

A G E N D A

REGULAR MEETING OF THE GENERAL TRANSACTIONS AND USE TAX OVERSIGHT COMMITTEE

WEDNESDAY, FEBRUARY 28, 2018
6 P.M.

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

ROLL CALL

Board Members

ORGANIZATIONAL MATTERS

1. Swearing in of Oversight Committee Members by Suisun City City Clerk
2. Election of Chair and Vice Chair, and Discussion and Direction Regarding Meeting Dates and Similar Administrative Matters

PUBLIC COMMENT

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

GENERAL BUSINESS

3. Report on Status of Measure S Collections – (Corey)
4. Overview of and Discussion Regarding Status of Measure S Expenditures – (Department Staff)

REPORTS: *(Informational items only.)*

5. Chair/Committee Members
6. Staff
 - a. FY2018-19 Budget Calendar (Bragdon)

ADJOURNMENT

A complete packet of information containing Staff Reports and exhibits related to each item is available for public review at least 72 hours prior to a Committee Meeting or, in the event that it is delivered to the Committee members less than 72 hours prior to a Committee Meeting, as soon as it is so delivered. The packet is available for review in the Suisun City Manager's Office during normal business hours.

CITY OF SUISUN FY 2017-18 ANNUAL BUDGET

BUDGET OVERVIEW

The amounts indicated on Page B - 12 in the FY 16/17 and FY 17/18 columns have been appropriated from and Measure S collections deposited in the General Fund in FY 16/17 and FY 17/18 for ongoing activities. The amounts indicated on Page B - 13 in those same columns are for one-time costs. The amounts shown in subsequent years are theoretical at this point.

| FY 2017-20 Measure S | | | | |
|--|------------------------------------|-------------------|-------------------|---------------------|
| Budget Activity by Department | Carryover from FY 16/17 | FY 17/18 | FY 18/19 | FY 19/20 |
| ONGOING MEASURE S FUNDED ACTIVITIES BY DEPARTMENT | | | | |
| POLICE ONGOING | | | | |
| Police Officer | \$ - | \$ 92,800 | \$ 100,200 | \$ 127,100 |
| Police Officer | \$ - | \$ 94,400 | \$ 100,200 | \$ - |
| Patrol Vehicle | \$ - | \$ 25,500 | \$ 14,600 | \$ 14,700 |
| Dispatcher | \$ - | \$ 73,700 | \$ 79,600 | \$ 86,000 |
| Dispatcher | \$ - | \$ - | \$ 79,600 | \$ 86,000 |
| Police Sergeant | \$ - | \$ - | \$ 160,800 | \$ 173,700 |
| Subtotal Police Ongoing | \$ - | \$ 286,400 | \$ 434,800 | \$ 487,500 |
| FIRE ONGOING | | | | |
| Administrative Fire Captain | \$ - | \$ 92,700 | \$ 100,100 | \$ 108,100 |
| SCFD Succession Planning Program | \$ - | \$ 20,000 | \$ 21,600 | \$ 23,300 |
| Subtotal Fire Ongoing | \$ - | \$ 112,700 | \$ 121,700 | \$ 131,400 |
| DEVELOPMENT SERVICES ONGOING | | | | |
| Econ Dev Specialist (50% Fund 320) | \$ - | \$ 46,400 | \$ 50,100 | \$ 54,100 |
| Subtotal Dev Svcs Ongoing | \$ - | \$ 46,400 | \$ 50,100 | \$ 54,100 |
| BLDG & PUBLIC WORKS ONGOING | | | | |
| Maintenance Worker I/II-I | \$ - | \$ 70,200 | \$ 75,800 | \$ 81,900 |
| Maintenance Worker I/II-I | \$ - | \$ - | \$ 75,800 | \$ 81,900 |
| Gas Tax Fund Backfill | \$ - | \$ 70,000 | \$ 75,600 | \$ 81,600 |
| Subtotal B&PW Ongoing | \$ - | \$ 140,200 | \$ 227,200 | \$ 245,400 |
| REC & COM SVCS ONGOING | | | | |
| Rec Supervisor (See below) | \$ - | \$ 36,400 | \$ 38,700 | \$ 45,100 |
| Subtotal R&CS Ongoing | \$ - | \$ 36,400 | \$ 38,700 | \$ 45,100 |
| NON-DEPARTMENTAL ONE-TIME | | | | |
| Keep Suisun Clean Program | \$ - | \$ 77,400 | \$ 83,400 | \$ 90,100 |
| Subtotal Non-Dept One-Time | \$ - | \$ 77,400 | \$ 83,400 | \$ 90,100 |
| TOTAL MEASURE S ONGOING | \$ - | \$ 699,500 | \$ 955,900 | \$ 1,053,600 |

CITY OF SUISUN FY 2017-18 ANNUAL BUDGET

BUDGET OVERVIEW

The amounts indicated on Page B - 12 in the FY 16/17 and FY 17/18 columns have been appropriated from and Measure S collections deposited in the General Fund in FY 16/17 and FY 17/18 for ongoing activities. The amounts indicated on Page B - 13 in those same columns are for one-time costs. The amounts shown in subsequent years are theoretical at this point.

| FY 2017-20 Measure S | | | | |
|--|------------------------------------|---------------------|---------------------|---------------------|
| Budget Activity by Department | Carryover from FY 16/17 | FY 17/18 | FY 18/19 | FY 19/20 |
| ONE-TIME MEASURE S ACTIVITIES BY DEPARTMENT | | | | |
| POLICE ONE-TIME | | | | |
| Video surveillance cameras | \$ - | \$ 40,000 | \$ - | \$ 120,000 |
| Public Safety Communications | \$ - | \$ 229,000 | \$ 271,000 | \$ - |
| Subtotal Police One-Time | \$ - | \$ 269,000 | \$ 271,000 | \$ 120,000 |
| FIRE ONE-TIME | | | | |
| Type 3 Engine | \$ - | \$ - | \$ 300,000 | \$ - |
| Type 1 Engine w/ tools | \$ - | \$ 250,000 | \$ - | \$ - |
| Subtotal Fire One-Time | \$ - | \$ 250,000 | \$ 300,000 | \$ - |
| BLDG & PUBLIC WORKS | | | | |
| Bldg Permit software module (See below) | \$ - | \$ 35,000 | \$ - | \$ - |
| Marina Dredging | \$ 213,000 | \$ - | \$ - | \$ - |
| Storm Drain Repairs | \$ - | \$ 228,000 | \$ 96,000 | \$ - |
| Street Maintenance (See below) | \$ 20,000 | \$ 308,500 | \$ 363,000 | \$ 621,200 |
| Subtotal B&PW One-Time | \$ 233,000 | \$ 571,500 | \$ 459,000 | \$ 621,200 |
| ADMIN SERVICES ONE-TIME | | | | |
| Business Management System (See below) | \$ 152,000 | \$ 37,000 | \$ 123,100 | \$ 377,500 |
| Subtotal Admin Svcs One-Time | \$ 152,000 | \$ 37,000 | \$ 123,100 | \$ 377,500 |
| TOTAL MEASURE S ONE-TIME | \$ 385,000 | \$ 1,127,500 | \$ 1,153,100 | \$ 1,118,700 |
| TOTAL MEASURE S | \$ 385,000 | \$ 1,827,000 | \$ 2,109,000 | \$ 2,172,300 |
| OTHER FUNDING SOURCES | | | | |
| Marina Dredging (010) | \$ 215,000 | \$ 307,800 | \$ - | \$ - |
| North Basin Dredging (320) | \$ - | \$ 65,000 | \$ - | \$ - |
| Business Mgmt System (SSWA) | \$ - | \$ - | \$ 125,000 | \$ - |
| Economic Development Specialist (320) | \$ - | \$ 46,400 | \$ 49,800 | \$ 53,500 |
| Rec Supervisor (grant funding) | \$ - | \$ 43,200 | \$ 43,200 | \$ 43,200 |
| Type 1 Engine w/ tools (706) | \$ - | \$ 350,000 | \$ - | \$ - |
| Type 3 Engine (706) | \$ - | \$ - | \$ 100,000 | \$ - |
| Street Maintenance (105) | \$ - | \$ 167,800 | \$ 500,000 | \$ 530,000 |
| Total Other Funds | \$ 215,000 | \$ 980,200 | \$ 818,000 | \$ 626,700 |

FY 2017-20 Measure S Revenues

| Budget Activity by Department | FY 16/17 Projected | FY 16/17 Actual | Variance | FY 17/18 Budget | FY17/18 YTD | Variance | FY 17/18 Projected | Variance |
|-------------------------------|-----------------------|--------------------|-------------|--------------------|----------------|--------------|-----------------------|------------|
| Revenues | \$ 385,000 | \$ 303,728 | \$ (81,272) | \$ 1,827,000 | \$ 1,187,273 | \$ (639,727) | \$ 2,000,000 | \$ 173,000 |

Major Factors

Measure S revenue is about the same as sales/use tax.

Exceptions:

1% Measure S is not divided by County pool.

| | Sales Tax | Trans Tax | % Difference |
|------------------------|-----------|------------|--------------|
| Autos & Transportation | \$ 37,308 | \$ 296,323 | 794% |
| Internet Sales | \$ 12,657 | \$ 101,560 | 802% |
| Total | \$ 49,965 | \$ 397,883 | |

AGENDA TRANSMITTAL

MEETING DATE: February 20, 2018

CITY AGENDA ITEM: Council Resolution No. 2018-___: Amending the Fiscal Year 2017-18 Street Improvement Projects Program Funded by Measure S and Senate Bill 1 (SB1) Funds.

