haley was recognized for her humility and work ethic, which were exemplified in learning a Computer Aided Dispatch System. Haley and all Public Safety Dispatchers worked a significant amount of overtime in 2019. Overall, nominators said Haley's can-do attitude exemplifies what it means to be a good partner and a successful Public Safety Dispatcher.



2020 Police Officer of the Year

Jeremy Snyder was selected by his peers as the 2020 Police Officer of the Year. Corporal Snyder served as the detective in 2020 and investigated numerous serious crimes including murder, child abuse, robbery and other serious crimes. Detective Snyder's tenacity and work ethic resulted in the prosecution and resolution to multiple cases. In addition to his detective role, Snyder served on the Solano County

regional Special Weapons and Tactics (SWAT) and Mobile Field Force teams. Snyder also serves as a Air Force reserve, where he serves the Country in training Air Force reserves. For these reasons, Snyder was selected as Suisun City Police Officer of the year 2020.

2020 Projects-

- 1) Implemented California Department of Justice privacy policy for personal identifying information ensuring the privacy of those contacted by police.
- 2) Began the process of collaborating with regional law enforcement partners through RIMS Collaborate.
- 3) Identified and procured property and evidence software that complies with California Incident Based Reporting System.
- 4) Coordinated Motorola P25 radio system for police and fire, to ensure system functionality and interoperability.
- 5) Re-imagined false alarm and parking violation processing system to increase efficiency and improve service to the community.
- 6) Implemented improved on-line crime reporting via COPLOGIC.
- 7) Implemented FirstResponse Medic link,
- 8) Completed Sun Ridge RIMS 27 upgrade.
- 9) Installed ring down line to serve the community with police department lobby closures due to COVID-19 precautionary measures.
- 10) Provided training to SCFD Arson investigators for CLETS compliance.

2020 Grants-

The Suisun City Police Department took part in ongoing grants through out the 2020 year. The department participated in the Supplemental Law Enforcement Services Fund SLESF (COPS) Grant and received approximately \$150,000. SCPD continued our long-standing relationship with the California Department of Boating and Waterways, to have a fully funded boat grant, which covers equipment, repairs, fuel, training and staff time in the amount of \$48,000. We recovered funds associated with ballistic vests via the BJA Grant in the amount of \$5,000. Lastly, we were able to continue our partnership with STA SR25 to maintain our School Safety Traffic Officer part-time employee in the amount of approximately \$34,000. Unfortunately due to limited staffing we could not staff and expend our CA DOJ Tobacco Enforcement Grant in the amount of \$119,000 over three years. Overall the department and City benefited from nearly \$200,000 of the \$240,000 that had been secured by the department.



2021 GOALS
"Serving Since 1921"

1. Increase departmental capabilities and service to the community through employee development.
2. Hire all positions to full staffing levels.
3. Implementation of the Racial and Identity Profiling Act (RIPA) reporting, policies, and training.
4. Community engagement through virtual and in person outreach, to all members of our community.
5. 100 Years of Service Initiative. Celebrating the Suisun City Police Department's 100 years of service to the community through community recognition and building a vision for the next 100 years.

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AGENDA TRANSMITTAL

MEETING DATE: May 4, 2021

CITY AGENDA ITEM: Council Adoption of Resolution No. 2021-__: Resolution Adopting a List of Projects for Fiscal Year 2021-22 Funded by SB1: The Road Repair and Accountability Act of 2017

FISCAL IMPACT: Total operating cost for the Suisun City (City) Road Maintenance and Rehabilitation Act (RMRA) project is budgeted under the Transportation PW Capital Projects Fund (Fund 115) for Fiscal Year (FY) 2021-22. The total funding of \$516,400 includes \$10,300 from the City's Gas Tax Fund (Fund 105) and \$506,100 is from the City's RMRA – SB1 Road Maintenance Rehabilitation Fund (Fund 110).

STRATEGIC PLAN: Restore Historic Downtown. Develop Sustainable Economy. Ensure Public Safety. Provide Good Governance. Ensure Fiscal Solvency. Enhance Environment.

BACKGROUND: The City of Suisun City is responsible for the maintenance of 153 lane miles of roadway with over 13 million square feet of pavement. The goal of the Suisun City Pavement Management Program is to maintain the city's pavement in the best condition possible given the available funding. Each year, preventive maintenance treatments are performed on selected city streets. These planned treatment projects are intended to extend the life of the pavement and avoid costlier repair or replacement of streets. Road reconstruction is only considered when preventive maintenance treatments are no longer cost-effective or feasible. The cost of reconstructing a street can exceed the cost of performing a preventative maintenance treatment by tenfold.

On April 28, 2017, the Governor signed Senate Bill 1 (SB1), also known as the Road Repair and Accountability Act of 2017. This bill provides a stable source of funding to local agencies to provide for road maintenance and rehabilitation.

STAFF REPORT: In accordance with SB1, the City of Suisun City must adopt a budget each fiscal year appropriating revenues and expenditures of Road Maintenance and Rehabilitation Account (RMRA) funds. In addition, the City must submit a list of projects corresponding to the adopted budget to the California Transportation Commission (CTC) prior to July 10, 2021 in order to receive the SB1 funds for FY 2021-22. Suisun City is committed to improving the road conditions and ADA accessibility in the city and has budgeted SB1 funds for road maintenance and rehabilitation.

On June 16, 2020 the City Council adopted Resolution No. 2020-67, a resolution adopting a list of projects for Fiscal Year 2020-21 and an amended list of projects for Fiscal Year 2019-2020 funded by SB1. Completed this year is the Civic Center Boulevard Asphalt Overlay Project, from Lotz Way to Driftwood Drive. Said project was coordinated with the Solano Irrigation District's Water Replacement Project for the same street segment, which was completed immediately before the paving treatment. The annual crack filling program was also completed. Project design is underway for the upcoming Asphalt Rubber Cape Seal Project on Village Drive and on Whispering Bay Lane from Josiah Circle to Francisco Drive.

PREPARED BY:
REVIEWED BY:
APPROVED BY:

Nick Lozano, Associate Engineer
 Kris Lofthus, Interim Public Works Director
 Greg Folsom, City Manager

The following previously proposed and adopted projects may utilize Fiscal Year 2021-22 Road Maintenance and Rehabilitation Account Revenues in their delivery (see table below). With the relisting of these projects in the adopted fiscal year resolution, the City of Suisun City is reaffirming to the public and the State our intent to fund these projects with Road Maintenance and Rehabilitation revenues.

City of Suisun City - FY 2020-2021 Local Streets and Roads Program Projects List					
Pavement Treatment Description	Location	Estimated Useful Life Minimum	Estimated Useful Life Maximum	Project Started or Estimated Project Start	Revised Estimated Project End
Asphalt Rubber Cape Seal with Digouts and ADA Ramp Upgrades	Village Drive (Highway 12 to Pintail Dr)	15	50	6/1/2020	12/1/2021
Asphalt Rubber Cape Seal with Digouts and ADA Ramp Upgrades	Village Drive (Pintail Dr to Leafwood Ct)	15	50	6/1/2020	12/1/2021
Asphalt Rubber Cape Seal with Digouts and ADA Ramp Upgrades	Village Drive (Leafwood Ct to Railroad Ave)	15	50	6/1/2020	12/1/2021
Asphalt Rubber Cape Seal with Digouts and ADA Ramp Upgrades	Whispering Bay Lane (Francisco Dr to 225' N of Francisco Dr)	15	50	6/1/2020	12/1/2021
Asphalt Rubber Cape Seal with Digouts and ADA Ramp Upgrades	Whispering Bay Lane (225' N of Francisco Dr to Josiah Cir)	15	50	6/1/2020	12/1/2021
Crack Seal and Slurry Seal	Main Street (S of Cordelia St to Morgan St)	15	50	3/2/2020	12/1/2022
Crack Seal and Slurry Seal	Main Street (Morgan St to Solano St)	15	50	3/2/2020	12/1/2022
Crack Seal and Slurry Seal	Main Street (Solano St to Driftwood Dr)	15	50	3/2/2020	12/1/2022
Crack Seal and Slurry Seal	Main Street (Driftwood Dr to Lot Wy)	15	50	3/2/2020	12/1/2022
Crack Seal and Slurry Seal	Floyd Court (Craven Dr to Cul-de-Sac)	15	50	6/1/2022	12/1/2023
Crack Seal and Slurry Seal	Capistrano Drive (Montebello Dr. to 75' N of El Morro Ln)	15	50	6/1/2022	12/1/2023
Crack Seal and Slurry Seal	Capistrano Drive (75' N of El Morro Ln to Bella Vista Dr)	15	50	6/1/2022	12/1/2023
Crack Seal and Slurry Seal	Catamaran Way (Civic Center Blvd to Harbor Park Dr)	15	50	6/1/2022	12/1/2023
Crack Seal and Slurry Seal	Harbor Park Drive (Civic Center Blvd to Terminus)	15	50	6/1/2022	12/1/2023
Crack Seal and Slurry Seal	Breakwater Circle	15	50	6/1/2022	12/1/2023
Crack Seal and Slurry Seal	Catalina Circle	15	50	6/1/2022	12/1/2023
Crack Seal and Slurry Seal	Anderson Drive (E of Canal to Lawler Ranch Pkwy)	15	50	6/1/2022	12/1/2023
Crack Seal and Slurry Seal	Lawler Ranch Parkway (Mayfield Wy to Potrero St)	15	50	6/1/2022	12/1/2023
Crack Seal and Slurry Seal	Lawler Ranch Parkway (Potrero St to Highway 12 E End)	15	50	6/1/2022	12/1/2023
Crack Seal and Slurry Seal	Hoyt Court	15	50	6/1/2022	12/1/2023

Staff recommends that the City Council approve the Resolution included as Attachment No. 1 of this report and authorize staff to submit the required listed of projects to the California Transportation Commission (CTC) prior to July 10, 2022 to secure funding. The list of projects and project streets can be modified in the future without consequence.

