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

CITY COUNCIL MEETING

First and Third Tuesday
Every Month

A G E N D A

SPECIAL MEETING OF THE SUISUN CITY COUNCIL

TUESDAY, JANUARY 14, 2020

6:00 P.M.

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

NOTICE
Pursuant to Government Code Section 54953, Subdivision (b), the following City Council/Successor Agency meeting includes teleconference participation by Council Member Jane Day from: 301 Morgan Street, Suisun City, CA 94585.

ROLL CALL

Council/Board Members

PUBLIC COMMENT

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

CONFLICT OF INTEREST NOTIFICATION

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

CLOSED SESSION

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

City Council

1. CONFERENCE WITH LABOR NEGOTIATOR
   Agency negotiator: City Manager and Administrative Services Director
   Employee organization: Unrepresented Employees

2. CONFERENCE WITH LABOR NEGOTIATOR
   Agency negotiator: City Manager and Administrative Services Director
   Employee organization: SCEA (Suisun City Employees' Association)

City Council

3. CONFERENCE WITH LABOR NEGOTIATOR
   Agency negotiator: City Manager and Administrative Services Director
   Employee organization: SCMPEA (Suisun City Management and Professional Employees' Association)

4. CONFERENCE WITH LABOR NEGOTIATOR
   Agency negotiator: City Manager and Administrative Services Director
   Employee organization: SCPOA (Suisun City Police Officers Association)

CONVENE OPEN SESSION

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

ADJOURNMENT

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

PLEASE NOTE:

1. The City Council/Agency/Authority hopes to conclude its public business by 11:00 P.M. Ordinarily, no new items will be taken up after the 11:00 P.M. cutoff and any items remaining will be agendized for the next meeting. The agendas have been prepared with the hope that all items scheduled will be discussed within the time allowed.
2. Suisun City is committed to providing full access to these proceedings; individuals with special needs may call 421-7300.
3. Agendas are posted at least 72 hours in advance of regular meetings at Suisun City Hall, 701 Civic Center Boulevard, Suisun City, CA. Agendas may be posted at other Suisun City locations including the Suisun City Fire Station, 621 Pintail Drive, Suisun City, CA, and the Suisun City Senior Center, 318 Merganser Drive, Suisun City, CA.

I, Donna Pock, Deputy City Clerk for the City of Suisun City, declare under penalty of perjury that the above agenda for the meeting of January 14, 2020 was posted and available for review, in compliance with the Brown Act.

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

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, JANUARY 14, 2020
6:30 P.M.

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

NOTICE
Pursuant to Government Code Section 54953, Subdivision (b), the following Council/Successor Agency/Housing Authority meeting includes teleconference participation by:
Council/Board Member Jane Day from: 301 Morgan Street, Suisun City, CA 94585.

(Next Ord. No. – 765)
(Next City Council Res. No. 2020 – 01)
Next Suisun City Council Acting as Successor Agency Res. No. SA2020 - 01)
(Next Housing Authority Res. No. HA2020 – 01)

ROLL CALL
Council / Board Members
Pledge of Allegiance
Invocation

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

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

REPORTS: (Informational items only.)

1. Council Norms Discussion – Appointee Attendance – (Wilson: lwilson@suisun.com).

PRESENTATIONS/APPOINTMENTS

(Presentations, Awards, Proclamations, Appointments).

CONSENT CALENDAR

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

City Council

2. Council Adoption of Resolution No. 2020-___: Amending the Public Safety, Environment and Climate and Landscaping Lighting District Citizen's Advisory Committees - (Folsom: gfolsom@suisun.com).
3. Council Adoption of Resolution No. 2020-____: Accepting the Whitby Way and Olive Avenue Resurfacing Project as Complete and Authorizing the City Manager to Record the Notice of Completion for the Project – (Medill: mmedill@suisun.com).
4. Council Adoption of Resolution No. 2020-___: Authorizing the City of Suisun City to Become a Member of the Solano County Subregion to Administer the Regional Housing Needs Allocation (RHNA) Process for the Solano County Subregion's 2022-2030 Housing Element Update – (Kearns: jkearns@suisun.com).
5. First Amendment to the Suisun City Employees Association (SCEA) Memorandum of Understanding (MOU) 2018-20 – (Dingman: jdingman@suisun.com)
    a. Council Adoption of Resolution No. 2020-___: Approving a First Amendment to the Memorandum of Understanding (MOU) Between the City of Suisun City and the Suisun City Employees Association Effective December 28, 2018 through December 31, 2020, to Amend the MOU Night-Time Differential Compensation, Flexible Benefit Options Benefit, Uniforms and Uniform Allowances, and Vacation Leave Provisions.
6. First Amendment to the Suisun City Management and Professional Employees Association (SCMPEA) Memorandum of Understanding (MOU) 2018-20 - (Dingman: jdingman@suisun.com)
    a. Council Adoption of Resolution No. 2020-___: Approving a First Amendment to the Memorandum of Understanding (MOU) between the City of Suisun City and the Suisun City Management and Professional Employees Association effective December 28, 2018 through December 31, 2020, to Amend the Flexible Benefits Options, Executive Leave Hours, and Vacation Accrual Provisions of the MOU.
7. Council Adoption of Resolution No. 2020-___: Authorizing the City Manager to Execute a Grant Agreement with the State of California Department of Parks and Recreation Division of Boating and Waterways for the Surrendered and Abandoned Vessel Exchange (SAVE) Program – (Lofthus: klofthus@suisun.com).
8. Council Adoption of Resolution No. 2020-___: Approving the Suisun City Marina Annual Dock Maintenance and Inspection Services, and Authorizing the City Manager to Enter into an Agreement with Bellingham Marine to Perform the Services; and Authorize the City Manager to Approve up to 15% in Contingencies – (Lofthus: klofthus@suisun.com).

Joint City Council / Suisun City Council Acting as Successor Agency/Housing Authority

9. Council/Agency/Authority Approval of the Minutes of the Regular and/or Special Meetings of the Suisun City Council, Suisun City Council Acting as Successor Agency, and Housing Authority held on December 3, 2019 and December 17, 2019 – (Hobson: clerk@suisun.com).

PUBLIC HEARINGS

City Council

10. PUBLIC HEARING (CONTINUED FROM DECEMBER 17, 2019)
Proposed Policy for Water Discontinuation Following Nonpayment – (Dingman / Luna: jdingman@suisun.com, eluna@suisun.com).

    a. Council Introduction and Waive Reading of Ordinance ___: Amending Chapter 13.04 of the City of Suisun City Municipal Code and Adding Section 13.04.475 Regarding Residential Water Shutoff Procedures to be in Conformance with the California Water Shutoff Protection Act; and

    b. Council Adoption of Resolution No. 2020-___: Approving a Policy on Residential Water Discontinuation to be in Conformance with the California Water Shutoff Protection Act; and

    c. Council Adoption of Resolution No. 2020-___: A Joint Resolution of the City of Suisun City and the Solano Irrigation District Amending Joint Resolution No. 87-2, Establishing Water Division Regulations.

11. PUBLIC HEARING
California Uniform Public Construction Cost Accounting Act – (Medill: mmedill@suisun.com).

    a. Council Adoption of Resolution No. 2020-___: A Resolution of the City Council of the City of Suisun City Repealing Resolution No. 96-21

    b. Council Introduction and Waive Reading of Ordinance ___: An Ordinance of the City Council of the City of Suisun City, California, Repealing and Replacing Chapter 3.36 of the Suisun City Municipal Code to Update the Informal Bidding Procedures Under the California Uniform Public Construction Cost Accounting Act (Public Contract Code Section 2000 Et. Seq.)

12. PUBLIC HEARING
Request to Construct a Mixed Use Project with Apartments and Retail on Approximately 2.8 acres of Vacant Land – (Folsom / Kearns: gfolsom@suisun.com, jkearns@suisun.com).

    a. Council Adoption of Resolution No. 2020-___: Approving the Lawler Mixed Use Project (APN's: 0173-670-290. 300, 310, 330, and 340).

13. PUBLIC HEARING
Council Introduction and Waive Reading of Ordinance No.___: Amending Sections 8.12.070 and 8.12.080 of Chapter 8.12 of Title 8 (Health and Safety) of the Suisun City Municipal Code to Implement Noise Regulations – (Healy/Kearns: dhealy@suisun.com, jkearns@suisun.com).

GENERAL BUSINESS

REPORTS: (Informational items only.)

14. a. Council/Boardmembers
    b. Mayor/Chair

15. City Manager/Executive Director/Staff

PUBLIC COMMENT

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

ADJOURNMENT

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PLEASE NOTE:

1. The City Council/Agency/Authority hopes to conclude its public business by 10:00 P.M. Ordinarily, no new items will be taken up after the 10:00 P.M. cutoff and any items remaining will be agendized for the next meeting. The agendas have been prepared with the hope that all items scheduled will be discussed within the time allowed.
2. Suisun City is committed to providing full access to these proceedings; individuals with special needs may call 421-7300.
3. Agendas are posted at least 72 hours in advance of regular meetings at Suisun City Hall, 701 Civic Center Boulevard, Suisun City, CA. Agendas may be posted at other Suisun City locations including:
   - Suisun City Fire Station, 621 Pintail Drive, Suisun City, CA;
   - Suisun City Senior Center, 318 Merganser Drive, Suisun City, CA;
   - Joe Nelson Center, 611 Village Drive, Suisun City, CA;
   - Harbor Master Office, 800 Kellogg Street, Suisun City, CA.

I, Donna Pock, Deputy City Clerk for the City of Suisun City, declare under penalty of perjury that the above agenda for the meeting of January 14, 2020 was posted and available for review, in compliance with the Brown Act.

AGENDA TRANSMITTAL

MEETING DATE: January 14, 2020

CITY AGENDA ITEM: Council Adoption of Resolution No. 2020-___: Amending the Public Safety, Environment and Climate, and Lighting and Landscaping District Citizens Advisory Committees

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FISCAL IMPACT: There is no fiscal impact for the recommended amendments to the structure of the committees.

STRATEGIC PAN IMPACT: Provide Good Governance, Ensure Public Safety, Enhance Environment.

BACKGROUND: On February 19, 2019, the City Council adopted Resolution 2019-09, establishing the Public Safety, Environment & Climate and Lighting & Landscaping District (LLD) Citizens Advisory Committees. When established the term of appointment for each committee was one year. The Public Safety and Environment & Climate Committees were formed and both committees are meeting on a regular, as needed, basis. The Lighting & Landscaping Committee has not received a sufficient number of applications to form a quorum.

STAFF REPORT: Extending the term of appointment to two years would allow the committees to have sufficient time to complete their work. Terms would expire March 31 of odd numbered years, incumbents will be notified 60 days prior to the expiration of their first term.

The Lighting & Landscaping Committee was established as a 15-member committee. Each District was notified and provided the opportunity to make a Committee appointment. To date, six appointments have been made, including the Recreation, Parks, Marina and Arts Commissioner appointment. By combining the five Victorian Harbor LLD's (A-F) and eliminating the Marina Village and Victorian Harbor Dredging Districts, the Committee would become a 9-member committee. The two Dredging Districts were eliminated as they do not contract for landscaping services. As a 9-member committee the Lighting & Landscaping Committee will have a quorum and can begin a work program with focus on reviewing the annual Engineer's Report establishing rates for the Districts.

The Victorian Harbor Lighting & Landscaping Committee currently has 2 appointees, 1 each for LLD "A" and "E." Belinda Baugh Brown, appointed for Victorian Harbor LLD "E," will become the appointee for Victorian Harbor "A-F." Patricia Matteson, appointed for Victorian Harbor LLD "F," will remain on the Committee as one of the Mayor's at-large appointments.

RECOMMENDATION: Council Adoption of Resolution No. 2020-__: Amending the Public Safety, Environment and Climate, and Lighting and Landscaping District Citizens Advisory Committees

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PREPARED/REVIEWED/APPROVED BY: Greg Folsom, City Manager

ATTACHMENTS:

1. Resolution No. 2020- ___: Amending the Public Safety, Environment and Climate, and Lighting and Landscaping District Citizens Advisory Committees
2. Resolution 2019-09 Establishing the Public Safety, Environment & Climate, and Lighting & Landscaping District Citizens Advisory Committees.

RESOLUTION NO. 2020-

A RESOLUTION OF THE CITY COUNCIL AMENDING THE PUBLIC SAFETY, ENVIRONMENT AND CLIMATE, AND LIGHTING AND LANDSCAPING DISTRICT CITIZENS ADVISORY COMMITTEES

WHEREAS, on February 19, 2019**,** the City Council approved the formation, mission, and functions of three new Suisun City Citizens Advisory Committees: Environment & Climate, Public Safety & Emergency Management, and Lighting & Landscape; and

WHEREAS, the City Council's purpose in establishing the new advisory committees was their desire to foster a culture of civic engagement as part of Suisun City's form of governance; and

WHEREAS, as established Committees, staff will prepare a suggested work program for each Committee; and

WHEREAS, the City Council desires to amend the structure of each Citizens Committees; extending the appointed term of membership to two-years, adding term expiration date of March 31 of each odd numbered year; and amend the membership of the Lighting & Landscaping District Advisory Committee.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Suisun City hereby approves amendments to the Advisory Committees as provided for in Exhibit A (deletions in ~~strikethrough~~; additions in <u>underlined</u>).

PASSED AND ADOPTED at a Regular Meeting of said City Council of the City of Suisun City duly held on Tuesday, the 14th day of January 2020, by the following vote:

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

WITNESS my hand and the seal of said City this 14th day of January 2020.

_____
Donna Pock, CMC
Deputy City Clerk

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Exhibit A

The Structure of each Citizens Committee would mirror one another in the following manner:

A. Each Committee would be a "Standing Committee" as defined by the Brown Act as one which has "continuing subject matter jurisdiction." Therefore, it is subject to the Brown Act's notice and posting requirements. Standing Committees do not have to establish a "regular meeting time and place" but must meet in public and post notices of their meetings.

B. Each Committee would hold regular meetings as needed, but meet at a minimum once a Quarter. The meeting will take place at a City Building and at a time convenient for its members and allow for maximum community participation.

C. The Agenda shall be properly noticed and posted at City Hall and Suisun.com.

D. Each Committee will serve as an Advisory Board to both the Council and the Commissions. Once a consensus of the Committee is reached, they will submit any findings, reports or comments to the City Council as needed, no less than bi-annually. All such reports and findings are to be solely advisory in nature. On occasion, the City Council or Commission may direct the Committee to review a particular item and may request a report with a specific date or time certain. In either case, the Committee would be subject to the same regular agenda process for appearing before the City Council or Commission.

E. Committee membership will be for ~~one-year~~ **two-years, expiring March 31 or every odd numbered year,** and determined based on the specific Committee and confirmed by the full City Council.

   a. Environment & Climate: 7-member board with each member appointed by a member of the Council, with the Mayor having two appointments. The Chair and 7th member of the Committee will be a current City Council member appointed by the Mayor. The Vice Chair will be selected by vote of the members of the Committee annually.

   b. Public Safety & Emergency Management: 9-member board with each member appointed by a member of the Council with the Mayor having three appointments, one member appointed by the Suisun City ~~Firefighters Association~~, **Fire Department** and one member appointed by the Suisun City Police Officers Association. The Chair & Vice Chair to be selected by vote of the members of the Committee annually.

   c. Lighting & Landscaping: ~~16~~ **9-**member board comprised of one member from each of the ~~11~~ **6** Lighting and Landscaping Districts, ~~the two Dredging Districts formed under the Municipal Improvement Act of 1913~~, ~~and one appointed from an area of the City without a Landscaping District~~ **and 2 at-large appointments** by the Mayor. The Chair and ~~17th~~ **9th** member of the Committee will be a current Parks &

Recreation Commissioner, to be selected by the members of the Commission. The Vice Chair will be selected by vote of the members of the Committee annually.

Purpose and Mission:

The purpose behind the creation of the Committees was identified in the Background Section of this report in that each Committee's various missions will be a tool towards advancing civic engagement as a part of the Suisun City governance culture.

The Mission of each Committee will differ and will strive to undertake the following tasks:

The Advisory Committee on Environment and Climate Impacts in Suisun City. This Committee centers on the environment and our changing climate. Examples of the Committee's duties include but are not limited to climate impacts on existing and planned developments, researching initiatives to enhance the Suisun City environmental quality of life, promoting ecotourism in Suisun City while focusing on opportunities for education and sustainability, being a forum for on topic presentations, and review of Environmental Impact Reports (EIR) prior to Commission or City Council review.

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

Advisory Committee of the Lighting & Landscaping Districts (LLDs) of Suisun City. The Committee's focus will be to review the annual engineer's report for the Districts and to be a sounding board for issues such as levels of service and cost recovery for the Districts.

RESOLUTION NO. 2019-09

A RESOLUTION OF THE CITY COUNCIL ESTABLISHING A PUBLIC SAFETY, ENVIRONMENT AND CLIMATE AND A LANDSCAPING LIGHTING DISTRICT CITIZEN'S ADVISORY COMMITTEES

WHEREAS, the City Council approved in principle the formation, mission, and functions of three new Suisun City Citizens Advisory Committees: Environment & Climate, Public Safety & Emergency Management, and Lighting & Landscape; and

WHEREAS, the City Council purpose in establishing the new advisory committees was their desire to foster a culture of civic engagement as part of Suisun City's form of governance; and

WHERAS, one tool recognized to achieve such a culture is the cultivation of citizen advisory committees that can be engaged to help in the decision making process; and

WHEREAS, once established, Staff will begin working on bylaws and a suggested work program for the Committees.

NOW THEREFORE BE IT RESOLVED, that the formation and membership of the Advisory Committees shall be established as provided for in Exhibit A; and

BE IT FURTHER RESOLVED, that the City Council commence forwarding the names of individual you wish to be appointed to the Advisory Committees as provided for in Exhibit A.

PASSED AND ADOPTED at a Regular Meeting of said City Council of the City of Suisun City duly held on Tuesday, the 19th day of February 2019, by the following vote:

AYES:	Councilmembers:	Adams, Day, Segala, Williams, Wilson
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None
ABSTAIN:	Councilmembers:	None

WITNESS my hand and the seal of said City this 19th day of February 2019.

Donna Pock

Donna Pock, CMC
Deputy City Clerk

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AGENDA TRANSMITTAL

MEETING DATE: January 14, 2020

CITY AGENDA ITEM: Adoption of Council Resolution No. 2020-__: Accepting the Whitby Way and Olive Avenue Resurfacing Project as Complete and Authorizing the City Manager to Record the Notice of Completion for the Project.

FISCAL IMPACT: There would be no impact to the General Fund. The Suisun City Pavement Management Program (Program) is a three-year program for street improvements that will utilize Measure S and State Senate Bill 1 (SB1) funding as included in the Fiscal Year (FY) 2019-20 Budget. The Program has budgeted $1,159,800 for FY 2019-20.

STRATEGIC PLAN IMPACT: Provide Good Governance.

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 Program is to maintain the City's pavement in the best condition possible given the available funding.

In November 2016, Suisun City residents approved Measure S, a one percent general transaction and use tax for City services, including road repairs. Moreover, in April 2017, the Governor signed Senate Bill 1 (SB1), also known as the Road Repair and Accountability Act of 2017, which provides a stable source of funding to local agencies to provide for road maintenance and rehabilitation. Measure S will provide funding for a period of ten years, while SB1 does not have a sunset and is projected to continue after the expiration of Measure S funding. Over the past two years Measure S and SB1 have funded various road maintenance and rehabilitation projects. In FY 2019-20 the Suisun City road and maintenance and rehabilitation account budget is $1,159,800, consisting of Measure S and SB1 funding

Included in the Program is the FY 2019-20 Whitby Avenue and Olive Avenue Resurfacing Project (Project), for which the construction contract was awarded to Paving Construction Services, Inc. at the September 17, 2019 City Council meeting. The project has been completed, and has provided pavement treatment with an asphalt concrete overlay and slurry seal at the following locations: 1) Whitby Way from Lawler Ranch Parkway to Potrero Street; and 2) Olive Avenue from East Tabor Avenue south, approximately 925 feet, to the city limits. The completed work also includes surface preparation, removal and replacement of curb ramps to meet ADA requirements, protection of existing utilities, and striping.

STAFF REPORT: The primary work completed on this Project is as described above. City staff has received, reviewed and approved the final invoice for this contract. The total project cost is $184,602.22. This is $16,112 less than the construction budget of $200,714.22, which is the construction contract amount of 182,467.22 plus the 10% contingency of $18,247.00.

PREPARED BY: Nick Lozano, Associate Engineer
REVIEWED BY: Matt Medill, Public Works Director
APPROVED BY: Greg Folsom, City Manager

Paving Construction Services, Inc. has completed the Project in an acceptable and satisfactory manner, and it is now appropriate to file the Notice of Completion (NOC) with the County for the work completed. Staff recommends accepting the Project as completed and authorizing the City Manager to file and record the NOC with the County, which will then start the one-year warranty period on the completed improvements.

RECOMMENDATION: It is recommended that the City Council adopt Resolution No. 2020-___: Accepting the Whitby Way and Olive Avenue Resurfacing Project as Complete and Authorizing the City Manager to Record the Notice of Completion for the Project.

ATTACHMENTS:

1. Resolution No. 2019-__: Accepting the Whitby Way and Olive Avenue Resurfacing Project as Complete and Authorizing the City Manager to Record the Notice of Completion for the Project.
2. Project Location Map.
3. Notice of Completion.

RESOLUTION NO. 2020 - ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY ACCEPTING THE WHITBY WAY AND OLIVE AVENUE RESURFACING PROJECT AS COMPLETE, AND AUTHORIZING THE CITY MANAGER TO RECORD THE NOTICE OF COMPLETION FOR THE PROJECT

WHEREAS, the City is responsible for the maintenance of 153 lane miles of roadway over 13 million square feet of pavement; and

WHEREAS, in November 2016, Suisun City residents approved Measure S, a one-percent general transactions and use tax for City services, including road repairs; and

WHEREAS, in April 2017, the Governor signed Senate Bill 1 (SB1), also known as the Road Repair and Accountability Act of 2017, which provides a stable source of funding to local agencies to provide for road maintenance and rehabilitation; and

WHEREAS, over the past two years Measure S and SB1 have funded various road maintenance and rehabilitation projects; and

WHEREAS, in FY 2019-20 the Suisun City road and maintenance and rehabilitation account budget is $1,159,800, consisting of Measure S and SB1 funding; and

WHEREAS, the Whitby Way and Olive Avenue Resurfacing Project (Project) is a road maintenance and rehabilitation project included in the City's Pavement Management Program; and

WHEREAS, on September 17, 2019, the City Council awarded the construction contract for the Project to Paving Construction Services, Inc.; and

WHEREAS, Paving Construction Services, Inc. has completed all work under the contract for the Project and is ready to receive a Notice of Completion.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Suisun City does hereby accept the Whitby Way and Olive Avenue Resurfacing Project as completed, and authorizes the City Manager to take such measures as necessary to execute and record the Notice of Completion.

PASSED AND ADOPTED at a Regular Meeting of the City Council of the City of Suisun City duly held on Tuesday, the 14th day of January 2020, 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 14th day of January 2020.

_____
Donna Pock, CMC
Deputy City Clerk

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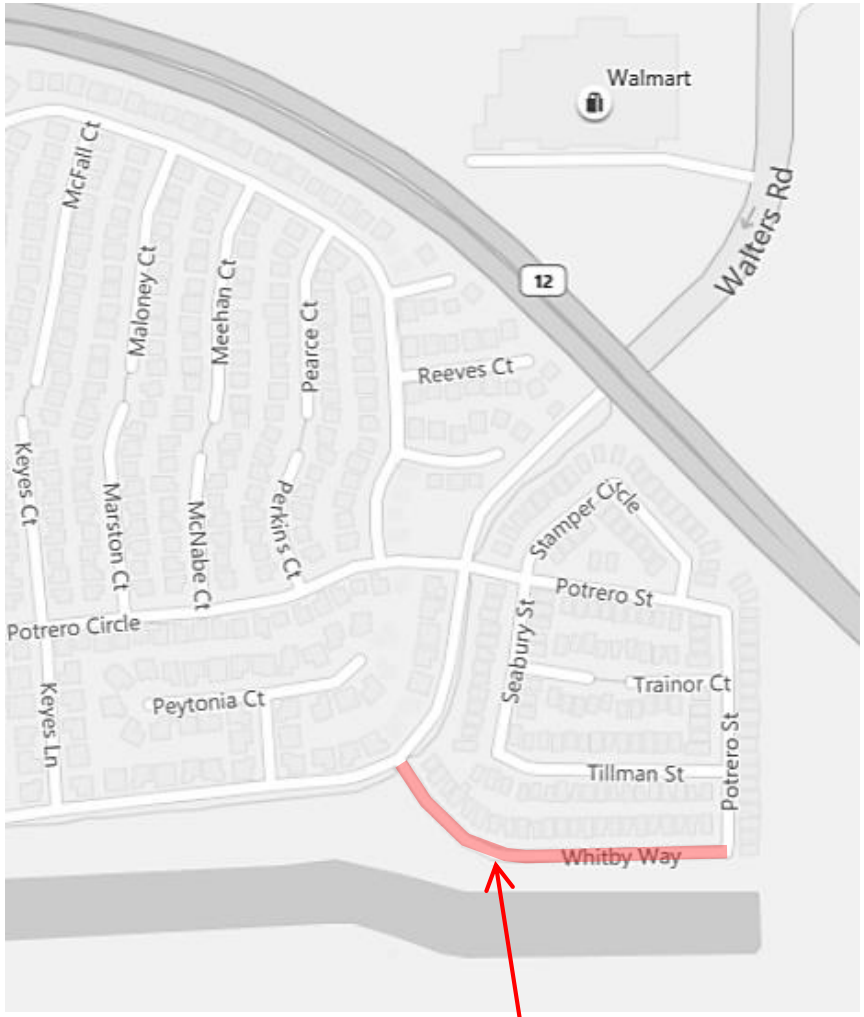
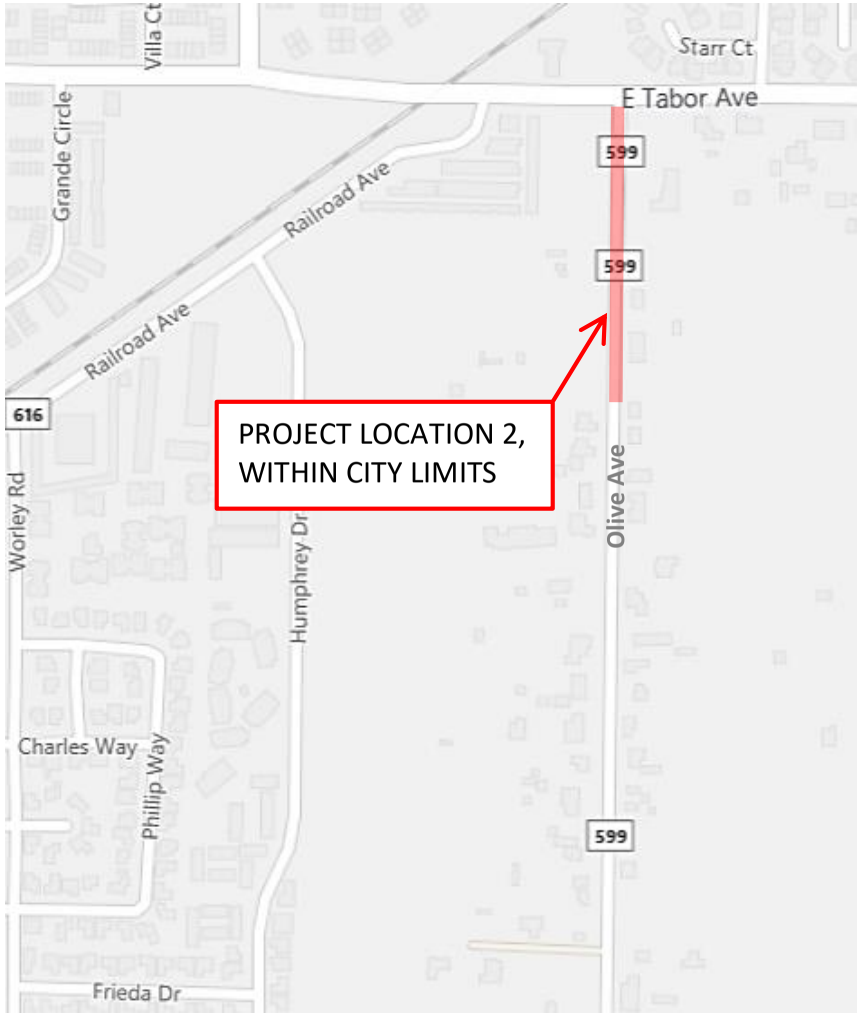
LOCATION MAPS

Whitby Way and Olive Avenue Resurfacing Project



PROJECT LOCATION 1



PROJECT LOCATION 2, WITHIN CITY LIMITS

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WHEN RECORDED MAIL TO:

Name: Public Works Department

Street Address: CITY OF SUISUN CITY
701 CIVIC CENTER BLVD.

City & State, Zip: SUISUN CITY, CA 94585

SPACE ABOVE THIS LINE FOR RECORDER'S USE

No Fee, per code 27283

NOTICE OF COMPLETION

A.P.N._____

Notice is hereby given that:

1. The undersigned is owner of the interest or estate stated below in the property hereinafter described.
2. The full name of the undersigned is City of Suisun City
3. The full address of the undersigned is 701 Civic Center Blvd.
   Suisun City, CA 94585
4. The nature of the title of the undersigned is: In fee. N/A
   (If other than fee, strike "In fee" and insert, for example, "purchaser under contract of purchase," or "lessee.")
5. The full names and full addresses of all persons, if any, who hold title with the undersigned as joint tenants or as tenants in common are: **NONE**

   NAMES ADDRESSES

   _____
   _____
   _____
6. The names of the predecessors in the interest of the undersigned, if the property was transferred subsequent to the commencement of the work of improvement herein referred to: **NONE**

   NAMES ADDRESSES

   _____
   _____

   (If no transfer made, insert "none.")
7. A work of improvement on the property hereinafter described was completed on: January 14, 2020
8. The name of the contractor, if any, for such work of improvement was
   Paving Construction Services, Inc.