FISCAL IMPACT: There would be no impact to the General Fund from this item. The proposed Street Improvement Projects Program (Program) is a three-year program for street improvements that will utilize Measure S and State SB 1 funding as included in the Fiscal Year (FY) 2017-18 Budget. Planned expenditures are estimated to be as follows:

| | Estimated Total | Measure S | SB1 |
|--------------------------|------------------------|--------------------|--------------------|
| FY2017-18 | \$476,300 | \$308,500 | \$167,800 |
| FY2018-19 | \$863,000 | \$363,000 | \$500,000 |
| FY2019-20 | \$1,151,200 | \$621,200 | \$530,000 |
| TOTAL OVER 3 FY's | \$2,490,500 | \$1,292,700 | \$1,197,800 |

BACKGROUND: On September 5, 2017, the City Council approved Council Resolution No. 2017-70 which approved the FY 2017-18 Street Improvement Projects Program (Program), funded by Measure S and Senate Bill 1 (SB 1) Funds.

STAFF REPORT: Due to current vacancies in the Building & Public Works Department, Interwest Consulting Group is providing interim services for the positions of Public Works Superintendent and Public Works Director. As part of the planning and preparation of plans, specifications, and estimates necessary for construction of the FY 2017-18 Street Improvement Projects Program, InterWest (Staff) determined it was necessary to perform a field review of the proposed list of streets to be resurfaced.

The purpose of the field review was to validate street conditions and proposed surface treatment improvements for streets identified in the FY 2017-18 Street Improvement Projects Program. This work was performed by Interim Public Works Superintendent, Steve Tyler, who has an extensive background and over 20 years' experience performing preventative maintenance street resurfacing projects on both City streets and state highways. Mr. Tyler reviewed over 75 streets in the City, concentrating his review on the streets chosen for the FY 2017-18 program as well as streets with some of the lowest PCI ratings in the City. Following that review, Staff suggests the following changes to this year's program:

- Keep all of the original streets planned and approved for the Program with the exception of Blossom Road (explained below).
- Change the Program for these streets from rubberized cape seal to Type II slurry seal. The Type II slurry seal is a more appropriate treatment for these streets and will result in a significant cost savings which can be used to expand the current program to address streets with low pavement condition ratings.

PREPARED BY:
REVIEWED BY:
APPROVED BY:

Steve Tyler, Interim Public Works Superintendent
 Mike Kashiwagi, Interim Public Works & Building Director
 Suzanne Bragdon, City Manager

- Add additional streets to the Program that were in the “very poor” pavement condition category (PCI ratings of 2-19). Staff recommends the additional streets be treated with application of a polymer modified cationic rapid set (PMCRS) cape seal.

Although the additional streets exhibit very low pavement quality, the PMCRS Cape Seal, preceded by digging out and repairing failed pavement sections will extend the pavement life by 5-10 years. More importantly, it is a cost effective way to address low traffic volume streets Citywide which are in poor condition.

A description of the recommended surface treatments are provided below:

RUBBERIZED CAPE SEAL

Rubberized cape seals, if applied correctly, can be a fantastic product giving a smooth, quiet and long-lasting finish. Proper application can be difficult to assure under the best of conditions. A good condition means a long laydown area (street) where a consistent paving train can move in a manner where temperatures of oil and rock; oil application and compaction can be followed closely by construction managers. These constrictive requirements can be very elusive when a crew is moving from one cul-de-sac to the next. Most of the streets on the currently approved list are cul-de-sacs.

The streets reviewed on this list that are within the “good streets” index are candidates for a Type II slurry seal will provide for a minimum 5-year index extension. This is an industry acceptable treatment. Using either a cape seal or a rubberized cape seal on these streets is not a cost-effective approach that best utilizes the available funds and that will allow the Program to “touch” the most streets.

PMCRS CAPE SEAL

This treatment can be used to treat streets with heavy “block cracking” as long as any pavement failures are addressed first (patching) and the treatment does not attempt to treat areas that are “pumping” water. The application involves removal of pavement failures, application of a heavy coat of latex modified oil, and application of small (<1/4”) rock. This rock is rolled into place with pneumatic tired rollers and the excess rock is swept away over the next week. Following that, a Type II slurry seal is applied over the top to shed the water from the gravel. This treatment can be very successful even on streets which are just about out of life.

TYPE II SLURRY SEAL

This process initially involves the cleaning and sealing of all cracks ¼” and larger. Following that, a single application of a polymer modified road oil mixed with a graded aggregate (like sand) is applied. This type of application is quick, lasts about five years and prevents oxidation, water intrusion and pavement degradation due to the elements. It also restores friction and improves the aesthetic appearance of a street.

ASPHALT PATCHES

To treat localized pavement failures like potholing, full depth (6”) grind and replacement are suggested in preparation of any of the above treatments and must be used when areas of rutting, deformation or potholing are found.

Recommended Revisions to FY 2017-18 Street Improvement Projects Program

Based upon Staff's review of the FY 2017-18 pavement maintenance strategy, Staff recommends replacing the proposed Rubberized Cape Seal with a Type II slurry seal w/crack sealing. It is also recommend that the Program delay the proposed overlay of Blossom Avenue to the FY 2018-19 Street Improvement Projects Program. The supports for the delaying Blossom Avenue to FY2018-19 is:

- Economy of scale – the City will not receive good competitive pricing doing only one (1) small overlay in this Fiscal Year.
- The “bang for the buck” you will get by performing cape seals on eligible streets with a very low PCI rating will far outweigh the deference of this street from the program for 1 year.

Updated FY 2017-2018 Street Improvement Projects Program – Street List

| STREET NAME | AREA SF | Cost Comparison | |
|------------------|----------------|-------------------------------|-------------------------|
| | | TYPE II Micro W/CRACK SEAL | Rubberized Cape Seal |
| Birchwood Ct | 26,336 | \$11,998 | \$32,285 |
| Bottlebrush Ct | 10,386 | \$4,731 | \$12,732 |
| Brookside Ct | 10,941 | \$4,984 | \$13,412 |
| Camellia Ct | 5,556 | \$2,531 | \$6,811 |
| Dawn Rose Ct | 11,488 | \$5,233 | \$14,083 |
| Dawn Rose Wy | 15,712 | \$7,158 | \$19,261 |
| Driftwood Ct | 13,600 | \$6,196 | \$16,672 |
| Flagstone Cir | 26,560 | \$12,100 | \$32,560 |
| Hibiscus Ln | 13,600 | \$6,196 | \$16,672 |
| Hillborn Ct | 18,276 | \$8,326 | \$22,404 |
| Keyes Ct | 22,176 | \$10,102 | \$27,185 |
| Kinsmill Ct | 18,866 | \$8,595 | \$23,128 |
| Limewood Dr | 20,800 | \$9,476 | \$25,498 |
| Marston Ct | 22,496 | \$10,248 | \$27,578 |
| McCoy Creek Ct | 8,416 | \$3,834 | \$10,317 |
| McNabe Ct | 16,416 | \$7,478 | \$20,124 |
| Peytonia Ct | 22,896 | \$10,430 | \$28,068 |
| Spence Ct | 9,036 | \$4,116 | \$11,077 |
| Driftwood Dr 015 | 2,660 | \$1,212 | \$3,261 |
| Blossom Ave | 15,540 | | \$85,500 |
| TOTALS | 311,757 | \$134,943 | \$448,629 |

Total savings \$313,686

The estimated cost savings of \$313,686 from moving from Rubberized Cape Seal to Type II Micro with crack sealing will allow the City to perform asphalt patching and a PMCRS Cape Seal to the following additional streets:

| STREET | AREA SF | PATCH AT \$1000 EA. | CAPE SEAL (PMCRS) | |
|-------------------------------------|---------------|---------------------|-------------------|------------------|
| CANARY CT | 5431 | 1000 | \$4,677 | |
| CRESTED DR | 62930 | \$10,000 | \$54,190 | |
| HACIENDA LN | 28710 | \$2,000 | \$24,723 | |
| HERON DR | 26535 | \$1,000 | \$22,850 | |
| JEANNE CT | 14131 | \$1,000 | \$12,168 | |
| LEMONWOOD DR | 20520 | \$4,000 | \$17,670 | |
| MICHAEL CT | 15001 | \$2,000 | \$12,918 | |
| RICKY CT | 15001 | \$2,000 | \$12,918 | |
| SWALLOW CT | 5901 | \$1,000 | \$5,081 | |
| STELLAR WY | 26250 | \$1,000 | \$22,604 | |
| WESTWIND WY | 28275 | \$2,000 | \$24,348 | |
| WESTWIND CT | 9201 | \$3,000 | \$7,923 | |
| WHIPPORWIL WY | 24030 | \$2,000 | \$20,693 | |
| YUBA CT | 6591 | \$1,000 | \$5,676 | |
| CAPE/PATCH SUB-TOTAL | 283076 | \$32,000 | \$243,760 | \$275,760 |
| TOTAL W/PATCH, CAPE AND SEAL | | | | \$410,703 |
| ADA COMPLIANCE WORK | | | | \$40,000 |
| FY 18 CONTINGENCY | | | | \$23,597 |
| 2018 FY TOTAL | | | | \$474,300 |

The funding plan will remain the same as was approved By Council at the September 5, 2017, meeting. However, the recommended revisions will allow for a significant increase in the number of streets to be resurfaced. Should pricing vary from bids higher or lower, adds/alternates can be adjusted to provide a completed project within the approved budget.