STAFF RECOMMENDATION:

1. Staff Recommends the City Council Adoption of Resolution No. 2021-__: Resolution Adopting a List of Projects for Fiscal Year 2021-22 Funded by SB1: The Road Repair and Accountability Act of 2017

ATTACHMENTS:

1. Council Adoption of Resolution No. 2021-__: Resolution Adopting a List of Projects for Fiscal Year 2021-22 Funded by SB1: The Road Repair and Accountability Act of 2017

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RESOLUTION NO. 2021 - ____

**RESOLUTION ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2021-22
FUNDED BY SENATE BILL 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT
OF 2017**

WHEREAS, Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017) was passed by the Legislature and Signed into law by the Governor in April 2017 to address the significant multi-modal transportation funding shortfalls statewide; and

WHEREAS, SB 1 includes accountability and transparency provisions that will ensure the residents of our City of Suisun City are aware of the projects proposed for funding in our community and which projects have been completed each fiscal year; and

WHEREAS, the City of Suisun City must adopt by resolution a list of projects proposed to receive fiscal year funding from the Road Maintenance and Rehabilitation Account (RMRA), created by SB 1, which must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement; and

WHEREAS, the City of Suisun City, will receive an estimated \$506,100 in RMRA funding in Fiscal Year 2021-22 from SB 1; and

WHEREAS, this is the fourth year in which the City of Suisun City is receiving SB 1 funding and will enable the City of Suisun City to continue essential road maintenance and rehabilitation projects, safety improvements, repairing and replacing aging bridges, and increasing access and mobility options for the traveling public that would not have otherwise been possible without SB 1; and

WHEREAS, the City of Suisun City has undergone a robust public process to ensure public input into our community's transportation priorities/the project list; and

WHEREAS, the City of Suisun City used a Pavement Management System to develop the SB 1 project list to ensure revenues are being used on the most high-priority and cost-effective projects that also meet the community's priorities for transportation investment; and

WHEREAS, the funding from SB 1 will help the City of Suisun City maintain and rehabilitate up to thirteen (13) streets/roads throughout the City/County this year by applying a combination of Slurry Seals to preserve good roads, applying Cape Seals to at-risk low volume residential/collector roads, applying Rubberized Cape Seals to high volume collector roads, and applying asphalt overlay to poor roads this year and the following two (2) years; and many similar projects into the future; and

WHEREAS, the 2018 California Statewide Local Streets and Roads Needs Assessment found that the City of Suisun City streets and roads are in an "good" condition and this revenue will help us maintain our road system in a "good" condition; and

WHEREAS, the SB 1 project list and overall investment in our local streets and roads infrastructure with a focus on basic maintenance and safety, investing in complete streets infrastructure, and using cutting-edge technology, materials and practices, will have significant positive impact on our road system.

NOW, THEREFORE IT IS HEREBY RESOLVED, ORDERED AND FOUND by the City Council of the City of Suisun City, State of California, as follows:

1. The foregoing recitals are true and correct.
2. The following previously proposed and adopted projects may utilize Fiscal Year 2021-22 Road Maintenance and Rehabilitation Account Revenues in their delivery. With the relisting of these projects in the adopted fiscal year resolution, the City of Suisun City is reaffirming to the public and the State our intent to fund these projects with Road Maintenance and Rehabilitation revenues:

City of Suisun City - FY 2020-2021 Local Streets and Roads Program Projects List					
Pavement Treatment Description	Location	Estimated Useful Life Minimum	Estimated Useful Life Maximum	Project Started or Estimated Project Start	Revised Estimated Project End
Asphalt Rubber Cape Seal with Digouts and ADA Ramp Upgrades	Village Drive (Highway 12 to Pintail Dr)	15	50	6/1/2020	12/1/2021
Asphalt Rubber Cape Seal with Digouts and ADA Ramp Upgrades	Village Drive (Pintail Dr to Leafwood Ct)	15	50	6/1/2020	12/1/2021
Asphalt Rubber Cape Seal with Digouts and ADA Ramp Upgrades	Village Drive (Leafwood Ct to Railroad Ave)	15	50	6/1/2020	12/1/2021
Asphalt Rubber Cape Seal with Digouts and ADA Ramp Upgrades	Whispering Bay Lane (Francisco Dr to 225' N of Francisco Dr)	15	50	6/1/2020	12/1/2021
Asphalt Rubber Cape Seal with Digouts and ADA Ramp Upgrades	Whispering Bay Lane (225' N of Francisco Dr to Josiah Cir)	15	50	6/1/2020	12/1/2021
Crack Seal and Slurry Seal	Main Street (S of Cordelia St to Morgan St)	15	50	3/2/2020	12/1/2022
Crack Seal and Slurry Seal	Main Street (Morgan St to Solano St)	15	50	3/2/2020	12/1/2022
Crack Seal and Slurry Seal	Main Street (Solano St to Driftwood Dr)	15	50	3/2/2020	12/1/2022
Crack Seal and Slurry Seal	Main Street (Driftwood Dr to Lot Wy)	15	50	3/2/2020	12/1/2022
Crack Seal and Slurry Seal	Floyd Court (Craven Dr to Cul-de-Sac)	15	50	6/1/2022	12/1/2023
Crack Seal and Slurry Seal	Capistrano Drive (Montebello Dr. to 75' N of El Morro Ln)	15	50	6/1/2022	12/1/2023
Crack Seal and Slurry Seal	Capistrano Drive (75' N of El Morro Ln to Bella Vista Dr)	15	50	6/1/2022	12/1/2023
Crack Seal and Slurry Seal	Catamaran Way (Civic Center Blvd to Harbor Park Dr)	15	50	6/1/2022	12/1/2023
Crack Seal and Slurry Seal	Harbor Park Drive (Civic Center Blvd to Terminus)	15	50	6/1/2022	12/1/2023
Crack Seal and Slurry Seal	Breakwater Circle	15	50	6/1/2022	12/1/2023
Crack Seal and Slurry Seal	Catalina Circle	15	50	6/1/2022	12/1/2023
Crack Seal and Slurry Seal	Anderson Drive (E of Canal to Lawler Ranch Pkwy)	15	50	6/1/2022	12/1/2023

Crack Seal and Slurry Seal	Lawler Ranch Parkway (Mayfield Wy to Potrero St)	15	50	6/1/2022	12/1/2023
Crack Seal and Slurry Seal	Lawler Ranch Parkway (Potrero St to Highway E End)	15	50	6/1/2022	12/1/2023
Crack Seal and Slurry Seal	Hoyt Court	15	50	6/1/2022	12/1/2023

PASSED AND ADOPTED by the following vote at a regular meeting of the City Council of the City of Suisun City duly held on the 4th day of May 2021:

AYES: Council Members: _____
NOES: Council Members: _____
ABSENT: Council Members: _____
ABSTAIN: Council Members: _____

WITNESS my hand and the seal of said City this 4th day of May 2021.

 Anita Skinner
 City Clerk

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AGENDA TRANSMITTAL

MEETING DATE: May 4, 2021

CITY AGENDA ITEM: Council Adoption of Resolution No. 2021-__: Appointing the Housing Manager as the Representative Member and the City Manager as an Alternate Member of the Community Action Partnership of Solano Joint Powers Authority for a two-year Term to Expire June 30, 2023.

FISCAL IMPACT: There is no fiscal impact associated with this resolution.

STRATEGIC PLAN IMPACT: Provide Good Governance.

BACKGROUND: In 1999, Solano County and the cities of Fairfield, Suisun City, Vallejo, Benicia, and Dixon formed the Solano Safety Net Consortium, a Joint Powers Authority to develop and implement strategies, services, and systems that assist low-income and homeless persons to become self-sufficient. In 2006, the JPA was renamed Community Action Partnership of Solano, Joint Powers Authority (CAP Solano, JPA) reflecting a national trend of community organizations and local governments working in partnership to reduce homelessness and provide basic safety net services.