   (If no contractor for work of improvement as a whole, insert "none.")
9. The property on which said work of improvement was completed is in the City of Suisun City, County of Solano, State of California, and is described as follows:
   Whitby Way and Olive Avenue Resurfacing Project
10. The street address of said property is Two streets: Whitby Way and Olive Avenue
11. I declare under penalty of perjury the foregoing is true and correct.

Dated: _____

Signature of owner named in paragraph 2 _____

By Greg Folsom, City Manager

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AGENDA TRANSMITTAL

MEETING DATE: January 14, 2020

CITY AGENDA ITEM: Council Adoption of Resolution No. 2020 -___: Authorizing the City of Suisun City to Become a Member of the Solano County Subregion to Administer the Regional Housing Needs Allocation (RHNA) Process for the Solano County Subregion's 2022-2030 Housing Element Update.

FISCAL IMPACT: The City's share would be as much as $5,550, which would cover its proportionate share of the consultant contract for PlaceWorks of $49,950 to assist in subregion formation.

STRATEGIC PLAN IMPACT: Provide Good Governance.

BACKGROUND: In order to address the state's housing needs, the State of California requires local agencies to include a Housing Element in their General Plans. By State law, each city is required to update its Housing Element according to the statutorily defined timeline and submit the document to the State Department of Housing and Community Development (HCD) for review. Historically, one of the statutory requirements that housing elements must meet is to identify and zone development sites for housing sufficient to accommodate the jurisdiction's Regional Housing Needs Allocation (RHNA). Through recent legislation and policy, there is much more emphasis in housing units constructed to address the state's housing crisis.

To initiate the RHNA process, the state projects the number of housing units that will be needed statewide during the cycle and partitions these units between each region within the state based on projected growth. Within each region, the regional Council of Governments establishes a methodology for determining how the state's housing numbers are to be allocated amongst the cities and counties in the region. In the nine-county Bay Area, the agency responsible for allocating housing numbers to the local jurisdictions is the Association of Bay Area Governments (ABAG). ABAG's methodology is generally adjusted in each housing cycle, taking into account factors such as the absence of municipal sewer and water service, the amount of protected open space, and policies protecting agricultural lands.

As part of the last two housing allocation processes, Solano County and its cities hired a planning consultant to attend ABAG's Housing Methodology meetings to ensure that the County's interests were considered. In the past, staff has found the RHNA process and the City's obligation to plan for a specific allocation of new housing units within the designated timeframe to be extremely challenging because the allocations often appear inconsistent with local plans.

STAFF REPORT: To create a more collaborative planning process, ABAG has offered local governments the opportunity to form "subregions" for the purpose of distributing housing units under the RHNA process. A subregion may include a single county and each of the cities in that county or any other combination of geographically contiguous local governments. All subregions

PREPARED BY: John Kearns, Senior Planner
REVIEWED/APPROVED BY: Greg Folsom, City Manager

need to be approved by the adoption of a resolution by each of the local governments in the subregion as well, as by the council of governments for the region. Local agencies choosing to form subregions will be responsible for devising the RHNA methodology that will be used to allocate the 2022-2030 housing allocations to its members, as opposed to the typical process of ABAG simply allocating the RHNA to each local government. The deadline for forming a subregion is February 1, 2020. All members of the proposed subregion are required to have resolutions confirming their participation in the subregion by this date.

County and city staff and elected officials have explored the pros and cons of creating a subregion, including a discussion at the last City County Coordinating Council meeting, and have determined that it would be in the best interest of Solano County jurisdictions to form a subregion. Each jurisdiction must adopt a resolution in support. David Early of PlaceWorks consultants has been selected as the consultant to assist in the formation of the subregion, to attend ABAG's Housing Methodology committee meetings, and to attend other relevant meetings to ensure that our interests are considered. A scope of services has been prepared (Attachment 2). The cost to provide this service is a not to exceed amount of $49,950. The seven cities and the county will pay an equal share of approximately $5,550 with the Solano Transportation Authority paying the remainder.

Providing consulting services as defined in the Scope of Services is not considered a "project" as defined in Section 21065 of the Public Resources Code and the California Environmental Quality Act (CEQA).

RECOMMENDATION: It is recommended that the City Council adopt Resolution 2020-___; Authorizing the City of Suisun City to Become a Member of the Solano County Subregion to Administer the Regional Housing Needs Allocation (RHNA) Process for the Solano County Subregion's 2022-2030 Housing Element Update.

ATTACHMENTS:

1. Council Resolution No. 2020 -___: Authorizing the City of Suisun City to Become a Member of the Solano County Subregion to Administer the Regional Housing Needs Allocation (RHNA) Process for the Solano County Subregion's 2022-2030 Housing Element Update.
2. Consultant Scope of Work and Compensation

RESOLUTION NO. 2020 -

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY AUTHORIZING THE CITY OF SUISUN CITY TO BECOME A MEMBER OF THE SOLANO COUNTY SUBREGION TO ADMINISTER THE REGIONAL HOUSING NEEDS ALLOCATION (RHNA) PROCESS FOR THE SOLANO COUNTY SUBREGION's 2022-2030 HOUSING ELEMENT UPDATE

WHEREAS, The Association of Bay Area Governments (ABAG) is required by State law to administer the Regional Housing Needs Allocation process in the Bay Area.

WHEREAS, ABAG has begun preliminary work on developing the process with the objective of completing the program in July of 2021.

WHEREAS, State law allows ABAG to delegate the authority to allocate the housing need within a subregion to a "subregional entity" that consists of any combination of geographically contiguous local governments within ABAG.

WHEREAS, The representatives of jurisdictions within Solano County have undertaken the task of forming a subregional entity, which is referred to herein as the "Solano County Subregion."

WHEREAS, The City of Suisun City desires to join the Solano County Subregion and become a member of it on the terms described below.

WHEREAS, The Solano City-County Coordinating Council (CCCC), using the resources of both the Solano Transportation Authority and Solano County, will provide staff support to the Solano County Subregion.

NOW, THEREFORE, BE IT RESOLVED that the City Council approves the formation of the Solano County Subregion. The City Manager shall ensure that a copy of this resolution is delivered to ABAG and is authorized and directed to execute and deliver all necessary documentation necessary to facilitate the formation of the Solano County Subregion in a manner consistent with this resolution and state law.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council acknowledges and agrees that:

1. The Solano City-County Coordinating Council will act on behalf of, and be the final decision maker for, the Solano County Subregion.

2. The Solano County Subregion will make decisions pursuant to its rules attached hereto as Exhibit A.

3. The Solano County Subregion will identify an Authorized Representative(s) to act on its behalf and serve as contact with ABAG.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Suisun City duly held on Tuesday, the 14th day of January 2020, 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 14th of January, 2020.

_____
Donna Pock, CMC
Deputy City Clerk

EXHIBIT A
SCOPE OF WORK

CONTRACTOR SHALL BE RESPONSIBLE FOR THE FOLLOWING DUTIES:

This exhibit describes the scope of services for the Solano County Regional Housing Needs Allocation (RHNA) Strategy Project to be conducted by PlaceWorks for Solano County and its cities. David Early, Charlie Knox, and supporting staff as needed, will conduct the following specific tasks as a means to achieve the desired housing allocations:

ABAG Meetings

- David Early or Charlie Knox will attend ABAG's Housing Methodology Committee (HMC) meetings and other related ABAG meetings as necessary for the project, and will assist the Solano representatives to the Committee in formulating meeting strategies.

Contract and Coordinate with Local Staff and Committees

Mr. Early and/or Mr. Knox will work with local staff and relevant committees to facilitate the following subtasks:

- Form a subregional entity for the RHNA, including identifying the local coordinating agency, preparing all materials necessary to create the entity (including a Memorandum of Understanding (MOU) with ABAG, and other necessary steps.
- Work with the subregional entity on the allocation methodology, and determine the desired housing needs allocation for Solano County and each of its cities.
- Assist the subregional entity submitting its methodology to the State Department of Housing and Community Development (HCD) for review and comment.
- Provide briefings on relevant meetings and issues to the City County Coordinating Council (CCCC), the Solano Mayors Group, the City Managers Group, the Planning Directors Group, or others as needed.
- Coordinate among the County and its cities in preparing for upcoming HMC Committee meetings.
- Provide ongoing guidance relative to recent legislation as it pertains to RHNA and subregions, so as to assist in ensuring that the subregion follows statutory requirements.
- Facilitate informal staff-level meetings of representatives from Solano County, its cities and the Solano Transportation Authority to complete these subtasks.

Pro Forma Calculations

PlaceWorks will run pro forma calculations for Solano County and its cities based on proposed alternative methodologies for the RHNA. Mr. Early or Mr. Knox will then present these draft RHNA numbers to Solano County and its cities. These calculations will consider all required allocation criteria, including newly approved criteria such as affirmatively furthering fair housing, and addressing issues such as overcrowding, loss of units during a state of emergency, and the region's greenhouse gas emissions target.

Reports and Resolutions

PlaceWorks will prepare reports, letters to ABAG and/or MTC, and resolutions for action by Solano jurisdictions as necessary to support the project.

EXHIBIT B
BUDGET DETAIL AND PAYMENT PROVISIONS

1. Compensation

Upon submission of an invoice by Contractor, and upon approval of County's representative, County shall pay Contractor monthly in arrears for fees and expenses incurred the prior month, up to the maximum amount provided for on the Standard Contract.

Labor Costs:

David Early (Senior Advisor)	$295 per hour
Principal	$225 per hour
Associate Principal	$190 per hour
Senior Associate	$175 per hour
Associate	$150 per hour
Graphics Manager	$115 per hour
Project Planner	$120 per hour
Planner	$100 per hour
Document Specialist	$125 per hour
Clerical	$85 per hour

Direct Costs
Printing, copying, mailing documents at actual cost.
Mileage at approved IRS rates
Office overhead charged at 2% of billed labor

All travel time to meetings will be charged at the regular hourly rate.

2. Method of Payment

Upon submission of an invoice by Contractor, and upon approval of County's representative, County shall pay Contractor monthly in arrears for fees and expenses incurred the prior month, up to the maximum amount provided for on the Standard Contract. Each invoice must specify services rendered, to whom, date of service and the accrued charges.

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AGENDA TRANSMITTAL

MEETING DATE: January 14, 2020

CITY AGENDA ITEM: First Amendment to the Suisun City Employees Association (SCEA) Memorandum of Understanding (MOU) 2018-20

a. Adoption of Resolution No. 2020-___: Approving a First Amendment to the Memorandum of Understanding (MOU) Between the City of Suisun City and the Suisun City Employees Association Effective December 28, 2018 through December 31, 2020, to Amend the MOU Night-Time Differential Compensation, Flexible Benefit Options Benefit, Uniforms and Uniform Allowances, and Vacation Leave Provisions.

FISCAL IMPACT: The fiscal impact of the First Amendment to the SCEA MOU 2018-20 is expected to be an increase of approximately $9,500 during the current fiscal year. These costs can be absorbed by realized savings in current appropriations.

BACKGROUND: On February 5, 2019, the City Council approved a Memorandum of Understanding between the City of Suisun City (City) and the Suisun City Employees Association (SCEA), effective December 28, 2018 through December 31, 2020 (SCEA MOU 2018-20) with the adoption of Resolution No. 2019-03. The SCEA MOU provided for a number of reopeners including if any other bargaining group's contract has more advantageous applicable compensation provisions and a reopener beginning August 1, 2019 for negotiations between the parties on additional wage increases, orthodontic coverage, and possibility to implement the Compensation Report dated October 16, 2018 under Article XLVII, Section 4.

STAFF REPORT: The City and SCEA's authorized labor relations representatives have met and conferred in good faith pursuant to the requirements of the Meyers-Milias-Brown Act, codified as Gov't Code Sections 3500-3511, regarding certain reopeners in the SCEA MOU 2018-20, and reached a Tentative Agreement (attached as Exhibit "A" to the proposed resolution) to amend the night time differential compensation, flexible benefit options benefits, uniforms and uniform allowances, and vacation leave provisions of the SCEA MOU 2018-20, which was ratified by the SCEA membership and then signed by the parties.

The First Amendment will add Section 4 (Night Time Hours Differential) of Article VIII (Compensation), and to amend Section 2 (Flexible Benefit Options) of Article X (Medical & Dental Insurance), Section 2 (Other Uniforms) of Article XV (Uniforms and Uniform Allowances), and Section 1 (Vacation Accrual) of Article XIX (Vacation Leave) of the SCEA MOU 2018-20 as follows:

ARTICLE VIII – COMPENSATION

4. Night Time Hours Differential. The City will provide a Night Time Hours Differential equal to 2.5% of the base salary for employees working in the classes of Public Safety Dispatcher I/II or Senior Public Safety Dispatcher who are assigned to

PREPARED BY: Elena Q. Gerli, City Attorney's Office
REVIEWED BY: Joe Dingman, Administrative Services Director
APPROVED BY: Greg Folsom, City Manager

work any payable amount of time (to the nearest 15 minutes) between the hours of 7 p.m. and 7 a.m., which is also referred to as the shift premium period.

A. The Night Time Differential shall not be paid to any day shift personnel, unless approved by the night shift supervisor to cover a vacancy or if such hours are part of their regularly scheduled shift.

B. The Night Time Differential shall be payable only for time worked during the shift premium period and shall not be paid for non-work time, such as sick leave, vacation or other paid leave.

This provision shall be retroactively effective and applied to the pay period starting on October 18, 2019.

ARTICLE X – MEDICAL & DENTAL INSURANCE

2. Flexible Benefit Options. The City agrees to provide $500.00 per month (employee only) and $700.00 per month (employee plus one or more dependents) Flexible Benefit Credit that may be used in lieu of the Core Flex Plan enrollment per Section 1 of this Article. The Flexible Benefit Credit may be divided among Dental Premiums, Flexible Spending Accounts, and Taxable Cash Option. An Employee must choose the Flexible Benefit Options during the Open Enrollment Period established in the Suisun City Flexible Benefits Plan.

This provision shall be retroactively effective and applied to the pay period starting on October 18, 2019.

ARTICLE XV – UNIFORMS AND UNIFORM ALLOWANCES

2. Other Uniforms. During the term of this Agreement, the City shall continue to supply Maintenance Workers and Building Maintenance Workers with the required uniform components as determined by the Public Works Director in a written departmental policy, and the Administrative Assistant I/II assigned to the Fire Department with required uniform components as determined by the Fire Chief in a written departmental policy.

ARTICLE XIX - VACATION LEAVE

1. Vacation Accrual. Accumulation of Vacation Leave shall commence effective with the date of hire, according to the following schedule, prorated on a pay period basis (annual total divided by 26 bi-weekly pay periods to two decimal places of accuracy):

A. For the First Five Years of Service. Employees shall earn and be credited with Vacation Leave at the rate of at the rate of 80 hours for those working a schedule of 40 hours per week or a 9/80 schedule per pay period per year.

B. Commencing at the start of the Sixth Year. Employees shall earn and be credited with Vacation Leave at the rate of 120 hours for those working a schedule of 40 hours per week or a 9/80 schedule per pay period per year.

C. Commencing at the start of the Eleventh Year. Employees shall earn and be credited with Vacation Leave at the rate of 160 hours for those working a schedule of 40 hours per week or a 9/80 schedule per pay period per year.

D. Commencing at the start of the Sixteenth Year. Employees shall earn and be credited with Vacation Leave at the rate of 184.0 hours for those working a schedule of 40 hours per week or a 9/80 schedule per pay period per year.

This rate of accrual will become effective with no retroactivity with the pay period starting December 27, 2019.

RECOMMENDATION: It is recommended that the City Council adopt Resolution No. 2020-___: Approving a First Amendment to the Memorandum of Understanding (MOU) Between the City of Suisun City and the Suisun City Employees Association Effective December 28, 2018 through December 31, 2020, to Amend the MOU Night-Time Differential Compensation, Flexible Benefit Options Benefit, Uniforms and Uniform Allowances, and Vacation Leave Provisions

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ATTACHMENTS:

1. Resolution No. 2020-___: Approving a First Amendment to the Memorandum of Understanding (MOU) Between the City of Suisun City and the Suisun City Employees Association Effective December 28, 2018 through December 31, 2020, to Amend the MOU Night-Time Differential Compensation, Flexible Benefit Options Benefit, Uniforms and Uniform Allowances, and Vacation Leave Provisions
2. SCEA MOU First Amendment (Signed Copy)
3. SCEA MOU First Amendment Tentative Agreement

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RESOLUTION NO. 2020-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY COUNTY OF SOLANO, STATE OF CALIFORNIA, APPROVING A FIRST AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CITY OF SUISUN CITY AND THE SUISUN CITY EMPLOYEES ASSOCIATION EFFECTIVE DECEMBER 28, 2018 THROUGH DECEMBER 31, 2020, TO AMEND THE MOU NIGHT-TIME DIFFERENTIAL COMPENSATION, FLEXIBLE BENEFIT OPTIONS BENEFITS, UNIFORMS AND UNIFORM ALLOWANCES, AND VACATION LEAVE PROVISIONS

WHEREAS, on February 5, 2019, the City Council approved the Memorandum of Understanding between the City of Suisun City (City) and the Suisun City Employees Association (SCEA), effective December 28, 2018 through December 31, 2020 (SCEA MOU 2018-20) with the adoption of Resolution No. 2019-03; and

WHEREAS, the City and SCEA's authorized labor relations representatives met and conferred in good faith pursuant to the requirements of the Meyers-Milias-Brown Act (MMBA)(Gov't Code Sections 3500-3511) regarding certain reopeners in the SCEA MOU 2018-20; and

WHEREAS, the City and SCEA's authorized labor relations representatives have reached a Tentative Agreement (attached hereto as Exhibit "A") to amend the night-time differential compensation, flexible benefit options benefits, uniforms and uniform allowances, and vacation leave provisions of the SCEA MOU 2018-20, which was ratified by the SCEA membership and then signed by the parties; and

WHEREAS, the City Council now desires to accept, approve and adopt the SCEA ratified Tentative Agreement pursuant to Government Code Section 3505.1, as well as accept, approve and adopt a First Amendment to the SCEA MOU 2018-20 (attached hereto as Exhibit "B") to reflect the terms of the SCEA ratified Tentative Agreement; and

WHEREAS, any additional costs of the First Amendment to the SCEA MOU 2018-20 will not require additional budget appropriations for this fiscal year.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Suisun City as follows:

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

Section 2. The Tentative Agreement between the City and the SCEA attached hereto as Exhibit "A" is hereby accepted, approved, and adopted.

Section 3. The First Amendment to the SCEA MOU 2018-20, attached hereto as Exhibit "B" is hereby accepted, approved, and adopted.

Section 4. Supplemental appropriations due to the increased costs of the First Amendment to the SCEA MOU 2018-20 are not necessary as the costs will be covered as follows:

- Compensation - 2.5% Night-time differential for Public Safety Dispatchers. This item will cost a maximum of $5,000. Sufficient salary savings exist to cover for current fiscal year.
- Vacation Accrual - Change to accrual rates. No direct fiscal impact.
- Uniforms - Proposed change within current budget.
- Medical & Dental in lieu payments - This item will cost about $4,500. Sufficient benefit savings exist to cover in current fiscal year.

SECTION 5. Effective Date. This Resolution is effective upon its adoption.

PASSED AND ADOPTED at a Regular Meeting of said City Council of the City of Suisun City duly held on Tuesday, the 14th day of January 2020, by the following vote:

AYES: Councilmembers: _____

NOES: Councilmembers: _____

ABSENT: Councilmembers: _____

ABSTAIN: Councilmembers: _____

WITNESS my hand and the seal of said City this 14th day of January 2020.

_____
Donna Pock, CMC
Deputy City Clerk

Exhibit A

Amendment No. 1 to the SCEA MOU 2018-20

Exhibit B

Tentative Agreement between the City and the SCEA

FIRST AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SUISUN CITY AND THE SUISUN CITY EMPLOYEES ASSOCIATION EFFECTIVE DECEMBER 28, 2018 THROUGH DECEMBER 31, 2020

This First Amendment to the Memorandum of Understanding between the City of Suisun City and the Suisun City Employees Association effective December 28, 2018 through December 31, 2020 (SCEA MOU 2018-20) is made and entered into by and between the City of Suisun City, a municipal corporation (City), and the Suisun City Employees Association (SCEA).

RECITALS:

WHEREAS, on February 5, 2019, the City Council approved the SCEA MOU 2018-20 with the adoption of Resolution No. 2019-03.

WHEREAS, the City and SCEA's authorized labor relations representatives met and conferred in good faith pursuant to the requirements of the Meyers-Milias-Brown Act (MMBA), Gov't Code Sections 3500-3511, regarding certain reopeners in the SCEA MOU 2018-20.

WHEREAS, the City and SCEA now desire to amend the SCEA MOU 2018-20 to either add or modify the night time differential compensation, flexible benefit options benefits, uniforms and uniform allowances, and vacation leave provisions of the SCEA MOU 2018-20, which modified terms were ratified by the SCEA membership and signed by the parties as part of a written Tentative Agreement which has also been approved by City Council concurrently herewith.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties hereto agree to add Section 4 (Night Time Hours Differential) of Article VIII (Compensation), and to amend Section 2 (Flexible Benefit Options) of Article X (Medical & Dental Insurance), Section 2 (Other Uniforms) of Article XV (Uniforms and Uniform Allowances), and Section 1 (Vacation Accrual) of Article XIX (Vacation Leave) of the SCEA MOU 2018-20 as follows:

ARTICLE VIII – COMPENSATION

4. Night Time Hours Differential. The City will provide a Night Time Hours Differential equal to 2.5% of the base salary for employees working in the classes of Public Safety Dispatcher I/II or Senior Public Safety Dispatcher who are assigned to work any payable amount of time (to the nearest 15 minutes) between the hours of 7 p.m. and 7 a.m., which is also referred to as the shift premium period.

A. The Night Time Differential shall not be paid to any day shift personnel, unless approved by the night shift supervisor to cover a vacancy or if such hours are part of their regularly scheduled shift.

B. The Night Time Differential shall be payable only for time worked during the shift premium period and shall not be paid for non-work time, such as sick leave, vacation or other paid leave.

This provision shall be retroactively effective and applied to the pay period starting on October 18, 2019.

ARTICLE X – MEDICAL & DENTAL INSURANCE

2. Flexible Benefit Options. The City agrees to provide $500.00 per month (employee only) and $700.00 per month (employee plus one or more dependents) Flexible Benefit Credit that may be used in lieu of the Core Flex Plan enrollment per Section 1 of this Article. The Flexible Benefit Credit may be divided among Dental Premiums, Flexible Spending Accounts, and Taxable Cash Option. An Employee must choose the Flexible Benefit Options during the Open Enrollment Period established in the Suisun City Flexible Benefits Plan.

This provision shall be retroactively effective and applied to the pay period starting on October 18, 2019.

ARTICLE XV – UNIFORMS AND UNIFORM ALLOWANCES

2. Other Uniforms. During the term of this Agreement, the City shall continue to supply Maintenance Workers and Building Maintenance Workers with the required uniform components as determined by the Public Works Director in a written departmental policy, and the Administrative Assistant I/II assigned to the Fire Department with required uniform components as determined by the Fire Chief in a written departmental policy.

ARTICLE XIX – VACATION LEAVE

1. Vacation Accrual. Accumulation of Vacation Leave shall commence effective with the date of hire, according to the following schedule, prorated on a pay period basis (annual total divided by 26 bi-weekly pay periods to two decimal places of accuracy):

A. For the First Five Years of Service. Employees shall earn and be credited with Vacation Leave at the rate of at the rate of 80 hours for those working a schedule of 40 hours per week or a 9/80 schedule per pay period per year.

B. Commencing at the start of the Sixth Year. Employees shall earn and be credited with Vacation Leave at the rate of 120 hours for those working a schedule of 40 hours per week or a 9/80 schedule per pay period per year.

C. Commencing at the start of the Eleventh Year. Employees shall earn and be credited with Vacation Leave at the rate of 160 hours for those working a schedule of 40 hours per week or a 9/80 schedule per pay period per year.

D. Commencing at the start of the Sixteenth Year. Employees shall earn and be credited with Vacation Leave at the rate of 184.0 hours for those working a schedule of 40 hours per week or a 9/80 schedule per pay period per year.

This rate of accrual will become effective with no retroactivity with the pay period starting December 27, 2019.

The representatives of the City and of the SCEA have jointly prepared this First Amendment to the SCEA MOU 2018-20, and jointly present same to City Council of the City of Suisun City for determination pursuant to Government Code section 3505.1. Except as expressly provided for in this First Amendment to the SCEA MOU 2018-20, all other provisions of the SCEA MOU 2018-20 shall remain in full force and effect. The parties also knowledge that this First Amendment to the SCEA MOU 2018-20 shall not be in full force and effect until adopted by resolution by the City Council of the City of Suisun City. Subject to the foregoing and in witness whereof, this First Amendment is hereby executed by the authorized representatives of the City and the SCEA and entered into as of this ___ day of January, 2020.

IT IS SO AGREED:

For The City:

Joe Dingman, Administrative Services Director

For SCEA:

Andrea Zanetti, SEIU

Jeremy Samo, SCEA President

Approved as to form
Aleshire & Wynder, LLP

Anthony R. Taylor, City Attorney,

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Tentative Agreement for First Amendment to the Memorandum of Understanding Between the City of Suisun City and the Suisun City Employees Association

The City and the Suisun City Employees Association ("SCEA") have an approved and adopted memorandum of understanding that runs from December 28, 2018 through December 31, 2020 ("SCEA MOU"). The parties recently meet and conferred regarding certain reopeners in that SCEA MOU and reached tentative agreements on changes to the existing SCEA MOU, the deal points of which are set forth below and affirmed by the execution of this formal written Tentative Agreement by the parties' labor representatives. This Tentative Agreement was ratified by SCEA on December 20, 2019. This Tentative Agreement shall not become effective until accepted, approved, and adopted by the City Council of the City of Suisun City per California Government Code Section 3505.1, which provides:

> "If a tentative agreement is reached by the authorized representatives of the public agency and a recognized employee organization or recognized employee organizations, the governing body shall vote to accept or reject the tentative agreement within 30 days of the date it is first considered at a duly noticed public meeting. A decision by the governing body to reject the tentative agreement shall not bar the filing of a charge of unfair practice for failure to meet and confer in good faith. If the governing body adopts the tentative agreement, the parties shall jointly prepare a written memorandum of understanding."

All terms and conditions of the existing SCEA MOU shall be maintained unless expressly modified or changed herein.

TENTATIVE AGREEMENT DEAL POINTS

ARTICLE VIII - COMPENSATION

4. Night Time Hours Differential. The City will provide a Night Time Hours Differential equal to 2.5% of the base salary for employees working in the classes of Public Safety Dispatcher I/II or Senior Public Safety Dispatcher who are assigned to work any payable amount of time (to the nearest 15 minutes) between the hours of 7 p.m. and 7 a.m., which is also referred to as the shift premium period.

A. The Night Time Differential shall not be paid to any day shift personnel, unless approved by the night shift supervisor to cover a vacancy or if such hours are part of their regularly scheduled shift.

B. The Night Time Differential shall be payable only for time worked during the shift premium period and shall not be paid for non-work time, such as sick leave, vacation or other paid leave.

This provision shall be retroactively effective and applied to the pay period starting on October 18, 2019.

ARTICLE X – MEDICAL & DENTAL INSURANCE

2. Flexible Benefit Options. The City agrees to provide $500.00 per month (employee only) and $700.00 per month (employee plus one or more dependents) Flexible Benefit Credit that may be used in lieu of the Core Flex Plan enrollment per Section 1 of this Article. The Flexible Benefit Credit may be divided among Dental Premiums, Flexible Spending Accounts, and Taxable Cash Option. An Employee must choose the Flexible Benefit Options during the Open Enrollment Period established in the Suisun City Flexible Benefits Plan.

This provision shall be retroactively effective and applied to the pay period starting on October 18, 2019.

ARTICLE XV – UNIFORMS AND UNIFORM ALLOWANCES

2. Other Uniforms. During the term of this Agreement, the City shall continue to supply Maintenance Workers and Building Maintenance Workers with the required uniform components as determined by the Public Works Director in a written departmental policy, and the Administrative Assistant I/II assigned to the Fire Department with required uniform components as determined by the Fire Chief in a written departmental policy.

ARTICLE XIX - VACATION LEAVE

1. Vacation Accrual. Accumulation of Vacation Leave shall commence effective with the date of hire, according to the following schedule, prorated on a pay period basis (annual total divided by 26 bi-weekly pay periods to two decimal places of accuracy):

A. For the First Five Years of Service. Employees shall earn and be credited with Vacation Leave at the rate of at the rate of 80 hours for those working a schedule of 40 hours per week or a 9/80 schedule per pay period per year.

B. Commencing at the start of the Sixth Year. Employees shall earn and be credited with Vacation Leave at the rate of 120 hours for those working a schedule of 40 hours per week or a 9/80 schedule per pay period per year.

C. Commencing at the start of the Eleventh Year. Employees shall earn and be credited with Vacation Leave at the rate of 160 hours for those working a schedule of 40 hours per week or a 9/80 schedule per pay period per year.

D. Commencing at the start of the Sixteenth Year. Employees shall earn and be credited with Vacation Leave at the rate of 184.0 hours for those working a schedule of 40 hours per week or a 9/80 schedule per pay period per year.

This rate of accrual will become effective with no retroactivity with the pay period starting December 27, 2019.

For The City:

Joe Dingman, Administrative Services Director

For SCEA:

Andrea Zanetti, SEIU

Jeremy Samo, SCEA President

AGENDA TRANSMITTAL

MEETING DATE: January 14, 2020

CITY AGENDA ITEM: First Amendment to the Suisun City Management and Professional Employees Association (SCMPEA) Memorandum of Understanding (MOU) 2018-20

a. Council Adoption of Resolution No. 2020-___: Approving a First Amendment to the Memorandum of Understanding (MOU) between the City of Suisun City and the Suisun City Management and Professional Employees Association (SCMPEA) effective December 28, 2018 through December 31, 2020, to Amend the Flexible Benefits Options, Executive Leave Hours, and Vacation Accrual Provisions of the MOU

FISCAL IMPACT: The fiscal impact of the First Amendment to the SCMPEA MOU 2018-20 is expected to be an increase of approximately $2,500 during the current fiscal year. These costs can be absorbed by realized savings in current appropriations.