Approved funding table from September 5, 2017:

TABLE 1

| | FY2017-18 | FY2018-19 | FY2019-20 |
|-----------|-----------|-----------|-------------|
| Measure S | \$308,500 | \$363,000 | \$621,200 |
| SB1 | 167,800 | 500,000 | 530,000 |
| Total | \$476,300 | \$863,000 | \$1,151,200 |

With the exception of a few isolated projects, there has been minimal preventative street maintenance performed on City streets over the past 6 years. While it is important to treat your good streets to keep them from the point of rapid deterioration, the recommended modifications to the FY 2017-18 Street Improvement Projects Program provides an opportunity to also address some of the most distressed streets throughout the City. Utilizing cape seals vs. the more traditional treatments of asphalt pavement overlays and street reconstruction on streets with low pavement condition scores based upon traffic volumes and street types is a more cost-effective approach. This strategy also allows the City to provide much needed relief to residents living on highly distressed streets sooner rather than later.

Upon Council approval of the proposed changes to the FY 2017-18 Street Improvement Projects Program presented to Council at the September 5, 2017 meeting, staff will prepare two (2) bid packages. The first bid package will be for the performance of localized pavement failures (patches) followed by a second bid package for Cape /Slurry/crack sealing of the proposed streets. Award of these contracts will come back before the Council for approval.

STAFF RECOMMENDATION: It is recommended that the City Council adopt Resolution No. 2017-__: Amending the Fiscal Year 2017-18 Street Improvement Projects Program Funded by Measure S and Senate Bill 1 (SB1) Funds.

ATTACHMENTS:

1. Council Resolution No. 2018-__: Amending the Fiscal Year 2017-18 Street Improvement Projects Program Funded by Measure S and Senate Bill 1 (SB1) Funds.
2. Council Resolution No. 2017-70: Approving the Fiscal Year 2017-18 Street Improvement Projects Program to be Funded with Measure S and Senate Bill 1 (SB 1) Funds.
3. September 5, 2017 Staff Report.

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RESOLUTION NO. 2018-__

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY
AMENDING THE FISCAL YEAR 2017-18 STREET IMPROVEMENT PROJECTS
PROGRAM FUNDED BY MEASURE S AND SENATE BILL 1 (SB 1) FUNDS**

WHEREAS, on May 24, 2017, the City Council of the City of Suisun City held a study session to discuss funding priorities for Measure S revenues; and

WHEREAS, on April 28, 2017, Governor Brown signed Senate Bill 1 (SB 1) into law which provided cities and counties with additional revenues to begin to address significant backlogs in street repair and rehabilitation needs; and

WHEREAS, the City of Suisun City has an annual backlog of approximately \$4.6 million backlog in street repair and rehabilitation needs; and

WHEREAS, on June 27, 2017 the City Council of the City of Suisun City received a report on a proposed Program of Street Projects (Projects) utilizing the above funding sources; and

WHEREAS, at that same meeting, the Council directed staff to revise the project list to begin addressing streets with more critical needs; and

WHEREAS, the list of Projects approved by Council on September 5, 2017, was the list that reflected what was thought to be the best use of Measure S and SB 1 for the benefit of Suisun City residents, businesses, and visitors at the time; and

WHEREAS, since that time, Staff has performed a field survey of 75 streets and as a result of the field survey, has amended the proposed Program list and the corresponding proposed surface treatments; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Suisun City hereby adopts the amended Street Improvement Projects Program as listed in the staff report associated with this resolution and that the projected costs of the Projects are within the budgeted amount approved by the Council.

PASSED AND ADOPTED at a Regular Meeting of said City Council of the City of Suisun City duly held on Tuesday, the 20th day of February 20, by the following vote:

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

WITNESS my hand and the seal of said City this 20th day of February 2018.

Donna Pock, CMC
Deputy City Clerk

RESOLUTION NO. 2017-70

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY
APPROVING THE FISCAL YEAR 2017-18 STREET IMPROVEMENT PROJECTS
PROGRAM TO BE FUNDED WITH MEASURE S AND SENATE BILL 1 (SB 1)
FUNDS**

WHEREAS, on May 24, 2017, the City Council of the City of Suisun City held a study session to discuss funding priorities for Measure S revenues; and

WHEREAS, on April 28, 2017, Governor Brown signed Senate Bill 1 (SB 1) into law which provided cities and counties with additional revenues to begin to address significant backlogs in street repair and rehabilitation needs; and

WHEREAS, the City of Suisun City has an annual backlog of approximately \$4.6 million backlog in street repair and rehabilitation needs; and

WHEREAS, on June 27, 2017 the City Council of the City of Suisun City received a report on a proposed Program of Street Projects (Projects) utilizing the above funding sources; and

WHEREAS, at that same meeting, the Council directed staff to revise the project list to begin addressing streets with more critical needs; and

WHEREAS, the list of Projects reflects the best use of Measure S and SB 1 for the benefit of Suisun City residents, businesses, and visitors; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Suisun City hereby adopts the Street Capital Improvement Program of Street Projects as listed in the associated staff report to this resolution and that the projected costs of the Projects are within the budgeted amount approved by the Council.

PASSED AND ADOPTED at a Regular Meeting of said City Council of the City of Suisun City duly held on Tuesday, the 5th day of September 2017, by the following vote:

| | | |
|-----------------|-----------------|---|
| AYES: | Councilmembers: | <u>Day, Hudson, Segala, Wilson, Sanchez</u> |
| NOES: | Councilmembers: | <u>None</u> |
| ABSENT: | Councilmembers: | <u>None</u> |
| ABSTAIN: | Councilmembers: | <u>None</u> |

WITNESS my hand and the seal of said City this 5th day of September 2017.

Donna Pock, CMC
Deputy City Clerk

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AGENDA TRANSMITTAL

MEETING DATE: September 5, 2017

CITY AGENDA ITEM: Adoption of Council Resolution No. 2017-__ : Approving the Fiscal Year 2017-18 Street Improvement Projects Program to be Funded with Measure S and Senate Bill 1 (SB 1) Funds.

FISCAL IMPACT: This is a three-year proposed Program of Street Projects for street improvements that will utilize Measure S and State SB 1 funding as included in the Fiscal Year (FY)2017-2018 Budget. Planned expenditures are estimated as follows:

| | Estimated Total | Measure S | SB1 |
|--------------------------|--------------------|-------------|-------------|
| FY2017-18 | \$467,300 | \$308,500 | \$167,800 |
| FY2018-19 | \$863,000 | \$363,000 | \$500,000 |
| FY2019-20 | \$1,151,200 | \$621,200 | \$530,000 |
| TOTAL OVER 3 FY's | \$2,481,500 | \$1,292,700 | \$1,197,800 |

BACKGROUND: On May 24, 2017, the City Council held a study session to consider options for spending the revenues anticipated to be generated by Measure S. Street maintenance was a high priority, as reflected in the FY 2017-18 budget.

On June 27, 2017, staff presented a recommended Program of Street Projects to be accomplished in FY 2017-18 and funded by Measure S and SB 1 monies. The recommended Program of Street Projects was derived from the Pavement Management Budget Options Report that was prepared for the City by Capitol Asset & Pavement Services (CAPS). At this meeting, the Council directed staff to come back with a Program of Street Projects that had the best and widest benefit for the use of the funding, while ensuring that street segments that currently require a less expensive type of treatment, do not deteriorate to the point of requiring more expensive types of repairs. The staff report from June 27th is attached for reference and comparison purposes.

STAFF REPORT: This item is a follow-up to the June 27, 2017 Council meeting during which the Council discussed and gave direction regarding the strategies for developing the Program of Street Projects for the current fiscal year utilizing Measure S and Senate Bill 1 funding. The recommendation included in the June staff report relied solely on the recommendation contained in the CAPS report, specifically, preservation was the focus. Council wanted to see Measure S funds spent to begin “fixing” our roads recognizing that those roads with a higher PCI could continue to function for a few years without declining into a state that would require higher repair costs.

PREPARED BY: Tim McSorley, Public Works & Building Director/City Engineer
REVIEWED AND APPROVED BY: 139 Suzanne Bragdon, City Manager

The pavement preservation strategy that is being recommended for the next three years comes in two forms, surface treatments and overlays. Each strategy has a set of criteria that was used in selecting the streets for that particular treatment, as described below.

Comparative Costs

As a part of the June discussion, Council had also requested that it be provided with a perspective of repairs by comparing costs of the differing rehabilitation strategies as follows:

- **Surface Treatments** cost about \$4.50 per square yard. If an amount of \$500,000 was allocated to surface treatments, the City could treat almost 6 ½ miles of road.
- **Overlays** can run up to \$49 per square yard, which means the same \$500,000 would treat about 2.3 miles of streets.
- **Full Street Reconstruction** costs about \$120 per square yard, which would result in less than ½ mile of roadway being rehabilitated.

Funding

There are two sources of funding to address street maintenance needs: Measure S and SB1. The table below identifies available funding through FY 2019-20.