As the designated Community Action Agency for Solano County, CAP Solano, JPA administers U.S. Department of Housing and Urban Development (HUD) and Community Service Block Grant (CSBG) funding and contracts, and the coordination of services. Additionally, CAP Solano, JPA seeks out alternative funding sources, which align with the goals of the organization. In 2018 and 2019, CAP Solano continued to make significant strides in its efforts to reduce poverty and homelessness throughout Solano County following the identified goals and plans laid out in the “Neighbors Helping Neighbors: Forward Together”, the five-year regional strategic plan to respond to homelessness in Solano County. In particular, the JPA accomplished the following:

1. Facilitated the Continuum of Care HUD annual funding competition and preparation of the application, resulting in Solano County service providers being awarded in March 2020 with \$1,486,257.
2. Expanded the budget over three years of Resource Connect Solano (the region’s Coordinated Entry System) by \$919,046 to allow for staffing expansion through a Memorandum of Understanding with Solano County, and the cities of Benicia, Fairfield, Rio Vista, Suisun City, Vacaville and Vallejo.
 - Coordinated Entry provides a consistent, streamlined process for accessing the resources available in the homeless crisis response system. It ensures that the most vulnerable households in the community are prioritized for services.
3. Increased grant funding for use throughout Solano County:
 - \$726K – California Emergency Shelter and Housing (CESH-2) Grant Funds
 - \$1.3M – Homeless Housing, Assistance and Prevention Program (HHAP-1) Grant Funds
 - \$4.3M – Emergency Solutions Grant Covid (ESG-CV 1 & 2) Funds
 - \$205K – Community Services Block Grant (CSBG) Funds

PREPARED BY:
APPROVED BY:

Kathy Lawton, Housing Manager
 Greg Folsom, City Manager

- \$495K – Community Services Block Grant – Covid (CSBG-CV) Funds
 - \$150K – Kaiser Permanente Grant Funds
 - \$25K – Solano Community Foundation Grant Funds
 - \$200,000 ESG Balance of State Competitive Funding
 - \$124,003 ESG Balance of State Noncompetitive Funding
4. Distributed \$205,339 in CSBG direct services funding to local providers for homeless and very-low income services.

The City recognizes the importance of CAP Solano, JPA's work dealing with homeless issues in Solano County. It is essential to maintain the commitment to CAP Solano JPA and to represent the interests of the City of Suisun City.

STAFF REPORT: The City Council is being asked to consider renewing the appointment of Kathy Lawton-Caesar, Housing Manager, to the Community Action Partnership (CAP) of Solano Joint Powers Authority (JPA) and appointing Greg Folsom, City Manager, as the alternate member to expire June 30, 2023. In accordance with the originating policies and guidelines of the Solano Safety Net Consortium, Joint Powers Authority, the appointments on the JPA are in two-year term increments.

STAFF RECOMMENDATION: It is recommended the City Council Adopt Resolution No. 2021-__: Appointing the Housing Manager as the Representative Member and the City Manager as an Alternate Member of the Community Action Partnership of Solano Joint Powers Authority for a two-year Term to Expire June 30, 2023.

ATTACHMENTS:

1. Resolution No. 2021-__: Appointing the Housing Manager as the Representative Member and the City Manager as an Alternate Member of the Community Action Partnership of Solano Joint Powers Authority for a two-year Term to Expire June 30, 2023.

RESOLUTION NO. 2021-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY
APPOINTING THE HOUSING MANAGER AS THE REPRESENTATIVE
MEMBER AND THE CITY MANAGER AS AN ALTERNATE MEMBER OF THE
COMMUNITY ACTION PARTNERSHIP OF SOLANO JOINT POWERS
AUTHORITY FOR A TWO-YEAR TERM TO EXPIRE JUNE 30, 2023**

WHEREAS, the City of Suisun City fully supports the efforts and objectives of the Community Action Partnership of Solano Joint Powers Authority and desires to remain a partner in addressing the needs and issues of homeless individuals; and

WHEREAS, the cities of Solano County recognize a need to coordinate with the County on the provision of safety net services to all residents of Solano County; and

WHEREAS, in 1999, Solano County established the Solano Safety Net Consortium, a Joint Powers Authority joined by the cities of Fairfield, Suisun City, Vallejo, Benicia, and Dixon to develop and implement strategies to assist low-income and homeless persons to become more self-sufficient; and

WHEREAS, in 2006, the Joint Powers Authority was renamed Community Action Partnership of Solano, reflecting a national trend of community organizations and local government working in partnership to reduce homelessness and provide basic safety net services; and

WHEREAS, Community Action Partnership of Solano Joint Powers Authority is the State designated Community Action Agency for Solano County responsible for administering HUD and Community Service Block Grant funding and contracts to reduce poverty and homelessness in Solano County; and

WHEREAS, Community Action Partnership of Solano Joint Powers Authority requires all representatives serve a two-year term from July 1 – June 30 of the second year by appointment of their governing body; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Suisun City does hereby rescinds the appointments made by Resolution 2019-114, and appoint the Housing Manager as the representative member and City Manager as an alternate member of the Community Action Partnership of Solano Joint Powers Authority for the City of Suisun City for a two-year term to expire June 30, 2023.

PASSED AND ADOPTED at a Regular Meeting of said City Council of the City of Suisun City duly held on Tuesday, the 4th day of May 2021, by the following vote:

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

WITNESS my hand and the seal of said City this 4th day of May 2021.

Donna Pock, CMC
Deputy City Clerk

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AGENDA TRANSMITTAL

MEETING DATE: May 4, 2021

CITY AGENDA ITEM: Approving Appointments of City Staff members to the Pooled Liability Assurance Network (PLAN) JPA Board of Directors and to the Local Agency Workers' Compensation Excess Joint Powers Authority's Governing Board:

- a. Council Adoption of Resolution No. 2021-___: Appointing One Director and One Alternate Director to the Pooled Liability Assurance Network (PLAN) JPA Board of Directors; and
- b. Council Adoption of Resolution No. 2021-___: Appointing One Representative and One Alternate Representative to the Local Agency Workers' Compensation Excess Joint Powers Authority's Governing Board.

FISCAL IMPACT: There is no fiscal impact.

STRATEGIC PLAN IMPACT: Provide Good Governance:

- Section 4.3 – Develop partnerships with education, governmental and other agencies to deliver services and/or support efforts on behalf of the City.
- Section 4.7 – Improve productivity, efficiency, effectiveness, customer service and citizen satisfaction in all areas of the municipal organization.

BACKGROUND:

PLAN JPA: The City has been a member of the Pooled Liability Assurance Network Joint Powers Authority (PLAN JPA) and its predecessor agency since 1986 to provide excess pooled insurance coverage and related services. The bylaws of PLAN JPA provide that each pool member shall have representation on its Board of Directors.

LAWCX: The City has been a member of the Local Agency Workers' Compensation Excess (LAWCX) JPA since 2002 to provide pooled funding of excess workers' compensation insurance benefits and costs.

In March 2020 the City designated the Senior Management Analyst as the Director and the City Manager as the Alternate Director to the PLAN JPA Board; and the Senior Management Analyst as the Representative and the City Manager as the Alternate Representative to the LAWCX Board.

STAFF REPORT: Staffing changes necessitate an amendment to the resolution appointing the City's voting representatives on each of these Boards of Directors.

The attached resolutions will update the City's designated representatives to be the Human Resources Administrator as the Director and the City Manager as the Alternate Director to the PLAN JPA Board; and the Human Resources Administrator as the Representative and the City Manager as the Alternate Representative to the LAWCX Board;

PREPARED, REVIEWED & APPROVED BY:

Greg Folsom, City Manager

RECOMMENDATION: It is recommended that the City Council:

1. Council Adoption of Resolution No. 2021-___: Appointing One Director and One Alternate Director to the Pooled Liability Assurance Network (PLAN) JPA Board of Directors; and
2. Council Adoption of Resolution No. 2021-___: Appointing One Representative and One Alternate Representative to the Local Agency Workers' Compensation Excess Joint Powers Authority's Governing Board.

ATTACHMENTS:

1. Resolution No. 2021-___: Appointing One Director and One Alternate Director to the Pooled Liability Assurance Network (PLAN) JPA Board of Directors; and
2. Resolution No. 2021-___: Appointing One Representative and One Alternate Representative to the Local Agency Workers' Compensation Excess Joint Powers Authority's Governing Board.

RESOLUTION NO. 2021-

**A RESOLUTION OF THE SUISUN CITY COUNCIL OF THE CITY OF SUISUN
CITY APPOINTING ONE DIRECTOR AND ONE ALTERNATE DIRECTOR TO
THE POOLED LIABILITY ASSURANCE NETWORK (PLAN) JPA BOARD OF
DIRECTORS**

WHEREAS, the City of Suisun City was a founding member of Association of Bay Area Governments (ABAG) Pooled Liability Assurance Network (PLAN), and has benefitted immeasurably from the stable, cost-effective self-insurance, risk sharing and risk management services provided since 1986; and

WHEREAS, on December 5, 2017, the City Council authorized the execution of the Pooled Liability Assurance Network (PLAN) Joint Exercise of Powers Agreement, which created the PLAN JPA, a pooled risk management and liability pool that is the successor to ABAG PLAN; and

WHEREAS, on June 20, 2018, the ABAG PLAN Board of Directors dissolved ABAG PLAN, and the PLAN JPA Board of Directors established the PLAN JPA;

WHEREAS, PLAN JPA bylaws state that each governing body of each Member Entity in PLAN JPA shall appoint one (1) Director and one (1) voting Alternate Director to serve at the respective Member Entity's pleasure; and

WHEREAS, each appointment shall set forth the director's and alternate director's position with the Member Entity.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Suisun City rescinds the appointments made by Resolution 2020-34 and appoints the Human Resources Administrator as the City's Director on the PLAN JPA Board and the City Manager as the Alternate Director.