STRATEGIC PLAN IMPACT: Provide Good Governance

BACKGROUND: On February 5, 2019, the City Council approved a Memorandum of Understanding between the City of Suisun City (City) and the Suisun City Management and Professional Employees Association (SCMPEA), effective December 28, 2018 through December 31, 2020 (SCMPEA MOU 2018-20) with the adoption of Resolution No. 2019-04. The SCMPEA MOU provided for a number of reopeners under Article XLVI, Section 4, including if any other bargaining group's contract has more advantageous applicable compensation provisions and a reopener beginning August 1, 2019, for negotiations between the parties to further address having the employees' total compensation be within 90% of the mean as defined within the 2018 Compensation Report.

STAFF REPORT: The City and SCMPEA's authorized labor relations representatives have met and conferred in good faith pursuant to the requirements of the Meyers-Milias-Brown Act, codified as Gov't Code Sections 3500-3511, regarding certain reopeners in the SCEA MOU 2018-20, and reached a Tentative Agreement (attached as Exhibit "A" to the proposed resolution) to amend the flexible benefit options benefits, executive leave hours and vacation accrual provisions of the SCMPEA MOU 2018-20, which was ratified by the SCMPEA membership and then signed by the parties.

The First Amendment will amend Section 2 (Flexible Benefit Options) of Article IX (Medical & Dental Insurance), Section 3 (Executive Leave) of Article XV (Hours of Work), and Section 1 (Vacation Accrual) of Article XVI (Vacation Leave) of the SCMPEA MOU 2018-20 as follows:

ARTICLE IX – MEDICAL & DENTAL INSURANCE

PREPARED BY: Elena Q. Gerli, City Attorney's Office
REVIEWED BY: Joe Dingman, Administrative Services Director
APPROVED BY: Greg Folsom, City Manager

2. Flexible Benefit Options. The City agrees to provide $500.00 per month (employee only) and $700.00 per month (employee plus one or more dependents) Flexible Benefit Credit that may be used in lieu of the Core Flex Plan enrollment per Section 1 of this Article. The Flexible Benefit Credit may be divided among Dental Premiums, Flexible Spending Accounts, and Taxable Cash Option. An Employee must choose the Flexible Benefit Options during the Open Enrollment Period established in the Suisun City Flexible Benefits Plan.

This provision shall be retroactively effective and applied to the pay period starting on October 18, 2019.

ARTICLE XV – HOURS OF WORK

3. Executive Leave. Rules regarding Executive Leave are set forth in Section 8.5 of the Personnel Rules, Administrative Directive AD-18. In lieu of Overtime/CTO, 80 hours shall be deposited into the Executive Leave account of each eligible employee in the bargaining unit in the first full pay period of each fiscal year. Additionally, effective upon City Council approval of this Tentative Agreement and not retroactively, an eligible employee will receive one hour of Executive Leave for each hour of work assigned and approved by their Department Head, that is worked outside of the regular work day, not to exceed 40 additional hours per fiscal year; i.e. 120 Executive Leave accrued hours for the fiscal year. Examples of such assigned tasks outside of the regular work day are City Council meetings, city events or emergency response.

The buyback options below shall supersede the provisions of Section 8.5 of the Personnel Rules, Administrative Directive AD-18:

A. 1-10 years of service with Suisun City – 40 hours

B. After completing 10 years and higher – 50 hours

ARTICLE XVI – VACATION LEAVE

Rules regarding Vacation Leave are set forth in Section 9 of the Personnel Rules, Administrative Directive AD-18. [Keep remaining text in this paragraph of the SCMPEA MOU.]

1. Vacation Accrual. Effective with the payroll period starting December 27, 2019 and moving forward and not retroactive in application or effect, accumulation of Vacation Leave shall commence effective with the date of hire, according to the following schedule, prorated on a pay period basis (annual total divided by 26 bi-weekly pay periods to two decimal places of accuracy):

A. For the First Five Years of Service. Employees shall earn and be credited with Vacation Leave at the rate of at the rate of 80 hours for those working a 40 hour per week or 9/80 two-week schedule per year.

B. Commencing at the start of the Sixth Year. Employees shall earn and be credited with Vacation Leave at the rate of 120 hours for those working a 40 hour per week or 9/80 two-week schedule per year.

C. Commencing at the start of the Eleventh Year. Employees shall earn and be credited with Vacation Leave at the rate of 160 hours for those working a 40 hour per week or 9/80 two-week schedule per year.

D. Commencing at the start of the Sixteenth Year. Employees shall earn and be credited with Vacation Leave at the rate of 184.0 hours for those working a 40 hour per week or 9/80 two-week schedule per year.

E. Fire Vacation Accrual. Vacation to be reflected in terms of hours not workdays.

1. For the First Five Years of Service: 2 weeks (10 days) | @56 hours per week (112 hrs – 4.31)

2. Commencing at the start of the Sixth Year: 3 weeks (15 days) @56 hours per week (168 hrs – 6.46)

3. Commencing at the start of the Eleventh Year: 4 weeks (20 days) @56 hours per week (224 hrs – 8.62)

4. Commencing at the start of the Sixteenth Year: +: 4.5 weeks (23 days) –@56 hours per week (257.6 hrs – 9.84)

RECOMMENDATION: It is recommended that the City Council adopt Resolution No. 2020-__: Approving a First Amendment to the Memorandum of Understanding (MOU) between the City of Suisun City and the Suisun City Management and Professional Employees Association effective December 28, 2018 through December 31, 2020, to Amend the Flexible Benefits Options, Executive Leave Hours, and Vacation Accrual Provisions of the MOU

ATTACHMENTS:

1. Resolution No. 2020-__: Approving a First Amendment to the Memorandum of Understanding (MOU) between the City of Suisun City and the Suisun City Management and Professional Employees Association effective December 28, 2018 through December 31, 2020, to Amend the Flexible Benefits Options, Executive Leave Hours, and Vacation Accrual Provisions of the MOU
2. SCMPEA MOU First Amendment (Signed Copy)
3. SCMPEA MOU First Amendment Tentative Agreement

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RESOLUTION NO. 2020-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY COUNTY OF SOLANO, STATE OF CALIFORNIA, APPROVING A FIRST AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CITY OF SUISUN CITY AND THE SUISUN CITY MANAGEMENT AND PROFESSIONAL EMPLOYEES ASSOCIATION EFFECTIVE DECEMBER 28, 2018 THROUGH DECEMBER 31, 2020, TO AMEND THE FLEXIBLE BENEFIT OPTIONS, EXECUTIVE LEAVE HOURS, AND VACATION ACCRUAL PROVISIONS OF THE MOU

WHEREAS, on February 5, 2019, the City Council approved the Memorandum of Understanding between the City of Suisun City (City) and the Suisun City Management and Professional Employees Association (SCMPEA), effective December 28, 2018 through December 31, 2020 (SCMPEA MOU 2018-20) with the adoption of Resolution No. 2019-04; and

WHEREAS, the City and SCMPEA's authorized labor relations representatives met and conferred in good faith pursuant to the requirements of the Meyers-Milias-Brown Act (MMBA)(Gov't Code Sections 3500-3511) regarding certain reopeners in the SCMPEA MOU 2018-20; and

WHEREAS, the City and SCEA's authorized labor relations representatives have reached a Tentative Agreement (attached hereto as Exhibit "A") to amend the flexible benefit options, executive leave hours, and vacation accrual provisions of the SCMPEA MOU 2018-20, which was ratified by the SCMPEA membership and then signed by the parties; and

WHEREAS, the City Council now desires to accept, approve and adopt the SCMPEA ratified Tentative Agreement pursuant to Government Code Section 3505.1, as well as accept, approve and adopt a First Amendment to the SCMPEA MOU 2018-20 (attached hereto as Exhibit "B") to reflect the terms of the SCMPEA ratified Tentative Agreement; and

WHEREAS, the First Amendment to the SCMPEA MOU 2018-20 will have no direct fiscal impact on this fiscal year's budget.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Suisun City as follows:

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

Section 2. The Tentative Agreement between the City and the SCMPEA attached hereto as Exhibit "A" is hereby accepted, approved, and adopted.

Section 3. The First Amendment to the SCMPEA MOU 2018-20, attached hereto as Exhibit "B" is hereby accepted, approved, and adopted.

Section 4. Supplemental appropriations due to the increased costs of the First Amendment to the SCMPEA MOU 2018-20 are not necessary as the costs will be covered as follows:

- Medical & Dental in lieu payments - This item will cost about $2,500. Sufficient benefit savings exist to cover in current fiscal year.
- Executive Leave Hours – Change to accrual rates. No direct fiscal impact
- Vacation Accrual - Change to accrual rates. No direct fiscal impact.

SECTION 5. Effective Date. This Resolution is effective upon its adoption.

PASSED AND ADOPTED at a Regular Meeting of said City Council of the City of Suisun City duly held on Tuesday, the 14th day of January 2020, by the following vote:

AYES: Councilmembers: _____

NOES: Councilmembers: _____

ABSENT: Councilmembers: _____

ABSTAIN: Councilmembers: _____

WITNESS my hand and the seal of said City this 14th day of January 2020.

_____
Donna Pock, CMC
Deputy City Clerk

Exhibit A: Tentative Agreement between the City and the SCMPEA
Exhibit B: Amendment No. 1 to the SCMPEA MOU 2018-20
Exhibit C: Supplemental Appropriations SCMPEA

FIRST AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SUISUN CITY AND THE SUISUN CITY MANAGEMENT AND PROFESSIONAL EMPLOYEES ASSOCIATION EFFECTIVE DECEMBER 28, 2018 THROUGH DECEMBER 31, 2020

This First Amendment to the Memorandum of Understanding between the City of Suisun City and the Suisun City Management and Professional Employees Association effective December 28, 2018 through December 31, 2020 (SCMPEA MOU 2018-20) is made and entered into by and between the City of Suisun City, a municipal corporation (City), and the Suisun City Management and Professional Employees Association (SCMPEA).

RECITALS:

WHEREAS, on February 5, 2019, the City Council approved the SCMPEA MOU 2018-20 with the adoption of Resolution No. 2019-04.

WHEREAS, the City and SCMPEA's authorized labor relations representatives met and conferred in good faith pursuant to the requirements of the Meyers-Milias-Brown Act (MMBA), Gov't Code Sections 3500-3511, regarding certain reopeners in the SCMPEA MOU 2018-20.

WHEREAS, the City and SCMPEA now desire to amend the SCMPEA MOU 2018-20 to modify the flexible benefit options, executive leave hours, and vacation accrual provisions of the SCMPEA MOU 2018-20, which modified terms were ratified by the SCMPEA membership and then signed by the parties.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties hereto agree to amend Section 2 (Flexible Benefit Options) of Article IX (Medical & Dental Insurance), Section 3 (Executive Leave) of Article XV (Hours of Work), and Section 1 (Vacation Accrual) of Article XVI (Vacation Leave) of the SCMPEA MOU 2018-20 as follows:

ARTICLE IX – MEDICAL & DENTAL INSURANCE

2. Flexible Benefit Options. The City agrees to provide $500.00 per month (employee only) and $700.00 per month (employee plus one or more dependents) Flexible Benefit Credit that may be used in lieu of the Core Flex Plan enrollment per Section 1 of this Article. The Flexible Benefit Credit may be divided among Dental Premiums, Flexible Spending Accounts, and Taxable Cash Option. An Employee must choose the Flexible Benefit Options during the Open Enrollment Period established in the Suisun City Flexible Benefits Plan.

This provision shall be retroactively effective and applied to the pay period starting on October 18, 2019.

ARTICLE XV – HOURS OF WORK

3. Executive Leave. Rules regarding Executive Leave are set forth in Section 8.5 of the Personnel Rules, Administrative Directive AD-18. In lieu of Overtime/CTO, 80 hours shall be deposited into the Executive Leave account of each eligible employee in the bargaining unit in the first full pay period of each fiscal year. Additionally, effective upon City Council approval of this Tentative Agreement and not retroactively, an eligible employee will receive one hour of Executive Leave for each hour of work assigned and approved by their Department Head, that is worked outside of the regular work day, not to exceed 40 additional hours per fiscal year; i.e. 120 Executive Leave accrued hours for the fiscal year. Examples of such assigned tasks outside of the regular work day are City Council meetings, city events or emergency response.

The buyback options below shall supersede the provisions of Section 8.5 of the Personnel Rules, Administrative Directive AD-18:

A. 1-10 years of service with Suisun City – 40 hours

B. After completing 10 years and higher – 50 hours

ARTICLE XVI – VACATION LEAVE

Rules regarding Vacation Leave are set forth in Section 9 of the Personnel Rules, Administrative Directive AD-18. [Keep remaining text in this paragraph of the SCMPEA MOU.]

1. Vacation Accrual. Effective with the payroll period starting December 27, 2019 and moving forward and not retroactive in application or effect, accumulation of Vacation Leave shall commence effective with the date of hire, according to the following schedule, prorated on a pay period basis (annual total divided by 26 bi-weekly pay periods to two decimal places of accuracy):

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C. Commencing at the start of the Eleventh Year. Employees shall earn and be credited with Vacation Leave at the rate of 160 hours for those working a 40 hour per week or 9/80 two-week schedule per year.

D. Commencing at the start of the Sixteenth Year. Employees shall earn and be credited with Vacation Leave at the rate of 184.0 hours for those working a 40 hour per week or 9/80 two-week schedule per year.

E. Fire Vacation Accrual. Vacation to be reflected in terms of hours not workdays.

1. For the First Five Years of Service: 2 weeks (10 days) | @56 hours week (112 hrs – 4.31)

2. Commencing at the start of the Sixth Year: 3 weeks (15 days) @56 hours week (168 hrs – 6.46)

3. Commencing at the start of the Eleventh Year: 4 weeks (20 days) @56 hours week (224 hrs – 8.62)

4. Commencing at the start of the Sixteenth Year: +: 4.5 weeks (23 days) – @56 hours week (257.6 hrs – 9.84)

The representatives of the City and of the SCMPEA have jointly prepared this First Amendment to the SCMPEA MOU 2018-20, and jointly presented to City Council of the City of Suisun City for determination pursuant to Government Code section 3505.1. Except as expressly provided for in this First Amendment to the SCMPEA MOU 2018-20, all other provisions of the SCMPEA MOU 2018-20 shall remain in full force and effect. The parties also knowledge that this First Amendment to the SCMPEA MOU 2018-20 shall not be in full force and effect until adopted by resolution by the City Council of the City of Suisun City. Subject to the foregoing and in witness whereof, this First Amendment is hereby executed by the authorized representatives of the City and the SCMPEA and entered into as of this 3rd day of January, 2020.

IT IS SO AGREED:

For The City:

1/03/2020

Joe Dingman, Administrative Services Director

For SCMPEA:

12-31-19

John Dalrymple, CEA

Kathy Lawton-Caesar, SCMPEA President

Approved as to form
Aleshire & Wynder, LLP

Anthony R. Taylor, City Attorney,

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Tentative Agreement for First Amendment to the Memorandum of Understanding Between the City of Suisun City and the Suisun City Management and Professional Employees Association

The City and the Suisun City Management and Professional Employees Association ("SCMPEA") have an approved and adopted memorandum of understanding that runs from December 28, 2018 through December 31st, 2020 ("SCMPEA MOU"). The parties recently meet and conferred regarding certain reopeners in that SCMPEA MOU and reached tentative agreements on changes to the existing SCMPEA MOU, the deal points of which are set forth below and affirmed by the execution of this formal written Tentative Agreement by the parties' labor representatives. This Tentative Agreement was ratified by SCMPEA on December 23, 2019. This Tentative Agreement shall not become effective until accepted, approved, and adopted by the City Council of the City of Suisun City per California Government Code Section 3505.1, which provides:

> "If a tentative agreement is reached by the authorized representatives of the public agency and a recognized employee organization or recognized employee organizations, the governing body shall vote to accept or reject the tentative agreement within 30 days of the date it is first considered at a duly noticed public meeting. A decision by the governing body to reject the tentative agreement shall not bar the filing of a charge of unfair practice for failure to meet and confer in good faith. If the governing body adopts the tentative agreement, the parties shall jointly prepare a written memorandum of understanding."

All terms and conditions of the existing SCMPEA MOU shall be maintained unless expressly modified or changed herein.

TENTATIVE AGREEMENT DEAL POINTS

ARTICLE IX - MEDICAL & DENTAL INSURANCE

2. Flexible Benefit Options. The City agrees to provide $500.00 per month (employee only) and $700.00 per month (employee plus one or more dependents) Flexible Benefit Credit that may be used in lieu of the Core Flex Plan enrollment per Section 1 of this Article. The Flexible Benefit Credit may be divided among Dental Premiums, Flexible Spending Accounts, and Taxable Cash Option. An Employee must choose the Flexible Benefit Options during the Open Enrollment Period established in the Suisun City Flexible Benefits Plan.

This provision shall be retroactively effective and applied to the pay period starting on October 18, 2019.

ARTICLE XV - HOURS OF WORK

3. Executive Leave. Rules regarding Executive Leave are set forth in Section 8.5 of the Personnel Rules, Administrative Directive AD-18. In lieu of Overtime/CTO, 80 hours shall be deposited into the Executive Leave account of each eligible employee in the bargaining unit in the

first full pay period of each fiscal year. Additionally, effective upon City Council approval of this Tentative Agreement and not retroactively, an eligible employee will receive one hour of Executive Leave for each hour of work assigned and approved by their Department Head, that is worked outside of the regular work day, not to exceed 40 additional hours per fiscal year; i.e. 120 Executive Leave accrued hours for the fiscal year. Examples of such assigned tasks outside of the regular work day are City Council meetings, city events or emergency response.

The buyback options below shall supersede the provisions of Section 8.5 of the Personnel Rules, Administrative Directive AD-18:

A. 1-10 years of service with Suisun City – 40 hours
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ARTICLE XVI - VACATION LEAVE

Rules regarding Vacation Leave are set forth in Section 9 of the Personnel Rules, Administrative Directive AD-18. [Keep remaining text in this paragraph of the SCMPEA MOU.]

1. Vacation Accrual. Effective with the payroll period starting December 27, 2019 and moving forward and not retroactive in application or effect, accumulation of Vacation Leave shall commence effective with the date of hire, according to the following schedule, prorated on a pay period basis (annual total divided by 26 bi-weekly pay periods to two decimal places of accuracy):

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For The City:

1/03/2020

Joe Dingman, Administrative Services Director

For SCMPEA:

12-31-19

John Dalrymple, CEA

Kathy Lawton-Caesar, SCMPEA President

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AGENDA TRANSMITTAL

MEETING DATE: January 14, 2020

CITY AGENDA ITEM:

Council Adoption of Resolution No. 2020-__: Authorizing the City Manager to Execute a Grant Agreement with the State of California Department of Parks and Recreation Division of Boating and Waterways for the Surrendered and Abandoned Vessel Exchange (SAVE) Program

FISCAL IMPACT: The Surrendered and Abandoned Vessel Exchange (SAVE) program grant will provide $50,000 for the removal and disposal of surrendered, abandoned, and nuisance vessels. In anticipation of receiving this funding, an appropriation for this purpose was included in the FY2019-20 Budget. The grant requires that the City provide a 10% match and this will be met by the provision of in-kind services, primarily consisting of the Recreation Manager's time, which is included in the current budget.

STRATEGIC PLAN IMPACT: Provide Good Governance.

BACKGROUND: The Suisun City Marina needs a funding source to deal with abandoned, derelict and nuisance vessels in the marina and in waterways located within the City. Removal of abandoned watercraft from the marina and City waterways would beautify the marina, open up additional slip options for potential renters, improve boating safety by reducing navigational hazards, and reduce potential environmental dangers. In order to facilitate these activities, the City applied to the state for a SAVE grant.

By providing funds for the removal of abandoned vessels and providing a turn-in program, the SAVE program grant would be both reactive and proactive. The SAVE program grant may be used for recreational vessels only. Grant funds may not be used for commercial vessels.

STAFF REPORT: The Surrendered and Abandoned Vessel Exchange (SAVE) program grant funds are comprised of a combination of grant funds from the Abandoned Watercraft Abatement Fund (AWAF) and the Vessel Turn-In Program (VTIP), and grant funds may be used by the City for either purpose. Most cities with marinas and/or public waterways participate in the SAVE Program.

Abandoned vessels, as defined by Harbors and Navigation Code section 522 (a), can be removed by the SAVE program grant funds. In 2017, the City was provided $50,000 in SAVE grant funding to remove derelict vessels, and the majority of funding was utilized. The City continues to have demand for derelict vessel removal and the State recognized the need to continue funding for the Suisun Marina.

No vessel would be removed without the City first making every effort to contact and work with the owner of the vessel. Owners of the vessels would be given ample time to address issues pertaining to their vessel. Removal of a vessel would only occur when all other efforts to remedy the situation have been exhausted.

PREPARED BY: Janet Hull, Recreation Manager
REVIEWED BY: Kris Lofthus, Recreation, Parks, and Marina Director
APPROVED BY: Greg Folsom, City Manager

In addition to the removal of abandoned vessels, the SAVE program grant would enable the City to administer a boat turn-in program. This program would provide a no-cost alternative for boat owners who may otherwise consider abandoning a boat. Boat owners would be required to show proof that they are the registered owner and sign a release of interest in the boat.

The City's grant application for a SAVE program grant was approved in the amount of $50,000. The grant term would be from January 14, 2020 through September 30, 2021. Since the grant application has been approved by the state, it requires the City Council pass a Resolution authorizing the execution of the agreement and naming the signatory of the contract.

RECOMMENDATION: It is recommended that the City Council:

1. Adopt Resolution No. 2020-__: Authorizing the City Manager to Execute a Grant Agreement with the State of California Department of Parks and Recreation Division of Boating and Waterways for the Surrendered and Abandoned Vessel Exchange (SAVE) Program

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ATTACHMENTS:

1. Resolution No. 2020-__: Authorizing the City Manager to Execute a Grant Agreement with the State of California Department of Parks and Recreation Division of Boating and Waterways for the Surrendered and Abandoned Vessel Exchange (SAVE) Program.

RESOLUTION NO. 2020 -

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY AUTHORIZING THE CITY MANAGER TO EXECUTE A GRANT AGREEMENT WITH THE STATE OF CALIFORNIA DEPARTMENT OF PARKS AND RECREATION DIVISION OF BOATING AND WATERWAYS FOR THE SURRENDERED AND ABANDONED VESSEL EXCHANGE (SAVE) PROGRAM

WHEREAS, the City of Suisun City has applied to the California Department of Parks and Recreation Division of Boating and Waterways for grant funds to provide for the removal and disposal of surrendered, abandoned, and nuisance vessels; and

WHEREAS, the Surrendered and Abandoned Vessel Exchange (SAVE) program grant funds are comprised of a combination of grant funds from the Abandoned Watercraft Abatement Fund (AWAF) and the Vessel Turn-In Program (VTIP), and grant funds may be used by the City for either purpose; and

WHEREAS, the Division of Boating and Waterways has approved the application for grant funds in the amount of $50,000; and

WHEREAS, the grant requires that the City provide a 10% match that may be met by the provision of in-kind services, primarily consisting of the Recreation Manager's time which is included in the current budget.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Suisun City hereby authorizes the City Manager to take all steps necessary to effectuate and execute the SAVE program grant agreement with the California Department of Parks and Recreation Division of Boating and Waterways.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Suisun City duly held on Tuesday, the 14th day of January 2020, 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 14th of January, 2020.

_____
Donna Pock, CMC
Deputy City Clerk

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AGENDA TRANSMITTAL

MEETING DATE: January 14, 2020

CITY AGENDA ITEM: Council Adoption of Resolution No. 2020-__: Approving the Suisun City Marina Annual Dock Maintenance and Inspection Services, and Authorizing the City Manager to Enter into an Agreement with Bellingham Marine to Perform the Services; and Authorize the City Manager to Approve up to 15% in Contingencies

FISCAL IMPACT: Based on the lowest responsive bid, the project cost is $30,000 for one year of service plus a contingency of $4,500 which is 15% of the contracted amount, for a total project cost of up to $34,500. The contingency will be used to address any repairs beyond the scope of the contracted services. The FY 2019-20 budget includes an appropriation of $20,000 in Recognized Obligations Payment Schedule (ROPS) funding for this project producing a funding shortfall of $14,500. The $14,500 shortfall will be made up from the Marina Operations Operating Contingency. The amount contributed by the Operating Contingency will be placed on a future ROPS for reimbursement.

STRATEGIC PLAN: Ensure Public Safety, Enhance Environment

BACKGROUND: Due to safety concerns, as well as extending the life of the east and west dock system, there needs to be an annual dock maintenance program in place. Until now, part-time marina staff have been performing the work, but with limited ability to correct all of the deficiencies. This contract will allow for a more stable walking environment and allow the proper rise and fall of the docking system and associated gangways.

STAFF REPORT: The project was advertised starting on October 18, 2019, and bids were opened on November 5, 2019, at 2:00 pm. Only one proposal was received.

Company	Submitted Bid
Bellingham Marine	**$30,000.00**

Bellingham Marina will complete the following work:

Pre-Maintenance Walk-Through:

- Visually check for miscellaneous items including:
- Missing & Loose screws/hardware
- Uneven or loose wood connections
- End boards & Fascia for breaks/impact damage
- Fendering for loose/missing nails
- Corner Bumpers
- Grounding issues
- Low Freeboard conditions
- Rub blocks or rollers for tightness/wear
- Substation Cabinets

PREPARED BY: Kris Lofthus, Recreation, Parks, and Marina Director
REVIEWED AND APPROVED BY: Greg Folsom, City Manager

- Locked Transformers
- Check door closures and latches
- Visually check pedestal/power center doors
- Visually check pedestal/power center anchoring
- Visually check pedestal/power center receptacles if accessible. Note dangerous conditions.
- Check G Cables for damage and potential rub spots.
- Check Kellum Grips.
- Check low level lighting.
- Check Fire Cabinets/ Fire Department Connections/ Standpipes
- Visually check for leaks in cabinets or hose bibs
- Check water lines for strapping/drooping lines
- Check Fire Extinguisher dates, notify owner if out of date
- Visually inspect dock flex lines for wear, leak, corrosion
- Check gangway shoremount bracket for sign of wear
- Check gangway dock guides, wheel, or rub blocks for wear

Maintenance Work will be performed as follows:

- Level and straighten walkways and fingers for the floating dock system
- Tighten all triangle frames in finger-walk connection.
- Check for loose cleats, and tighten as necessary

All work is to begin no later than 15 calendar days after the award of the contract. The contractor shall diligently prosecute the work to completion, including corrective punch list items before the expiration 45 working days. Moreover, the Contractor shall pay to the City of Suisun City the sum of $600 per day of each and every calendar day's delay in finishing the work.

STAFF RECOMMENDATION: It is recommended that the City Council:

1. Adopt Resolution No. 2020-__: Approving the Suisun City Marina Annual Dock Maintenance and Inspection Services, and Authorizing the City Manager to Enter into an Agreement with Bellingham Marine to Perform the Services; and Authorize the City Manager to Approve up to 15% in Contingencies

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ATTACHMENTS:

1. Adopt Resolution No. 2020-__: Approving the Suisun City Marina Annual Dock Maintenance and Inspection Services, and Authorizing the City Manager to Enter into an Agreement with Bellingham Marine to Perform the Services; and Authorize the City Manager to Approve up to 15% in Contingencies
2. Marina Bellingham Marine Maintenance Agreement

RESOLUTION NO. 2020 -

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY APPROVING THE SUISUN CITY MARINA ANNUAL DOCK MAINTENANCE AND INSPECTION SERVICES, AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH BELLINGHAM MARINE TO PERFORM THE SERVICES AND AUTHORIZE THE CITY MANAGER TO APPROVE UP TO 15% IN CONTINGENCIES

WHEREAS, the City of Suisun City has interest in providing a safe environment for our boating public; and

WHEREAS, Regular scheduled maintenance will increase the life of the marina dock systems; and

WHEREAS, this project will allow for a more stable walking environment and allowing the proper rise and fall of the docking system and associated gangways; and

WHEREAS, the current budget includes an appropriation of $20,000 for this project funded through the Recognized Obligation Payment Schedule (ROPS); and

WHEREAS, the additional $10,000 will utilize the Marina Operations Operating Contingency and be placed on a future ROPS for reimbursement,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Suisun City hereby authorizes the City Manager take all steps necessary to effectuate and execute an agreement with Bellingham Marine to perform the marina dock inspection services.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Suisun City duly held on Tuesday, the 14th day of January 2020, 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 14th of January, 2020.

_____
Donna Pock, CMC
Deputy City Clerk

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Bellingham MARINE
The World's Most Comprehensive Marina Builder

Bellingham Marine Industries, Inc.
CA License #442499
Federal Tax ID #91-0141770

8810 Sparling Lane
Dixon, CA 95620

(707) 678-2385
FAX (707) 678-1760
www.bellingham-marine.com

LETTER AGREEMENT FOR MAINTENANCE AND INSPECTION
1 Year

January 6, 2020

Ms. Janet Hull
City of Suisun
800 Kellog Street
Suisun City, CA 94585

Reference: **City of Suisun RFP- Annual Maintenance and Inspection Services for Floating Concrete Dock System**

Thank you for the opportunity to allow Bellingham Marine to prepare a response package for the City of Suisun Floating Dock System Annual Inspection and Maintenance RFP. As the design/build contractor for the original marina facility, we are very familiar with the site. Our commitment is to allow you to enjoy the same high level of quality and value that we have provided throughout the years and that we have provided to thousands of customers for the past six decades.

This Letter Agreement for Maintenance and Inspection ("Agreement") is entered into between Suisun City Marina ("Owner"), and Bellingham Marine Industries, Inc. ("Contractor"), for inspection and maintenance for a period of 1 year of the floating concrete dock system at Suisun City Marina ("the "Facility").