Table 1

| | FY2017-18 | FY2018-19 | FY2019-20 |
|-----------|------------------|------------------|------------------|
| Measure S | \$308,500 | \$363,000 | \$621,200 |
| SB1 | 167,800 | 500,000 | 530,000 |
| Total | \$474,300 | \$963,000 | \$1,151,200 |

On April 28, 2107, Governor Brown signed Senate Bill 1 (SB 1), also known as the Road Repair and Accountability Act of 2017. The basic purpose of the bill was to help cities and counties fund road repairs through various taxes and fees. It goes without saying that the combination of Measure S and SB 1 funding will help the City begin to address the long list of street repairs. It should be noted and emphasized that we have an extensive backlog of street rehabilitation needs that far exceeds the anticipated revenues. As a requirement of receiving SB 1 revenues, the City will have reporting requirements both before construction and upon completion of the identified projects.

Revised Road Maintenance Strategy

At the June meeting, all of the streets that were recommended for surface treatments in the first two years of the program were those with a Pavement Condition Index (PCI) ranging from 70 to a high of 94. This is the range of PCI in which a roadway can be classified as “good”. The intent was to extend the useful life of these roadways for the least cost.

Since the roadways in these upper ranges have significant useful life remaining, Council directed staff to look at options that would allow the reallocation of funding from these “upper ranges” to road segments in the lower PCI ranges.

Based on that direction, those streets with a PCI rating below 80 are included in the recommended list. This is the lower edge of this PCI range where any further deterioration would result in the roadways falling into the “fair” rating and requiring a more expensive treatment (i.e., overlay). This change in strategy has allowed us to redirect approximately \$407,000 over the next two years to address our streets which are in greater distress (i.e., PCI between 40 and 70).

Other considerations in determining which street segments to address in the FY 2017-18 Street Maintenance Program include:

- Streets that carry greater traffic volumes (i.e., collector streets).
- Inter-connected streets within our system.
- Streets that serve a more regional need.
- Streets that serve more residences.

The challenge is that all of these streets required the more expensive overlays, which means our limited resources do not go as far as compared to implementing improvements to all streets in the “slurry seal” category.

The Program of Street Projects

Taking into account the PCI ratings and other factors identified as part of the recommended criteria for identifying street project candidates, along with available funding, the recommended Program of Street Projects are shown in Tables 2, 3, and 4 below, listed by fiscal year.

Table 2

Proposed Work for FY 2017-18
Total \$467,300 = Measure S Funds (\$308,500) + SB1 Funds (\$167,800)

| Street Name | Area (SF) | Treatment | Current PCI | Cost |
|---------------------|-----------|-----------|-------------|-------------|
| Marston Court | 22,496 | Cape Seal | 73 | \$26,902.00 |
| Driftwood Drive 015 | 2,660 | Cape Seal | 73 | \$4,192.00 |
| Hilborn Court | 18,276 | Cape Seal | 74 | \$21,322.00 |
| Spence Court | 9,036 | Cape Seal | 74 | \$10,542.00 |
| Brookside Court | 10,941 | Cape Seal | 75 | \$12,765.00 |
| Flagstone Circle | 26,560 | Cape Seal | 75 | \$30,987.00 |
| Hibiscus Lane | 13,600 | Cape Seal | 77 | \$16,670.00 |
| Keyes Court | 22,176 | Cape Seal | 77 | \$28,558.00 |
| McNabe Court | 16,416 | Cape Seal | 77 | \$21,141.00 |

| Birchwood Court | 26,336 | Cape Seal | 78 | \$32,281.00 |
|---|-----------|-----------|-------------|-------------|
| Bottlebrush Court | 10,386 | Cape Seal | 78 | \$12,731.00 |
| <u>Proposed Work for FY 2017-18</u> | | | | |
| Total \$467,300 = Measure S Funds (\$308,500) + SB1 Funds (\$167,800) | | | | |
| Street Name | Area (SF) | Treatment | Current PCI | Cost |
| | | | | |
| | | | | |
| Camellia Court | 5,556 | Cape Seal | 78 | \$6,981.00 |
| Dawn Rose Court | 11,488 | Cape Seal | 78 | \$14,434.00 |
| Dawn Rose Way | 15,712 | Cape Seal | 78 | \$19,741.00 |
| Driftwood Drive | 13,600 | Cape Seal | 78 | \$16,264.00 |
| Kinsmill Court | 18,866 | Cape Seal | 78 | \$22,561.00 |
| Limewood Drive | 20,800 | Cape Seal | 78 | \$26,786.00 |
| McCoy Creek Court | 8,416 | Cape Seal | 78 | \$10,065.00 |
| Peytonia Court | 22,896 | Cape Seal | 78 | \$28,766.00 |
| Blossom Road | 15,540 | Overlay | 55 | \$85,500.00 |

TOTAL TREATMENTS
FY18 \$449,189.00

* Any unspent funds will roll in FY19

FY18 CONTINGENCY* \$18,111.00

TOTAL FOR FY18: \$467,300.00

Table 3

| | |
|---|--|
| <u>Proposed Work for FY 2018-19</u> | |
| Total \$863,000 = Measure S Funds (\$363,000) + SB1 Funds (\$500,000) | |

| Street Name | Area (SF) | Treatment | Current PCI | Cost |
|---------------|-----------|-----------|-------------|--------------|
| Village Drive | 146,510 | Overlay | 42 | \$805,800.00 |

TOTAL TREATMENTS
FY19: \$805,800.00

* Any unspent funds will roll in
FY20

FY19 CONTINGENCY*: \$57,200.00

TOTAL FOR FY19: \$863,000.00

Table 4

| | |
|--|--|
| <u>Proposed Work for FY 2019-20</u> | |
| Total \$1,151,200 = Measure S Funds (\$621,200) + SB1 Funds (\$530,000) | |

| Street Name | Area (SF) | Treatment | Current PCI | Cost |
|-----------------|-----------|-----------|-------------|--------------|
| Merganser Drive | 50,000 | Overlay | 49 | \$275,000.00 |
| Armsby Way | 47,600 | Overlay | 50 | \$261,800.00 |
| Mayfield Circle | 108,120 | Overlay | 51 | \$594,660.00 |

**TOTAL TREATMENT
FY20: \$1,131,460.00**

* Any unspent funds will roll in
FY21

FY20 CONTINGENCY*: \$19,740.00

| |
|---------------------------------------|
| TOTAL FOR FY20: \$1,151,200.00 |
|---------------------------------------|

Following the discussion with Council in June, staff looked at a number of specific streets such as Whitby, Gadwall and New Railroad as candidates for rehabilitation.¹ However, they had either higher PCI, did not carry high volumes, did not serve a greater community benefit or were unable to fit into the funding limits. Village was selected because it has a low PCI, serves Heritage Park and the Community Center and serves as an inter-connect between Railroad Avenue and State Route 12. It is estimated that it currently carries about 3,000 cars per day, which makes it one of our busiest streets. With funding in the second year (FY19), we can overlay the entire street and since it is in the lowest range of “fair”, will extend the life of the roadway for ten years or more. The added benefit of the overlay of Village is that the grindings can be conveniently stockpiled to be used as sub-base for the extension of Railroad Avenue.

¹ Example: Whitby would cost approximately \$91,000 but only serves 23 homes.

In Conclusion

The funding from Measure S and SBI allows us to begin to systematically improve and upgrade our street and road infrastructure. In addition to the recommendations contained herein, \$70,000 has been allocated from Measure S to backfill loss of Gas Tax revenue and supplement supplies and materials for pothole and crack sealing work.

The reality is that there is not enough money to do everything we would like to. In order to gain a sense of the challenges we face, attached is a comprehensive listing of all street segments in Suisun City and their corresponding PCI rating.

Next steps after Council approval of the FY 2017-18 Street Improvement Project Program include:

1. Submit Program of Street Projects to the California Transportation Commission (CTC) in accordance with The Road Repair and Accountability Act of 2017- Local Streets and Roads Funding Annual Reporting Guidelines.
2. Develop the plans, specifications and estimates for the 2017-18 projects this winter for construction next construction season.
3. Annually review project list for cost purposes. Report to Council if significant variations exist.
4. Apply for PTAP funding every two years to update pavement condition report.

STAFF RECOMMENDATION: It is recommended that the City Council adopt Resolution No. 2017-__ : Approving the Fiscal Year 2017-18 Street Improvement Projects Program to be Funded with Measure S and Senate Bill 1 (SB 1) Funds.

ATTACHMENTS:

1. Council Resolution No. 2017-__ : Approving the Street Improvement Projects Program to be Funded with Measure S and Senate Bill 1 (SB 1) Funds.
2. June 27, 2017 Measure S Staff Report.
3. 2018 Treatment Scenarios and PCI Listing

CITY OF SUISUN CITY NEIGHBORHOOD REINVESTMENT PROGRAM (NRP)



About the Program

The Neighborhood Reinvestment Program was created to:

- Help homeowners improve the safety, appearance and value of their homes
- Enhance neighborhood pride
- Reinvest in Suisun City neighborhoods



How Do I Apply?

The NRP application process is administered by Suisun City's economic development dept. Applications and program guidelines are available at the City Hall and online at www.Suisun.com. Applications will be considered on a first-come, first-served basis. Call 707-421-7336 for more information.

APPLICATIONS
OPEN
MARCH 21, 2018

How Much Funding Can Match My Investment?

The City will provide matching grants of up to \$2,500 per household for qualifying improvements. The grants are designed to pay for 50 % to 80 % of the total project cost based on income limits.



Who is Eligible?

To qualify for the program, homeowners may earn up to \$99,100 a year for a family of four.



What Improvements are Eligible?