PASSED AND ADOPTED at a regular meeting of said City Council held on Tuesday, the 4th day of May 2021 by the following vote:

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

WITNESS my hand and the seal of said City this 4th day of May 2021.

Donna Pock, CMC
Deputy City Clerk

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RESOLUTION NO. 2021-

**A RESOLUTION OF THE SUISUN CITY COUNCIL OF THE CITY OF SUISUN
CITY APPOINTING ONE REPRESENTATIVE AND ONE ALTERNATE
REPRESENTATIVE TO THE LOCAL AGENCY WORKERS' COMPENSATION
EXCESS JOINT POWERS AUTHORITY'S GOVERNING BOARD**

WHEREAS, the City of Suisun City entered into a Joint Powers Agreement with other public agencies to create the Local Agency Workers' Compensation Excess Joint Powers Authority (LAWCX JPA), to provide pooled funding of workers' compensation insurance benefits and costs; and

WHEREAS, LAWCX JPA bylaws state that the governing body of each Party to the LAWCX Agreement shall appoint one (1) Representative and one (1) voting Alternate Representative to serve at the respective Party's pleasure; and

WHEREAS, current City staffing indicates the most appropriate appointments as Representative and Alternate Representative should be the Human Resources Administrator and the City Manager.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Suisun City rescinds the appointments made by Resolution 2020-35 and appoints the Human Resources Administrator as the City's Representative to the LAWCX JPA Board and the City Manager as the Alternate Representative.

PASSED AND ADOPTED at a regular meeting of said City Council held on Tuesday, the 4th day of May 2021 by the following vote:

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

WITNESS my hand and the seal of said City this 4th day of May 2021.

Donna Pock, CMC
Deputy City Clerk

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AGENDA TRANSMITTAL

MEETING DATE: May 4, 2021

CITY AGENDA ITEM: Initiate and Provide Intent to the Levy and Collection of Assessments for the City's Landscaping & Lighting Districts:

- a. Council Adoption of Resolutions No. 2021-___: Initiating Proceedings for the Annual Levy and Collection of Assessments and Ordering the Preparation and Filing of the Engineer's Report Related to the Suisun City Maintenance Assessment Districts for Fiscal Year 2021-22.
- b. Council Adoption of Resolutions No. 2021-___: Declaring its Intention to Levy and Collect Assessments Within the City's Maintenance Assessment Districts for Fiscal Year 2021-22 and Announcing That the Associated Public Hearing Will Be Held on June 1, 2021.

FISCAL IMPACT: There would be no fiscal impact from this action.

STRATEGIC PLAN IMPACT: Provide Good Governance.

BACKGROUND: The Maintenance Assessment Landscaping and Lighting Districts (Districts) are important components of the City's budget, covering costs for landscaping within the Districts and contributing towards the City's dredging program. Over \$1 million is generated annually in assessments (Non-General Fund).

The assessments are collected for the City by the Solano County Auditor/Controller, via the secured property tax bills of the assessable parcels within each of the District boundaries. For Fiscal Year 2021-22, maximum assessments will vary from \$75.00 to \$3,971.88 per equivalent dwelling unit (EDU), depending on the District.

With the exception of Heritage Park, Montebello Vista, and Marina Dredging, the Districts are subject to an annual inflation factor based on the annual Construction Cost Index (CCI) as published in the April issue of the Engineering News Record magazine. This year the annual inflation factor was 2.501% increasing the assessments approximately \$0.00 to \$96.89 per EDU, depending on the District. The total assessments collected, with the approved CCI increases, will be approximately just over \$1,300,000.

STAFF REPORT: If adopted, the resolutions associated with this Staff Report initiate the annual process of levying assessments on the parcels within the Districts and order the preparing of the annual Engineer's Report. The City has eight (8) Districts: Blossom, Heritage Park, Lawler Ranch, Marina Village Channel Improvement, Montebello, Peterson Ranch, Railroad Avenue and the Victorian Harbor Landscaping & Lighting Districts. The Victorian Harbor District is comprised of five (5) individual Districts (A, B, C-D, E, and F) and is also assessed for dredging. Six (6) of the Districts were created in accordance with the Landscaping and Lighting Act of 1972. Two

PREPARED BY:
REVIEWED BY:
APPROVED BY:

Amanda Dum, Management Analyst I
 Kris Lofthus, Interim Public Works Director
 Greg Folsom, City Manager

Districts, Marina Village and Victorian Harbor, were created in accordance with the Municipal Improvement Act of 1913. Both Acts require the preparation of annual Engineer's Reports for each District, including the individual Victorian Harbor Districts. The preliminary draft Engineer's Report for FY2021-22 is included with this Staff Report as Attachment #4.

During the months of February, March, and April 2021, staff conducted annual meetings for Blossom, Heritage Park, Lawler Ranch, Peterson Ranch, and Victorian Harbors (A, B, C-D, E, and F). At these meetings staff discusses District funding, past year accomplishments, the current landscape contract, plans for the coming year, and receive any resident concerns or requests for the coming year. The annual meetings have been held on a regular basis over the last ten years. The meetings have facilitated greater communication between the attending residents for each District and City staff. Three Districts continue to warrant a specific update on status as noted below:

- **Montebello Vista District (MBV)**

The MBV District assessment does not allow for an annual CCI escalator and it continues to endure financial hardship. Due to continually rising costs, the District does not generate sufficient revenue to meet basic maintenance requirements of Montebello Vista Park, the medians at the entrance of the neighborhood, and streetlights. The COVID-19 impacts have further strained attempts at fiscal sustainability. The District financial health has plateaued the last few years, with the District typically no longer going negative at the end of each Fiscal Year. However, annual reductions in service continue to be necessary to ensure the existing negative balance does not increase. The budget is typically balanced at Fiscal Year-end, and if any funds are available at Fiscal Year-end these funds are applied to reduce the negative balance.

This year staff submitted a grant package for major and needed improvements to Montebello Park; however, the grant application was not successful, and the grant was not awarded. The play structure and other facilities are in desperate need of replacement and/or upgrading. Staff has recently applied for a Prop 68 (Round 4) grant that would revitalize the current park and would immensely reduce water and maintenance costs to the park. If awarded, the grant would total \$6.3 million.

- **Heritage Park**

Like Montebello, Heritage Park (District) continues with its static revenue stream which is insufficient to sustain the required basic landscape maintenance activities for the District. The lack of funding has resulted in dramatic reductions in landscape maintenance, no litter pickup, and inability to address most irrigation system failures. The new landscape contract with LandCare included significant cost increases for services in this District, and due to the constrained funding situation, further service reductions were necessary and have been made. These service reductions are drastic and will negatively impact the District. This District includes the roadway medians along Sunset Avenue and along New Railroad and includes funding for maintenance of Heritage Park adjacent to the Nelson Community Center (maintenance work done by Public Works Maintenance staff). The service reduction impact due to the increasing funding shortfall will require that staff focus funding on public safety maintenance items, in high traffic area. The service reductions included removal of trash pickup, reduction to an already reduced

level of service, and removal of maintenance of all interior areas in Heritage Park and in the Heritage Park Annex. City staff will address the interior areas at least once per year, and more if scheduling and staffing allow. The reduction result in a noticeable, on-going negative impact on landscape aesthetics in this District.

- **Peterson Ranch**

For the last few years, this District has been teetering on the edge of financial soundness. This is due to the large number of turf areas, of native grass areas, and of heavily planted medians/planters, including the center median on Walters Road which is also difficult and dangerous to access for maintenance. Turf is very expensive to maintain, and this District has a large area of turf. The annual contract rate increased dramatically with the new contract award to LandCare and the District could not afford the new contract increase. As a result, services were severely cut to meet the available budget. These reductions, which include converting multiple turf areas along the Walking Path to native grasses, has resulted in noticeable negative impacts to the landscape aesthetics in this District.

With this action, the City Council is being asked to: initiate the levy process, consider for approval the Preliminary Engineer's Reports for all Districts, declare the intent to levy and collect assessments for all Districts, and establish June 15, 2021, at 6:30 p.m. for the required Public Hearing. This meeting does not provide final approval of the FY201-22 levy amounts and does not trigger the actual assessments.

At the Public Hearing, Council should allow property owners the opportunity to address the Council concerning their District, the Council will approve or amend the Preliminary Engineer's Report and order the levy and collection of the assessments. Our consultant will then prepare the Assessor Parcel Assessment Report to be sent to the County prior to the Assessor's deadline on August 10, 2021.

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

1. Resolutions No. 2021-___: Initiating Proceedings for the Annual Levy and Collection of Assessments and Ordering the Preparation and Filing of the Engineer's Report Related to the Suisun City Maintenance Assessment Districts for Fiscal Year 2021-22.
2. Resolution 2021-___: Declaring its Intention to Levy and Collect Assessments Within the City's Maintenance Assessment Districts for Fiscal Year 2021-22 and Announcing That the Associated Public Hearing Will Be Held on June 1, 2021.