The Owner and the Contractor agree as follows:

1. **CONDITIONS**- For the purpose of this quote, BMI has made assumptions which are noted herein. This proposal is subject to the assumptions listed below. Any variation to these assumptions may result in adjustments to the proposed pricing in Section 4.

    - We have developed this proposal with the intent of working with the City in good faith to negotiate a mutually agreeable contract with your team.
    - This proposal is based on a 1 year agreement. This fee in Section 4 shall be increased each year thereafter in accordance with the Consumer Price Index in the San Francisco Metro Area.

2. **SCOPE OF WORK- INCLUSIONS**: The following services are included in this Agreement:

    2.1 Pre-Maintenance Walk-Through. Approximately 1 month in advance of maintenance service, a Project Manager will visit the marina and prepare a list of items that are not covered in the maintenace contract with priced recommendations on how to correct issues. At such time, the owner may incorporate suggestions into this Agreement via change order to be completed at the time of the maintenance service. Project Manager will:

    - Visually check for miscellaneous items including:
        - Missing & Loose screws/hardware
        - Uneven or loose wood connections
        - End boards & Fascia for breaks/impact damage
        - Fendering for loose/missing nails
        - Corner Bumpers
        - Grounding issues
        - Low Freeboard conditions
        - Rub blocks or rollers for tightness/wear
        - Substation Cabinets

- Locked Transformers
- Check door closures and latches
- Verify all panels in place
- Visually check pedestal/power center doors
- Visually check pedestal/power center anchoring
- Visually check pedestal/power center receptacles if accessible. Note dangerous conditions.
- Check G Cables for damage and potential rub spots.
- Check Kellum Grips.
- Check low level lighting.
- Check Fire Cabinets/ Fire Department Connections/ Standpipes
- Visually check for leaks in cabinets or hose bibs
- Check water lines for strapping/drooping lines
- Check Fire Extinguisher dates, notify owner if out of date
- Visually inspect dock flex lines for wear, leak, corrosion
- Check gangway shoremount bracket for sign of wear
- Check gangway dock guides, wheel, or rub blocks for wear

2.2 Maintenance Work will be performed as follows**:**

- Level and straighten walkways and fingers for the floating dock system, as much as practical.
- Tighten all triangle frames in finger-walk connection.
- Check for loose cleats, and tighten as necessary.
- Maintenance labor is based on adequate access to the dock systems hardware. Dock ladders, and other boater accessories that impede the work must be removed by others from work area.

2.3 Maintenance Documentation: Report will be furnished including a detailed log of maintenance work completed during each annual visit. Areas of concern will be noted for the Owner to pay attention to over the course of the following year.

2.4 Prevailing Wage Labor Rates.

2.5 USL&H Insurance, as required by Federal Law for all work over a U.S. Navigable Waterway.

3. Services and items not specifically included in Section 1 above are **specifically excluded from this Agreement. Excluded** items include, but are not limited to, the following:

3.1 Maintenance or repairs to fire systems, electrical systems, potable water systems or other utility systems.
3.2 Any dock hardware, major structural repairs, patching, deck treatment, supplemental floatation, gangways, gates, or piers.
3.3 Inspection and/or maintenance of any portion of the flotation system which was not manufactured and installed by BMI.
3.4 Site visits requested by Owner (not including annual walk-through) regarding issues that are found NOT to be covered under the warranty will be billed on an hourly basis plus travel expenses (See Section 4).
3.5 Bonds.

4. Fees. The fee for the 1-year inspection and maintenance set forth by the Bellingham Marine Letter Agreement for Maintenance and Inspection, dated January 6, 2020, is **$30,000 (Thirty Thousand Dollars and 00/100)** for the first year. This fee shall be increased each year thereafter in accordance with the Consumer Price Index in the San Francisco Metro Area.

Rate Schedule- Maintenance services excluded from this Agreement will be billed at the rate of $85.00 per hour for the initial year and adjusted in accordance with the CPI index for each subsequent year.

Maintenance materials will be billed at cost plus 20%. A "not to exceed" amount will be established in Contractor's annual inspection report for agreed upon maintenance items.

5. **Schedule.** Inspection and maintenance will be performed upon receipt of written authorization from Owner to proceed with the Work.

6. **Payment.** Contractor shall invoice Owner for each annual inspection and maintenance upon its completion. Payment shall be due net cash ten (10) days from receipt of invoice. Method of payment to be approved by Contractor's credit department prior to commencement of services. Interest will be charged on past due accounts at 18% per annum, or at the highest non-usurious commercial rate allowable by state law or provided by state statute, whichever is less. If Contractor is required to employ an attorney to collect any amount due as a result of the default of Owner, the Owner shall pay all costs of collection, including reasonable attorney's fees and court costs.

7. **Materials Supplied.** All parts, components, and supplies supplied hereunder to maintain the facility shall be furnished by Contractor on an exchange basis, and the removed parts and/or components shall become the property of Contractor upon removal. Any parts, components, equipment, or supplies supplied by Contractor hereunder may, at Contractor's option, be either new or reconditioned, but in any case, they shall meet or exceed the specifications for the replaced part, component, equipment, or supply.

8. **Warranty.** Contractor warrants to Owner that all services will be performed in a good, workmanlike manner and that repaired or replaced parts or components will be free from defects in material and workmanship until the termination of this Agreement or one (1) year from the date of the service, whichever occurs first. Contractor's sole obligation under this warranty shall be to repair any item in the Facility which is covered by this warranty that is repairable, or, at its option, to refurbish, overhaul, rebuild, replace, or issue a credit or refund for any item in the Facility which is covered by this warranty that has been reported to Contractor as defective in material or workmanship by Owner and which has been determined by Contractor to be defective, provided that the Owner has complied with all of the terms and conditions of this Agreement. Failure of the Owner to promptly notify Contractor of a defect or malfunction will void the warranty, as will product misuse or neglect, use that is not considered "normal" under this Agreement, or if any other terms or conditions of this Agreement are violated. THE ABOVE IS A LIMITED WARRANTY AND IT IS THE ONLY WARRANTY MADE BY CONTRACTOR. THIS WARRANTY IS EXPRESSLY IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO ANY: (A) IMPLIED WARRANTY OR MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE; OR (B) IMPLIED WARRANTY OR CONDITION ARISING FROM COURSE OF PERFORMANCE, COURSE OF DEALING, OR USAGE OF TRADE. UNDER NO CIRCUMSTANCES SHALL CONTRACTOR HAVE ANY LIABILITY FOR CONSEQUENTIAL, EXEMPLARY, OR INCIDENTAL DAMAGES, OR FOR LOSS OF PROFITS OR ANY SIMILAR DAMAGES, EVEN IF IT HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES. CONTRACTOR SHALL NOT BE LIABLE FOR ANY DAMAGE CAUSED BY A DELAY IN FURNISHING OF MAINTENANCE OR INSPECTION SERVICES UNDER THIS AGREEMENT. Owner specifically acknowledges and agrees that Contractor's obligations hereunder are strictly that of a provider of services, and not as a vendor of goods or as a merchant.

9. **Limitation of Liability and Hold Harmless:** Unless otherwise expressly stated, these Services do not include testing or inspection intended to discover or analyze soil or water conditions, hazardous materials, electrical or mechanical systems, sewage disposal or water systems, or the suitability of the design and construction of the marina to withstand fire, flood, windstorm and wave action or other casualty, and we disclaim any responsibility to advise you of any conditions related thereto. Services performed hereunder do not constitute a warranty or guarantee concerning any condition, and BMI's fee for services has been determined accordingly. If Owner or any third party claims that BMI is liable for negligent performance of Services hereunder or for any other reason Owner claims that BMI has not fully satisfied its obligations under this Agreement, it is expressly agreed that BMI's liability to Owner is exclusively limited to the Fee paid under this Agreement. The Services performed hereunder are not intended to be performed for the benefit

or use of any party other than the Owner, and Owner agrees to indemnity and hold harmless from any claim made by any third party relating in any way to the Service provided hereunder.

10. **Modifications or Damage to the Facility.** Owner shall be responsible for use, care, and cleaning of the Facility in accordance with instructions provided. All risk of loss or damage to the Facility, except that caused by the negligence of Contractor, shall be the responsibility of Owner at all times. If the Facility is changed, modified, altered, or damaged in any respect by any party other than as a result of Contractor's negligence during the term of this Agreement, then, at the option of Contractor, this Agreement shall be terminated. Absent such termination, Contractor shall give Owner written notice of the change, modification, alteration, or damage, and Owner shall promptly correct the change, modification, alternation, or damage, or adjust the price payable hereunder to cover any increased costs to Contractor.

11. **Access.** During the term of this Agreement, Owner will allow access to all of the Facility and to all devices which are part of or associated with the Facility. Contractor will use its best efforts to coordinate annual inspection visits with Owner to minimize operational interruptions. In the event Contractor is denied or prevented from gaining access to the Facility, Contractor's obligations under this Agreement shall be suspended until the act, omission, or condition affecting access is remedied. If Contractor is denied or prevented from gaining access to the Facility as a result of an act or omission of Owner, Contractor shall be entitled to be paid for any visit which it is required to make as a result of such denial or prevention at its then standard rate for labor, material, and travel.

12. **Assessment and Adjustments.** Owner agrees to assume full responsibility for any present or future taxes or any other government charges now or hereafter imposed by existing or future laws in connection with the transfer, use, ownership, or possession of any of the Facility.

13. **Additional Devices.** Owner agrees not to employ additional attachments, features, or devices to the Facility, make alterations to the Facility, or permit the maintenance of the Facility by other than Contractor's personnel without the written consent of Contractor. Contractor shall not be liable for loss or damage to Owner resulting from unauthorized additional attachments, and Owner shall be liable to Contractor for any repair or damage costs incurred by Contractor as a result of the addition of unauthorized attachments. In addition, the warranty contained herein shall be null and void and of no force and effect if any provision of this paragraph is violated.

14. **Arbitration.** All controversies, disputes, or claims of whatever nature arising out of, in connection with, or in relation to the interpretation, from performance or breach of this Agreement, including any claim based on contract, tort, or statute, shall be resolved, at the request of either BMI or Owner, by final and binding arbitration administered by and in accordance with the then existing Construction Industry Rules of the American Arbitration Association, and judgment upon any award rendered by the Arbitrator(s) may be entered by any state or federal court having jurisdiction thereof. The arbitrator shall determine which is the prevailing party and shall include in the award that party's reasonable attorney's fees and costs.

15. **Agreement.** This Agreement represents the entire agreement between the parties hereto and supersedes prior negotiations, representations, or agreements, either written or oral.

This Agreement entered into as of the day and year first contract is executed between both parties.

City of Suisun	Bellingham Marine Industries, Inc.
By:_____	By: _____
Title:_____	Title:_____
Date:_____	Date:_____

M I N U T E S

SPECIAL MEETING OF THE SUISUN CITY COUNCIL ACTING AS SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF SUISUN CITY

TUESDAY, DECEMBER 3, 2019

5:30 P.M.

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

NOTICE
Pursuant to Government Code Section 54953, Subdivision (b), the following City Council meeting includes teleconference participation by Board Member Jane Day from: 301 Morgan Street, Suisun City, CA 94585

ROLL CALL
Mayor Wilson called the meeting to order at 5:30 PM with the following Council / Board Members present: Adams, Day, Segala, Williams, Wilson.

PUBLIC COMMENT - None
(Request by citizens to discuss any matter under our jurisdiction other than an item posted on this agenda per California Government Code §54954.3. Comments are limited to no more than 3 minutes unless allowable by the Mayor/Chair. Speaker cards are available on the table near the entry of the meeting room and should be given to the City Clerk. By law, no prolonged discussion or action may be taken on any item raised during the public comment period, although informational answers to questions may be given and matters may be referred for placement on a future agenda.)

CONFLICT OF INTEREST NOTIFICATION – None
(Any items on this agenda that might be a conflict of interest to any Councilmembers / Boardmembers should be identified at this time.)

CLOSED SESSION

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

City Council Acting as Successor Agency

1. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION
   Discussion of potential exposure to litigation pursuant to Government Code Section 54956.9(d)(2) – (1 potential case).

5:31 PM – Mayor Wilson recessed the meeting to Closed Session.

CONVENE OPEN SESSION
Announcement of Actions Taken, if any, in Closed Session.

6:17 PM – Mayor Wilson reconvened the meeting and stated no action was taken in Closed Session.

ADJOURNMENT

There being no further business, Mayor Wilson adjourned the meeting at 6:17 PM.

_____
Linda Hobson, CMC
City Clerk

M I N U T E S

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, DECEMBER 3, 2019

6:30 P.M.

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

NOTICE
Pursuant to Government Code Section 54953, Subdivision (b), the following Council/Successor Agency/Housing Authority meeting includes teleconference participation by:
Council/Board Member Jane Day from: 301 Morgan Street, Suisun City, CA 94585.

ROLL CALL

Mayor Wilson called the meeting to order at 6:31 PM with the following Council / Board Members present: Adams, Day, Segala, Williams, Wilson.
Pledge of Allegiance was led by Council Member Williams.
Invocation was given by City Manager Folsom.

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.)

George Guynn expressed concern about the City's financial status.

Steve Olry asked about the sale of the Senior Center. Mayor Wilson explained the sale was for Casa de Suisun land oly.

CONFLICT OF INTEREST NOTIFICATION - None

(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.)PRESENTATIONS/APPOINTMENTS

(Presentations, Awards, Proclamations, Appointments).

City Council

1. Presentation by Eriss Jones, Miss Solano County USA '19' – (Wilson: lwilson@suisun.com).

   Mayor Wilson stated Miss Jones was unable to attend and would try to reschedule at a later date.

2. Police Department Update on Homelessness – (Roth: aroth@suisun.com).

Consensus of Council was to have staff consider the option of partnering with another entity to see if it would be feasible for the City to rent a bed.

Raymond Klein discussed burglary, homelessness in Old Town and homeless people sleeping in private yards.

CONSENT CALENDAR - None

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

PUBLIC HEARINGS - None

GENERAL BUSINESS

City Council

3. Informational Update on the Traffic Safety Committee Accomplishments and On-going Work in the Fourth Quarter of 2019 – (Healy/Medill: dhealy@suisun.com / mmedill@suisun.com).

   TJ Hurley stated the pork chop would not solve the traffic issue nor would pushing the traffic to the other end of the subdivision. She hoped the developer would come up with the funds necessary to create a barrier between the gas station and the residents.

   Tracey Angelo stated 2014 Negative Declaration called for a 3 ½ foot fence, expressed concern about developer regarding violations, trash, and parking spaces.

   May Caples stated pork chop was not a solution and suggested traffic should go in and come out on Walters and expressed concern about the traffic.

   Steve Olry suggested the City enforce speed limits with issuance of speeding tickets.

   Consensus of Council was to recommend staff look into a "good neighbor" policy.

4. Waterfront District Business Improvement District – (Folsom: gfolsom@suisun.com).

   a. Council Adoption of Resolution No. 2019-122: Approving the Annual Assessment Report for the Waterfront District Business Improvement District.

   b. Council Adoption of Resolution No. 2019-123: Declaring its Intent to Consider Reauthorizing the Suisun City Historic Waterfront Business Improvement District and the Assessment Levy for the District for Fiscal Year 2020, and Setting a Public Hearing to Consider these Matters for December 17, 2019.

   George Guynn suggested BID should be independent and the City should not be used to bill the businesses.

   Motioned by Council Member Segala and seconded by Council Member Adams to adopt Resolutions No. 2019-122 and No. 2019-123. Motion carried unanimously by the following roll call vote:
   AYES: Council Members Adams, Day, Segala, Williams, Wilson

5. Discussion and Direction: Amendments to Commercial Cannabis Ordinance - (Folsom: gfolsom@suisun.com).

   18.49.020 Cannabis Regulation - Definitions – Adhoc Committee recommended deletion of smoking in lounge.

Matthew Nathaniel, representing Shrine Group, suggested expanding cannabis retail zoning and recommended a retail cannabis store next to a lounge in the downtown waterfront area and recommended a back room for smoking should be allowed in a lounge. He stated Shrine is active in the community and is a "good neighbor" business.

Verna Schuetter, doctor and cannabis activist, stated cannabis is used for medicine and gave a lot of positive statistics and supported the revised ordinance. She requested a reduction in the required deposit.

George Guynn expressed concern with pricing and encouraging people to smoke.

Steve Olry stated a cannabis lounge would be upscale in Hollywood but not in Suisun City and with lack of enforcement the City would not receive the expected revenue.

Consensus was that there would be prescriptive zoning for specific type of businesses to be allowed. 18.49.161. Consensus was if smoking was allowed, it would be in a separate room.

Council Member Segala moved to table Item 6 to the next meeting; and if Item 6 was tabled, he moved to adjourn the meeting. Mayor Wilson suggested finishing Item 6 so Council Member Segala withdrew his motion

6. Discussion and Direction: Procedures for Development Related Public Hearings – (Kearns: jkearns@suisun.com).

   Mayor Wilson recommended printed envelopes with notice in red and at the top of the letter should explain why resident is getting this notice because they are within 600 feet if this development.

   Consensus was to post notices at the Joe Nelson Center and have Planning Commission look at noticing 1,000 feet if it is adjacent to a school or day care.

REPORTS: (Informational items only.)

7. a. Council/Boardmembers

   Council Member Day recommended looking at homelessness in neighborhoods.

   Council Member Adams stated looking forward to seeing everyone at Christmas on the Waterfront.

   b. Mayor/Chair

8. City Manager/Executive Director/Staff

PUBLIC COMMENT - None

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

ADJOURNMENT

There being no further business, Mayor Wilson adjourned the meeting at 10:15 PM.

_____

Linda Hobson, CMC
City Clerk

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M I N U T E S

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, DECEMBER 17, 2019
6:30 P.M.

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

NOTICE
Pursuant to Government Code Section 54953, Subdivision (b), the following Council/Successor Agency/Housing Authority meeting includes teleconference participation by:
Council/Board Member Jane Day from: 301 Morgan Street, Suisun City, CA 94585.

(Next Ord. No. – 765)
(Next City Council Res. No. 2019 – 124)
Next Suisun City Council Acting as Successor Agency Res. No. SA2019 - 06)
(Next Housing Authority Res. No. HA2019 – 08)

ROLL CALL
Mayor Wilson called the meeting to order at 6:34 PM with the following Council / Board Members present: Adams, Day, Segala, Williams, Wilson.
Pledge of Allegiance was led by Vice Mayor Segala.
Invocation was given by City Manager Folsom.

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.)

Steve Olry reported large vehicles parked close to corners on Pintail and expressed concern about cannabis dispensaries.

CONFLICT OF INTEREST NOTIFICATION - None
(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.)

PRESENTATIONS/APPOINTMENTS
(Presentations, Awards, Proclamations, Appointments).

City Council

1. Proclamation: Not Presented – (Wilson: lwilson@suisun.com).
    a. Proclamation Proclaiming City Hall will be closed on December 24, 2019
2. Committee Appointments - (Wilson/Adams: lwilson@suisun.com / aadams@suisun.com).
    a. Public Safety and Emergency Management Committee

    Mayor Wilson appointed Baruch Gould and Council Member Adams appointed Terrance West.

Motioned by Council Member Adams and seconded by Mayor Wilson to appoint Baruch Gould and Terrance West to the Public Safety and Emergency Management Committee. Motion carried unanimously by the following roll call vote:
AYES: Council Members: Adams, Segala, Day, Williams, Wilson

CONSENT CALENDAR

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

City Council

3. Council Adoption of Resolution No. 2019-124: Nominate Both Gentry PPA and East Side PPA to the Association of Bay Area Governments (ABAG) and Metropolitan Transportation Commission (MTC) for Adoption as a Priority Production Area (PPA). - (Folsom/Kearns: gfolsom@suisun.com / jkearns@suisun..com).
4. Council Adoption of Resolution No. 2019-125: Reaffirming the Necessity of the Development Impact Fees, and Accepting the Annual Report on Development Impact Fees. – (Luna: eluna@suisun.com).
5. Council Adoption of Resolution No. 2019-126: Accepting the Pierce Island Vegetation Removal and Mouse Exclusion Fence Installation Project as Complete, and Authorizing the City Manager to Record the Notice of Completion for the Project – (Lofthus: klofthus@suisun.com).

Joint City Council / Suisun City Council Acting as Successor Agency/Housing Authority

6. Council/Agency/Authority Approval of the Minutes of the Regular and/or Special Meetings of the Suisun City Council, Suisun City Council Acting as Successor Agency, and Housing Authority held on November 26, 2019 – (Hobson: clerk@suisun.com).

Suisun City Council Acting as Successor Agency

7. Agency Adoption of Resolution No. SA 2019-06: Receiving and Accepting a Recognized Obligation Payment Schedule 20/21 (ROPS) for the Period of July 1, 2020 through June 30, 2021 – (Luna: eluna@suisun.com).

Joint City Council / Suisun City Council Acting as Successor Agency

8. Council/Agency Approval of the November 2019 Payroll Warrants in the Amount of $454,932.90. Council/Agency Approval of the November 2019 Accounts Payable Warrants in the Amount of $1,671,353.06 – (Finance).

Council Member Segala asked that Item 3 and 7 be pulled from Consent Calendar.

Motioned by Council Member Adams and seconded by Council Member Williams to approve Items 4, 5, 6, and 8. Motion carried unanimously by the following roll call vote:
AYES: Council Members: Adams, Day, Segala, Williams, Wilson

Item 3

Motioned by Council Member Segala and seconded by Council Member Williams to adopt Resolution No. 2019-124. Motion carried unanimously by the following roll call vote:
AYES: Council Members: Adams, Segala, Day, Williams, Wilson

Item 7

Motioned by Board Member Segala and seconded by Board Member Day to adopt Resolution No. SA 2019-06. Motion carried unanimously by the following roll call vote:
AYES: Council Members: Adams, Segala, Day, Williams, Wilson

PUBLIC HEARINGS

City Council

9. PUBLIC HEARING - (CONTINUED TO JANUARY 14, 2020)
Council Introduction and Waive Reading of Ordinance No. 765: Amending Section 13.04.470 of the City of Suisun City Municipal Code Regarding Residential Water Shutoff Procedures to be in Conformance with the California Water Shut Off Protection Act – (Dingman/Luna: jdingman@suisun.com / eluna@suisun.com).

Mayor Wilson opened the public hearing. Hearing no comments, Mayor Wilson continued the public hearing to a future council meeting.

10. PUBLIC HEARING

Consideration of the Following for the Historic Waterfront Business Improvement District – (Kearns: jkearns@suisun.com).

a. Council Adoption of Resolution No. 2019-__: Reauthorizing and Renewing the Historic Waterfront Business Improvement District and the Assessment Levy for the District; and

b. Council Adoption of Resolution No. 2019-__ Approving the Proposed Calendar-Based Fiscal Year 2020 Operating Budget for the Suisun City Historic Waterfront Business Improvement District.

Mayor Wilson opened the public hearing.

Carrie Clinkingbeard, stated BID was not benefiting her business and felt the zoning was unfair and asked where the money was going?

Laura Cole Row expressed concerns about BID violations and lack of communication, meetings and elections as stated in their bylaws and submitted signed protests.

Frank Sindjermann expressed concern about lack of improvements for last seventeen years, crime, lack of law enforcement, and public safety.

George Guynn suggested BID should be voluntary without assistance from the City and agreed with previous speakers.

Hearing no further comments, Mayor Wilson closed the public hearing.

Mayor Wilson reopened the public hearing.

Laura Cole Row suggested the council facilitate a meeting with the BID and notify all the businesses of the time and date and asked the status of the protest letters to disband.

George Guynn felt forcing businesses to be a part of the BID was counterproductive and should be disband.

Steve Olry stated it was the City's responsibility to keep the business owners motivated and asked why the City Council was taking the heat when it should be directed to the president of the BID.

Hearing no further comments, Mayor Wilson continued the public hearing.

Mayor Wilson stated if and when the City facilitates a meeting all business owners will be notified of the time and place of the meeting; the protest period would still be open to the next council meeting; the council would not be making a decision tonight and would be entertaining a motion to table the item; and yes, Mike Hudson is the president of the BID and he is currently out of town.

Motioned by Council Member Segala and seconded by Council Member Day to continue this item to February 4, 2020 and direct staff to allow renewal of the business licenses based only on the business license fee. Motion carried unanimously by the following roll call vote:
AYES: Council Members: Adams, Day, Segala, Williams, Wilson

11. PUBLIC HEARING
Council Adoption of Resolution No. 2019-127: Approving an Update of the Master Fee Schedule – (Folsom/Vincent/Kearns: gfolsom@suisun.com / jvincent@suisun.com / jkearns@suisun.com).

Mayor Wilson opened the public hearing. Hearing no comments, Mayor Wilson closed the public hearing.

Motioned by Council Member Adams and seconded by Council Member Williams to adopt Resolution No. 2019-127. Motion carried by the following roll call vote:
AYES: Council Members Adams, Williams, Wilson
NOES: Council Members Day, Segala

12. PUBLIC HEARING
Council Adoption of Resolution No. 2019-128: Approving a 60-Foot-Tall Pylon Sign at the Heritage Park Shopping Center (Assessor Parcel Number 0173-010-380) – (Kearns: jkearns@suisun.com).

Consensus of Council was to bypass staff presentation and vote on item after public hearing.

Mayor Wilson opened the public hearing. Hearing no comments, Mayor Wilson closed the public hearing.

Motioned by Council Member Segala and seconded by Council Member Adams to adopt Resolution No. 2019-128. Motion carried by the following roll call vote:
AYES: Council Members: Adams, Segala, Williams, Wilson

NOES: Council Member Day

Housing Authority Council

13. PUBLIC HEARING
Confirming Intent and Approving Sale of Two Parcels Owned by the Housing Authority of the City of Suisun City (Assessor Parcel Numbers 0173-390-160 and 0173-390-180) located along the north side of Highway 12 and east of Sunset Avenue – (Folsom: gfolsom@suisun.com).

a. Housing Authority Board Adoption of Resolution No. HA2019-08: A Resolution of Intent to Sell Two Parcels Owned by the Housing Authority (Assessor Parcel Numbers 0173-390-160 and 0173-390-180) Located Along the North Side of Highway 12 and East of Sunset Avenue; and

b. Housing Authority Board Adoption of Resolution No. HA2019-09: Authorizing the Executive Director to Execute the Agreement for Purchase and Sale of Real Property and Joint Escrow Instructions Jointly with Sutter Retail Development, Inc., and Take Any and All Actions Necessary to Move Forward with the Sale of the Property.

Mayor Wilson opened the public hearing.

Steve Olry expressed concern about the development of the property and the City's control.

Hearing no further comments, Mayor Wilson closed the public hearing.

Motioned by Commissioner Williams and seconded by Commissioner Adams to adopt Resolutions No. HA2019-08 and No. HA2019-09 adding to the agreement of sale that the City Council would have the right to determine what businesses . Motion carried unanimously by the following roll call vote:
AYES: Commissioners Adams, Segala, Day, Williams, Wilson

GENERAL BUSINESS

City Council

14. Council Adoption of Resolution No. 2019-131: Adopting Certain Findings and the Policy Directives to Implement the Sales and Use of Safe and Sane Fireworks for 2020 as Provided in Chapter 8.04 of the Suisun City Code – (Vincent/Maio: Jvincent@suisun.com / cmaio@suisun.com).

Motioned by Council Member Segala and seconded by Council Member Williams to adopt Resolution No. 2019-131. Motion carried unanimously by the following roll call vote:
AYES: Council Members: Adams, Segala, Day, Williams, Wilson

REPORTS: (Informational items only.)

15. a. Council/Boardmembers

Council Member Adams reported attending the Firefighters Awards and Gala last Saturday.

Council Member Williams wished Joshua a happy birthday; attended Coffee Cops at McDonalds, the Firefighters Awards and Gala, Neighborhood Watch Christmas Party; and stated she had been accepted into the Emerge Program.

Council Member Segala thanked City Manager Folsom and Police Chief Roth for the meeting with Captain Healy and himself to work with Solano County, cities in Solano County and UPRR with regard to the homeless encampments.

b. Mayor/Chair

Mayor Wilson:

- **Asked for consensus of Council to bring back resolution regarding Public Safety Citizen Advisory Committee to designate police and fire staff to serve on this committee. Council gave consensus;**
- **Would be asking the concerned citizens on Facebook if they would like to discuss parking and paving concerns at the January 14 or February 4 council meeting;**
- **Reported there was an amazing light show on Shoveller near Council Member Segala's home.**

16. City Manager/Executive Director/Staff

City Manager Folsom reported there would only be one council meeting in January on the 14th and thanked all the council, boards, commissions and staff for all their hard work this year.

PUBLIC COMMENT - None

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

ADJOURNMENT

There being no further business, Mayor Wilson adjourned the meeting at 8:45 PM.

_____

Linda Hobson, CMC
City Clerk

AGENDA TRANSMITTAL

MEETING DATE: January 14, 2020

CITY AGENDA ITEM: PUBLIC HEARING: Proposed Policy for Water Discontinuation Following Nonpayment:

1. Council Introduce and Waive Reading of Ordinance No.____: Amending Chapter 13.04 of the City of Suisun City Municipal Code and Adding Section 13.04.475 Regarding Residential Water Shutoff Procedures to be in Conformance with the California Water Shutoff Protection Act; and
2. Council Adoption of Resolution No. 2020-___: Approving a Policy on Residential Water Discontinuation to be in Conformance with the California Water Shutoff Protection Act; and
3. Council Adoption of Resolution No. 2020-___: A Joint Resolution of the City of Suisun City and the Solano Irrigation District Amending Joint Resolution No. 87-2, Establishing Water Division Regulations.

FISCAL IMPACT: There is no direct impact to the General Fund; water and sewer revenues are deposited to Fairfield-Suisun Sewer District (FSSD) and to Suisun-Solano Water Authority (SSWA). Due to the lengthening of the delinquency period to 60 days and the SB 998 requirement to offer a payment arrangement plan to customers that could extend upwards of 12 months, recovery of utility accounts receivables could be delayed which could ultimately result in slightly less revenue generation.