Almost any work that improves the street appeal of a residential property is eligible under the program including:

- Exterior paint, graffiti removal
- Replacing front yard chain link fences with higher quality fencing
- Landscaping improvements
- Replacement of windows visible from the street
- Garage Doors, driveway improvements
- Front door replacement



CITY OF SUISUN CITY

FAÇADE IMPROVEMENT GRANT FOR SUISUN BUSINESSES (FIGSB) PROGRAM



About the Program

The Façade Improvement Grant for Suisun Businesses was created to:

- Enhance storefront facades
- Entice customers
- Reinvest in Downtown Suisun City



How Do I Apply?

The FIGSB application process is administered by Suisun City's economic development dept. Applications and program guidelines are available at the City Hall and online at www.Suisun.com. Applications will be considered on a first-come, first-served basis. Call 707-421-7336

APPLICATIONS
OPEN
MARCH 21, 2018

How Much Funding Can Match My Investment?

The City will provide matching grants of up to \$7,500 per business owner for qualifying improvements.



Who is Eligible?

Applicant may be either an owner of, or tenant within, a proposed project. If the applicant is a tenant, the owner must also sign the FIGSB application. FIGSB is intended for retail or service businesses

What Improvements are Eligible?

Almost any work that improves the street appeal of a business storefront is eligible under the program. Examples of suitable work include:

- Exterior Paint
- Signs, Awnings, and Canopies
- Windows and window treatments
- Exterior Doors
- Exterior Lighting for façade only (attached to building)
- Roof repair if required in conjunction with façade improvement work
- Improvement and removal of safety grilles
- Rehabilitation of historic features
- Exterior landscaping/ planters
- Compliance with the Americans with disabilities Act (ADA)



AGENDA TRANSMITTAL

MEETING DATE: February 6, 2018

CITY AGENDA ITEM: Council Adoption of Resolution No. 2018- __: Approving Implementation of Proposed Elements of the FY 2017-18 Keep Suisun City Clean Program.

FISCAL IMPACT: There would be no impact to the General Fund. The FY 2017-18 budget includes money allocated to all of the programs incorporated under the umbrella of “Keep Suisun City Clean” including the Façade Improvement Program and Neighborhood Reinvestment Program. A total of \$71,500 was budgeted for “Keep Suisun Clean” (minus another \$20,000 to address ongoing park maintenance challenges), with another \$75,000 for business facades and neighborhood reinvestment matching grants.

BACKGROUND: The newly conceived program “Keep Suisun City Clean” was incorporated in the FY 2017-2018 budget with the intention of enhancing the maintenance, upkeep, and beautification of Suisun City. Enhancing and maintaining publicly owned properties not only builds a sense of community pride, but also has an indirect impact of new development and investment. The key interest for this program is to engage and serve the community. This program involves a multi-departmental approach, as well as partnerships with businesses, residents and non-profit organizations. The overarching goal of “Keep Suisun City Clean” is to augment the quality of life for Suisun City residents by improving the aesthetic appeal of the City.

STAFF REPORT: When money was appropriated in the FY 2017-18 budget for Keep Suisun Clean, the details of what this exactly would entail still needed to be worked out. With multiple discussions with involved departments, as well as outside partners, the program has evolved to be more significant than perhaps was initially anticipated. As outlined below, the Keep Suisun City Clean has evolved to include six different city initiatives and two partnerships with outside organizations. The elements include:

City Initiatives:

1. Weekend Warriors- Volunteer Cleaning Program
2. Façade Improvement Grants for Suisun Businesses (FIGSB)
3. Out of the Box- Utility Box Mural Program
4. Wall Mural Program
5. Neighborhood Reinvestment Program (NRP)
6. Train Depot Beautification Program

Partnerships:

1. Business Improvement District - Banner, Highway Poster, and Marina Beautification
2. Fairfield-Suisun Rotary Club - Tree Donation Program.

PREPARED BY:

Sajuti Rahman, Economic Development Analyst

REVIEWED/APPROVED BY:

Suzanne Bragdon, City Manager

The budget break-down for each of these programs is presented in the following table. A more detailed description of each program element follows thereafter. It should be noted that the additional monies that were appropriated to address ongoing park maintenance challenges, specifically at Montebello Vista, is presented as a separate staff report with the proposal of initiating a field rental program for soccer.

| Program | Budget |
|--|---------------------|
| Weekend Warriors- Volunteer Cleaning Program | \$ 15,000.00 |
| Out of the Box- Utility Box Mural Program | \$ 3,500.00 |
| Wall Mural Program | \$ 8,000.00 |
| Train Depot Beautification Program | \$ 15,000.00 |
| Tree Donation Program with Fairfield-Suisun Rotary Club | \$ 0 |
| Partnership with the Suisun City Historic Waterfront Business Improvement District (BID) | \$ 0 |
| The Montebello Vista Park Rehabilitation, Soccer Programming, and Field Rental Program (Separate Staff Report) | \$ 20,000.00 |
| Contingency Funds for Emergency Maintenance | \$ 10,000.00 |
| Total Budget | \$ 71,500.00 |

| Separate Funds | Budget |
|---|---------------------|
| Façade Improvement Grants for Suisun Businesses (FIGSB) | \$ 37,500.00 |
| Neighborhood Reinvestment Program (NRP) | \$ 37,500.00 |
| Total | \$ 75,000.00 |

A detailed description of each of the program elements of the “Keep Suisun City Clean” program follow below. They are organized by City Initiatives and Partnerships.

City Initiatives

The Weekend Warriors Volunteer Clean-up Program is a collaboration between the Suisun City Police Department and the Solano County Sheriff’s Office that provides a work program for low level offender inmates who have earned to opportunity to work on a supervised work crew outside the walls of the Solano County Detention Facility. The program is currently supervised by Retired Master Sergeant John Pitts on a voluntary basis. The crew works on Saturday or Sunday, or both Saturday and Sunday depending on availability. During the past 18 months, the crew has been responsible for:

- Assisting Public Works in addressing blight issues to supplement their existing work load
- Removing weeds and tall grass in public spaces, addressing the illegal dumping of stoves, refrigerators, furniture, mattresses, bushes, trees, and other types of debris, as well as the removal of trash from our creeks and canals.
- Clean-up of several large homeless encampments throughout the City.

To achieve the goal of increasing the number of operating weekends, The Weekend Warriors crew needs a trailer to haul away the trash and debris. \$4,800 was already spent on tools and

equipment. The total budget for this program is \$15,000 which includes the cost of the new trailer, lunch, and fuel for the 30-35 weekends they operate.

The Façade Improvement Grants for Suisun Businesses (FIGSB) is a program that will be administered by the Economic Development Department. FIGSB provides 50% matching grants to businesses and property owners as a financial incentive to improve their building facades. FIGSB's goal is to enhance the exterior appearance of the storefronts and increase the business appeal. The program details include:

- Matching grants for exterior painting, signs, new awnings, windows, exterior lighting, rehabilitation of historic features, and other similar improvements.
- Approved projects will be eligible for reimbursement of 50% of the approved project cost, up to \$7,500 and will be issued to the applicant after work is completed.
- Eligible businesses which include retail/ service businesses must be located within the Waterfront and Main Street commercial areas.

There will be a simple application available on the City Website and in City Hall. A committee consisting of economic development, planning, and building staff will review the application and projects will be selected based on the proposed improvement and eligibility requirements. FIGSB will be advertised and outreached in Spring 2018 and implemented by Summer 2018. The budget for this program is \$37,500.

The Out-of-the-Box Utility Box Art Program has been approved by the Parks and Recreation Commission, and will be administered by the Economic Development Department. It's a grant-based program designed to enhance the Waterfront area by adding works of art to the streetscapes on publicly controlled surfaces that are frequently tainted with graffiti, i.e. utility boxes. This program will beautify the Waterfront area and celebrate local artwork. Artwork on unconventional urban spaces such as utility boxes enhance the sidewalk appeal and creates safe and inclusive environments. The program details include:

- The City has selected 8 utility boxes to be canvased for the Out-of-the-Box Program.
- Artists are eligible for up to \$250 per utility box which will be issued before start of project.
- General application requirements include original artwork with a waterfront theme, material descriptions, and implementation timeline.

Out-of-the-Box will be advertised on the City website, newspaper, and outreached to local artists. Applications received by the deadline will be evaluated by the review committee consisting of Parks and Recreation staff, Business Improvement District members, and local artists. The criteria for the selection of artists will include artist excellence, content appropriateness, and experience. Both artist groups and individual artists will be encouraged to apply. Out of the Box will be advertised and outreached in Spring 2018 and implemented by Summer 2018. The budget for this program is \$3,500.

The Wall Mural Program will be administered by the Economic Development Department. It's a grant based program designed to encourage local business owners to install murals on street-facing or railroad-facing bare walls. Wall murals attract attention and can be used by businesses

as a landmark. Wall murals are eye catching, make a statement, can boost revenues, and are more efficient than paint. The program details include:

- The program will be a collaboration between the business owners in the Waterfront District area with possible terms of easements to be granted to the City.
- The City will select an experienced muralist and offer a full grant of up to \$2,500 per wall mural.
- General application requirements include original artwork with a waterfront theme, material descriptions, and implementation timeline.

The Wall Mural Program will be advertised, selected, reviewed, and implemented in the exact fashion of the Out of the Box Program. The budget for this program is \$8,000.