ATTACHMENTS:

1. Resolution No. 2021-___: Initiating Proceedings for the Annual Levy and Collection of Assessments and Ordering the Preparation and Filing of the Engineer's Report Related to the Suisun City Maintenance Assessment Districts for Fiscal Year 2021-22.

2. Resolution No. 2021-____: Declaring its Intention to Levy and Collect Assessments Within the City's Maintenance Assessment Districts for Fiscal Year 2021-22 and Announcing That the Associated Public Hearing Will be Held on June 1, 2021.
3. Table Summarizing Proposed District Assessments for FY 2021-22.
4. Preliminary Engineer's Reports FY 2021-22 (due to size are available with the City Clerk). Report includes the FY 2021-22 Parcel Listings.

RESOLUTION NO. 2021-__

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY
INITIATING PROCEEDINGS FOR THE ANNUAL LEVY AND COLLECTION OF
ASSESSMENTS AND ORDERING THE PREPARATION AND FILING OF THE
ENGINEER'S REPORT RELATED TO THE SUISUN CITY MAINTENANCE
ASSESSMENT DISTRICTS FOR FISCAL YEAR 2021-22**

WHEREAS, the City Council has by previous Resolutions formed and levied annual assessments for the **Blossom Maintenance Assessment District, Heritage Park Maintenance Assessment District, Lawler Ranch Maintenance Assessment District, Marina Village Channel Improvement District, Montebello Vista Maintenance Assessment District, Peterson Ranch Maintenance Assessment District, Railroad Avenue Maintenance Assessment District and Victorian Harbor Maintenance Assessment District** (hereafter referred to as the "Districts"), pursuant to the provisions of the *Landscape and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (commencing with Section 22500)* and the *Municipal Improvement Act of 1913, Division 12 of the California Streets and Highways Code (commencing with Section 10000)* (hereafter referred to as the "Acts") that provide for the levy and collection of assessments for the City of Suisun City to pay the maintenance and services of all improvements and facilities related thereto; and,

WHEREAS, the City Council wishes to initiate proceedings to provide for the levy and collection of assessments for Fiscal Year 2021-22 in order to provide for the necessary costs and expenses pertaining to the maintenance of the improvements within the Districts.

WHEREAS, the City Council has retained NBS for the purpose of assisting with the annual levy of the Districts and the preparation and filing of an Annual Engineer's Report (the "Report") with the City Clerk in accordance with the Acts.

NOW, THEREFORE BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL FOR THE DISTRICTS, PURSUANT TO THE ACTS, AS FOLLOWS:

Section 1 The City Council hereby orders NBS to prepare and file with the City Clerk the Report concerning the levy and collection of assessments for the Districts for the Fiscal Year commencing July 1, 2021 and ending June 30, 2022 in accordance with the Acts.

Section 2 The improvements within the Districts may include operation, maintenance, and servicing of landscaping, street lighting, channel maintenance, parks, median island landscaping, alleyway landscaping, hardscape, sound walls, and appurtenant facilities within the boundaries of the Districts. Services provided include all necessary service, operations, administration and maintenance required to keep the improvements in a healthy, vigorous and satisfactory condition. The improvements within the Districts are outlined in the Report, which provide details of all improvements

Section 3 There will be no changes to the improvements and services to be provided for Fiscal Year 2021-22.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Suisun City held on Tuesday the 4th day of May, 2021, by the following vote:

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

WITNESS my hand and the seal of said City this 4th day of May, 2021.

Anita Skinner
City Clerk

RESOLUTION NO. 2021-____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY
DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS
WITHIN THE CITY'S MAINTENANCE ASSESSMENT DISTRICTS FOR
FISCAL YEAR 2021-22 AND ANNOUNCING THAT THE ASSOCIATED PUBLIC
HEARING WILL BE HELD ON JUNE 1, 2021**

WHEREAS, the City Council has by previous Resolutions formed and levied annual assessments for the **Blossom Maintenance Assessment District, Heritage Park Maintenance Assessment District, Lawler Ranch Maintenance Assessment District, Marina Village Channel Improvement District, Montebello Vista Maintenance Assessment District, Peterson Ranch Maintenance Assessment District, Railroad Avenue Maintenance Assessment District and Victorian Harbor Maintenance Assessment District** (hereafter referred to as the "Districts"), pursuant to the provisions of the *Landscape and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (commencing with Section 22500)* and the *Municipal Improvement Act of 1913, Division 12 of the California Streets and Highways Code (commencing with Section 10000)* (hereafter referred to as the "Acts"); and,

WHEREAS, the City Council pursuant to the provisions of the Act did by previous Resolution, order the preparation of an annual Engineer's Report for the Maintenance Districts.

WHEREAS, NBS has filed with the City Clerk the Annual Engineer's Report (the "Report") concerning the cost of maintaining the improvements in such Districts for Fiscal Year 2021-22; and,

WHEREAS, this City Council has carefully examined and reviewed the Report as presented and is preliminarily satisfied with the Districts, each and all of the budget items and documents as set forth therein, and is satisfied that the levy amounts, on a preliminary basis, have been assessed in accordance with the special benefit received from the improvements, operation, maintenance and services to be performed within the Districts, as set forth in said Report.

NOW, THEREFORE BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL FOR THE DISTRICTS, PURSUANT TO THE ACTS, AS FOLLOWS:

Section 1 Engineer of Record: NBS is designated as Engineer of Work for purposes of the District.

Section 2 Intention: The City Council hereby declares its intention to levy and collect assessments within the Districts pursuant to the Act for Fiscal Year 2021-22.

Section 3 Engineer's Report: The Report, as presented, is hereby approved on a preliminary basis and ordered to be filed in the Office of the City Clerk as a permanent record and to remain open to public inspection. Reference is made to the Report for a full and detailed description of the improvements to be maintained, the boundaries of the Districts and the proposed assessments upon assessable lots and parcels of land within the Districts.

Section 4 Description of Improvements: The improvements within the Districts may include operation, maintenance, and servicing of landscaping, street lighting, channel maintenance, parks, median island landscaping, alleyway landscaping, hardscape, sound walls, and appurtenant facilities within the boundaries of the Districts. Services provided include all necessary service, operations, administration and maintenance required to keep the improvements in a healthy, vigorous and satisfactory condition. For a full and detailed description of the improvements, please refer to the Engineer's Report on file with the City Clerk.

Section 5 Proposed Assessment Amounts: For Fiscal Year 2021-22, the proposed assessments are outlined in the Report which details any changes or increases in the annual assessment and is on file with the City Clerk.

Section 6 Public Hearing: The City Council hereby declares its intention to conduct a Public Hearing annually concerning the levy of assessments for the Districts in accordance with Chapter 3, Section 22626 of the Act.

Section 7 Notice: The City shall give notice of the time and place of the Public Hearing to all property owners within the Districts by causing the publishing of this Resolution once in the local newspaper, not less than ten (10) days before the date of the Public Hearing, and by posting a copy of this resolution on the official bulletin board customarily used by the City Council for the posting of notices. Any interested person may file a written protest with the City Clerk prior to the conclusion of the Public Hearing, or, having previously filed a protest, may file a written withdrawal of that protest. A written protest shall state all grounds of objection and a protest by a property owner shall contain a description sufficient to identify the property owned by such property owner. At the Public Hearing all interested persons shall be afforded the opportunity to hear and be heard.

Section 8 Notice of Public Hearing: Notice is hereby given that a Public Hearing on these matters will be held by the City Council on **Tuesday, June 1, 2021, at 6:30 p.m.** or as soon thereafter as feasible in the City Council Chambers located at 701 Civic Center Boulevard, Suisun City.

Section 9 That the City Clerk shall certify to the passage and adoption of this Resolution and the minutes of this meeting shall so reflect the presentation of the Report.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Suisun City held on Tuesday the 4th day of May 2021, by the following vote:

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

WITNESS my hand and the seal of said City this 4th day of May 2021.

Anita Skinner
City Clerk

Summary of Proposed District Assessments - Fiscal Year 2021-22					
District	# of Parcels & EDU's	NEW PROPOSED LEVY - FY2021-22 (Assessment Per EDU)	FY2020-21 (Assessment Per EDU)	ENR CCI (2.501%) Increase FY 2021-22	Year First Assessed
Blossom	113	\$ 177.16	\$ 172.84	\$ 4.32	92/93
Heritage Park	759	\$ 192.64	\$ 192.64	\$ -	92/93
Lawler Ranch	1,304.30	\$ 275.35	\$ 268.60	\$ 6.75	90/91
Marina Village - Inlet	25	\$ 1,155.88	\$ 1,127.68	\$ 28.20	95/96
Marina Village - Inlet & Main	16	\$ 1,229.93	\$ 1,199.92	\$ 30.01	95/96
Marina Village - Commercial	1	\$ 4,805.53	\$ 4,688.28	\$ 117.25	95/96
Montebello Vista	486	\$ 75.00	\$ 75.00	\$ -	89/90
Peterson Ranch	605	\$ 378.05	\$ 368.82	\$ 9.23	3-Feb
Railroad Avenue	2	\$ 3,971.88	\$ 3,874.98	\$ 96.90	91/92
Victorian Harbor A - Dredging	94	\$ 294.52	\$ 287.34	\$ 7.18	94/95
Victorian Harbor A - Maintenance	94	\$ 816.60	\$ 796.68	\$ 19.92	94/95
Victorian Harbor B - Dredging	20.95	\$ 294.52	\$ 287.34	\$ 7.18	94/95
Victorian Harbor B - Maintenance	20.95	\$ 816.60	\$ 796.68	\$ 19.92	94/95
Victorian Harbor C-D - Dredging	119.99	\$ 294.52	\$ 287.34	\$ 7.18	94/95
Victorian Harbor C-D - Maintenance	119.99	\$ 1,225.29	\$ 1,195.39	\$ 29.90	94/95
Victorian Harbor E - Dredging	55	\$ 294.52	\$ 287.34	\$ 7.18	94/95
Victorian Harbor E - Maintenance	55	\$ 816.60	\$ 796.68	\$ 19.92	94/95
Victorian Harbor F - Dredging	89	\$ 294.52	\$ 287.34	\$ 7.18	94/95
Victorian Harbor F - Maintenance	89	\$ 816.60	\$ 796.68	\$ 19.92	94/95
EDU = Equivalent Dwelling Unit					
ENR CCI = Adjusted annual inflator produced by the Engineer's News Record Construction Cost Index.					