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

STAFF REPORT: On September 28, 2018, then-California Governor Brown signed Senate Bill 998 into law. Senate Bill 998, the Water Shutoff Protection Act ("Act"), codified as California Health and Safety Code Section 116900, et seq. The Act provides specific rules and procedures for the City to follow before it terminates residential water service to dwellings, including single-family homes, multifamily homes, mobile homes including those in mobile home parks, and farmworker housing.

As an urban water supplier, the City must comply with the Act by February 1, 2020. In light of the Act, the City will need to extend the number of days before it shuts off water service to at least 60 days after a customer is delinquent. The City will also need to ensure the notice to customers includes information and procedures as to how the customer can avert discontinuation of residential water service. Further, the City is advised to add a requirement that a customer demonstrate financial inability to pay before qualifying for certain payment plans and further to avoid termination of service.

PREPARED BY: Elizabeth Luna, Accounting Services Manager
REVIEWED BY: Joe Dingman, Administrative Services Director
APPROVED BY: Greg Folsom, City Manager

The City Must Have a Written Policy for Its Water Shutoff Procedures

The City must have a written policy on discontinuation of residential service for nonpayment. Although the City and the Solano Irrigation District have Joint Resolution No. 87-2, this policy must be updated and contain: (1) a plan for deferred or reduced payments and alternative payment schedules; (2) a way to appeal a bill; and (3) a telephone number for a customer to call to discuss options to avoid termination of service for nonpayment.

Additionally, the City's policy must be available online. It also must be available in English, the languages listed in Civil Code Section 1632 (Spanish, Chinese, Tagalog, Vietnamese, and Korean), and any other language spoken by at least 10% (ten percent) of the City's population. There currently are no other languages identified to be added.

Notice Requirements Before Terminating Service

A customer must be delinquent on payment for at least 60 days before the City can discontinue residential service. There is a discrepancy between the Act's requirement that a customer receive seven business days' notice before service is terminated and provisions of the Public Utilities Code, which provide for 10 to 15 days' notice. Staff recommends that the City extend its notice requirements to 15 days to ensure compliance with all applicable statutes. The Act requires staff to give certain notifications when calling or sending written notice to a customer, as detailed in the draft resolution. Other notice requirements mandated by the Act, such as requiring the City to make good faith efforts to go to a residence when they cannot reach a customer by phone or in writing, are also included within the draft resolution.

The City Must Report Annual Service Shutoff Figures

The City must report the number of annual discontinuations of residential service for inability to pay on its website and to the State Water Resources Control Board ("State Water Board").

The City can terminate service if a customer acts in an unauthorized manner.

Tampering with the water system to bypass water meter or otherwise illegally access or tamper with the water system.

The State Water Resources Control Board Can Penalize the City for Violating the Act

The State Water Board may enforce violations of the Act against the City. If the City does not comply with the Act, the State Water Board may assess a civil penalty up to $1,000 a day for each day a violation occurs. For this reason, staff recommends the City Council adopt this ordinance and resolution.

PREPARED BY:	Elizabeth Luna, Accounting Services Manager
REVIEWED BY:	Joe Dingman, Administrative Services Director
APPROVED BY:	Greg Folsom, City Manager

RECOMMENDATION: It is recommended that the City Council:

1. Introduce and Waive Reading of Ordinance No.____: Amending Chapter 13.04 of the City of Suisun City Municipal Code and Adding Section 13.04.475 Regarding Residential Water Shutoff Procedures to be in Conformance with the California Water Shutoff Protection Act; and
2. Council Adopt Resolution No. 2020-___: Approving a Policy on Residential Water Discontinuation to be in Conformance with the California Water Shutoff Protection Act; and
3. Council Adopt Resolution No. 2020-___: A Joint Resolution of the City of Suisun City and the Solano Irrigation District Amending Joint Resolution No. 87-2, Establishing Water Division Regulations.

ATTACHMENTS:

1. Ordinance No.-____: Amending Chapter 13.04 of the City of Suisun City Municipal Code and Adding Section 13.04.475 Regarding Residential Water Shutoff Procedures to be in Conformance with the California Water Shutoff Protection Act; and
2. Resolution No. 2020-___: Approving a Policy on Residential Water Discontinuation to be in Conformance with the California Water Shutoff Protection Act; and
3. Resolution No. 2020-___: A Joint Resolution of the City of Suisun City and the Solano Irrigation District Amending Joint Resolution No. 87-2, Establishing Water Division Regulations.
4. Power Point Presentation

PREPARED BY:	Elizabeth Luna, Accounting Services Manager
REVIEWED BY:	Joe Dingman, Administrative Services Director
APPROVED BY:	Greg Folsom, City Manager

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ORDINANCE NO. ____ -

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY AMENDING CHAPTER 13.04 OF THE CITY OF SUISUN CITY MUNICIPAL CODE AND ADDING SECTION 13.04.475 REGARDING RESIDENTIAL WATER SHUTOFF PROCEDURES TO BE IN CONFORMANCE WITH THE CALIFORNIA WATER SHUTOFF PROTECTION ACT

WHEREAS, the Governor signed Senate Bill 998 into law on September 28, 2018, codified as the California Water Shutoff Protection Act, Health and Safety Code Section 116900, et seq.

WHEREAS, the City of Suisun City seeks to update Municipal Code Chapter 13.04 to be in conformance with the California Water Shutoff Protection Act.

NOW, THEREFORE, the City Council of the City of Suisun City does ordain as follows:

Section 1: Findings:

A. The recitals set forth above are true and correct and incorporated as though fully set forth herein.

B. This amendment to Chapter 13.04 of the City of Suisun City Municipal Code regarding water shutoff procedures is found to be in conformity with the California Water Shutoff Protection Act because it incorporates the requirements of the Act into the City's existing municipal code section.

C. The California Water Shutoff Protection Act mandates that the city not terminate residential water service until a customer has been delinquent for at least 60 (sixty) days.

D. The California Water Shutoff Protection Act further requires that the city adopt a policy in conformance with its provisions. Accordingly, the City Council adopted Resolution No. 2020-___, adopting the City's policy regarding water discontinuation for nonpayment procedures to be in conformance with the California Water Shutoff Protection Act.

Section 2: Section 13.04.475 (Discontinuation for nonpayment) of Chapter 13.04 (Water) of Title 13 (Public Services) is added as follows::

13.04.475 – Discontinuation for nonpayment.

Water discontinuation for nonpayment will be in accordance with the City Council policy in conformance with the California Water Shutoff Protection Act, adopted by resolution.

Section 3: Severability:

If any section, subsection, paragraph or sentence of this Ordinance, or any party thereof, is for any reason found to be unconstitutional, invalid or beyond the authority of the City of Suisun City by a court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance.

Section 4: Effective Date:

This Ordinance shall be in full force and effect thirty (30) days after its passage.

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

_____
Lori D. Wilson, Mayor

ATTEST:

_____
Linda Hobson, CMC
City Clerk

CERTIFICATION

I, Linda Hobson, City Clerk of the City of Suisun City and ex-officio Clerk of the City Council of said City, do hereby certify that the above and foregoing ordinance was introduced at a regular meeting of the said City Council held on Tuesday, January 14, 2020 and passed and adopted at a regular meeting of said City Council held on Tuesday, _____, 2020, by the following vote:

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

WITNESS my hand and the seal of said City this _____ 2020.

_____
Linda Hobson, CMC
City Clerk

RESOLUTION NO. 2020 -

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY APPROVING A POLICY ON RESIDENTIAL WATER DISCONTINUATION TO BE IN CONFORMANCE WITH THE CALIFORNIA WATER SHUTOFF PROTECTION ACT.

WHEREAS, the Governor signed Senate Bill 998 into law on September 28, 2018, codified as the Water Shutoff Protection Act, Health and Safety Code Section 116900, et seq.

WHEREAS, the Water Shutoff Protection Act requires the City of Suisun City to establish a policy in conformance with its provisions.

WHEREAS, the City Council of the City of Suisun City desires to adopt a water shutoff policy that is in conformance with the Water Shutoff Protection Act.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUISUN CITY that the City Council hereby adopts this policy regarding water shutoff procedures in conformance with the California Water Shutoff Protection Act.

SECTION 1. ADOPTION OF POLICY

A. Notice. Where utility service charges are delinquent, water service shall be discontinued at 10:00 a.m. on the 61st (sixty-first) day after the owner or occupant of the premises is delinquent, pursuant to the procedures set forth in this policy and Joint Resolution No. 2020-___ between the City of Suisun City and Solano Irrigation District establishing Water Division Regulations.

B. It is the policy of the City of Suisun City to adopt the following deferred and reduced payment plans and alternative payment schedules in compliance with City of Suisun City Municipal Code Section 13.04.470 and California Health and Safety Code Section 116906:

1. Deferred or reduced payment plans.

a. Deferred payment plan. The City may offer a deferred payment plan, provided the customer commits to a payment plan designed to bring the account current in no fewer than two billing cycles. In no event shall the amortization period exceed twelve (12) months.

b. Reduced payment plan. Reduced payments are available for customers who demonstrate financial inability to pay. A customer demonstrates a financial inability to pay by showing the customer has a household income below 200% (two hundred percent) of the federal poverty line. A customer may demonstrate he or she is below 200% (two hundred percent) of the federal poverty line if any member of the household is a current recipient of CalWORKs, CalFresh, general assistance, Medi-Cal, Supplemental Social Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women, Infants, and Children, or the customer declares that the household's annual income is less than 200% (two hundred percent) of the federal poverty level.

c. If a customer demonstrates a household income below 200% (two hundred percent) of the federal poverty line, the City may waive charges on delinquent bills once every 12 months.

2. Alternative payment schedule. The City may consider dividing a residential water service customer's charges into equal monthly payments, or other alternate

payments the City's administrative services director and/or designee consider necessary to avoid undue hardship to the customer, based on the circumstances of the customer's individual case.

C. It is the policy of the City of Suisun City to provide an appeals process to allow a customer to contest a residential water service bill. A resident may appeal a bill for residential water service in conformance with the appeal process provided in Section 5 of Joint Resolution No. 2020-___, a resolution establishing water division regulations for the City of Suisun City and Solano Irrigation District. Section 5 of Joint Resolution No. 2020-___ provides:

Water customers who feel they have been unfairly treated by administrative application of these regulations may file successive appeals until the matter is resolved, as follows:

1. Finance Director/Administrative Services Director

2. City Manager

3. Two-member committee composed of Council members, whose decision shall be appealable only to the Council.

Residential water service may not be terminated while an appeal is pending.

D. A customer may contact the City of Suisun City Administrative Services Director at 707-421-7300, to discuss options to avert discontinuation of residential water service for nonpayment.

E. This policy will be available on the City's website.

F. Nothing in this policy or in Ordinance No. 2020-___ should be construed as inconsistent with the Water Shutoff Protection Act, codified in California Health & Safety Code Section 116900, et seq. If there is a question as to whether the City's code, policy, or the Act applies, the provisions of the Act prevail.

G. If a customer is delinquent in payment, the following processes may be utilized:

1. If the City calls the customer, the City will offer to send the customer the City's written policy on discontinuation of residential service for nonpayment and offer to discuss the City's options to avert discontinuation of service, including those provided in this policy and in Health and Safety Code Section 116908(a)(1)(B).

2. If the City contacts the customer via written notice, that notice shall be sent to the customer. If the property address where service is provided is different than the customer's address, notice will also be sent to the property address addressed to "Occupant." The notice will include the customer's name and address, the delinquent amount, the date payment is due to avoid discontinuation of residential service, a description of how to apply for an extension to pay the delinquent amount, a description of how to petition for bill review and appeal, and a description of how to request other payment options as provided in the City's policy.

3. If the City is unable to contact a customer by telephone, and written notice is returned through the mail as undeliverable, the City will make a good faith effort to visit the residence and leave a notice of imminent discontinuation of residential service for nonpayment and the City's policy for discontinuation of residential service in a conspicuous place.

H. The City shall not discontinue residential water service to a customer with a demonstrated medical need, if the following conditions are met:

1. A customer, or the customer's tenant, supplies the City with certification from a primary care provider, as defined in Welfare and Institutions Code Section 14088(b)(1)(A), declaring termination of water service would be life threatening, or pose a serious threat, to the health and safety of the customer or a resident of the premises where water service is provided;

2. The customer demonstrates that the customer is financially unable to pay for water service, as provided in California Health & Safety Code Section 116910(a)(2); and

3. The customer agrees to enter into a payment plan consistent with California Health and Safety Code Section 116910(a)(3) and the City's policy. The City may choose the payment option and its parameters.

4. If the customer fails to comply with a deferred or reduced payment plan or alternative payment schedule for 60 (sixty) days or more, the City may discontinue residential service no sooner than 5 (five) business days after the City posts notice of its intent to disconnect service in a prominent and conspicuous location at the property.

5. If while under a deferred or reduced payment plan or alternative payment schedule, the customer fails to pay his or her current residential service charges for 60 (sixty) days or more, the City may discontinue residential service no sooner than 5 (five) business days after the City posts notice of its intent to disconnect service in a prominent and conspicuous location at the property.

I. Restoration of service.

1. Restoration of service during office hours. If residential service is discontinued for nonpayment, the City may restore residential service after all the delinquent service charges, penalties, and a charge for the disconnection and reconnection of water services to the premises have been paid. The charge for disconnection and reconnection of water services will be calculated based on Solano Irrigation District staff's time to reconnect divided by their hourly cost.

a. Customers who demonstrate a household income below 200% (two hundred percent) of the federal poverty line may be subject to a maximum reconnection during normal operation hours of $50 (fifty dollars), or the actual cost of reconnection if less. Reconnection fees will be subject to an annual adjustment for changes in the Consumer Price Index beginning on January 1, 2021. The City may also waive charges on delinquent bills once every 12 (twelve) months for customers who demonstrate a household income level below 200% (two hundred percent) of the federal poverty line.

2. Restoration of service after office hours. Any customer requesting to be reconnected to City utility services after normal working hours, will be subject to an additional charge, at a minimum equal to Solano Irrigation District staff's time to reconnect divided by their hourly cost. Fees must be paid prior to commencement of services.

a. Customers who demonstrate a household income below 200% (two hundred percent) of the federal poverty line may be subject to a maximum after-hours reconnection of $150 (one hundred fifty dollars), or the actual cost of reconnection if less. Reconnection fees will be subject to an annual adjustment for changes in the Consumer Price Index beginning on January 1, 2021. The City may also waive charges on delinquent bills once

every 12 (twelve) months for customers who demonstrate a household income level below 200% (two hundred percent) of the federal poverty line.

J. Discontinuation of residential water service when a landlord-tenant relationship exists between the occupants and owner, manager, or operator of the residence.

1. Where utility service charges are delinquent, discontinuation of service may occur at 10:00 a.m. on the 61st (sixty first) day after a master meter customer is delinquent. The City shall provide notice of termination to residents with a master meter pursuant to Health and Safety Code section 116916 and in compliance with the City rules and regulations in effect at the time of providing such notice.

K. The City of Suisun City will report the number of annual residential service discontinuations for nonpayment on its website and to the State Water Resources Control Board.

L. The City of Suisun City will provide all written notices pursuant to this policy in English, the languages listed in California Civil Code Section 1632, and any other language spoken by 10% (ten percent) or more of its customers.

M. Notwithstanding this policy and the applicable municipal code sections, the City of Suisun City may terminate service due to an unauthorized act by a customer.

SECTION 2. EFFECTIVE IMMEDIATELY

This resolution shall become effective immediately upon its passage and adoption.

SECTION 3. SEVERABILITY AND VALIDITY

If any section, subsection, paragraph or sentence of this Resolution, or any party thereof, is for any reason found to be unconstitutional, invalid or beyond the authority of the City of Suisun City by a court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Resolution.

PASSED AND ADOPTED at a Regular Meeting of the City Council of the City of Suisun City held on Tuesday the 14th of January, 2020 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 14th of January, 2020.

_____
Donna Pock, CMC
Deputy City Clerk

RESOLUTION NO. 2020-

A JOINT RESOLUTION OF THE CITY OF SUISUN CITY AND THE SOLANO IRRIGATION DISTRICT AMENDING JOINT RESOLUTION NO. 87-2, ESTABLISHING WATER DIVISION REGULATIONS

WHEREAS, the City of Suisun and Solano Irrigation District have entered into a Joint Exercise Powers Agreement dated the 17th day of May, 1976, to provide water pursuant to said Agreement; and,

WHEREAS, on or around February and March 1987, the Solano Irrigation District and the City of Suisun City adopted Resolution No. 87-2, establishing water division regulations which include outdated rates; and

WHEREAS, the water division regulations are further required to be updated to comply with Senate Bill 998, which desire to provide regulations for certain phases of the operation of the Joint Service Area, and,

WHEREAS, both Suisun City Council and the Solano Irrigation District Board of Directors have reviewed the proposed Regulations.

NOW, THEREFORE, be it resolved by the City Council of the City of Suisun City and the Board of Directors of the Solano Irrigation District that the following changes in strikethrough and bold are made to Resolution No. 87-2:

SECTION 1. DEPOSITS

(a) A $30 (thirty dollars) initial water deposit shall be charged for every customer. The deposit shall be paid at the time of application for water service.

(b) Customers who have failed to pay any outstanding charges for previous water services as required by this Resolution shall be required to pay an initial $60 (sixty dollars) deposit per account to reestablish credit with the water system.

(c) Water deposits shall be returned to the customer through application against charges at discontinuance of service or after two years if the customer has not been delinquent in the two-year period.

SECTION 2. BILLING

(a) Billing Periods. Bills for all water service will be rendered ~~bi-monthly~~ **every two months**. Meters shall be read at approximately equal intervals for the preparation of periodic billing. Special readings shall be taken for opening or closing bills.

(b) Back Billing. If a customer is found to be using water for which no bills have been issued, the water system shall install a meter, if none exists, and/or render a bill from the last customer's termination date and reading. The water system may adjust this time period upon proof of initial utility usage.

(c) Opening and Closing Bills. If the total period of service is less than the billing period it shall be billed on the basis of 15 (fifteen) day increments and on actual water consumption. Current rates shall apply.

(d) Payment. Bills are due and payable on the billing date. Payment shall be made with good funds at the City Administrative Offices, or at a place designated by the City

Manager. The water system accepts no responsibility for non-receipt of bills, except in circumstances that are not under its direct control. Payment is considered remitted only when actually received by the water system.

(e) Delinquent Accounts. All bills become delinquent thirty (30) days after the Billing Date printed on the bill. If delinquent charges and any applicable late charges are not paid within ~~thirty (30)~~ **60 (sixty)** days after the account becomes delinquent, the water system may assess an additional collection fee for handling and processing. **The City of Suisun City and the Solano Irrigation District may also waive charges on delinquent bills once every 12 (twelve) months for customers who demonstrate a household income level below 200% (two hundred percent) of the federal poverty line.**

(f) Late Charge. As provided in Section 2(e), all bills become delinquent thirty (30) days after the Billing Date printed on the bill. All bills becoming delinquent will be assessed a 10% (ten percent) late charge. **The City of Suisun City and the Solano Irrigation District may also waive charges on delinquent bills once every 12 (twelve) months for customers who demonstrate a household income level below 200% (two hundred percent) of the federal poverty line.**

(g) **Waiver of Delinquent Notices and Charges to the State of California. The State of California, because of a sound financial base and variations in budget approval and warrant payment procedures, will not be sent delinquent notices or assessed a late charge for delinquent payment of existing accounts.**

(h) **Deferred Plan Arrangements. Any customer who is unable to pay for water service within the normal payment period may request a deferred payment plan designed to bring the account current in no fewer than two billing cycles. In no event shall the amortization period exceed twelve (12) months.**

To qualify for an alternative payment schedule, the customer must:

1. **Submit a primary care provider certification, as defined in Welfare and Institutions Code section 14088(A) (1)(b), such as that discontinuation of service would be life threatening to, or pose a serious threat to the health and safety of, a resident of the premises where the service is provided.**
2. **The customer must demonstrate financial inability to pay by showing the customer has a household income below two hundred percent (200%) of the federal poverty line. A customer may demonstrate he or she is below the two hundred percent (200%) of the federal poverty line if any member of the household is a current recipient of CalWORKs, CalFresh, general assistance, Medi-Cal, Supplemental Social Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women, Infants, and Children, or the customer declares that the household's annual income is less than two hundred percent (200%) of the federal poverty level.**

Payment schedules that extend into the next billing period are considered a deferred plan, which must be in writing and signed by the customer. A deferred plan will amortize the unpaid balance over a period defined by the customer, not to exceed 12 months from the original date of the bill. The amortized payment will be combined with, and subject to the due date of, the customer's regular bill. The

customer must comply with the terms of the amortization plan and remain current as charges accrue in each subsequent billing period. The customer may not request further amortization of any subsequent unpaid charges while paying delinquent charges pursuant to an amortization plan. Failure to comply with the terms of an amortization plan will result in the issuance of a written disconnection notice. The disconnection notice will be in the form of door hanger delivered to the premises no less than 5 business days in advance of discontinuance of service.

(i) Collection Procedures – Delinquent Accounts. A delinquent notice shall be sent by first class mail within 30 (thirty) days after the account becomes delinquent. The delinquent notice shall state the final date and time that full delinquent payment will be accepted prior to assessment of collection fees and termination of water service. At least ~~five (5)~~ **15 (fifteen)** days prior to the final date, a shut-off notice shall be sent by first class mail, restating the final date and time.

(j) **Disconnection of Water Service for Non-Payment. A water service is subject to discontinuance after 60 (sixty) days of nonpayment. The City will disconnect water service by turning off, and in some cases locking off, the meter. The customer will be charged a fee in the billing system regardless of whether the meter has been physically turned off.**

(k) Demand for Charges. If this required payment is not received by the date and time as provided in Section 2(e) or Section 2(i), as applicable, the water system may demand all charges including a ~~collection fee~~ **disconnection fee** of ~~eighteen dollars ($18)~~ **twenty one dollars and thirty cents ($21.30)**, same day reconnection fee of ~~eighteen dollars ($18)~~ **thirty five dollars ($35), and an additional deposit of thirty dollars ($30) for every shut-off up to a maximum of one hundred and eighty dollars ($180).** ~~If the water system has less than ninety dollars ($90) as a deposit for the account, an additional thirty dollars ($30) deposit shall be paid. Ninety dollars ($90) shall be the maximum deposit required for each service account to receive water service~~**.** The water system may also shut-off water service to enforce payment as provided in Section 2(e) or Section 2(i), as applicable. **The City of Suisun City and the Solano Irrigation District will also consider the hardship exception provided in Section 2(h).**

(l) Shut-off Procedures. On the Shut-off date, a representative of the water system shall turn off the meter, seal the meter and hang a notice on the door. The notice will inform the consumer that water service is discontinued and what is required to have water service restored.

(m) Dishonored Payments. Negotiable instruments received but subsequently dishonored are not considered payment with good funds. Such payments will result in the water system demanding full payment of all charges plus a ~~ten dollar ($10)~~ $29 (twenty nine dollar) redemption fee for bad checks and **$35 (thirty five dollars) for online payment fees, subject to an annual increase.** The water system shall inform the customer by either a notice hung on the door at the service location or sent by first class mail. The notice will inform the customer what is required and by what date payment is to be made to avoid the assessment of additional collection charges in termination of water service. **Water service will be disconnected if the amount of the returned check and the returned check charge are not paid on or before the date specified in the notice of termination. All amounts paid to redeem a returned check and to pay the returned check charge must be in cash, credit card or certified funds.**

(n) Delinquent One Service Location. If a customer receives service at more than one service location and the bill for any one of the customer's accounts becomes delinquent, service at all other locations shall be subject to the provisions under Section 2(e).

(o) Water Turn Ons. In the case of water turn ons, all requests must be appropriately filed with the Finance Department by ~~3:00~~ 2:00 p.m. of the normal business day to obtain a turn on that same day. If it is essential that turn on be made that day, but the ~~3:00~~ 2:00 p.m. deadline was not met, the customer can request a call out to accomplish the turn on. ~~A charge shall be assessed for late and after-hours' turn on of the actual hourly cost plus ten percent (10%) for overhead. Said charge to be in addition to all other charges and deposits~~. **The charge for disconnection and reconnection of water services will be calculated based on Solano Irrigation District staff's time to reconnect divided by their hourly cost. The charge to be in addition to all other charges and deposits. Customers who demonstrate a household income below 200% (two hundred percent) of the federal poverty line may be subject to a maximum reconnection during normal operation hours of $50 (fifty dollars), a maximum after-hours reconnection of $150 (one hundred fifty dollars), or the actual cost of reconnection if less. Reconnection fees will be subject to an annual adjustment for changes in the Consumer Price Index beginning on January 1, 2021. The City of Suisun City and the Solano Irrigation District may also waive charges on delinquent bills once every 12 (twelve) months for customers who demonstrate a household income level below 200% (two hundred percent) of the federal poverty line.**

(p) Unauthorized "Turn On". If service is discontinued for non-compliance of any Section of this Resolution and service is resumed without authorization, the meter shall be sealed by means determined by the water superintendent. A $35 (thirty five dollars) charge will be assessed for restoring service. This charge to be in addition to all other charges and deposits.

(q) Damage Equipment. If water distribution equipment is found to have been damaged during unauthorized resumption of service, the water superintendent shall assess a charge for damage. This charge shall be no less than 35 (thirty five dollars). This charge is to be in addition to all other charges and deposits and **will include the cost of replacing any damaged equipment.**

SECTION 3. NEW METERS

Charges for meters are to be added to the charges for service installation and are held as a separate charge for the convenience of subdividers and contractors where all pipe is installed by the owner. The water system shall collect the following charges for installation of a water meter and **could be subject to annual increases:**

Meter Size	Charge
3/4"	$ 368.00
1"	$ 407.00
1 1/2"	$ 896.00
2"	$1080.00

Larger sizes will be charged on a cost-plus basis. If a customer requests the water system to furnish meter boxes, they shall be charged on a cost-plus basis.

SECTION 4. MISCELLANEOUS AND INCIDENTAL SERVICE RATES

When water is required for temporary and incidental purposes, the following will apply:

(1) Single-family residential construction, prior to a meter being set, $15.00 (one-time charge). **Fee is subject to Master Fee Schedule adopted by City Council.**

(2) Multiple-family residential, prior to a meter being set, $15.00 for the first unit plus $7.50 for each additional unit (one-time charge). **Fee is subject to Master Fee Schedule adopted by City Council.**

(3) All other construction, prior to a meter being set, $15.00 with any additional charge negotiable between the water systems and the contractor). **Fee is subject to Master Fee Schedule adopted by City Council.**

(4) When large quantities of water are required from a fire hydrant, a deposit of ~~five hundred dollars ($500)~~ $750.00 will be charged for a hydrant meter. ~~Minimum water charge will be $15.00 per month plus $.75 per 100 cubic feet consumed.~~ **Water usage will be billed based on current rates.** When the hydrant meter is returned in the same condition that it was delivered, and all charges have been paid, the deposit for the hydrant meter will be returned.

(5) Truck water from fire hydrants; $~~15.00 per month minimum or $1.20 per 1,000 gallons, whichever is greater~~ will be billed based on current rates. If a City employee or City equipment is required to aid in the hook-up, an additional charge will be made for time and/or materials plus 10% overhead.

SECTION 5. APPEALS

Water customers who feel they have been unfairly treated by administrative application of these regulations may file successive appeals until the matter is resolved as follows:

1. Finance Director/**Administrative Services Director**
2. City Manager
3. Two-member committee composed of Council members, whose decision shall be appealable only to the Council.

SECTION 6. ORIGINAL RESOLUTION IN FORCE AND EFFECT

This resolution supplements and amends the original Resolution No. 87-2 only to the extent necessary to bring the resolution into compliance with the provisions of Senate Bill 998, the California Water Shutoff Protection Act, and except to the extent specifically amended by this resolution or other resolutions, the original Resolution No. 87-2 shall remain in full force and effect.

SECTION 7. EFFECTIVE IMMEDIATELY

This resolution shall become effective immediately upon its passage and adoption.

SECTION 8. SEVERABILITY AND VALIDITY

If any section, subsection, paragraph or sentence of this Resolution, or any party thereof, is for any reason found to be unconstitutional, invalid or beyond the authority of the City of Suisun City by a court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Resolution.

APPROVED AND ADOPTED THIS _____, 2020, at Suisun City, California, by the following vote:

AYES:

NOES:

ABSENT:

ATTEST: CITY OF SUISUN CITY

_____

Linda Hobson, City Clerk

_____

Lori D. Wilson, Mayor

APPROVED AND ADOPTED this _____, 2020 at Vacaville, California, by the following vote:

AYES:

NOES:

ABSENT:

ATTEST: SOLANO IRRIGATION DISTRICT

_____

_____, President

_____

_____, Secretary

Suisun City Water Discontinuation Policy & Conformance with the Water Shutoff Protection Act

JANUARY 14, 2020

What is SB 998?

The Water Shutoff Protection Act

Purpose:

- Provide additional procedural protections for delinquent residential water customers before interruption of water service.

Requirements:

- Adoption and posting of written water interruption policy
- New or expanded procedural protections for delinquent customers
- Must be implemented by Urban Water Suppliers by February 1, 2020.
- State Water Board may enforce civil penalties up to $1,000 a day for each day a violation occurs.

How does this impact Suisun City?

Residential Effects:

- Benefit water customers because they are given additional time to pay the bills and are eligible to deferred payment plan provided that all requirements permitted by law are met.

Statistics:

8,501 - Total Number of Accounts

8,089 - Single Family Residential

909 - Monthly Average of Late Penalty Bills

675 - Monthly Average of Shut-Off Notices

80 - Monthly Average of Shut-Off

Ordinance Amendments

WATER ORDINANCE

Current Policy

- Service may be interrupted after 15 days of nonpayment from the delinquent date, essentially 45 days from the bill date.

Under Proposed Policy

- Service interruption based on new water interruption policy. (SB 998)
- Service may be interrupted after 60 days of nonpayment from the delinquent date, essentially about 90 days from the bill date.

Adoption of Residential Water Interruption Policy

CURRENT POLICY/PRACTICE

- No current written policy for residential water interruption outside of ordinance.