The Neighborhood Reinvestment Program (NRP) is a program that was in place before the Great Recession and loss of redevelopment monies. The program will be administered by the Economic Development Department. Consistent with what was in place before, the NRP provides matching grants of up to \$2,500 per household for qualifying improvements. The grants are designed to pay for 50% to 80% of the total project cost. The NRP's goal is help homeowners improve safety, appearance, and value of homes in Suisun City while enhancing neighborhood pride. The program details include:

- Qualified improvements include exterior paint, landscaping, garage door replacements, driveway improvements, front door replacements, graffiti removal and other similar improvements.
- To qualify for the program, homeowners may earn up to \$99,100 a year for a family of four, or 120% of the area's median annual income of \$82,600.
- For households making less than 80% of the area's median income, an 80% matching grant is available. For households making more than 80% of the area's median income up to the maximum in the chart below, a 50% matching grant is available, meaning the City will cover half the cost of the improvements.
- Projects will be selected based on the proposed improvement and eligibility requirements and the matching grant will be issued to applicant after work is completed.

There will be a simple application available on the City Website and City Hall. A committee consisting of economic development, planning, and building staff will review the application. NRP will be advertised and outreach in Spring 2018. Qualifying projects will be approved on a first come/first serve basis and continue until funds run out. The budget for this program is \$37,500.

The Train Depot Beautification Program is a program designed to enhance the appeal of the train depot through security, cleanliness, signage, and furnishings. The program details include:

- The program will spend monies to ensure security cameras are working and directly feeding to Suisun City Police dispatch to enhance safety.
- The office and restrooms will be cleaned more often to create a welcoming atmosphere to the Capital Corridor commuters and Suisun City visitors.
- Signage at the train depot, including the exterior kiosk, will be improved to enhance exposure of STA transit Mobility office and City/ BID event advertisements.

- The City will make a stronger effort in updating the depot with furniture, working electric outlets, and recruiting a vendor for the built-in café space.

This will be a collaboration effort between the Public Works and Economic Development Departments. The City's Interim Public Works Director met with STA staff last week to confirm maintenance and related issues in order to put a comprehensive maintenance program in place. Other program elements will be implemented through early summer. The current budget includes a fund for operations and maintenance of the Train Depot but a certain amount needs to be put aside as an emergency reserve amount. Thus the budget for the Train Depot Beautification program will be supplementary and has an allocated amount of \$15,000.

City Partnerships

Suisun City Historic Waterfront Business Improvement District (BID) - The City has partnered with BID on many programs geared toward beautification and cleanliness including the Banner Program, Highway Poster Program, and Marina Beautification. Each is described below.

- **The BID Banner Program** was approved by City Council in November 2017 which gave ownership and implementation rights to the BID to print and hang 32 banners along Main Street. The BID has already successfully implemented Suisun City Restaurant Week and General Waterfront District banners. The next series of banners will be to advertise Mother's Day. By rotating banners in and out during the year, they enhance the sense of community and streetscape in the Waterfront area.
- **The Highway Poster Program** is a collaboration effort where the City and BID hangs large posters along three prime highway locations to advertise upcoming community events such as Mother's Day Artisan Fair, Fourth of July, and Art Wine and Chocolate Festival.
- **The Marina Beautification** is a collaboration effort between the Recreation Department and BID to increase exposure of the Waterfront including a new display board for advertisement and new pole lights along the Waterfront.

Fairfield-Suisun Rotary – Rotary has a goal of planting a tree for every member of Rotary throughout the world – resulting in ideally 1.2 million trees across the globe. The local Fairfield-Suisun Rotary Club has outreached to Suisun City to see how we might be able to benefit through the donation of upwards of 70 trees. The main area targeted for tree planting through this partnership is the area of Walters Road as you approach Highway 12. In this area, trees were removed that were causing street maintenance issues along Walters Road. We had a grant to make necessary road repairs, but ran out of money to replant trees.

A tree planting proposal is being prepared by our interim Public Works Maintenance Superintendent, who happens to be an arborist. We expect this plan to come before Council in early March. The donation of trees and planting by Rotary members is scheduled to take place on Arbor Day.

These collaboration efforts between the BID, community non-profits, and the City encourages a positive and ongoing partnership with business owners to accomplish improvements that beautify the downtown and increase exposure to the Waterfront area. The BID and Rotary collaborations

will not impact the Keep Suisun Clean Program Budget but are simply highlighting the partnerships and spirit of the program.

RECOMMENDATION: It is recommended that the City Council Adopt Resolution No. 2018-____: Approving Implementation of Proposed Elements of the FY 2017-18 Keep Suisun City Clean Program

ATTACHMENTS:

1. Resolution No. 2018-____: Approving Implementation Proposed Elements of the FY 2017-18 Keep Suisun City Clean Program.

RESOLUTION NO. 2018 -

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY
APPROVING THE IMPLEMENTATION OF PROPOSED ELEMENTS OF THE FY
2017-18 KEEP SUISUN CITY CLEAN PROGRAM**

WHEREAS, on May 24, 2017, the City Council of the City of Suisun City held a study session to discuss funding priorities for Measure S revenues; and

WHEREAS, the “Keep Suisun City Clean” was incorporated in the FY 2017-2018 budget to build from and rely on continued community engagement from Measure S workshops with the intention of enhancing our City’s maintenance, upkeep, and beautification; and

WHEREAS, this program involves a multi-departmental approach, as well as partnerships with businesses, residents and non-profit organizations; and

WHEREAS, Keep Suisun City Clean has evolved to include six different city initiatives and two partnerships with outside organizations including the Weekend Warriors- Volunteer Cleaning Program, Façade Improvement Grants for Suisun Businesses, Out of the Box- Utility Box Mural Program, Wall Mural Program, Neighborhood Reinvestment Program, Train Depot Beautification Program, and partnerships with the Suisun City Historical Businesses Improvement District and Fairfield-Suisun Rotary Club for the Tree Donation Program; and

WHEREAS, the Keep Suisun City Clean Program will be funded from the Municipal Facilities Improvement Fund (Fund 320) and currently has a budget of \$71,500 (minus another \$20,000 to address ongoing park maintenance challenges), with another \$75,000 for business facades and neighborhood reinvestment matching grants.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Suisun City herby approves the implementation of the proposed elements of the FY 2017-18 Keep Suisun City Clean Program and that the projected costs of the Programs are within the budgeted amount approved by the Council.

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PASSED AND ADOPTED at a Regular Meeting of said City Council of the City of Suisun City duly held on Tuesday, the 6th day of February 2018, by the following vote:

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

WITNESS my hand and the seal of said City on this 6th day of February 2018.

Donna Pock, CMC
Deputy City Clerk

FY 2017-18 Measure S

| Budget Activity by Department | Carryover from FY 16/17 | Budgeted Activity FY 17/18 | Year to Date FY17/18 | % Expended FY17/18 | Difference FY7/18 | Additional Funds FY7/18 | Project Status |
|-------------------------------|-------------------------|----------------------------|----------------------|--------------------|-------------------|-------------------------|----------------|
|-------------------------------|-------------------------|----------------------------|----------------------|--------------------|-------------------|-------------------------|----------------|

ONGOING MEASURE S FUNDED ACTIVITIES BY DEPARTMENT

| POLICE ONGOING | | | | | | | |
|--------------------------------|-------------|-------------------|-----------|------|-----------|------|---------------------------------------|
| Police Officer | \$ - | \$ 92,800 | \$ 61,867 | 67% | \$ 30,933 | \$ - | On staff July 1 |
| Police Officer | \$ - | \$ 94,400 | \$ 62,933 | 67% | \$ 31,467 | \$ - | On staff July 1 |
| Patrol Vehicle | \$ - | \$ 25,500 | \$ 25,500 | 100% | \$ - | \$ - | Leased in January. Deployed in April. |
| Dispatcher | \$ - | \$ 73,700 | \$ 49,133 | 67% | \$ 24,567 | \$ - | On staff July 1 |
| Subtotal Police Ongoing | \$ - | \$ 286,400 | | | | | |

FIRE ONGOING

| | | | | | | | |
|----------------------------------|-------------|-------------------|-----------|-----|-----------|-----------|--|
| Administrative Fire Captain | \$ - | \$ 92,700 | \$ 31,733 | 34% | \$ 35,580 | \$ 25,387 | Hired in October (Hired with full cost \$76,200) |
| SCFD Succession Planning Program | \$ - | \$ 20,000 | \$ - | - | \$ 20,000 | \$ - | Performed in-house training |
| Subtotal Fire Ongoing | \$ - | \$ 112,700 | | | | | |

DEVELOPMENT SERVICES ONGOING

| | | | | | | | |
|------------------------------------|-------------|------------------|-----------|-----|-----------|----------|--------------------|
| Econ Dev Specialist (50% Fund 320) | \$ - | \$ 46,400 | \$ 23,200 | 50% | \$ 15,467 | \$ 7,733 | Hired in September |
| Subtotal Dev Svcs Ongoing | \$ - | \$ 46,400 | | | | | |

BLDG & PUBLIC WORKS ONGOING

| | | | | | | | |
|----------------------------------|-------------|-------------------|-----------|-----|-----------|------|---|
| Maintenance Worker I/II-I | \$ - | \$ 70,200 | \$ 46,800 | 67% | \$ 23,400 | \$ - | Hired in July |
| Gas Tax Fund Backfill | \$ - | \$ 70,000 | \$ - | - | \$ - | \$ - | Coordination with newly adopted street maintenance program. |
| Subtotal B&PW Ongoing | \$ - | \$ 140,200 | | | | | |

REC & COM SVCS ONGOING

| | | | | | | | |
|----------------------------------|-------------|------------------|-----------|-----|-----------|------|---------------|
| Rec Supervisor (See below) | \$ - | \$ 36,400 | \$ 21,233 | 58% | \$ 15,167 | \$ - | Hired in July |
| Subtotal R&CS Ongoing | \$ - | \$ 36,400 | | | | | |