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AGENDA TRANSMITTAL

MEETING DATE: May 4, 2021

CITY AGENDA ITEM: Initiate and Provide Intent to the Levy and Collection of Assessments for the Parking Benefit Assessment District:

- a. Council Adoption of Resolution No. 2021-___: Initiating Proceedings for the Annual Levy and Collection of Assessments and Ordering the Preparation and Filing of the Engineer's Report Related to the McCoy Creek Parking Benefit Assessment District for Fiscal Year 2012-22; and
- b. Council Adoption of Resolution No. 2021-___: Declaring Its Intention to Levy and Collect Assessments Within the McCoy Creek Parking Benefit Assessment District for Fiscal Year 2021.

FISCAL IMPACT: There would be no fiscal impact from this action.

STRATEGIC PLAN IMPACT: Provide Good Governance.

BACKGROUND: As a condition of approval for the McCoy Creek Development Project (Grey Hawk), the developer was required to create a Parking Assessment District (PAD) to offset long-term maintenance costs associated with the on-street parking within the public right-of-way. The number of on-street parking spaces provided is seventy-five (75), and the parking serves both residential and commercial mixed-use parking demands. Both the residential and commercial components of the mixed-use development are required to pay for the long-term maintenance of the on-street parking. Utilizing the public right of way for this mixed-use development is a deviation from the City's requirement for off-street parking and, therefore, an assessment for maintenance was established.

The boundaries of the District are described as within the area bounded by McCoy Creek Way to the north, Gray Hawk Lane to the south, Crescent Elementary School to the east and Grizzly Island Road to the west. The District consists of mixed parcel types and includes seventy-five (75) assessable equivalent dwelling units (on-street parking spaces).

STAFF REPORT: The process of Initiating Proceedings for the Annual Levy and Collection of Assessments and Ordering the Preparation and Filing of the Engineer's Report Related to the McCoy Creek Parking Benefit Assessment District is presented to the Council each year and staff requests direction for proceeding with establishing the annual inflator and for approval of the Engineer's Report.

The proposed assessments are collected for the City by the Solano County Auditor/Controller, via the secured property tax bills of the assessable parcels within the District boundary, to fund the parking improvements and ongoing maintenance. For Fiscal Year 2021-22, maximum assessments would be approximately \$104.05 per equivalent dwelling unit, generating a total assessment of approximately \$7,803.

PREPARED BY:
REVIEWED BY:
APPROVED BY:

Amanda Dum, Management Analyst I
 Kris Lofthus, Interim Public Works Director
 Greg Folsom, City Manager

The assessment is subject to an annual inflation factor based on the Annual Construction Cost Index (CCI) as published in the first issue of each April of the Engineering News Record magazine. This year the annual inflation factor was 2.501%, increasing the maximum assessment for FY 2021-22 from \$101.52 to approximately \$104.05.

Today, the City Council is being asked to initiate the process, consider for approval of the Preliminary Engineer's Reports for Parking Benefit Assessment District, declare the intent to levy and collect assessments for all Districts, and establish June 1, 2021, at 6:30pm for the required Public Hearing. A 2.501% annual inflator, based on the Engineering Magazine's Construction Cost Increase (CCI), is proposed to be added to the District's annual assessment for Fiscal Year 2021-22.

At the Public Hearing, Council affords property owners the opportunity to address the Council concerning the PAD and related matters, and the Council may approve or amend the Preliminary Engineer's Reports and order the levy and collection of taxes. Following Council direction, the City assessment district consultant (NBS) shall prepare the Assessor Parcel Assessment Report to be sent to the County in time for the assessor's deadline on August 10, 2021.

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

1. Resolution No. 2021____: Initiating Proceedings for the Annual Levy and Collection of Assessments and Ordering the Preparation and Filing of the Engineer's Report Related to the McCoy Creek Parking Benefit Assessment District for Fiscal Year 2021-22.
2. Resolution No. 2021-____: Declaring Its Intention to Levy and Collect Assessments Within the McCoy Creek Parking Benefit Assessment District for Fiscal Year 2021-22.

ATTACHMENTS:

1. Resolution No. 2021-____: Initiating Proceedings for the Annual Levy and Collection of Assessments and Ordering the Preparation and Filing of the Engineer's Report Related to the McCoy Creek Parking Benefit Assessment District for Fiscal Year 2021-22.
 2. Resolution No. 2021-____: Declaring Its Intention to Levy and Collect Assessments Within the McCoy Creek Parking Benefit Assessment District for Fiscal Year 2021-22.
 3. FY 2021-22 Preliminary Engineer's Report - McCoy Creek Benefit Assessment District.
-

RESOLUTION NO. 2021-____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY
INITIATING PROCEEDINGS FOR THE ANNUAL LEVY AND COLLECTION OF
ASSESSMENTS AND ORDERING THE PREPARATION AND FILING OF THE
ENGINEER'S REPORT RELATED TO THE MCCOY CREEK PARKING BENEFIT
ASSESSMENT DISTRICT FOR FISCAL YEAR 2021-22**

WHEREAS, the City Council has by previous Resolutions formed and levied annual assessments for the **McCoy Creek Parking Benefit Assessment District** (hereafter referred to as the "District"), pursuant to the *Benefit Assessment Act of 1982, Title 5 Division 2, of the California Government Code (commencing with Section 54703)* (hereafter referred to as the "Act") that provides for the levy and collection of assessments for the City of Suisun City to pay the maintenance and services of all improvements and facilities related thereto; and,

WHEREAS, the City Council wishes to initiate proceedings to provide for the levy and collection of assessments for Fiscal Year 2021-22 in order to provide for the necessary costs and expenses pertaining to the maintenance of the improvements within the District.

WHEREAS, the City Council has retained NBS for the purpose of assisting with the annual levy of the District and the preparation and filing of an Annual Engineer's Report (the "Report") with the City Clerk in accordance with the Act.

NOW, THEREFORE BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL FOR THE DISTRICT, PURSUANT TO THE ACT, AS FOLLOWS:

Section 1 The City Council hereby orders NBS to prepare and file with the City Clerk the Report concerning the levy and collection of assessments for the District for the Fiscal Year commencing July 1, 2021 and ending June 30, 2022.

Section 2 The improvements that are being maintained in accordance with the Act, are the construction, operation, maintenance, and servicing of parking facilities including, but not limited to, maintenance, replacement, repair, materials, personnel, contracting services, and other items necessary for the satisfactory operation of these services. There are no substantial changes proposed to be made to existing improvements.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Suisun City, duly held on the 4th day of May 2021 by the following vote:

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

WITNESS my hand and the seal of said City this 4th day of May 2021.

Anita Skinner
City Clerk

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RESOLUTION NO. 2021-__

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY
DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS WITHIN
THE MCCOY CREEK PARKING BENEFIT ASESMENT DISTRICT FOR FISCAL
YEAR 2021-22**

WHEREAS, the City Council has by previous Resolutions formed and levied annual assessments for the **McCoy Creek Parking Benefit Assessment District** (hereafter referred to as the “District”), pursuant to the *Benefit Assessment Act of 1982, Title 5 Division 2, of the California Government Code (commencing with Section 54703)* (hereafter referred to as the “Act”) that provides for the levy and collection of assessments for the City of Suisun City to pay the maintenance and services of all improvements and facilities related thereto; and,

WHEREAS, the City Council pursuant to the provisions of the Act did by previous Resolution, order the preparation of an annual Engineer’s Report for the District.

WHEREAS, NBS has filed with the City Clerk the Annual Engineer’s Report (the “Report”) concerning the cost of maintaining the improvements in such District for Fiscal Year 2021-22; and,

WHEREAS, this City Council has carefully examined and reviewed the Report as presented and is preliminarily satisfied with the District, each and all of the budget items and documents as set forth therein, and is satisfied that the levy amounts, on a preliminary basis, have been assessed in accordance with the special benefit received from the improvements, operation, maintenance and services to be performed within the District, as set forth in said Report.