SB998 COMPLIANT POLICY/PRACTICE

- Formal written policy must be adopted and made available on the City's website and in writing upon request.
- Policy must be available in English, Spanish, Chinese, Tagalog, Vietnamese, Korean, and other languages spoken by 10% of the service area.
- Policy must contain:
  - Plan for deferred or reduced payments
  - Alternative payment schedules
  - Formal mechanism to contest and appeal bill

New or Expanded Procedural Protections

CURRENT POLICY/PRACTICE

- On average, water is interrupted 45 days after bill was issued if no extension/payment plan granted.
- Shutoff Notice sent week prior to service interruption plus a "teleminder" 36 hours prior to shut-off.
- Shutoff Notice includes:
  - Customer's name and address
  - Amount of delinquency
  - Payment due date
  - City's contact phone number

SB998 COMPLIANT POLICY/PRACTICE

- Water cannot be interrupted until account is at least 60 days delinquent. Service interruption would occur 90 days after bill was issued if no extension/payment plan granted.
- Shutoff Notice sent at least 15 days prior to service interruption, plus a "teleminder" 36 hours prior to shut-off
- Shutoff Notice includes:
  - Current information plus…
  - Description on extended payment plan.

Timeline of Billing Process

(Dates may slightly vary due to holidays, but shut-off will always be on a Wednesday)

Current Practice *(Approximately 45 day timeline)*

Jan 25th
Bill issued for service dates
11/16/19 - 1/15/20

→

Feb 26th
Late fee assessed and notice mailed

→

March 4th
(7 days prior to shut-off)
Shut off notice fee mailed

→

March 11th
Service turned off for non-payment of Jan bill

→

Shut-off
Delinquent After a total of 45 days from bill date
or 15 days from due date

SB 998 Practice *(Approximately 90 day timeline)*

Jan 25th
Bill issued for service dates
11/16/19 -1/15/20

→

Feb 26th
Late fee assessed and notice mailed

→

Apr 14th
(15 days prior to shut-off)
Shut off notice mailed

→

Apr 29th
Service turned off for non-payment of Jan bill

→

Shut-off
Delinquent after a total of 94 days from bill date
or 63 days from due date

New or Expanded Procedural Protections

CURRENT POLICY/PRACTICE

- Staff offers payment arrangements to customers experiencing special medical or financial circumstances.
- Length of arrangement is at City's discretion.

SB998 COMPLIANT POLICY/PRACTICE

- Water cannot be interrupted if a customer is willing to enter into a payment arrangement and
  - Submits certification from primary care provider that interruption of water is life threatening
  - Provides evidence that they are financially unable to pay within the normal billing cycle
    - Proof includes CalWorks, CalFresh, General Assistance, Medi-Cal, SSI, or <200% of federal poverty level.
- Payment arrangements can be as long as 12 months

New or Expanded Procedural Protections

CURRENT POLICY/PRACTICE

- No formal written appeal process.
- No annual reporting requirements.

SB998 COMPLIANT POLICY/PRACTICE

- Service cannot be interrupted while appeal is pending.
- Number of service interruptions due to delinquency must be reported on the City's website and to the State Water Resources Control Board.

Additional Procedural Changes

CURRENT POLICY/PRACTICE

- To have service restored…
  - Customer must pay delinquent bill and all applicable fees or make arrangements prior to shut-off day
- For same day restoral, a reconnection fee of $35 is required .

SB998 COMPLIANT POLICY/PRACTICE

- To have service restored…
  - Customer must pay delinquent bill and applicable fees or make arrangements prior to shut-off day
- For same day restore

  Payment must be received by close of business in order to have same day service restoral.

Next Steps…

1) **Introduce the Ordinance and waive the first reading**; Adoption of Interruption of Residential Water Service Policy (Jan 14, 2020)
2) **Joint Resolution approval from Solano Irrigation District (SID)** (Jan 21, 2020)
3) **Second Reading of the Ordinance** (Feb 4, 2020)
4) **Policy Effective Date** (Feb 2020)
5) **Public Outreach**- Post the Policy to City's website; mail copy of the policy as inserts to water bills (Feb –Mar 2020)
6) **Bring to SSWA Board Meeting** (Feb 2020)

Recommendation

It is recommended that the City Council:

1. Introduce by title only and waive further reading of Ordinance No. ___: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY AMENDING CHAPTER 13.04 OF THE CITY OF SUISUN CITY MUNICIPAL CODE AND ADDING SECTION 13.04.475 REGARDING RESIDENTIAL WATER SHUTOFF PROCEDURES TO BE IN CONFORMANCE WITH THE CALIFORNIA WATER SHUT OFF PROTECTION ACT"; and

2. Read by title only and adopt Resolution No. 2020 -___: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY APPROVING A POLICY ON RESIDENTIAL WATER DISCONTINUATION TO BE IN CONFORMANCE WITH THE CALIFORNIA WATER SHUTOFF PROTECTION ACT"; and

3. Read by title only and adopt Resolution No. 2020 -___: Council Adoption of Resolution No. 2020 -___: "A JOINT RESOLUTION OF THE CITY OF SUISUN CITY AND THE SOLANO IRRIGATION DISTRICT AMENDING JOINT RESOLUTION NO. 87-2, ESTABLISHING WATER DIVISION REGULATIONS"

AGENDA TRANSMITTAL

MEETING DATE: January 14, 2020

CITY AGENDA ITEM: PUBLIC HEARING: California Uniform Public Construction Cost Accounting Act

a. Council Adoption of Resolution No. 2020-___: A Resolution of the City Council of the City of Suisun City Repealing Resolution No. 96-21

b. Council Introduce and Waive Reading of Ordinance ___: An Ordinance of the City Council of the City of Suisun City, California, Repealing and Replacing Chapter 3.36 of the Suisun City Municipal Code to Update the Informal Bidding Procedures Under the California Uniform Public Construction Cost Accounting Act (Public Contract Code Section 2000 Et. Seq.)

FISCAL IMPACT: There would be no fiscal impact associated with rescinding Resolution No. 96-21 or with amending Section 3.36 of the Suisun City Municipal Code.

STRATEGIC PLAN IMPACT: Provide Good Governance.

BACKGROUND: As a general law city, the City of Suisun City is currently subject to the provisions of California Public Contract Code (PCC) Sections 20160 to 20175. These sections govern how and when contracts for public works projects are to be advertised, bid, and awarded. The (PCC) is intended to ensure that the City receives the lowest competitive bid on public works projects. One of the provisions of the PCC states that all public works projects with a value of five thousand dollars ($5,000) or more must be competitively bid.

To streamline the procurement process and the ability of the Public Works Department to complete smaller projects, on April 16, 1996, the City elected to voluntarily participate in the California Uniform Public Construction Cost Accounting Act (UPCCAA). At that time, Council also elected to continue review contracts at or in excess of five thousand dollars ($5,000) through the adoption of Resolution 96-21, which is not in conformance with the UPCCAA.

STAFF REPORT: Staff is requesting that Council repeal Resolution 96-21 which states "that the City Council of the City of Suisun City will continue to review any bids over $5,000." This policy is outdated and not in conformance with the UPCCAA. Staff recommends its removal to be in full compliance. Staff requests that this limit be increased to the authority limit of the City Manager, following UPCCAA guidelines, whereas Staff will bring to City Council any Public Works contract that exceeds the City Manager's authority.

PREPARED BY: Amanda Dum, Management Analyst I
REVIEWED BY: Matthew Medill, Director Public Works
APPROVED BY: Greg Folsom, City Manager

The alternative bidding procedures of the UPCCAA are regularly reviewed by the California Uniform Construction Cost Accounting Commission, and the provisions were updated by Assembly Bill 2249, effective January 1, 2019.

The UPCCAA now provides for alternative informal bidding procedures when an agency performs public project work by contract at the following project values:

a. Public projects of $60,000 or less may be performed by negotiated contract or by purchase order without competitive bidding (PCC Section 22032(a)). This is an increase from the prior threshold amount of $45,000.
b. Public projects of $200,000 or less may be let to contract by the informal procedures set forth in the UPCCAA (PCC Section 22032(b)). This is an increase from the prior threshold amount of $175,000.
c. Public project of more than $200,000 shall be let to contract by formal bidding procedures (PCC Section 22032(c)). This is an increase from the prior threshold amount of $175,000.

The City's informal bidding procedures should be updated to reflect the current amounts in the state law, and to ensure consistency with all the applicable provisions. Staff is therefore recommending that Council repeal Resolution 96-21 and approve repealing and replacing Chapter 3.36 to make it consistent with the updated UPCCAA.

RECOMMENDATION: It is recommended that the City Council adopt:

a. Council Adoption of Resolution No. 2020-___: A Resolution of the City Council of the City of Suisun City Repealing Resolution No. 96-21

b. Introduce and Waive Reading of Ordinance 2020-___: An Ordinance of the City Council of the City of Suisun City, California, Repealing and Replacing Chapter 3.36 of the Suisun City Municipal Code to Update the Informal Bidding Procedures Under the California Uniform Public Construction Cost Accounting Act (Public Contract Code Section 2000 Et. Seq.)

ATTACHMENTS:

1. Council Adoption of Resolution No. 2020-___: A Resolution of the City Council of the City of Suisun City Repealing Resolution No. 96-21

2. Introduce and Waive Reading of Ordinance ___: An Ordinance of the City Council of the City of Suisun City, California, Repealing and Replacing Chapter 3.36 of the Suisun City Municipal Code to Update the Informal Bidding Procedures Under the California Uniform Public Construction Cost Accounting Act (Public Contract Code Section 2000 Et. Seq.)

3. Resolution 96-21 – Electing to Become Subject to the Uniform Public Construction Code Account Procedures

4. California Uniform Public Construction Cost Accounting Act
5. Power Point Presentation

RESOLUTION NO. 2020 -

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY REPEALING RESOLUTION NO. 96-21

WHEREAS, the Uniform Public Construction Cost Accounting Act (Public Contract Code, §22000 (et seq.), the "Act" establishes a uniform cost accounting standard for construction work performed or contracted by local public agencies; and

WHEREAS, the Commission established under the Act has developed uniform public construction cost accounting procedures for implementation by local public agencies in the performance of or in the contracting for construction of public projects; and

WHEREAS, On April 16, 1996 Council passed Resolution 96-21 electing to be subject to the California Uniform Public Construction Cost Accounting Act; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Suisun City, California, hereby elects under §22030 of the Public Contract Code to continue to be subject to the Uniform Public Construction Cost Accounting Act procedures as set forth in the Act, and to the Act's Commission policies and procedures manual and costs cost accounting review procedures as set forth in the Act, as they may each from time to time be amended.

NOW, THEREFORE, BE IT FURTHER RESOLVED that this resolution hereby repeals Resolution 96-21.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Suisun City duly held on Tuesday, the 14th day of January 2020, 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 14th of January, 2020.

_____
Donna Pock, CMC
Deputy City Clerk

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ORDINANCE NO. -

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY, CALIFORNIA, REPEALING AND REPLACING CHAPTER 3.36 OF THE SUISUN CITY MUNICIPAL CODE TO UPDATE THE INFORMAL BIDDING PROCEDURES UNDER THE CALIFORNIA UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT (PUBLIC CONTRACT CODE SECTION 22000 ET. SEQ.)

WHEREAS, the Uniform Public Construction Cost Accounting Act (the Act) establishes a uniform cost account standard for construction work performed or contracted by public agencies; and

WHEREAS, the Commission established under the Act has developed uniform public construction cost accounting procedures for implementation by local public agencies in the performance of or in the contracting for construction of public process; and

WHEREAS, participation in the Act is voluntary and requires that public agencies must elect to participate in the Act; and

WHEREAS, the Act is reviewed by the Commission every five (5) years and any appropriate updates are made as needed, with the State Controller's office notifying the affected public agencies; and

WHEREAS, during the most recent review of the Act adjustments were made that went into effect on January 1, 2019 and raised the ceiling on the value of Level 1, Level 2, and Level 3 public works projects; and

WHEREAS, it is now necessary for the City to update Section 3.36 of the Suisun City Municipal Code to reflect the adjustments made to the Act.

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

SECTION 1. Chapter 3.36 (Informal Bidding Procedures Under The Uniform Public Construction Cost Accounting Act) of Title 3 (Revenue and Finance) of the Suisun City Municipal Code is hereby repealed and replaced with the following:

"CHAPTER 3.36 PUBLIC PROJECTS

3.36.010 Applicability
3.36.020 Definitions
3.36.030 Bid requirements
3.36.040 Bid security
3.36.050 Interpretation of bid specifications
3.36.060 Exceptions to competitive bid requirement
3.36.070 Change orders and contract amendments

3.36.010 - Applicability.

This chapter is to provide standardized procedures for awarding contracts for public projects in conformance with the Uniform Public Construction Cost Accounting Act.

3.36.020 - Definitions.

The following definitions shall govern the construction of this chapter:

"Level 1 Projects" shall mean public projects below the monetary threshold of subdivision (a) of Section 22032 of the Public Contract Code, as it may be amended from time to time by the State Controller or the State Legislature.

"Level 2 Projects" shall mean public projects below the monetary threshold of subdivision (b) of Section 22032 of the Public Contract Code, as it may be amended from time to time by the State Controller or the State Legislature.

"Level 3 Projects" shall mean public projects below the monetary threshold of subdivision (c) of Section 22032 of the Public Contract Code, as it may be amended from time to time by the State Controller or the State Legislature.

"Public Project" shall be defined as that term is defined in Section 22002 of the California Public Contract Code, or any successor statute thereto.

"Uniform Public Construction Cost Accounting Act" means the procedures and regulations set forth in Chapter 2, commencing with Section 22000, to Part 3 of Division 2 of the California Public Contract Code or any successor act thereto.

3.36.030 - Bid requirements.

This section shall govern the procedures for bidding all contracts to perform public projects, including any associated purchase of goods and supplies for such projects. Projects funded by federal, state, or local grants shall be awarded pursuant to the more restrictive bidding requirements.

A. Level 1 Projects may be awarded by negotiated contract or by purchase order without competitive bidding.

B. Level 2 Projects may be let to contract by the informal bid procedures set forth in this subsection. All Level 2 Projects shall require competitive oral or written bidding procedure for a public project is in the best interest of the city. If the director determines that a competitive oral bidding procedure for a public project is in the best interest of the city, the director may solicit oral bids as provided pursuant to subsection (a) below. Otherwise, the director shall require competitive written bids as provided in subsection (b) below. The director may waive the requirement to solicit bids if performance of the public project is available from only one source and may solicit only two bids if performance of the public project is available from only two sources.

1. Oral Bids.

i. Bids shall be orally solicited from a minimum of three sources and may be received orally. The person who solicits the bids shall prepare a memorandum to the file documenting the identity of the bidders and the amount of the bids that were obtained.

ii. The contract shall be awarded to the lowest responsible bidder only if the director determines that such action is in the best interest of the city. The city may reject all bids, or waive any irregularities or informalities in any bid or bidding.

2. Written Bids.

i. Bid specifications shall be prepared and a notice inviting informal bids shall be disseminated to a list of at least three prospective bidders in accordance with (d) below.

ii. Bids shall be submitted in writing and must be received prior to the bid closing date to be considered.

iii. The contract shall be awarded to the lowest responsible bidder only if the director determines that such action is in the best interest of the city. The city may reject all bids, or waive any irregularities or informalities in any bid or bidding.

3. Contractors List. The city shall develop and maintain a list of contractors, identified according to categories of work, in accordance with the provisions of Section 22034 of the California Public Contract Code, or any successor statute thereto, and the criteria promulgated from time to time by the California Uniform Construction Cost Accounting Commission.

4. Notice Inviting Informal Bids. At least ten calendar days prior to the date informal bids are due, the city shall mail a notice inviting informal bids to all contractors from the applicable category of work to be bid, as shown on the contractors list developed in accordance with subsection (c) above, and to all construction trade journals as specified by the California Uniform Construction Cost Accounting Commission in accordance with Section 22036 of the California Public Contract Code, or any successor statute thereto. Said notice shall describe the project in general terms, shall clearly indicate how to obtain more detailed information about the project, and shall set forth the time and place for the submission of bids.

5. If all bids received are in excess of the amount set forth is subdivision (c) of Section 22032 of the Public Contract Code, the city council may, by adoption of a resolution by a four-fifths vote, award the contract, up to the amount set forth in subdivision (d) of Section 22034 of the Public Contract Code, to the lowest responsible bidder, if the council determines the cost estimate of the city was reasonable. If all bids received are in excess of the amount set forth is subdivision (c) of Section 22032 of the Public Contract Code, the city council may, by adoption of a resolution by a four-fifths vote, award the contract, at the amount set forth in subdivision (d) of Section 22034 of

the Public Contract Code, to the lowest responsible bidder, if the council determines the cost estimate of the city was reasonable.

C. Level 3 Projects shall, except as otherwise provided by (B)(5) above, be let to contract by the formal bidding procedures set forth in this subsection.

1. Bid Specifications. For all public projects that must be let pursuant to level three procedures, bid specifications shall be prepared, and notices inviting sealed bids shall be disseminated to at least three prospective bidders approved by the director. In addition, bid plans and working details shall be formally adopted by the city council for all public projects in accordance with the requirements of Section 22039 of the Public Contract Code or any successor statute thereto.

2. Notice Inviting Formal Bids. The city shall publish and mail a notice inviting sealed formal bids in accordance with the provisions of California Public Contract Code Section 22037, or any successor statute thereto.

3. Receipt of Bids. Bids shall be sealed, and shall not be opened until the time and place designated in the bid specifications. Bids must be received prior to the bid opening to be considered.

4. The city council shall award the bid to the lowest responsible bidder, or reject all bids pursuant to Public Contract Code Section 22038, or its successor statute. The city council may waive any irregularities or informalities in any bid or bidding.

5. The city council may waive the procedures required by this subsection if the city council determines that performance of the public project is available only from a single source and may send a notice inviting bids to only two prospective bidders if the council determines that performance of the public project is available from only two sources.

3.36.040 - Bid security.

A. Bid security shall be required as a condition of submitting a written bid unless deemed unnecessary by the director.

B. If a bidder is awarded a bid and then fails or refuses to execute a written contract with the city, the city may award the bid to the next lowest responsible bidder. If the bid is awarded to the next lowest responsible bidder under these circumstances, the amount of the lower bidder's bid security shall be applied by the city to the purchase or contract price differential between that bidder and the next lowest responsible bidder, and the remainder, if any, shall be returned to the lower bidder.

3.36.050 - Interpretation of bid specifications.

Oral interpretation of written bid specifications shall not be made to prospective bidders. If a prospective bidder discovers discrepancies or omissions in any specification, or if the bidder is in doubt as to the meaning of any specification, the bidder shall request a written interpretation or modification from the city. If interpretations or modifications are deemed necessary, the city

will then issue a written addendum to all parties known to have received copies of the specifications.

3.36.060 – Exceptions to competitive bid requirement.

A. Emergency. If an emergency situation requires that a public facility be repaired or replaced to permit the continued conduct of the operation or services of the city or to avoid danger to life or property, the city council may proceed to replace or repair the facility in accordance with the provisions of Section 22035 of the California Public Contract Code or any successor statute thereto.

B. Any other bidding exemption permitted by law.

3.36.070 - Change orders and contract amendments.

A. Any alteration to, amendment of, or deviation from an awarded purchase order or contract as to scope, cost, time for completion, material, or equipment furnished as a part of the purchase order or contract, or any alteration to, amendment of, or deviation from the nature of work to be performed, shall require the completion and issuance of a change order or amendment. Additions to work cannot be combined with deletions to work to avoid the change order or amendment requirement.

B. The change order or amendment shall be approved and executed by the person or body that, pursuant to Section 3.36.030 (Bid Requirements), would have authority to approve and execute a purchase for the combined amount of the original contract and the change order or amendment. No change order or amendment shall be binding on the city until approved as provided herein.

C. Change orders shall be issue only if all the following conditions are met:

1. The change order arises in good faith out of an unknown condition or unforeseen circumstance differing materially from the conditions of the purchase or contract, or, alternatively, the change order arises due to an error in the city's specifications that accompanied the invitation for bids.

2. The change order is reasonably related to the scope of work authorized under the original contract.

3. The amount of the change order is within an authorized contingency amount.

4. The change order shall be in accordance with the most current edition of the "Standard Specifications for Public Works Construction," and/or Cal-Trans standards and/or LA County standards.

D. Contract amendments. Any alteration to, amendment of, or deviation from a contract as to scope, cost, time for completion, material, or equipment furnished as a part of the contract, or any alteration to, amendment of, or deviation from the nature of work to be performed, that does not meet all the requirements of Subsection (C), above, shall require an executed contract

amendment. Examples requiring an executed contract amendment include, but are not limited to, an expansion of the scope of work, contract term extension, and an increase in compensation not previously authorized by the purchasing agent or city council, as applicable."

SECTION 2. **Severability.** Should any provision, section, paragraph, sentence or word of this Ordinance, or any part thereof, is for any reason found to be unconstitutional, invalid or beyond the authority of the City of Suisun City by a court of competent jurisdiction, such decisions shall not affect the validity or effectiveness of remaining portions of this Ordinance.

SECTION 3. In accordance with California Government Code § 36937, this Ordinance shall take effect and be in force on the thirty-first (31st) day after adoption.

SECTION 4. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance. The City Clerk shall post this Ordinance within the time and manner prescribed by law.

_____

Lori D. Wilson, Mayor

CERTIFICATION

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

AYES: Councilmembers: _____

NOES: Councilmembers: _____

ABSENT: Councilmembers: _____

ABSTAIN: Councilmembers: _____

WITNESS my hand and the seal of said City this ___ day of _____ 2020.

_____

Donna Pock, CMC
Deputy City Clerk

ATTACNMENT NO. 3

RESOLUTION NO. 96-21

A RESOLUTION OF THE SUISUN CITY COUNCIL ELECTING TO BECOME SUBJECT TO UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING PROCEDURES

The City Council of the City of Suisun City does hereby resolve as follows:

WHEREAS, the Uniform Public Construction Cost Accounting Act (Public Contract Code, §22000 et seq., the ``Act'' establishes a uniform cost accounting standard for construction work performed or contracted by local public agencies; and

WHEREAS, the Commission established under the Act has developed uniform public construction cost accounting procedures for implementation by local public agencies in the performance of or in the contracting for construction of public projects; and

WHEREAS, by electing to become subject to such procedures, the City may utilize more efficient and cost effective public bidding procedures than it currently uses.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Suisun City, California, hereby elkects under §22030 of the Public Contract Code to become subject to the uniform public construction cost accounting procedures set forth in the Act and to the Commission's policies and procedures manual and cost forth in the Act and to the Commission's policies and procedures manual and cost acccounting review procedures, as they may each from time to time be amended, and directs that the City Clerk to notify the State Controller forthwith of this election.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council of the City of Suisun City will continue to review any bids over $5,000.

PASSED AND ADOPTED at a regular meeting of said City Council on Tuesday the 16th day of April, 1996, by the following vote:

AYES: Councilmembers Day, Sanchez, Segala, Spering
NOES: Councilmembers Rundlett
ABSENT: Councilmembers None
ABSTAIN: Councilmembers None

WITNESS my hand and the seal of said City this 16th day of April, 1996.

Sharon Ventura

Sharon Ventura, CITY CLERK

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State of California

Cost Accounting Policies and Procedures Manual

2019 Edition

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FOREWORD

The Uniform Public Construction Cost Accounting Act (Act), enacted in 1983 under Public Contract Code section 22000 et seq., allows local agencies to perform public project work of up to $60,000 with their own workforces if the agencies elect to follow the cost accounting procedures set forth in the *Cost Accounting Policies and Procedures Manual* by the California Uniform Construction Cost Accounting Commission.

Every five years, the California Uniform Construction Cost Accounting Commission reviews the informal bid limits for inflation and other factors to determine whether adjustments should be made. If an adjustment is made, the State Controller notifies the affected public agencies. The adjustment may become effective before it appears as a formal change in the Public Contract Code pursuant to Public Contract Code section 22020. The most recently posted bid limits can be found at www.sco.ca.gov/ard_cuccac.html titled under New Informal Bid Limit Increase (Pursuant to PCC 22032)

Any local agency can voluntarily elect to become a participating agency of the Act. Local agencies include cities, counties, redevelopment agencies, special districts, school districts, and community college districts. Participating agencies benefit from the raised force account limit and the informal bidding procedures. More projects are completed in a timely manner as a result of the streamlines awards process and the reduction in paperwork related to advertising and report filing.

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California Uniform Construction Cost Accounting Commission
Cost Accounting Policies and Procedures Manual

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CHAPTER 1 INFORMATION FOR ADOPTION AND IMPLEMENTATION OF THE CALIFORNIA UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT

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CHAPTER 1 Information for Adoption and Implementation of the California Uniform Public Construction Cost Accounting Act

Instructions for Adoption and Implementation of the Uniform Construction Cost Accounting Procedures

1.01 Instructions for Adoption and Implementation of the Uniform Public Construction Cost Accounting Act (ACT) by Local Agencies

1) The Governing Board must elect by resolution to become subject to the uniform construction cost accounting procedures promulgated by the State Controller pursuant to the Public Contract Code section 22019. The resolution shall specify that the local agency will meet the requirements prescribed in the California Uniform Construction Cost Accounting Commission's *Cost Accounting Policies and Procedures Manual* and state the effective date the agency will implement the accounting and bidding procedures.

2) The local agency must notify the State Controller in writing of the election to become subject to the uniform construction cost accounting procedures along with a copy of the resolution mailed to the following address:

   Office of the State Controller
   Local Government Programs and Services Division
   Local Government Policy Section
   P.O. Box 942850
   Sacramento CA 94250

3) When a local agency elects to become subject to the uniform construction cost accounting procedures, the entire entity is considered subject to the Act and no departments will be exempt. However, Special Districts which are governed by a board of supervisors or city council are subject only if a separate election is made.

4) An informal bidding ordinance, or a board adopted policy equivalent to such as required by the participating agency, shall be enacted pursuant to Public Contract Code section 22034.

5) Once opting into the Act, participating agencies must always adhere to the terms of the Act until such time the agency formally opts out by resolution of its governing board. Having opted in, selective adherence to the terms of the Act is a violation.

6) The governing board may discontinue the agency's participation under the uniform public construction cost accounting procedures by adopting a resolution stating this fact. A copy of the resolution shall be filed with the State Controller.

7) The State Controller shall notify the California Uniform Construction Cost Accounting Commission (Commission) of all local agencies electing to become subject to the uniform public construction cost accounting procedures. In addition, the Commission shall also be notified of local agencies electing to discontinue participation under these procedures.

1.02 Sample Election Resolution – Model

This sample *Election Resolution* may be used by any public agency's governing body.

RESOLUTION OF THE _____, STATE OF CALIFORNIA IN THE MATTER OF
UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING PROCEDURES

Resolution No. _____

WHEREAS, prior to the passage of Assembly Bill No. 1666, Chapter 1054, Statutes of 1983, which added Chapter 2, commencing with Section 22000, to Part 3 of Division 2 of the Public Contract Code, existing law did not provide a uniform cost accounting standard for construction work performed or contracted by local public agencies; and

WHEREAS, Public Contract Code section 22000 et seq., the Uniform Public Construction Cost Accounting Act, establishes such a uniform cost accounting standard;

WHEREAS, the Commission established under the Act has developed uniform public construction cost accounting procedures for implementation by local public agencies in the performance of or in the contracting for construction of public projects; and

NOW, THEREFORE, BE IT RESOLVED that the _____ of _____, California, hereby elects under Public Contract Code section 22030 to become subject to the uniform public construction cost accounting procedures set forth in the Act and to the Commission's policies and procedures manual and cost accounting review procedures, as they may each from time to time be amended, and directs that the _____- notify the State Controller forthwith of this election.

This Resolution shall take effect upon its adoption.

PASSED AND ADOPTED this ____ day of _____, _____ by the following vote;

AYES:
NOES:
ABSENT:

Insert Seal if Applicable

_____, _____
Signature Title

City of _____ County of _____

SAMPLE

1.03 Sample Informal Bidding Ordinance

(This SAMPLE INFORMAL BIDDING ORDINANCE or POLICY indicates action by a county board of supervisors. However, the sample format shall be modified to conform to your governing agency's rules).

SAMPLE

ORDINANCE NO. _____
AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF _____
ADDING SECTION _____ TO THE ORDINANCE CODE OF THE COUNTY OF _____
TO PROVIDE INFORMAL BIDDING PROCEDURES UNDER THE UNIFORM PUBLIC
CONSTRUCTION COST ACCOUNTING ACT (Section 22000, et seq. of the Public Contract Code)

The Board of Supervisors of the County of _____do ordain as follows:

SECTION 1
Section _____ is hereby added to the County Code of the County of_____ to provide as follows:

Section _____. Informal Bid Procedures. Public projects, as defined by the Act and in accordance with the limits listed in Section 22032 of the Public Contract Code, may be let to contract by informal procedures as set forth in Section 22032, et seq., of the Public Contract Code.

Section _____. Contractors List. The agency shall comply with the requirements of Public Contract Code Section 22034.

Section _____. Notice Inviting Informal Bids. Where a public project is to be performed which is subject to the provisions of this Ordinance, a notice inviting informal bids shall be circulated using one or both of the following alternatives:
1. Notices inviting informal bids may be mailed, faxes, or emailed to all contractors for the category of work to be bid, as shown on the list developed in accordance with Section_____,
2. Notices inviting informal bids may be mailed to all construction trade journals as specified by the California Uniform Construction Cost Accounting Commission in accordance with section 22036 of the Public Contract Code. Additional contractors and/or construction trade journals may be notified at the discretion of the department/agency soliciting bids, provided however:

(1) If the product or service is proprietary in nature such that it can be obtained only from a certain contractor or contractors, the notice inviting informal bids may be sent exclusively to such contractor or contractors.

Section _____. Award of Contracts

The County Purchasing Agent and the Director of Public Works are each authorized to award informal contracts pursuant to this Section.

SECTION 2
This Ordinance shall take effect and be in force thirty (30) days from the date of its passage, and before the expiration of fifteen (15) days after its passage, it or a summary of it, shall be published once, with the names of the members of the Board of Supervisors voting for and against the same in the _____, a newspaper of general circulation published in the County of _____.