NON-DEPARTMENTAL ONE-TIME

| | | | | | | | |
|-----------------------------------|-------------|------------------|------|----|-----------|------|---------------------|
| Keep Suisun Clean Program | \$ - | \$ 77,400 | \$ - | 0% | \$ 77,400 | \$ - | Launched March 2018 |
| Subtotal Non-Dept One-Time | \$ - | \$ 77,400 | | | | | |

TOTAL MEASURE S ONGOING

| | | | | | | | |
|--|------|------------|--|--|--|--|--|
| | \$ - | \$ 699,500 | | | | | |
|--|------|------------|--|--|--|--|--|

ONE-TIME MEASURE S ACTIVITIES BY DEPARTMENT

POLICE ONE-TIME

| | | | | | | | |
|---------------------------------|-------------|-------------------|-----------|-----|------------|------|---|
| Video surveillance cameras | \$ - | \$ 40,000 | \$ 16,000 | 40% | \$ 24,000 | \$ - | Purchased server and related infrastructure to support new cameras. |
| Public Safety Communications | \$ - | \$ 229,000 | \$ 15,000 | 7% | \$ 214,000 | \$ - | Radios for patrol cars with remainder rolled into FY18-19 |
| Subtotal Police One-Time | \$ - | \$ 269,000 | | | | | |

FIRE ONE-TIME

| | | | | | | | |
|-------------------------------|-------------|-------------------|------|----|------------|------|---|
| Type 1 Engine w/ tools | \$ - | \$ 250,000 | \$ - | 0% | \$ 250,000 | \$ - | Under construction. Downpayment due when chassis arrives (est. April) |
| Subtotal Fire One-Time | \$ - | \$ 250,000 | | | | | |

| Budget Activity by Department | Carryover from FY 16/17 | Budgeted Activity FY 17/18 | Year to Date FY17/18 | % Expended FY17/18 | Difference FY7/18 | Additional Funds FY7/18 | Project Status |
|---|-------------------------|----------------------------|----------------------|--------------------|-------------------|-------------------------|--|
| BLDG & PUBLIC WORKS | | | | | | | |
| Bldg Permit software module (See below) | \$ - | \$ 35,000 | \$ - | 0% | \$ 35,000 | \$ - | Pending evaluation as part of Enterprise Resource Planning System below. |
| Marina Dredging | \$ 213,000 | \$ - | \$ 134,109 | 0% | \$ 78,891 | \$ - | Est. shortfall of \$4,168,200 to \$2,278,100. |
| Storm Drain Repairs | \$ - | \$ 228,000 | \$ 408,238 | 179% | \$ (180,200) | \$ (180,200) | Repairs complete on Peterson Road, Old Railroad @ Humphrey, and Solano Street (\$180,200 from Emergency Reserve) |
| Street Maintenance (See below) | \$ 20,000 | \$ 308,500 | \$ - | 0% | \$ 308,500 | \$ - | Paving plan adopted February 2018. Construction starts in April & May 2018. |
| Subtotal B&PW One-Time | \$ 233,000 | \$ 571,500 | | | | | |
| ADMIN SERVICES ONE-TIME | | | | | | | |
| Business Management System (See below) | \$ 152,000 | \$ 37,000 | \$ - | \$ - | \$ - | \$ 37,000 | Finalized contract with consultant. Project launch in March. |
| Subtotal Admin Svcs One-Time | \$ 152,000 | \$ 37,000 | | | | | |
| TOTAL MEASURE S ONE-TIME | \$ 385,000 | \$ 1,127,500 | | | | | |
| TOTAL MEASURE S | \$ 385,000 | \$ 1,827,000 | | | | | |
| OTHER FUNDING SOURCES | | | | | | | |
| Marina Dredging (010) | \$ 215,000 | \$ 307,800 | | | | | Continuing staff work. See shortfall note above. |
| North Basin Dredging (320) | \$ - | \$ 65,000 | | | | | Continuing staff work. See shortfall note above. |
| Business Mgmt System (SSWA) | \$ - | \$ - | | | | | Projected FY 2018-19 |
| Economic Development Specialist (320) | \$ - | \$ 46,400 | | | | | Hired in September |
| Rec Supervisor (grant funding) | \$ - | \$ 43,200 | | | | | Hired in July |
| Type 1 Engine w/ tools (706) | \$ - | \$ 350,000 | | | | | Under construction. Downpayment due when chassis arrives (est. April) |
| Type 3 Engine (706) | \$ - | \$ - | | | | | Projected FY 2018-19 |
| Street Maintenance (105) | \$ - | \$ 167,800 | | | | | Updated & expanded program approved by Council in February. |
| Total Other Funds | \$ 215,000 | \$ 980,200 | | | | | |

1 been appointed by the Mayor, and a list of no more than two finalists per vacancy shall be
2 submitted by the ad hoc committee to the full City Council for interviews and selection by the
3 full City Council.

4 **PASSED AND ADOPTED** at a Regular Meeting of said City Council of the City of
5 Suisun City duly held on Tuesday, the 26th day of July 2016, by the following vote:

| | | | |
|---|-----------------|-----------------|---|
| 6 | AYES: | Councilmembers: | <u>Day, Hudson, Segala, Wilson, Sanchez</u> |
| 7 | NOES: | Councilmembers: | <u>None</u> |
| 8 | ABSENT: | Councilmembers: | <u>None</u> |
| 8 | ABSTAIN: | Councilmembers: | <u>None</u> |

9 **WITNESS** my hand and the seal of said City this 26th day of July 2016.

10 
11 Donna Pock, CMC
12 Deputy City Clerk

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1 EXHIBIT "A"

2 GENERAL TRANSACTIONS AND USE TAX OVERSIGHT COMMITTEE
3 GUIDELINES AND DUTIES

4 The City Council of the City of Suisun City hereby establishes an oversight committee to
5 monitor the revenue collected pursuant to the General Transactions and Use Tax Ordinance,
6 as well as to report on the use of the funds. The committee shall be known as the General
Transactions and Use Tax Oversight Committee (hereinafter "Oversight Committee").

7 Application/Recruitment Process

8 Whenever there are vacancies on the Oversight Committee, the Deputy City Clerk shall
9 advertise an invitation for individuals who are residents and taxpayers of the City of Suisun
10 City to apply to serve on the committee. Notice of any vacancies will be advertised in the
Fairfield Daily Republic and on the City's website and social media outlets. The applications
11 received shall be reviewed by an ad hoc committee of the City Council which has been
appointed by the Mayor, and a list of no more than two finalists per vacancy shall be
12 submitted by the ad hoc committee to the full City Council for interviews and selection by the
full City Council. In other words, if there are two vacancies, no more than four names would
13 be submitted to the City Council.

14 Powers and Duties

15 The Oversight Committee will ensure transparency and oversight of the revenue generated by
16 the voter-approved General Transactions and Use Tax Ordinance. The duties will consist of
reviewing the General Transactions and Use Tax Compliance and Internal Control Audit
17 Report which will be prepared annually by the City's independent auditor, as well as any City
financial reports necessary to advise the City Council.

18 The duties of the Oversight Committee do not include decision-making or advisory
19 responsibilities regarding spending priorities, funding source decisions or financial plans, as
20 these are the purview of the City Council as set forth in state law and the Suisun City Code.

21 Qualifications for Appointment

22 Suisun City citizens interested in serving on the Oversight Committee must be residents who
meet the following requirements:

- 23
- 24 • The residency requirement is defined as residing within the City limits of Suisun City.
Residency may be verified annually by the City Clerk's office through: 1) voter
25 registration, or 2) utility bills (water, phone, cable, etc.).
 - 26 • Oversight Committee members are also required to be taxpayers in the City of Suisun
City.
- 27
- 28

1 Selection of Members

2 The composition of the Oversight Committee will consist of five (5) members. The
3 applications received shall be reviewed by an ad hoc committee of the City Council which has
4 been appointed by the Mayor, and a list of no more than ten finalists shall be submitted by the
ad hoc committee to the full City Council for interviews and selection by the full City
Council.

5 Term of Service

6 Two (2) Oversight Committee members shall be appointed to terms of a period of three (3)
7 years, and three (3) members shall be appointed to terms of a period of five (5) years.

8 Meetings

9 The Oversight Committee will meet at least once annually. The committee shall be subject to
10 the provisions of the Ralph M. Brown Act (California Government Code Section 54950 *et*
11 *seq.*). Meetings must be noticed and open to the public. Committee minutes and reports are a
12 matter of public record pursuant to the Public Records Act (California Government Code
13 Section 6250 *et seq.*) and they may be posted on the City's website. Additional meetings may
be scheduled as deemed necessary by the Oversight Committee. All committee members
shall attend training and orientation prior to attending their first meeting, including Brown Act
training and AB 1234 Ethics training.

14 Oversight Committee members are expected to attend all regular meetings. Failure to attend
15 the annual meeting(s) may result in removal from the Oversight Committee at the discretion
16 of the City Council. Committee decisions and actions require a simple majority vote of those
members in attendance. A quorum for any meeting shall be a minimum of three (3) members.

17 Staff Liaison

18 The City Manager and/or his/her designee will serve as staff liaison(s) to the Oversight
19 Committee. The liaison(s) will be responsible for providing relevant information to the
20 Oversight Committee, including the annual financial audit. The liaison(s) will provide copies
of the minutes of the Oversight Committee's proceedings to the City Council and the public.