**NOW, THEREFORE BE IT RESOLVED, DETERMINED, AND ORDERED BY
THE CITY COUNCIL FOR THE DISTRICT, PURSUANT TO THE ACT, AS
FOLLOWS:**

Section 1 Engineer of Record: NBS is designated as Engineer of Work for purposes of the District.

Section 2 Intention: The City Council hereby declares its intention to levy and collect assessments within the District pursuant to the Act for Fiscal Year 2021-22.

Section 3 Engineer’s Report: The Report, as presented, is hereby approved on a preliminary basis and ordered to be filed in the Office of the City Clerk as a permanent record and to remain open to public inspection. Reference is made to the Report for a full and detailed description of the improvements to be maintained, the boundaries of the District and the proposed assessments upon assessable lots and parcels of land within the District.

Section 4 Description of Improvements: The improvements that are being maintained in accordance with the Act, are the construction, operation, maintenance, and servicing of parking facilities including, but not limited to, maintenance, replacement, repair, materials, personnel,

contracting services, and other items necessary for the satisfactory operation of these services. There are no substantial changes proposed to be made to existing improvements.

Section 5 Proposed Assessment Amounts: For Fiscal Year 2021-22, the proposed assessments are outlined in the Report which details any changes or increases in the annual assessment and is on file with the City Clerk.

Section 6 Public Hearing: The City Council hereby declares its intention to conduct a Public Hearing annually concerning the levy of assessments for the District. Notice is hereby given that a Public Hearing on these matters will be held by the City Council on **Tuesday, June 1, 2021, at 6:30 p.m.** or as soon thereafter as feasible in the City Council Chambers located at 701 Civic Center Boulevard, Suisun City.

Section 9 That the City Clerk shall certify to the passage and adoption of this Resolution and the minutes of this meeting shall so reflect the presentation of the Report.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Suisun City, duly held on the 4th day of May 2021 by the following vote:

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

WITNESS my hand and the seal of said City this 4th day of May 2021.

Anita Skinner
City Clerk

AGENDA TRANSMITTAL**MEETING DATE:** May 4, 2021

CITY AGENDA ITEM: Council Adoption of Resolution No. 2021-__: A Resolution Clarifying the Public Hearing Date, Time and Location for the 7-Eleven Annexation into Community Facilities District No. 2.

FISCAL IMPACT: There would be no impact to the General Fund from this item. The cost of the annexation process is covered by Developer supplied funds. The Annexation of the project at the northeast corner of Highway 12 and Walters Road into Community Facilities District No. 2 meets the fiscal criteria as established by Resolution No. 2005-69 Cost Recovery Policy for New Development, dated October 4, 2005. The revenue generated from this will be recorded under the Community Facilities District fund.

STRATEGIC PLAN: Provide Good Governance and Ensure Public Safety.

BACKGROUND: The City Council adopted Resolution No. 2021-22- A Resolution of Intention to Annex Territory to Community Facilities District and to Authorize the Levy of Special Taxes Therein at their regular meeting of April 6, 2021. In that resolution, the public hearing was identified in Section 5 taking place on May 9, 2021 or soon thereafter and at Suisun City Hall.

STAFF REPORT: Following adoption of the resolution, staff realized that May 9 was not a regular City Council meeting date and after the April 6 meeting, the City Council has chosen to hold a budget workshop at the Joe Nelson Center (611 Village Drive). In consultation with the City Attorney's Office, it was determined that the cleanest approach was for staff to prepare an agenda item where the City Council would adopt a resolution clarifying the date, time, and location of the public hearing. This will allow the CFD annexation process to move forward as scheduled. Staff will make sure to include the revised meeting information in the public hearing notice which is to publish at least 7 days in advance of the public hearing.

STAFF RECOMMENDATION:

1. Staff Recommends the City Council Adoption of Resolution No. 2021-__: A Resolution Clarifying the Public Hearing Date, Time and Location for the 7-Eleven Annexation into Community Facilities District No. 2.

ATTACHMENTS:

1. Council Adoption of Resolution No. 2021-__: A Resolution Clarifying the Public Hearing Date, Time and Location for the 7-Eleven Annexation into Community Facilities District No. 2.

PREPARED BY:
APPROVED BY:

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RESOLUTION NO. 2021-

**A RESOLUTION CLARIFYING THE PUBLIC HEARING DATE, TIME
AND LOCATION FOR THE 7-ELEVEN ANNEXATION INTO
COMMUNITY FACILITIES DISTRICT NO. 2**

WHEREAS, the City Council adopted Resolution No. 2021-22 “A Resolution of Intention to Annex Territory to Community Facilities District and to Authorize the Levy of Special Taxes Therein” at their regular meeting of April 6, 2021; and

WHEREAS, with the adoption of Resolution No. 2021-22, the public hearing for the annexation was set for May 9, 2021 or as soon as possible thereafter in the City Hall, Council Chambers, 701 Civic Center, Suisun City, California; and

WHEREAS, the City Council has found it necessary to clarify the change in meeting date and location of the public hearing to May 18, 2021 at 611 Village Drive, Suisun City, California.

NOW, THEREFORE, BE IT RESOLVED that with proper public notice, the public hearing for this annexation into Community Facilities District No.2 will be held on May 18, 2021 at 611 Village Drive, Suisun City, California at 5:30 PM.

PASSED AND ADOPTED at a Regular Meeting of the City Council of the City of Suisun City duly held on Tuesday, the 4th day of May 2021, by the following vote:

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

WITNESS my hand and the seal of the City of Suisun City this 4th day of May 2021.

Anita Skinner,
City Clerk

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AGENDA TRANSMITTAL

MEETING DATE: May 4, 2021

CITY AGENDA ITEM: Council Adoption of Resolution No. 2021-____: A resolution of the City Council of the City of Suisun City approving a payment of \$65,000 to settle Brandon Merkel's July 14, 2020 claim against the City, subject to ABAG reimbursement.

FISCAL IMPACT: The amount the City pays is what is known as its self-insured retention (similar to an insurance deductible), which is \$25,000. The remaining payment towards the settlement is made by the risk insurance pool, ABAG. Legal fees paid by the City are applied towards the City's \$25,000 self-insured retention. The total amount paid under this settlement by ABAG will, therefore, exceed \$40,000.

BACKGROUND: The recommendation from ABAG and the City's outside litigation counsel (Danielle Lewis) is to settle this claim for \$65,000. No lawsuit has been filed yet.

By way of background, the allegations of this claim are that Suisun City police arrived at Mr. Merkel's residence following a call for service. While at the residence, police officers located large capacity gun magazines. The police officers then proceeded to arrest Mr. Merkel for possession of "large capacity magazines" under Penal Code section 32310. As a result of this arrest, Mr. Merkel spent two nights in jail.

Mr. Merkel alleges that his arrest was counter to a recent federal court order in place at the time suspending enforcement of Penal Code section 32310. There was a legal issue about the effect of that court order and the officers' understanding of it at that time. Training has since been completed to address this matter and to avoid future arrests under similar circumstances.

STAFF REPORT: Attached is a settlement agreement for \$65,000 to fully resolve this claim before any litigation is filed. If litigation is filed, additional legal fees will be incurred to defend the City. If the plaintiff prevails in court, then the plaintiff can recover their attorneys' fees and damages from the City.

There is no admission of liability or fault in the settlement agreement. The settlement agreement includes a full release of all claims arising out of this incident and means that Mr. Merkel is forever waiving his right to sue the City thereon, in exchange for the settlement of \$65,000.

STAFF RECOMMENDATION: It is recommended that the City Council:

Approve Resolution No. 2021-____ : A resolution of the City Council of the City of Suisun City approving a payment of \$65,000 to settle Brandon Merkel's July 14, 2020 claim against the City, subject to ABAG reimbursement.

PREPARED BY:

REVIEWED AND APPROVED BY:

Anthony Taylor, City Attorney
Greg Folsom, City Manager

ATTACHMENTS:

1. Resolution No. 2021 - ____ : A resolution of the City Council of the City of Suisun City a payment of \$65,000 to settle Brandon Merkel's July 14, 2020 claim against the City, subject to ABAG reimbursement.
2. Settlement Agreement

RESOLUTION NO. 2021-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY
APPROVING THE PAYMENT OF \$65,000 AS SETTLEMENT FOR BRANDON
SCOTT MERKEL'S CLAIM AGAINST THE CITY DATED JULY 14, 2020, SUBJECT
TO ABAG REIMBURSEMENT**

WHEREAS, on or about July 14, 2020, Brandon Scott Merkel filed a claim against the City of Suisun City relating to an incident that occurred on or about February 1, 2020.

WHEREAS, the allegations underlying this claim are that Suisun City Police arrived at Mr. Merkel's residence following a call for service. While at the residence, police officers located large capacity gun magazines. The police officers then proceeded to arrest Mr. Merkel for possession of "large capacity magazines" under Penal Code section 32310. As a result of this arrest, Mr. Merkel spent two nights in jail.

WHEREAS, Mr. Merkel alleges that his arrest was counter to a recent federal court order in place at the time suspending enforcement of Penal Code section 32310.

WHEREAS, the City's risk insurance pool, ABAG (Association of Bay Area Governments) has reviewed the claim and has reached a settlement agreement and release of all claims related to the February 1, 2020 incident with Mr. Merkel (Settlement Agreement). See Attachment 1.