PASSED, APPROVED and ADOPTED by the Board of Supervisors of the County of _____, State of California, this____ day of _____,_____, by the following vote:

AYES:
NOES:
ABSENT:

Procedure for Establishment and Maintenance of List of Registered Contractors

1.04 Procedure for Establishment and Maintenance of List of Registered Contractors Per Section 22034 of the Public Contract Code

Section 22034 of the Public Contract Code specifies the requirements for mailing, faxing, or emailing notices to contractors for work to be bid under the Act. As specified therein, an agency shall provide notices by electing a), b) or both methods listed as follows:

a) In lieu of a contractors list, mailing, faxing, or emailing notices to all construction trade journals specified in section 22036

b) Mailing, faxing, or emailing notices to all contractors on the list established by the agency for the work being paid

c) Both (a) and (b) pursuant to section 22034(a)(1)

In the event an agency elects to provide notice by mailing, faxing, or emailing notices to all contractors on the list established by the agency for the work being bid, the agency shall utilize the following procedure to establish and maintain the list of registered contractors outlined in section 22034 (a)(1):

a) Notice to contractors shall be provided in accordance with either paragraph (1) or (2), or both.

   1) The public agency shall maintain a list of qualified contractors, identified according to categories of work. Minimum criteria for development and maintenance of the contractors list shall be determined by the commission. All contractors on the list for the category of work being bid shall be mailed, faxed, or emailed a notice inviting informal bids unless the product or service is proprietary. All mailing of notices to contractors pursuant to this subdivision shall be completed not less than 10 calendar days before bids are due.

   2) The public agency may elect to mail, fax, or email a notice inviting informal bids to all construction trade journals specified in section 22036.

b) The notice inviting informal bids shall describe the project in general terms and how to obtain more detailed information about the project, and state the time and place for the submission of bids.

c) The governing body of the public agency may delegate the authority to award informal contracts to the public works director, general manager, purchasing agent, or other appropriate person.

d) If all bids received are in excess of two hundred thousand dollars ($200,000), the governing body of the public agency may, by adoption of a resolution by a four-fifths vote, award the contract, at two hundred twelve thousand, five hundred dollars ($212,500) or less, to the lowest responsible bidder, if it determines the cost estimate of the public agency was reasonable.

(Amended by Stats. 2015, Ch. 269, Sec. 29. Effective January 1, 2016.)

1.04.01 Minimum Criteria for Development and Maintenance of the Contractors List Determined by the Commission, pursuant to Public Contract Code section 22034(a)(1)

1. At least once per calendar year, each public agency that has elected to become subject to the Uniform Public Construction Cost Accounting Act and intends to utilize the notice provisions outlined in section 22034(a) shall establish a new list or update its existing list of qualified contractors by mailing, faxing, or emailing written notice to all construction trade journals

designated for that Agency under Section 22036. The notice shall invite all licensed contractors to submit the name of their firm to the Agency for inclusion on the Agency's list of qualified bidders.

2. The notice shall require that the contractor provide:

    - The name and address to which a Notice to Contractors or Proposal should be mailed, faxed, or emailed;
    - A phone number at which the contractor may be reached;
    - The type of work in which the contractor is interested and currently licensed to do (earthwork, pipelines, electrical, painting, general building, etc.);
    - The class of contractor's license(s) held; and
    - The contractor license number(s).

3. Agencies may include any contractor names they so desire on the lists, but lists must include, at minimum, all contractors who have properly provided the Agencies with the information required under #2 above in response to the written notice.

    The Commission recommends that Agencies automatically include in their contractors' lists the names of all contractors who submitted one or more valid bids to the Agencies.

4. A contractor may have his or her firm added to an Agency's contractors list at any time by providing the required information.

1.05 County-by-County List of Construction Trade Journals

The Commission shall determine, on a county-by-county basis, the appropriate construction trade journals which shall receive mailed, faxed, or emailed notice of all informal and formal construction contracts being bid for work within the specified county per section 22036 of the Public Contract Code.

Per Public Contract Code section 22037, notices inviting formal bids must be published at least 14 calendar days before the date of opening the bids in a newspaper of general circulation, printed and published in the jurisdiction of the public agency. In addition, the Commission has determined that all public agencies that adopt and contract under the Act shall be required to mail, email, or fax a notice to the following specified construction trade publications of all formal construction contracts being bid and all invitations to join an agency's qualified bidders list (i.e. the informal bidding list) within the specified county (as provided in sections 22034 and 22037 of the Public Contract Code). The numbers following the name of each county refer to the corresponding numbered trade journals listed starting on page 14.

Users will note that the notification of the trade journals listed in Column B for their county is required. Additionally, the user will have to notify at least two of the trade journals listed in Column C, unless there is only one listed, in which case notification of that trade journal is sufficient. The Commission urges each public agency to select additional publications from its geographical area and include them on its list of publications to be notified. Sample information to be included in the mailed notice to trade journals is listed on page 13.

Note: Users are not required to mail a notice to a trade journal if the trade journal listed under their county is now charging for its services, or is out of business. Instead, the Commission requests that users find some other method of notifying potential contractors of published jobs and how to be added to their informal bidding lists (e.g. internet – county's web page).

COUNTY NAME (A)	TRADE JOURNALS REQUIRED TO BE NOTIFIED (B)	NOTIFY TWO OF THE TRADE JOURNALS LISTED BELOW (C)
ALAMEDA	2, 3	8, 11, 14, 15, 16, 17, 18, 19
ALPINE	2, 3	11
AMADOR	2, 3	11, 13, 20
BUTTE	2, 3	5, 6, 11, 12
CALAVERAS	2, 3	11, 19, 20, 23
COLUSA	2, 3	5, 6, 11
CONTRA COSTA	2, 3	8, 11, 15, 16, 17, 19
DEL NORTE	2, 3	4, 5, 11
EL DORADO	2, 3	10, 11, 12, 13, 16
FRESNO	2, 3	11, 19, 21, 23, 24, 25
GLENN	2, 3	5, 6, 11, 12
HUMBOLDT	2, 3	4, 5, 11
IMPERIAL	2, 3	29, 31
INYO	2, 3	25
KERN	2, 3	21, 23, 24, 25, 26, 31
KINGS	2, 3	21, 23, 24, 25
LAKE	2, 3	4, 5, 7, 8, 11, 16
LASSEN	2, 3	5, 11, 12
LOS ANGELES	2, 3	8, 29, 31, 36
MADERA	2, 3	11, 19, 21, 23
MARIN	2, 3	7, 8
MARIPOSA	2, 3	11, 21, 23
MENDOCINO	2, 3	4, 7, 8, 11, 16
MERCED	2, 3	11, 19, 20, 21, 23
MODOC	2, 3	5, 11
MONO	2, 3	11
MONTEREY	2, 3	11, 18, 22, 26
NAPA	2, 3	7, 8, 9, 11, 16
NEVADA	2, 3	10, 11, 12, 13
ORANGE	2, 3	29, 31, 35
PLACER	2, 3	10, 11, 12, 13, 16
PLUMAS	2, 3	5, 6, 11, 12
RIVERSIDE	2, 3	29, 31, 35
SACRAMENTO	2, 3	5, 8, 10, 11, 12, 13, 16, 19
SAN BENITO	2, 3	11, 22
SAN BERNARDINO	2, 3	29, 31, 35
SAN DIEGO	2, 3	29, 31, 35
SAN FRANCISCO	2, 3	8, 11, 14, 15, 16, 17, 18
SAN JOAQUIN	2, 3	8, 11, 19, 20, 21, 23
SAN LUIS OBISPO	2, 3	22, 25, 26, 27, 31, 36, 37
SAN MATEO	2, 3	8, 14, 15, 17, 18
SANTA BARBARA	2, 3	26, 27, 28, 31, 36, 37
SANTA CLARA	2, 3	8, 11, 14, 15, 16, 17, 18

COUNTY NAME (A)	TRADE JOURNALS REQUIRED TO BE NOTIFIED (B)	NOTIFY TWO OF THE TRADE JOURNALS LISTED BELOW (C)
SANTA CRUZ	2, 3	18, 22
SHASTA	2, 3	4, 5, 11
SIERRA	2, 3	11, 12
SISKIYOU	2, 3	5, 11
SOLANO	2, 3	8, 9, 10, 11, 16, 19
SONOMA	2, 3	7, 8, 11, 16
STANISLAUS	2, 3	11, 19, 20, 21, 23
SUTTER	2, 3	6, 10, 11, 12
TEHAMA	2, 3	5, 11, 12
TRINITY	2, 3	4, 5, 11
TULARE	2, 3	23, 24, 25
TUOLUMNE	2, 3	11, 20, 23
VENTURA	2, 3	27, 31, 36, 37
YOLO	2, 3	8, 10, 11, 13
YUBA	2, 3	6, 10, 11, 12

1.06 Sample Information for Mailed Notice

Following provides the type of information that could be included in the mailed notice to the construction trade journals. This list should be used only as a guide.

- Project title and contract number, if any
- Cost range
- Site location
- Who is taking bids/date and time due
- Owner's address and phone number
- Architect's address and phone number
- Brief description of work to be done
- Where plans may be obtained/deposit required/whether or not refundable
- Percentage of bid bond/percentage of performance bond/percentage of payment bond

1.07 List of Construction Trade Journals

The following organizations have indicated to the Commission that they:

a) Publish a newsletter or trade journal, on a weekly or more frequent basis, that contains a section listing projects being bid; or provide a telephone notice service to their members.

b) Do not charge for publishing or otherwise disseminating a Notice to Contractors.

These organizations have indicated to the Commission that they serve subscribers or members in the counties listed to the right of each organization.

Organizations that meet criteria (a) and (b) above may be added to the list, or changes or corrections can be made to the list by contacting:

Office of the State Controller
Local Government Programs and Services Division
Local Government Policy Section
P. O. Box 942850
Sacramento, CA 94250

	ORGANIZATION	AREAS OF MEMBERS OR SUBSCRIBERS BY COUNTY
1	CMD (Construction Market Data) Document Processing Center 30 Technology Parkway South, Suite 100 Norcross, GA 30092-2912 Phone: 800-424-3996 Email: customercare@cmdgroup.com Website www.cmdgroup.com	California
2	Construction Bidboard (Ebidboard) 11622 El Camino Real, #100 San Diego, CA 92130 Phone: 800-479-5314 Email: support@ebidboard.com Website: www.ebidboard.com	California
3	Dodge Data & Analytics 830 Third Avenue, 6th Floor New York, NY 10022 Phone: 877-784-9556 Email: support@construction.com Website: www.construction.com	California
4	Humboldt Builders' Exchange, Inc. 1213 5th Street Eureka, California 95501 Phone: 707-442-3708 Website: www.humbx.com	Del Norte, Humboldt, Lake, Mendocino, Shasta, and Trinity
5	Shasta Builders' Exchange 5800 Airport Road Redding, CA 96002 Phone: 530-221-5556 Email: info@shastabe.com Website: www.shastabe.com	Butte, Colusa, Del Norte, Glenn, Humboldt, Lake, Lassen, Modoc, Plumas, Sacramento, Shasta, Siskiyou, Tehama, and Trinity

	ORGANIZATION	AREAS OF MEMBERS OR SUBSCRIBERS BY COUNTY
6	Valley Contractors Exchange, Inc. 951 East Eighth Street Chico, CA 95928 Phone: 530-343-1981 Email: info@vceonline.com Website: www.vceonline.com	Butte, Colusa, Glenn, Plumas, Sutter, and Yuba
7	North Coast Builders Exchange 1030 Apollo Way Santa Rosa, CA 95407 Phone: 707-542-9502 Fax: 707-542-2027 Website: www.ncbeonline.com	Lake, Marin, Mendocino, Napa, and Sonoma
8	Marin Builders Association 660 Las Gallinas Avenue San Rafael, CA 94903 Phone: 415-462-1220 Fax: 415-462-1225 Email: mba@marinbuilders.com Website: www.marinbuilders.com	Alameda, Contra Costa, Lake, Marin, Mendocino, Napa, Sacramento, San Francisco, San Joaquín, San Mateo, Santa Clara, Solano, Sonoma, and Yolo
9	Solano-Napa Builders Exchange 135 Camino Dorado Napa, CA 94558 Phone: 707-255-2515 Fax: 707-255-2749 Email: membership@snbe.com Website: http://snbe.org	Napa and Solano
10	Sacramento Regional Builders' Exchange 1331 T Street Sacramento, CA 95811 Phone: 916-442-8991 Fax: 916-446-3117 Email: tbrennan@srbx.org Website: www.srbx.org	El Dorado, Nevada, Placer, Sacramento, Solano, Sutter, Yolo, and Yuba
11	Placer County Contractors Association & Builders Exchange 10656 Industrial Avenue, Suite 160 Roseville, CA 95678 Phone: 916-771-7229 Fax: 916-771-0556 Website: www.pccamembers.com	Alameda, Alpine, Amador, Butte, Calaveras, Colusa, Contra Costa, Del Norte, El Dorado, Fresno, Glenn, Humboldt, Lake, Lassen, Madera, Mariposa, Mendocino, Merced, Modoc, Mono, Monterey, Napa, Nevada, Placer, Plumas, Sacramento, San Benito, San Francisco, San Joaquín, Santa Clara,

ORGANIZATION		AREAS OF MEMBERS OR SUBSCRIBERS BY COUNTY
		Shasta, Sierra, Siskiyou, Stanislaus, Solano, Sonoma, Sutter, Tehama, Trinity, Tuolumne, Yolo, and Yuba
12	Nevada County Contractors' Association 149 Crown Point Court Grass Valley, CA 95945 Phone: 530-274-1919 Email: nccaexec@pacbell.net Website: www.nccabuildingpros.com	Butte, El Dorado, Glenn, Lassen, Nevada, Placer, Plumas, Sacramento, Sierra, Sutter, Tehama, and Yuba
13	El Dorado Builders' Exchange 3430 Robin Lane, Suite 7 Shingle Springs, CA 95682 Phone: 530-672-2955	Amador, El Dorado, Nevada, Placer, Sacramento, and Yolo
14	The San Francisco Builders Exchange 850 South Van Ness Avenue San Francisco, CA 94110-1911 Phone: 415-282-8220 Email: deanna@bxofsf.com Website: www.bxofsf.com	Alameda, San Francisco, San Mateo, and Santa Clara
15	Bay Area Builders Exchange 3055 Alvarado Street San Leandro, CA 94577 Phone: 510-483-8880 Email: info@bayareabx.com Website: www.bayareabx.com	Alameda, Contra Costa, San Francisco, San Mateo, and Santa Clara
16	Bay Area Builders Exchange 2440 Stanwell Drive, Suite B Concord, CA 94520 Phone: 925-685-8630 Website: www.bayareabx.com	Alameda, Contra Costa, El Dorado, Lake, Mendocino, Napa, Placer, Sacramento, San Francisco, Santa Clara, Solano, and Sonoma
17	Peninsula Builders Exchange 735 Industrial Road San Carlos, CA 94070 Phone: 650-591-4486 Website: www.safetystar.org/safetystar	Alameda, Contra Costa, San Francisco, San Mateo, and Santa Clara

	ORGANIZATION	AREAS OF MEMBERS OR SUBSCRIBERS BY COUNTY
18	Builders' Exchange of Santa Clara County 400 Reed Street Santa Clara, CA 95050 Phone: 408-727-4000 Fax: 408-727-2779 Website: www.bxscco.com	Alameda, Monterey, San Francisco, San Mateo, Santa Clara, and Santa Cruz
19	Builders' Exchange of Stockton 7500 West Lane Stockton, CA 95210 Phone: 209-478-1000 Email: crobinson@besonline.com Website: www.besonline.com	Alameda, Calaveras, Contra Costa, Fresno, Madera, Merced, Sacramento, San Joaquin, Solano, and Stanislaus
20	Valley Builders Exchange, Inc. 1118 Kansas Avenue Modesto, CA 95351 Phone: 209-522-9031 Email: info@valleybx.com Website: www.valleybx.com	Amador, Calaveras, Merced, San Joaquin, Stanislaus, and Tuolumne
21	Builders Exchange of Merced & Mariposa 646 CA-HWY 59 Merced, CA 95341 Phone: 209-722-3612 Website: www.bxmm.org	Fresno, Kern, Kings, Madera, Mariposa, Merced, San Joaquin, and Stanislaus
22	Central Coast Builders Association 242 East Romie Lane Salinas, CA 93907 Phone: 831-758-1624 Email: staff@ccbabuilds.com Website: www.ccbabuilds.com	Monterey, San Benito, San Luis Obispo, and Santa Cruz
23	Central California Builders Exchange 1244 N. Mariposa Street Fresno, CA 93703 Phone: 559-237-1831 Email: info@cencalbx.com Website: http://cencalbx.com/	Calaveras, Fresno, Kern, Kings, Madera, Mariposa, Merced, San Joaquin, Stanislaus, Tulare, and Tuolumne

	ORGANIZATION	AREAS OF MEMBERS OR SUBSCRIBERS BY COUNTY
24	Tulare & Kings Counties Builders Exchange 1223 S. Lovers Lane Visalia, CA 93292 Phone: 559-732-4568 Email: info@tkcbe.com Website: www.tkcbe.com	Fresno, Kern, Kings, and Tulare
25	Kern County Builders' Exchange, Inc. 4310 Ardmore Avenue, Ste. 100 Bakersfield, CA 93309 Phone: 661-324-4921 Website: www.kcbex.com	Kern
26	San Luis Obispo County Builders Exchange 153 Cross Street, #130 San Luis Obispo, CA 93401 Phone: 805-543-7330 Email: info@slocbe.com Website: www.slocbe.com	Kern, Monterey, San Luis Obispo, and Santa Barbara
28	Ventura County Contractors Association 1830 Lockwood Street, No. 110 Oxnard, CA 93036 Phone: 805-981-8088 Email: vcca@vccainc.com Website: www.vccainc.com	Santa Barbara and Ventura
29	Southern California Builders Association 732 N. Diamond Bar Blvd. #224 Diamond Bar, CA 91765 Phone: 909-396-1451 Email: scba@socalbuilders.org Website: www.socalbuilders.org	Imperial, Los Angeles, Orange, Riverside, San Bernardino, and San Diego
30	Construction Data Company 2001 9th Avenue, 2nd Floor Vero Beach, FL 32960 Phone: 800-800-652-0008 Email: service@cdcnews.com Website: www.cdcnews.com	Southern California-Imperial, Kern , Los Angeles, Orange, Riverside, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, and Ventura
31	BidAmerica 41085 Elm Street Murrieta, CA 92562 Phone: 951-677-4819 Email: planroom@bidamerica.com Website: www.BidAmerica.com	California

	ORGANIZATION	AREAS OF MEMBERS OR SUBSCRIBERS BY COUNTY
32	Construction Bid Source Interactive 6265 HWY 9 Felton, CA 95018 Phone: 888-786-9450 Website: www.constructionbidsource.com	California
33	Demandstar – Onvia Supplier Services 509 Olive Way, Suite 400 Seattle, WA 98101 Phone: 800-575-1736 Website: www.demandstar.com or Website: www.onvia.com	California
34	Challenge News 1276 Lincoln Avenue, Suite 203 San Jose, CA 95125 Phone: 408-998-2534 Email: challengenews@yahoo.com	California
35	Associated General Contractors of America San Diego Chapter, Inc. 6212 Ferris Square San Diego, CA 92121 Phone: 858-558-7444 Email: planroom@agcsd.org Website: www.agcsd.org	Orange, Riverside, San Bernardino, and San Diego
36	Builders Notebook P.O. Box 4883 Santa Barbara, CA 93140 Phone: 877-776-5436 Email: planroom@buildersnotebook.com Website: www.buildersnotebook.com	Los Angeles, San Luis Obispo, Santa Barbara, and Ventura
37	Tri-Co Reprographics 513 Laguna Street Santa Barbara, CA 93101 Phone: 805-966-1701 Email: sbplots@tricoblue.com Website: www.tricoblue.com	Santa Barbara, Ventura, and San Luis Obispo

Accounting Procedures Review Process

1.08 Accounting Procedures Review

A. Pursuant to the provisions of Public Contract Code (PCC) §22042, the Commission has adopted the following procedures for conducting an Accounting Procedures Review, where an interested party presents evidence that work undertaken by a public agency falls within any of the following categories:

1. It was performed by a public agency after rejection of all bids, claiming work can be done less expensively by the public agency.
2. It exceeded the force account limit.
3. It was improperly classified as maintenance.

B. As used in the Accounting Procedures Review, "interested party" shall mean: a licensed contractor eligible to bid on the public project involved in the review; a labor organization whose members would be eligible to perform work on the public project if it were performed under contract; an association of licensed contractors and/or labor organizations; or a taxpayer of the public agency cited in the account review request.

C. Request for Accounting Procedures Review

1. Pursuant to PCC §22043(a)(b), in those circumstances as set forth in PCC §22042(a)(b)(c), a request for Commission review shall be in writing. The request shall be sent via certified or registered postal mail, and received by the Commission and/or State Controller's Office (SCO) staff. It should be postmarked no later than eight business days from the date on which the public agency rejected all bids (PCC §22042(a)) or from the date on which an interested party formally complains in writing to the public agency (PCC §22042(b)(c)).
2. The address for purposes of requesting Commission review is:

CALIFORNIA UNIFORM CONSTRUCTION COST ACCOUNTING COMMISSION
Office of the State Controller
Local Government Programs and Services Division
Local Government Policy Section
P.O. Box 942850
Sacramento, CA 94250

3. Such written notice from an interested party shall include the following information:
   (a) The name, address, phone number, and contact person for the interested party.
   (b) An indication that work undertaken by the public agency falls within one of the following categories:
      (i) It was performed by a public agency after rejection of all bids, claiming work can be done less expensively by the public agency.
      (ii) It exceeded the force account limits.
      (iii) It was improperly classified as maintenance.
   (c) The name, address, and phone number of the public agency involved.
   (d) The project name and location, and/or project identification number.
   (e) The bid date and rejection date, if applicable.
   (f) The low bid dollar amount, if applicable.
   (g) The agency estimate, if available.
   (h) Other documentation supporting the request. If the requestor is unable to obtain information from the participating agency, the request should note the fact and include an explanation of the circumstances.
4. When the request is transmitted to the Commission for review, the interested party shall mail a copy of the request by first class mail, postage prepaid, to the public agency involved.

D. The Commission shall approve and designate in writing the consultants available to perform the Accounting Procedures Review, if needed. Such consultants shall be prequalified as follows:

1. They shall submit resumes including experience to the Commission for prequalification.
2. Each applicant shall have at least five years' experience with, and be knowledgeable of, public works construction or accounting under contracts let by public agencies.
3. They shall submit their schedule of fees required to perform such service.

E. Immediately upon receipt of a request for Accounting Procedures Review, SCO staff will forward all documentation to the Chairperson. The Chairperson shall assign the request to a working group consisting of two or more Commissioners, not to constitute a quorum. Each working group must have both private and public representations. Any correspondence received by SCO staff during the review will be immediately forwarded to the Chairperson and the members of the working group.

1. The working group may contact either the interested party or the signatory agency involved for additional information. They may also request a statement of the public agency's position regarding the claim being set forth. Participating agencies are required to cooperate with any account reviews pursuant to this Act. Agencies failing to cooperate fully, through either unwillingness or inability, may be found to be non-compliant.
2. If the work group deems it necessary, it may use SCO Audit Division staff or a consultant deemed qualified for the purpose of this review. The auditor or consultant will conduct a thorough review of the facts surrounding the claim. This review may include any fieldwork deemed necessary by the auditor or consultant. The auditor or consultant shall interview the public agency involved, and submit as a part of the findings a complete statement of the public agency's position regarding the review being conducted.
3. The auditor or consultant, if involved, shall prepare written findings and a recommended decision within the timeframes established in PCC §22043.
4. The statutory limit to complete the account review begins on the day that the request is received by SCO. Incomplete review requests may affect the ability of the Commission to render a timely decision. Pursuant to PCC §22043(c), the commission review shall commence immediately and conclude within the following number of days from the receipt of the request for commission review:

   (a) Forty-five days for a review that falls within subdivision (a) of §22042; and

   (b) Ninety days for a review that falls within subdivision (b) or (c) of §22042.

   During the review of a project that falls within PCC §22042(a), the agency shall not proceed with the project until the final decision is received by the Commission.

F. The review will be added as an agenda item to be discussed by the Commission at a public meeting held within the timeframe established in PCC §22043. All documentation and correspondence received related to the review will be included. Any documentation and correspondence received after the agenda has been posted to the SCO website will immediately be forwarded to each Commission member and available for public review at the meeting.

G. The Commission shall review the findings of the work group and, if applicable, the auditor or consultant's report, and render its final decision within the timeframes established in PCC §22043. Within the timeframes established in PCC §22044, a copy of the decision shall be mailed by first class mail, postage prepaid, by SCO staff to the interested party and the public agency involved. A copy shall also be provided to each Commission member and included for information as part of the subsequent Commission meeting agenda.

H. Decisions on Accounting Procedures Reviews shall be collected and maintained by SCO staff, and shall be available for public inspection during regular working hours. Such decisions may be cited and relied upon by interested parties and public agencies in subsequent reviews.

I. If the Commission makes findings in accordance with PCC §22043, that the work undertaken by a public agency falls within any of the categories described in §22042, on three separate occasions within a 10-year term, the Commission shall notify the public agency of those findings in writing by certified mail. Public agencies that receive notice of findings on three separate occasions within a 10-year term shall not use the bidding procedures provided by this article for five years from the date of the Commission's findings contained in the third notice within a 10-year term. For the purposes of these review procedures, one investigation resulting in a finding or findings shall equate to one occasion. These review procedures are based on current statutory law.

J. Changes to statutory law shall be reviewed and automatically adopted into these procedures as deemed appropriate.

Uniform Public Construction Cost Accounting Act

1.09 California Public Contract Code

Chapter 2 Bidding on Public Contracts (The following statute is current as of January 1, 2017)

Article 1. Legislative Intent and Definitions.

Code	Statute
22000 Name of the Act	This chapter shall be known and may be cited as the "Uniform Public Construction Cost Accounting Act."
22001 Legislative Findings and Declaration	The Legislature finds and declares that there is a statewide need to promote uniformity of the cost accounting standards and bidding procedures on construction work performed or contracted by public entities in the state. This chapter provides for the development of cost accounting standards and an alternative method for the bidding of public works projects by public entities.
22001.5 Notice describing chapter provisions to public agencies	On or before January 1, 2009, the State Controller shall send a notice to all public agencies describing the provisions of this chapter and the benefits of using its provisions. This notice shall also be included in any notification issued by the State Controller pursuant to Section 22020.
22002 Definitions	a) "Public agency" for purposes of this chapter, means a city, county, city and county, including chartered cities and chartered counties, any special district, and any other agency of the state for the local performance of governmental or proprietary functions within limited boundaries. "Public agency" also includes a nonprofit transit corporation wholly owned by a public agency and formed to carry out the purposes of the public agency. b) "Representatives of the construction industry" for purposes of this chapter, means a general contractor, subcontractor, or labor representative with experience in the field of public works construction. c) "Public project" means any of the following: 1) Construction reconstruction, erection, alteration, renovation, improvement, demolition, and repair work involving any publicly owned, leased, or operated facility. 2) Painting or repainting of any publicly owned, leased, or operated facility. 3) In the case of a publicly owned utility system, “public project” shall include only the construction erection, improvement, or repair of dams, reservoirs, powerplants, and electrical transmission lines of 230,000 volts and higher. d) "Public project" does not include maintenance work. For purposes of this section, "maintenance work" includes all of the following: 1) Routine, recurring, and usual work for the preservation or protection of any publicly owned or publicly operated facility for its intended purposes. 2) Minor repainting.

Code	Statute
	3) Resurfacing of streets and highways at less than one inch. 4) Landscape maintenance, including mowing, watering, trimming, pruning, planting, replacement of plants, and servicing of irrigation and sprinkler systems. 5) Work performed to keep, operate, and maintain publicly owned water, power, or waste disposal systems, including, but not limited to, dams, reservoirs, powerplants, and electrical transmission lines of 230,000 volts and higher. e) For purposes of this chapter, "facility" means any plant, building, structure, ground facility, utility system, subject to the limitation found in paragraph (3) of subdivision (c), real property, streets and highways, or other public work improvement.
22003 Public Agency Subject to Uniform Cost Accounting Procedures, Bidding Procedures	A public agency which has, by resolution, elected to become subject to the uniform construction cost accounting procedures set forth in Article 2 (commencing with Section 22010), may utilize the bidding procedures set forth in Article 3 (commencing with Section 22030) when contracting for "maintenance work," as defined in Section 22002, or when contracting for any other work which does not fall within the definition of "public project," as defined in Section 22002.

Article 2. California Uniform Construction Cost Accounting Commission

Code	Statute
22010 Creation; Membership; Appointment	There is hereby created the California Uniform Construction Cost Accounting Commission. The commission is comprised of 14 members. a) Thirteen of the members shall be appointed by the State Controller as follows: 1) Two members who shall each have at least 10 years of experience with, or providing professional services to, a general contracting firm engaged, during that period, in public works construction in California. 2) Two members who shall each have at least 10 years of experience with, or providing professional services to, a firm or firms engaged, during that period, in subcontracting for public works construction in California. 3) Two members who shall each be a member in good standing of, or have provided professional services to, an organized labor union with at least 10 years of experience in public works construction in California. 4) Seven members who shall each be experienced in, and knowledgeable of, public works construction under contracts let by public agencies; two each representing cities, counties, respectively, and two members representing school districts, and one member representing a special district. At least one of the two county representatives shall be a county auditor or his or her designee.