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

5 C. To adopt a retail transactions and use tax ordinance that imposes a general tax
6 and provides a measure therefore that may be administered and collected by the State Board of
7 Equalization in a manner that adapts itself as fully as practicable to, and requires the least
8 possible deviation from, the existing statutory and administrative procedures followed by the
9 State Board of Equalization in administering and collecting the California State Sales and Use
10 Taxes.

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

16 3.14.050 Contract with state. Prior to the operative date, the City shall contract with
17 the State Board of Equalization to perform all functions incident to the administration and
18 operation of this transactions and use tax ordinance; provided however, that if the City shall not
19 have contracted with the State Board of Equalization prior to the operative date, it shall
20 nevertheless so contract and in such a case the operative date shall be the first day of the first
21 calendar quarter following the execution of such a contract.

22 3.14.060 Transaction tax rate. For the privilege of selling tangible personal property
23 at retail, a tax is hereby imposed upon all retailers in the incorporated territory of the City at the
24 rate of one-cent per dollar (1.0%) of the gross receipts of any retailer from the sale of all tangible
25 personal property sold at retail in said territory on and after the operative date of this Chapter.

26 3.14.070 Place of sale. For the purposes of this Chapter, all retail sales are
27 consummated at the place of business of the retailer unless the tangible personal property sold
28 is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for
delivery to an out-of-state destination. The gross receipts from such sales shall include delivery
charges, when such charges are subject to the State sales and use tax, regardless of the place to
which delivery is made. In the event a retailer has no permanent place of business in the State
or has more than one place of business, the place or places at which the retail sales are
consummated shall be determined under rules and regulations to be prescribed and adopted by
the State Board of Equalization.

3.14.080 Use tax rate. An excise tax is hereby imposed on the storage, use or other
consumption in the City of tangible personal property purchased from any retailer on and after
the operative date of this Chapter for storage, use or other consumption in said territory at the
rate of one-cent per dollar (1.0%) of the sales price of the property. The sales price shall include
delivery charges when such charges are subject to State sales or use tax regardless of the place
to which delivery is made.

3.14.090 Proceeds of taxes. The proceeds of the transactions and use tax imposed by
this Chapter shall be deposited into the General Fund of the City to be used for all general

1 government purposes which may include, but are not limited to, fire and police protection, street
2 and sidewalk repair and maintenance, park repair and maintenance, recreational programs,
3 building and code enforcement services, planning and zoning services, capital equipment
4 requirements, public infrastructure, repair and replacement of City facilities, capital
5 improvement projects, operational expenses, fiduciary responsibilities, administration,
6 indebtedness, and general obligations of the City. The tax imposed by this Chapter is intended
7 to be and is, a general tax, the proceeds of which are to be spent as the City Council shall in its
8 discretion, from time to time, determine.

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10 3.14.100 Adoption of provisions of state law. Except as otherwise provided in this
11 Chapter and except insofar as they are inconsistent with the provisions of Part 1.6 of Division
12 2 of the Revenue and Taxation Code, all of the provisions of Part 1 (commencing with Section
13 6001) of Division 2 of the Revenue and Taxation Code are hereby adopted and made a part of
14 this Chapter as though fully set forth herein.

15 3.14.110 Limitations on adoption of state law and collection of use taxes. In adopting
16 the provisions of Part 1 of Division 2 of the Revenue and Taxation Code:

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

20 1. The word "State" is used as a part of the title of the State Controller, State
21 Treasurer, State Board of Control, State Board of Equalization, State Treasury, or the
22 Constitution of the State of California.

23 2. The result of that substitution would require action to be taken by or
24 against this City or any agency, officer, or employee thereof rather than by or against the State
25 Board of Equalization, in performing the functions incident to the administration or operation
26 of this Chapter.

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

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

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

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

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

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1 3.14.120 Permit not required. If a seller's permit has been issued to a retailer under
2 Section 6067 of the Revenue and Taxation Code, an additional transactor's permit shall not be
3 required by this Chapter.

3 3.14.130 Exemptions and exclusions.

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

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

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

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

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

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

21 3. The sale of tangible personal property if the seller is obligated to furnish
22 the property for a fixed price pursuant to a contract entered into prior to the operative date of
23 this Chapter.

22 4. A lease of tangible personal property which is a continuing sale of such
23 property, for any period of time for which the lessor is obligated to lease the property for an
24 amount fixed by the lease prior to the operative date of this Chapter.

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

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

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

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

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

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

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

18 6. Except as provided in subparagraph (7), a retailer engaged in business in
19 the City shall not be required to collect use tax from the purchaser of tangible personal property,
20 unless the retailer ships or delivers the property into the City or participates within the City in
21 making the sale of the property, including, but not limited to, soliciting or receiving the order,
22 either directly or indirectly, at a place of business of the retailer in the City or through any
23 representative, agent, canvasser, solicitor, subsidiary, or person in the City under the authority
24 of the retailer.

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

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

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

3.14.150 Enjoining collection forbidden. No injunction or writ of mandate or other
legal or equitable process shall issue in any suit, action or proceeding in any court against the
State or the City, or against any officer of the State or the City, to prevent or enjoin the collection

1 under this Chapter, or Part 1.6 of Division 2 of the Revenue and Taxation Code, of any tax or
2 any amount of tax required to be collected.

3 3.14.160 Annual audit. The proceeds resulting from this Transactions and Use Tax
4 shall be deposited into the City's General Fund and become subject to the same independent
5 annual audit requirements as other general fund revenue. In addition the City's independent
6 auditor shall complete a General Transactions and Use Tax Compliance and Internal Control
7 Audit Report. Such report shall review whether the tax revenues collected pursuant to this
8 Chapter are collected, managed, and expended in accordance with this Chapter.

9 3.14.170 All funds staying local. All tax revenues collected under the authority of this
10 Chapter shall be expended solely on local municipal services, and shall not be used for any
11 other purposes.

12 3.14.180 Effective date. This Chapter levying the tax described herein shall be
13 effective ten (10) days after the date on which the City Council has declared that the voters of
14 the City of Suisun City have approved the Chapter by a vote of no fewer than a majority of the
15 votes cast by the electors voting on the tax measure set forth in this Chapter at that general
16 municipal election to be held on Tuesday, November 8, 2016.

17 3.26.190 Penalties. Without limiting any remedies available at law or equity, any
18 person violating any of the provisions of this Chapter shall be deemed guilty of a misdemeanor.

19 3.14.200 Amendments. The tax rate in this Chapter may only be increased by a vote
20 of the People of the City of Suisun City; provided, however, that the City Council may amend
21 this Chapter to otherwise implement or advance the purpose and intent of this Chapter.

22 3.14.210 Severability. If any provision of this Chapter or the application thereof to
23 any person or circumstance is held invalid, the remainder of the Chapter and the application of
24 such provision to other persons or circumstances shall not be affected thereby.

25 3.14.220 Suisun City oversight committee. The City Council shall establish a Suisun
26 City General Tax Oversight Committee to review the expenditure of the revenues collected
27 pursuant to this Chapter. The committee shall consist of five members appointed by the City
28 Council. The committee members shall be residents and taxpayers in the City. The terms of
the committee members, as well as their specific duties shall be set forth in a resolution adopted
by the City Council. Such resolution may be amended by resolution of the Council.

SECTION 2. SEVERABILITY. If any section, subsection, sentence, clause or
phrase of this ordinance or the application thereof to any person or circumstance is for any
reason held to be invalid, such decision shall not affect the validity of the remaining portions
of this ordinance. The People of the City of Suisun City hereby declared that they would have
passed each subsection, subdivision, paragraph, sentence, clause, or phrase thereof,
irrespective of the fact that any one or more subsection, subdivision, paragraph, sentence,
clause, or phrase be declared unconstitutional.

SECTION 3. CEQA REVIEW. The adoption of this ordinance is not a "project"
subject to the requirements of 19 the California Environmental Quality Act (CEQA) (Public
Resources Code Section §§ 21000 *et seq.*). CEQA Guideline 15378(b)(4) provides that the

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creation of government funding mechanisms or other government fiscal activities that do not involve any commitment to a specific project that may result in a potentially significant physical impact on the environment are not projects subject to the requirements of CEQA.

SECTION 4. NOTICE OF PUBLICATION. This Ordinance shall be posted in compliance with Municipal Code Section 1.12.010 and applicable law.

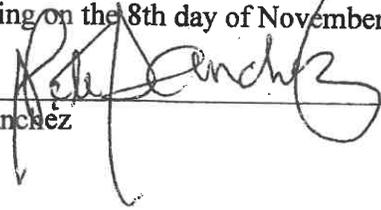
SECTION 5. EXECUTION. The Mayor of the City of Suisun City is hereby authorized and shall attest to the adoption of the Ordinance by the voters of the City of Suisun City by signing where indicated below.

CERTIFICATION

Ordinance No.742 was submitted to the People of the City of Suisun City at the November 8, 2016, general municipal election. It was approved by the following vote of the electors:

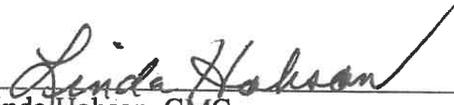
YES: 6,497
NO: 2,915

I hereby certify that the foregoing Ordinance was PASSED, APPROVED and ADOPTED by the People of the City of Suisun City, California voting on the 8th day of November, 2016.



Pete Sanchez
Mayor

ATTEST



Linda Hobson, CMC
City Clerk