WHEREAS, the Settlement Agreement includes a full release of all claims arising out of this incident and means that Mr. Merkel is forever waiving his right to sue the City thereon, in exchange for the settlement of \$65,000.

WHEREAS, of the \$65,000 settlement payment, the City will pay \$25,000 in self-insured retention. The remaining payment towards the settlement is made by the risk insurance pool, ABAG. Legal fees paid by the City are applied towards the City's \$25,000 self-insured retention. The total amount paid under this settlement by ABAG will therefore exceed \$40,000.

NOW, THEREFORE, THE CITY COUNCIL FINDS, RESOLVES, AND ORDERS THE FOLLOWING:

Section 1. The above recitals are true and correct and incorporated herein by reference.

Section 2. The City Council hereby authorizes payment of \$65,000 in settlement of Mr. Brandon Scott Merkel's July 14, 2020 claim against the City. Of the \$65,000 settlement payment, the City will pay \$25,000 in self-insured retention. The remaining payment towards the settlement is made by the risk insurance pool, ABAG. Legal fees paid by the City are applied towards the City's \$25,000 self-insured retention. The City Manager is authorized to seek the appropriate contribution to the settlement payment from ABAG in the whatever form, either as a contribution or reimbursement. The contribution from ABAG shall be deposited in the City's General Fund.

PASSED AND ADOPTED at the Regular Meeting of the City Council of the City of Suisun City duly held on Tuesday, the 4th day of May 2021, by the following vote:

AYES: Council Members: _____
NOES: Council Members: _____

ABSENT: Council Members: _____
ABSTAIN: Council Members: _____

WITNESS my hand and the seal of said City this 4th day of May, 2021.

Donna Pock, CMC,
Deputy City Clerk

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ATTACHMENT 1
SETTLEMENT AND RELEASE AGREEMENT BETWEEN CITY OF SUISUN CITY AND
BRANDON SCOTT MERKEL

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RELEASE & SETTLEMENT AGREEMENT

FOR AND IN CONSIDERATION of the payment to be made as follows:

Brandon Scott Merkel and his attorneys Michel & Associates, P.C.

for the total settlement in full of Sixty-Five Thousand and Zero Cents (\$65,000.00) the undersigned, on behalf of himself and on behalf of all and each of his heirs, executors, administrators, successors and assigns, hereby release and forever discharge and hold harmless

City of Suisun City, Cody Marler, Alyssa Vega, Ernesto Zaragoza, and

Engelberto Rubio, Jr.

and any and all other persons, employees, representatives, agents, council members, firms, associations or corporations, including but not limited to insurers, who are or may ever become liable to the undersigned ("Released Parties"), of and from any and all claims, demands, damages, actions and causes of action of every kind, known or unknown, arising out of or in any way connected with the occurrence out of which it is claimed that the undersigned suffered damage, and which is alleged to have taken place on or about February 1, 2020, and that is the subject of the government tort claim presented to City of Suisun City on or about July 14, 2020.

IN FURTHER CONSIDERATION for the payment of the above-mentioned sums, the undersigned agree as follows:

1. There is a risk that, subsequent to the execution of this Release, the undersigned will incur or suffer personal or bodily discomfort, loss, death, damage or any of these conditions which are in some way caused by the occurrence referred to above, but which is unknown and unanticipated at the time this Release is signed. Furthermore, there is a risk that damages presently known may be or may become more serious than the undersigned now expect or anticipate.
2. The undersigned shall assume the above-mentioned risks and this Release shall apply to all unknown or unanticipated results of the occurrence described above, as well as those known and anticipated. Furthermore, the undersigned, on behalf of himself and on behalf of all and each of his heirs, executors, administrators, successors and assigns, hereby waive all rights under California Civil Code § 1542, which states:

A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release and that, if known by him or her, would have materially affected his or her settlement with the debtor or released party

3. The above-mentioned sum of \$65,000.00 is the entire and only consideration for this Release and the undersigned shall be responsible for the payment of the attorneys' fees and legal expenses and costs of the undersigned. Furthermore, the undersigned acknowledges and agrees that no party is to be deemed the prevailing party in this litigation for purposes of any statute, ordinance, rule in equity or legal provision that might otherwise entitle them to recover attorneys' fees or litigation costs.


4. The Released Parties have defended against and denied the claims made by the undersigned, and this Release is entered into with the understanding that it is the result of a compromise of disputed claims and shall never, at any time for any purpose, be considered an admission of the truth of any of the allegations, claims or contentions made by the undersigned against the Released Parties. This Release is the product of negotiation and preparation by and among the parties hereto and their respective attorneys. The parties, therefore, expressly acknowledge and agree that this Release shall not be deemed prepared or drafted by one party or another, or its attorneys, and will be construed accordingly.
5. The undersigned represents and warrants that, as of the date of the execution of this Release, he has the sole right and authority to execute this Release on his own behalf and on behalf of his representatives, or those he represents, and that he has not sold, assigned, transferred, conveyed or otherwise disposed of any claim or demand relating to any rights surrendered by virtue of this Release. The undersigned agrees to execute all documents and to perform all acts necessary or appropriate to perform the terms of this Release.
6. The advice of independent legal counsel has been obtained by the undersigned prior to his signing this Release and a request for dismissal with prejudice in favor of all the parties hereby released shall be executed by the undersigned in all actions now pending, which involve the occurrence referred to above. Furthermore, this settlement is contingent upon the dismissal of the entire action, including any and all cross-actions, with prejudice.
7. The undersigned warrants that he was not in the course and scope of employment by any person, firm or corporation at the time of the occurrence referred to above. The undersigned further warrant that he did not have pending or unresolved, at the time of the occurrence referred to above, a worker's compensation claim or proceeding for any injury or condition that was aggravated, exacerbated or made worse by the undersigned's involvement in the occurrence referred to above.
8. The undersigned acknowledge that he, as opposed to the Released Parties, shall be responsible for all liens that exist as a result of, or stem from, the complaint against these Released Parties, and promise to hold the parties hereby released harmless, in the event that lien holders attempt to enforce legal rights against the parties hereby released, pursuant to any lien related to the undersigned's action filed in connection with occurrence referred to above.
9. The undersigned represents that there are no liens being asserted by Medi-Cal, Medicare, or Medicaid. The undersigned further acknowledges that if any such liens exist, the undersigned acknowledges that the legal counsel for the undersigned shall negotiate the resolution of any Medi-Cal, Medicare, Medicaid, County and/or Civil Code § 3045.1, *et seq.*, liens, and shall provide counsel for the Released Parties with written confirmation of that resolution, including the amount to be paid in satisfaction of the liens and the name, address and telephone number of the individual who has agreed to resolve that lien, so that counsel for the release parties can independently verify the fact of and amount of said resolution. The counsel for the undersigned shall provide the counsel for the Released Parties with a copy of the letter and check sent in satisfaction of any such liens.
10. If it develops that a Medicare Set Aside Trust is required in this matter, the undersigned shall establish and fund said Trust, and hold the Released Parties, its legal counsel and its insurance companies harmless from, and indemnify them from, any claims by Medicare relating to, or concerning, such Trust.

11. A division, if any, of the above-mentioned consideration between the undersigned and anyone else shall in no way affect the validity of this Release.
12. This settlement is intended to, and the undersigned warrant that it will, dispose of all liability of the parties released to the undersigned and to all and each of the heirs, executors, administrators and assigns of the undersigned, and to any other person or entity that might now, or in the future, have a claim against the parties released as a result of the injuries claimed by the undersigned, involving the occurrence referred to above. Should any further claim be made by any person or entity to which the parties released might be liable, directly or indirectly, as a result of the injuries claimed by the undersigned, involving the occurrence referred to above, the undersigned, on behalf of himself and the heirs, executors, administrators and assigns of the undersigned, agree to and will hold harmless, defend and indemnify the parties released of and from any and all liability for such claim, including all costs, expenses and attorneys' fees in defending such claim.
13. The undersigned, on behalf of himself, his spouses, parents, children, relatives, agents, partners, heirs, administrators, predecessors, successors, affiliates and assigns, hereby covenant and agrees that he shall take no action in the future with the intent to disparage, defame, or injure the personal or professional reputation of, or action which could be construed or interpreted to disparage, defame, or injure the reputation of, the Released Parties, its heirs, executors, administrators, agents, predecessors, successors, divisions, officers, directors, shareholders, members, employees, assigns, partners, subsidiaries, affiliates, parents, insurers, third party administrators, and attorneys, including but not limited to entries or comments on websites, on the internet, or on any other electronic, print or social media.
14. This release and settlement shall constitute the entire understanding between and among the parties with regard to the matters herein set forth. There are no representations, warranties, agreements or undertakings, written or oral, between or among the parties hereto, relating to the subject matter of this Agreement, which are not fully expressed herein.
15. The undersigned agrees that this Release shall be interpreted in accordance with, and governed in all respects by, the laws of the State of California.

DATED: 4/26/2021


BRANDON SCOTT MERKEL

Approved as to form and content:


Matthew D. Cubeiro, Esq.
Michel & Associates, P.C.

Dated: 04/26/2021