Code	Statute
	b) The member of the Contractors' State License Board who is a general engineering contractor as that term is defined in Section 7056 of the Business and Professions Code shall serve as an ex officio voting member. *(Amended by Stats. 2015, Ch. 269, Sec. 24. Effective January 1, 2016.)*
22011 Appointment Recommendations	The Controller, in an effort to select highly qualified commission members, shall solicit from organized representatives of the construction industry and public agencies recommendations for appointments to the commission.
22012 Members; Accounting Experience	At least one commission member of the seven representing the construction industry and at least one of the seven representing public agencies shall have previous accounting experience.
22013 Chairperson; Term	The commission members shall select a chairperson from among its membership. The chairperson shall serve as chair for a term of two years from the date of selection. In no event shall two consecutive chairpersons be appointees representing either the construction industry or public agencies.
22014 Members; Term; Vacancies	a) The members of the commission shall hold office for terms of three years, and until their successors are appointed. b) Members may be reappointed, by the Controller, for subsequent terms of three years. c) The Controller may appoint a successor for any commissioner after his or her three-year term expires. d) The Controller shall, within 120 days, appoint a replacement to fill any vacancy on the commission. *(Amended by Stats. 2015, Ch. 269, Sec. 25. Effective January 1, 2016.)*
22015 Staff; Members' Compensation; Grants	a) The Controller shall make available for the conduct of the commission's business, such staff and other support as does not conflict with the accomplishment of the other business of the office of the Controller b) Each member of the commission shall serve without compensation, but shall be reimbursed for travel and other expenses necessarily incurred in the performance of the member's duties. Reimbursement rates shall conform to the Controller's travel guideline rates. c) The commission may accept grants from federal, state, or local public agencies, or from private foundations or individuals, in order to assist it in carrying out its duties, functions, and powers under this chapter. *(Amended by Stats. 2015, Ch. 269, Sec. 26. Effective January 1, 2016.)*
22016 Meetings	The commission shall meet not less than once each year, at a time and place chosen by its membership.

Code	Statute
22017 The Commission's Four Principle Duties	The commission shall do all of the following: a) After due deliberation and study, recommend for adoption by the Controller, uniform construction cost accounting procedures for implementation by public agencies in the performance of, or in contracting for, construction on public projects. The procedures shall, to the extent deemed feasible and practicable by the commission, incorporate, or be consistent with construction cost accounting procedures and reporting requirements utilized by state and federal agencies on public projects, and be uniformly applicable to all public agencies that elect to utilize the uniform procedures. As part of its deliberations and review, the commission shall take into consideration relevant provisions of the Office of Management and Budget Circular A-76, as periodically revised. b) After due deliberation and study, recommend for adoption by the Controller cost accounting procedures designed especially for implementation by California cities with a population of less than 75,000. The procedures shall incorporate cost accounting and reporting requirements deemed practicable and applicable to all cities under 75,000 population which elect to utilize the uniform procedures. For the purpose of these cost accounting procedures, the following shall apply: 1) Cities with a population of less than 75,000 shall assume an overhead rate equal to 20 percent of the total costs of a public project, including the costs of material, equipment, and labor. 2) Cities with a population of more than 75,000 may either calculate an actual overhead rate or assume an overhead rate equal to 30 percent of the total costs of a public project, including the costs of material, equipment, and labor. c) Recommend for adoption by the Controller, procedures and standards for the periodic evaluation and adjustment, as necessary, of the monetary limits specified in Section 22032. d) The commission shall make an annual report to the Legislature with respect to its activities and operations, together with those recommendations as it deems necessary. *(Amended by Stats. 2015, Ch. 269, Sec. 27. Effective January 1, 2016.)*
22018 Recommended Procedure; Controller's Review	The Controller shall, upon receipt of the commission's recommendations, review and evaluate the recommended procedures and either formally adopt or reject the recommended procedures within 90 days of submission by the commission.
22019 Adoption; Promulgation of Uniform Procedure	Upon determining that the recommended uniform construction cost accounting procedures will serve the best interest of the state and public agencies, and upon formal adoption by the Controller, the Controller shall promulgate the uniform procedure for all public agencies electing to participate, together with instructions for their adoption and implementation by any public agency.

Code	Statute
22020 Five Year Consideration; Material Changes; Adjustments	In accordance with procedures and standards adopted pursuant to Section 22017, every five years the commission shall consider whether there have been material changes in public construction costs and make recommendations to the Controller regarding adjustments in the monetary limits prescribed by Section 22032, but in no case shall the amount, as adjusted, be less than fifteen thousand dollars ($15,000). The Controller shall notify all participating public agencies of the adjustment prior to the effective date. That notification shall also describe the provisions of this chapter and the benefits of using its provisions.

Article 3. Public Projects; Alternative Procedures

Code	Statute
22030 Application of Article	a) This article applies only to a public agency whose governing board has by resolution elected to become subject to the uniform construction cost accounting procedures set forth in Article 2 (commencing with Section 22010) and which has notified the Controller of that election. In the event of a conflict with any other provision of law relative to bidding procedures, this article shall apply to any public agency which has adopted a resolution and so notified the Controller. b) A county, whether general law or charter, containing a population of less than 500,000 may award individual annual contracts as provided in Section 20128.5. *(Amended by Stats. 2015, Ch. 269, Sec 28. Effective January 1, 2016)*
22031 Alternative Procedures	a) Prior to January 1, 2013, this article shall not prohibit a board of supervisors or a county road commissioner from utilizing, as an alternative to the procedures set forth in this article, the procedures set forth in Article 25 (commencing with Section 20390) of Chapter 1. b) On or after January 1, 2013, this article shall not prohibit a board of supervisors or a county road commissioner from utilizing, as an alternative to the procedures set forth in this article, the procedures set forth in Article 25 (commencing with Section 20390) of Chapter 1 for both of the following: 1) Maintenance and emergency work. 2) New road construction and road reconstruction as long as the total value of the new road construction and the road reconstruction performed under the procedures set forth in subdivision (c) of Section 20395 during a fiscal year does not exceed 30 percent of the total value of all work performed by force account other than maintenance as reported in the Controller's Streets and Roads Annual Report as of March 1 of each year prior to the fiscal year. c) The value of force account work necessary to facilitate capital projects for the purpose of contracting to the private sector, including design, engineering, inspection, testing, and other force account work necessary to administer private contracts, shall be excluded from the 30-percent limit in subdivision (b).

Code	Statute
	d) The value of force account work necessary to facilitate projects performed by county employees, including design, engineering, inspection, testing, and other force account work necessary to administer work performed under subdivision (b), shall apply to the 30-percent limit in subdivision (b). e) On or after January 1, 2013, for a county with a population of less than 50,000, this article shall not prohibit a board of supervisors or a county road commissioner from utilizing, as an alternative to the procedures set forth in this article, the procedures set forth in Article 25 (commencing with Section 20390) of Chapter 1. f) The requirements set forth in Section 22038 shall apply to any county subject to this section. g) Any county board of supervisors or county road commissioner acting pursuant to the authority granted in paragraph (2) of subdivision (b) shall publicly declare its intention to use this authority prior to commencing work. The public declaration may be on a project-by-project basis, via a list of anticipated projects for the fiscal year, or via a list that may be included in the county's annual budget. *(Amended by Stats. 2014, Ch. 345, Sec. 3. Effective January 1, 2015.)*
22032 Contracting Procedures; Dollar Amount Limitations	a) Public projects of sixty thousand dollars ($60,000) or less may be performed by the employees of a public agency by force account, by negotiated contract, or by purchase order. b) Public projects of two hundred thousand dollars ($200,000) or less may be let to contract by informal procedures as set forth in this article. c) Public projects of more than two hundred thousand dollars ($200,000) shall, except as otherwise provided in this article, be let to contract by formal bidding procedure. *76 Op. Atty. Gen. 126,7-14-93 = Job order contracts - General law county or general law city may not enter into a "job order contract" in excess of $50,000 for the performance of public projects involving minor construction, and the renovation, alteration, painting, and repair of existing facilities, except under narrowly defined statutory conditions applicable only to counties.*
22033 Separation of Work orders of Projects; Evasion of Provision of Article	It shall be unlawful to split or separate into smaller work orders or projects any project for the purpose of evading the provisions of this article requiring work to be done by contract after competitive bidding.
22034 Informal Bidding Ordinance	Each public agency that elects to become subject to the uniform construction accounting procedures set forth in Article 2 (commencing with Section 22010) shall enact an informal bidding ordinance to govern the selection of contractors to perform public projects pursuant to subdivision (b) of Section 22032. The ordinance shall include all of the following: a) Notice to contractors shall be provided in accordance with either paragraph (1) or (2), or both.

Code	Statute
	1) The public agency shall maintain a list of qualified contractors, identified according to categories of work. Minimum criteria for development and maintenance of the contractors list shall be determined by the commission. All contractors on the list for the category of work being bid shall be mailed, faxed, or emailed a notice inviting informal bids unless the product or service is proprietary. All mailing of notices to contractors pursuant to this subdivision shall be completed not less than 10 calendar days before bids are due. 2) The public agency may elect to mail, fax, or email a notice inviting informal bids to all construction trade journals specified in Section 22036. b) The notice inviting informal bids shall describe the project in general terms and how to obtain more detailed information about the project, and state the time and place for the submission of bids. c) The governing body of the public agency may delegate the authority to award informal contracts to the public works director, general manager, purchasing agent, or other appropriate person. d) If all bids received are in excess of two hundred thousand dollars ($200,000), the governing body of the public agency may, by adoption of a resolution by a four-fifths vote, award the contract, at two hundred twelve thousand, five hundred dollars ($212,500) or less, to the lowest responsible bidder, if it determines the cost estimate of the public agency was reasonable. *(Amended by Stats. 2015, Ch. 269, Sec. 29. Effective January 1, 2016.)*
22035 Emergencies	a) In cases of emergency when repair or replacements are necessary, the governing body may proceed at once to replace or repair any public facility without adopting plans, specifications, strain sheets, or working details, or giving notice for bids to let contracts. The work may be done by day labor under the direction of the governing body, by contractor, or by a combination of the two. b) In case of an emergency, if notice for bids to let contracts will not be given, the public agency shall comply with Chapter 2.5 (commencing with Section 22050).
22035.5 Overcrowded Justice Facilities; Court Ordered Relief; Application of Section 22034	In counties that are under court order to relieve justice facility overcrowding, the procedures and restrictions specified in Section 20134 shall apply to all contracts issued under this chapter.
22036 Determination of Construction Trade Journals to Receive Notice of Informal and Formal	The commission shall determine, on a county-by-county basis, the appropriate construction trade journals which shall receive mailed, faxed, or emailed notice of all informal and formal construction contracts being bid for work within the specified county.

Code	Statute
Construction Contracts	*(Amended by Stats. 2015, Ch. 269, Sec. 30. Effective January 1, 2016.)*
22037 Notice Inviting Formal Bids; Information; Publication	Notice inviting formal bids shall state the time and place for the receiving and opening of sealed bids and distinctly describe the project. The notice shall be published at least 14 calendar days before the date of opening the bids in a newspaper of general circulation, printed and published in the jurisdiction of the public agency; or, if there is no newspaper printed and published within the jurisdiction of the public agency, in a newspaper of general circulation which is circulated within the jurisdiction of the public agency, or, if there is no newspaper which is circulated within the jurisdiction of the public agency, publication shall be by posting the notice in at least three places within the jurisdiction of the public agency as have been designated by ordinance or regulation of the public agency as places for the posting of its notices. The notice inviting formal bids shall also be sent electronically, if available, by either facsimile or electronic mail and mailed to all construction trade journals specified in Section 22036. The notice shall be sent at least 15 calendar days before the date of opening the bids. In addition to notice required by this section, the public agency may give such other notice, as it deems proper.
22038 Rejection of Bids; Failure to Receive Bids; Options	a) In its discretion, the public agency may reject any bids presented, if the agency prior to rejecting all bids and declaring that the project can be more economically performed by employees of the agency, furnishes a written notice to an apparent low bidder. The notice shall inform the bidder of the agency's intention to reject the bid and shall be mailed at least two business days prior to the hearing at which the agency intends to reject the bid. If after the first invitation for bids all bids are rejected, after reevaluating its cost estimates of the project, the public agency shall have the option of either of the following: 1) Abandoning the project or readvertising for bids in the manner described by this article. 2) By passage of a resolution by a four-fifths vote of its governing body declaring that the project can be performed more economically by the employees of the public agency, may have the project done by force account without further complying with this article. b) If a contract is awarded, it shall be awarded to the lowest responsible bidder. If two or more bids are the same and the lowest, the public agency may accept the one it chooses. c) If no bids are received through the formal or informal procedure, the project may be performed by the employees of the public agency by force account, or negotiated contract without further complying with this article. *(Amended by Stats. 2003, Ch. 296, Sec. 29. Effective January 1, 2004.)*

Code	Statute
22039 Adoption of Plans, Specifications, and Working Detail	The governing body of the participating public agency or its designated representative shall adopt plans, specifications, and working details for all public projects exceeding the amount specified in subdivision (c) of Section 22032. *(Amended by Stats. 2015, Ch. 269, Sec. 31. Effective January 1, 2016.)*
22040 Plans, Specifications of Working Details; Examination	Any person may examine the plans, specifications, or working details, or all of these, adopted by the public agency for any project.
22041 Exemptions	This article does not apply to the construction of any public building used for facilities of juvenile forestry camps or juvenile homes, ranches, or camps established under Article 15 (commencing with Section 880) of Chapter 2 of Part 1 of Division 3 of the Welfare and Institutions Code, if a major portion of the construction work is to be performed by wards of the juvenile court assigned to those camps, ranches, or homes.
22042 Accounting Procedures Review	The commission shall review the accounting procedures of any participating public agency where an interested party presents evidence that the work undertaken by the public agency falls within any of the following categories: a) Is to be performed by a public agency after rejection of all bids, claiming work can be done less expensively by the public agency. b) Exceeded the force account limits. c) Has been improperly classified as maintenance.
22042.5 Informal Bidding Procedures Review	The commission shall review practices of any participating public agency where an interested party presents evidence that the public agency is not in compliance with Section 22034. *(Added by Stats. 2015, Ch. 269, Sec. 32. Effective January 1, 2016.)*
22043 Work Done by Public Agency; Commission Review Request	a) In those circumstances set forth in subdivision (a) of Section 22042, a request for commission review shall be in writing, sent by certified or registered mail received by the commission postmarked not later than eight business days from the date the public agency has rejected all bids. b) In those circumstances set forth in subdivision (b) or (c) of Section 22042, a request for commission review shall be by letter received by the commission not later than eight days from the date an interested party formally complains to the public agency. c) The commission review shall commence immediately and conclude within the following number of days from the receipt of the request for commission review: 1) Forty-five days for a review that falls within subdivision (a) of Section 22042. 2) Ninety days for a review that falls within subdivision (b) or (c) of Section 22042.

Code	Statute
	d) During the review of a project that falls within subdivision (a) of Section 22042, the agency shall not proceed on the project until a final decision is received by the commission. e) A request for commission review pursuant to Section 22042.5 shall be in writing, sent by certified or registered mail, and received by the commission no later than eight days from the day an interested party formally complains to the public agency. The commission review shall commence immediately and conclude within 90 days from the receipt of the request for commission review. *(Amended by Stats. 2015, Ch. 269, Sec. 33. Effective January 1, 2016.)*
22044 Written Findings; Failure to Comply with Chapter; Action	The commission shall prepare written findings, which shall be presented to the public agency within 30 calendar days of formal commission review. Should the commission find that the provisions of this chapter or of the uniform cost accounting procedures provided for in this chapter were not complied with by the public agency, the following steps shall be implemented by that agency: a) On those projects set forth in subdivision (a) of section 22042, the public agency has the option of either (1) abandoning the project, or (2) awarding the project to the lowest responsible bidder. b) On those projects set forth in subdivision (b) or (c) of section 22042, the public agency shall present the commission's findings to its governing body within 30 calendar days of receipt of written notice of the findings and that governing body shall conduct a public hearing with regard to the commission's findings within 60 calendar days of receipt of the findings. c) 1) On findings of noncompliance pursuant to section 22042.5, the public agency shall notify its governing body of the commissioner's findings within 60 calendar days of receipt of written notice of the findings from the commission. 2) The public agency shall notify the commission in writing, within 90 days of receipt of written notice of the findings, of the public agency' best efforts to comply. *(Amended by Stats. 2015, Ch. 269, Sec. 34. Effective January 1, 2016.)*
22044.5 Compliance; Removal from Act	If the commission makes a finding, in accordance with section 22043, on three separate occasions within a 10-year period, that the work undertaken by a public agency falls within any of the categories described in section 22042, the commission shall notify the public agency of that finding in writing by certified mail and the public agency shall not use the bidding procedures provided by this article for five years from the date of the commission's findings. *(Amended by Stats. 2015, Ch. 269, Sec. 34. Effective January 1, 2016.)*
22045 Implementation of Procedures	a) No later than January 1, 1985, the commission shall recommend, for adoption by the Controller, written procedures implementing the accounting procedures review provided for in this article.

Code	Statute
Review: Commission Recommendations	b) The Controller shall, upon receipt of the commission's recommendation, review and evaluate the recommended procedures and either formally adopt or reject the recommended procedures within 90 days of submission of the commission.

Chapter 2.5 Emergency Contracting Procedures

Code	Statute
22050 Contract Without Bids; Procedures	a) 1) In the case of an emergency, a public agency, pursuant to a four-fifths vote of its governing body, may repair or replace a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts. 2) Before a governing body takes any action pursuant to paragraph (1), it shall make a finding, based on substantial evidence set forth in the minutes of its meeting, that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action is necessary to respond to the emergency. b) 1) The governing body, by a four-fifths vote, may delegate, by resolution or ordinance, to the appropriate county administrative officer, city manager, chief engineer, or other nonelected agency officer, the authority to order any action pursuant to paragraph (1) of subdivision (a). 2) If the public agency has no county administrative officer, city manager, chief engineer, or other nonelected agency officer, the governing body, by a four-fifths vote, may delegate to an elected officer the authority to order any action specified in paragraph (1) of subdivision (a). 3) If a person with authority delegated pursuant to paragraph (1) or (2) orders any action specified in paragraph (1) of subdivision (a), that person shall report to the governing body, at its next meeting required pursuant to this section, the reasons justifying why the emergency will not permit a delay resulting from a competitive solicitation for bids and why the action is necessary to respond to the emergency. c) 1) If the governing body orders any action specified in subdivision (a), the governing body shall review the emergency action at its next regularly scheduled meeting and, except as specified below, at every regularly scheduled meeting thereafter until the action is terminated, to determine, by a four-fifths vote, that there is a need to continue the action. If the governing body meets weekly, it may review the emergency action in accordance with this paragraph every 14 days. 2) If a person with authority delegated pursuant to subdivision (b) orders any action specified in paragraph (1) of subdivision (a), the governing body shall initially review the emergency action not later than seven days after the action, or at its next regularly scheduled meeting if that meeting will occur not later than 14 days after the action, and at least at every regularly scheduled meeting

Code	Statute
	thereafter until the action is terminated, to determine, by a four-fifths vote, that there is a need to continue the action, unless a person with authority delegated pursuant to subdivision (b) has terminated that action prior to the governing body reviewing the emergency action and making a determination pursuant to this subdivision. If the governing body meets weekly, it may, after the initial review, review the emergency action in accordance with this paragraph every 14 days. 3) When the governing body reviews the emergency action pursuant to paragraph (1) or (2), it shall terminate the action at the earliest possible date that conditions warrant so that the remainder of the emergency action may be completed by giving notice for bids to let contracts. d) As used in this section, "public agency" has the same meaning as defined in Section 22002. e) A three-member governing body may take actions pursuant to subdivision (a), (b), or (c) by a two-thirds vote. f) This section applies only to emergency action taken pursuant to Sections 20133, 20134, 20168, 20193, 20205.1, 20213, 20223, 20233, 20253, 20273, 20283, 20293, 20303, 20313, 20331, 20567, 20586, 20604, 20635, 20645, 20685, 20736, 20751.1, 20806, 20812, 20914, 20918, 20926, 20931, 20941, 20961, 20991, 21020.2, 21024, 21031, 21043, 21061, 21072, 21081, 21091, 21101, 21111, 21121, 21131, 21141, 21151, 21161, 21171, 21181, 21191, 21196, 21203, 21212, 21221, 21231, 21241, 21251, 21261, 21271, 21290, 21311, 21321, 21331, 21341, 21351, 21361, 21371, 21381, 21391, 21401, 21411, 21421, 21431, 21441, 21451, 21461, 21472, 21482, 21491, 21501, 21511, 21521, 21531, 21541, 21552, 21567, 21572, 21581, 21591, 21601, 21618, 21624, 21631, 21641, and 22035.

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CHAPTER 2 THE UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT

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CHAPTER 2 THE UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT

Uniform Public Construction Cost Accounting Act

2.01 The Uniform Public Construction Cost Accounting Act

As specified in the State of California Public Contract Code, all governmental jurisdictions are limited to the dollar amount of public project work that can be performed using internal resources. The jurisdictions are further required to follow various bidding procedures in undertaking construction work performed or contracted in the jurisdiction. The passage of Chapter 1054, Statues of 1983, Uniform Public Construction Cost Accounting Act (Act), and subsequent amendments provides for alternative bidding procedures by public agencies in undertaking public project work, provided they subscribe to uniform construction cost accounting policies and procedures developed in accordance with the law.

The purpose of this document is to give public agencies those construction cost accounting policies and procedures required in accordance with this above-mentioned legislation. To assist in understanding these policies and procedures, we have provided examples throughout the manual. These examples are for illustrative purposes only and, although they may be used, should not be considered required formats for public agencies operating under this program.

2.02 Public Agency

Public Contract Code section 22002(a) provides the definition of a public agency for the purposes of the Act. Public agencies are cities, counties, a city and county, chartered cities and chartered counties, any special district and any other agency of the state responsible for the local performance of governmental or proprietary functions within limited boundaries. Public agency includes a nonprofit transit corporation wholly owned by a public agency and formed to carry out the purposes of the public agency.

2.03 Public Project

As defined in Public Contract Code section 22002(c), all public projects performed by public agencies may include:

- Construction, reconstruction, erection, alteration, renovation, improvement, demolition and repair work involving any publicly owned, leased or operated facility.
- Painting or repainting of any publicly owned, leased or operated facility.
- In the case of publicly owned utility system, construction, erection, improvement or repair of dams, reservoirs, power plants and electrical transmission lines of 230,000 volts and higher.

2.04 Exemptions

Construction of any public building used for facilities of juvenile forestry camps or juvenile homes, ranches, or camps established under Article 15 (commencing with section 880) of Chapter 2 of Part 1 of Division 2 of the Welfare and Institutions Code, if a major portion of the construction work is to be performed by wards of the juvenile court assigned to those camps, ranches or homes, is exempt from the provisions of the Act.

In addition, in cases of great emergency, as determined by the governing body of the public agency, including, but not limited to, states of emergency defined in Government Code section 8558. When repair or replacements are necessary to permit the continued conduct of the operation or services of a public agency or to avoid danger to life or property. The governing body by majority vote may proceed at once to replace or repair any public facility without adopting plans, specifications, strain sheets, or working details, or giving notice for bids to let contracts. The work may be done by day labor under the direction of the governing body, by contract, or by a

combination of the two. The governing body, by majority vote, may delegate to the appropriate county administrative officer or city manager the power to declare a public emergency subject to confirmation by the governing body, by a four-fifths vote, at its next meeting.

2.05 Bid Limitations

For those agencies whose governing board has by resolution elected to become subject to the uniform construction cost accounting policies and procedures and which have notified the State Controller of that election, the following bid limitations will be in effect pursuant to Public Contract Code section 22032 and 22034(d):

- Public projects of $60,000 or less may be performed by the employees of a public agency by force account (for definition see page 39 section 2.2), by negotiated contract, or by purchase order.
- Public projects of $200,000 or less may be let to contract by informal procedures as set forth in this legislation.
- Public projects of more than $200,000 shall, except as otherwise provided in this legislation, be let to contract by formal bidding procedures.
- If all bids received are in excess of $200,000, the governing body of the public agency may by adoption of a resolution by a four-fifths vote, award the contract, at $212,500 or less, to the lowest responsible bidder, if it determines the cost estimate of the public agency was reasonable.

2.06 Award of Bid

Public Contract Code section 22038 allows the public agency in its discretion to reject any bids presented. If the agency prior to rejecting all bids and declaring that the project can be more economically performed by employees of the agency provides a written notice to an apparent low bidder that:

- Informs the lowest responsible bidder of the agency's intention to reject the bid.
- Is mailed to at least two business days prior to the hearing at which the agency intends to reject the bid.

If after opening bids all bids are rejected, the public agency shall have the option, after reevaluating its cost estimates of the project, of one of the following:

- The public agency may abandon the project or re-advertise for bids in the manner described by this legislation; or
- By passage of a resolution by a four-fifths majority of its governing body declaring that its employees can perform the project more economically, the public agency may have the project done by force account without further complying with this legislation.

If a contract is awarded, it shall be awarded to the lowest bidder. If two or more bids are the same as the lowest, the public agency may accept the one it chooses.

If no bids are received, the project may be performed by employees of the public agency by force account or by informal bidding procedures set forth in section 22034 of the Public Contract Code.

California Uniform Construction Cost Accounting Commission

2.07 California Uniform Construction Cost Accounting Commission

Chapter 1054, Statutes of 1983, created the California Uniform Construction Cost Accounting Commission (CUCCAC or the Commission). The Commission is comprised of 14 members, 13 members are appointed by the State Controller and one member of the Contractors' State License Board pursuant to section 22010 of the Public Contract Code.

a) Thirteen of the members shall be appointed by the Controller as follows:

   1) Two members who shall each have at least 10 years of experience with, or providing professional services to, a general contracting firm engaged, during that period, in public works construction in California.

   2) Two members who shall each have at least 10 years of experience with, or providing professional services to, a firm or firms engaged, during that period, in subcontracting for public works construction in California.

   3) Two members who shall each be a member in good standing of, or have provided professional services to, an organized labor union with at least 10 years of experience in public works construction in California.

   4) Seven members who shall each be experienced in, and knowledgeable of, public works construction under contracts let by public agencies; two each representing cities, counties, respectively, and two members representing school districts, and one member representing a special district. At least one of the two county representatives shall be a county auditor or his or her designee.

b) The member of the Contractors' State License Board who is a general engineering contractor as that term is defined in Section 7056 of the Business and Professions Code shall serve as an ex officio voting member.

2.08 Implementation

The public agency must perform several administrative steps to comply and elect into the law. The major steps include:

- Adopting a resolution electing to become subject to the Act.
- Adopting ordinances or regulations providing informal bidding procedures as required by the law.
- Notifying the State Controller of the election.
- Complying with the cost accounting construction policies and procedures presented in this manual.

The Commission shall review the accounting procedures of any participating agency where an interested party presents evidence that the work undertaken by the public agency falls within any of the following categories stated in Public Contract Code section 22042:

- Is to be performed by a public agency after rejection of all bids, claiming work can be done less expensively by the public agency.
- Exceeded the force account limits.
- Has been improperly classified as maintenance.

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CHAPTER 3 UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING POLICIES AND PROCEDURES

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CHAPTER 3 UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING POLICIES AND PROCEDURES

Uniform Public Construction Cost Accounting Policies and Procedures

The California Uniform Construction Cost Accounting Commission (CUCCAC) is responsible for reviewing and developing uniform public construction cost accounting policies and procedures to be followed by public agencies electing to participate in the program. This section of the manual discusses the Commission's basic philosophy and intent in developing these cost accounting policies and procedures, the range of public construction projects that may be undertaken by public agencies using these cost accounting policies and procedures, and the support systems deemed necessary to comply with this program.

Inquiries regarding the program and/or the policies and procedures may be sent to the State Controller's Office (SCO) Local Government Policy Section at LocalGovPolicy@sco.ca.gov. Once an inquiry is received by SCO staff, it will be reviewed and a draft response will be sent to the Chair of the Commission. The Chair may appoint one or more Commissioners, not to constitute a quorum, from the public and/or private sectors to assist with responding to the inquiry in a timely manner. The Chair will provide feedback as necessary, and SCO staff will reply to the inquirer in a timely manner. A summary of inquiries is to be reviewed by the Commissioners at the next CUCCAC meeting, for incorporation into the Frequently Asked Questions as appropriate.

3.01 CUCCAC Philosophy

The policies and procedures, as dictated by Public Contract Code section 22017, shall, to the extent deemed feasible and practicable, incorporate or be consistent with construction cost accounting guidelines and standards and reporting requirements utilized by state and federal agencies on public projects and be uniformly applicable to all public agencies which elect to utilize the policies and procedures. The Commission recognizes the wide divergence in the size, capabilities and scope of operations of various public agencies operating under this legislation. Therefore, in developing this manual, the Commission wishes to present policies and procedures that are reasonable and do not demand extensive tracking of detail. The Commission feels that all cost elements, including personnel, materials, supplies and subcontracts, equipment, and overhead, associated with a project must be recorded and reported at the project level. Each of the cost elements is to be expressed in the initial bid/estimate process, captured and recorded during the construction period and compared to the initial estimate at the conclusion of the public project. This shall require the existence of a project tracking system, as discussed later in this section. The Commission refrains from dictating a specific system but requires a system to estimate for bidding purposes, and to capture the actual costs in a manner consistent with the bid estimate. In this manner, the policies and procedures are results-oriented. The Commission has determined that the Standardized Account Code Structures meets the requirements of the Act.

3.02 Applicable Projects

In keeping with the Commission's objective of providing cost accounting policies and procedures that are specific in concept yet broad enough to encompass all public agencies, regardless of size and scope of services, these policies and procedures should enable the public agencies to track all applicable construction-oriented public projects.

While allowing for the divergence of activities performed, these policies and procedures should parallel construction cost accounting practices as much as possible to allow for a comparability of private and public estimates and actual costs incurred in constructing public projects.

3.03 Definitions

The definitions listed below will assist users of the manual in interpreting and understanding the policies and procedures as stated in this manual. It is important to note that these definitions pertain only to the contents of this manual.

Cost Finding. A less formal method than project accounting of cost determination or estimation on an irregular basis. There may be no formal accounting entries during the year to record costs incurred in specific cost accounts. Instead, cost finding usually involves taking available fund financial accounting data and recording it and adjusting it to devise the cost data or estimate needed. This approach will be used in selected instances as defined in this manual.

Direct Costs. Direct costs represent economic resources that can be specifically identified with a particular construction activity or function. To the extent possible, such costs should be charged directly to the project for purposes of cost determination rather than being subjected to allocation procedures.

End Cost Objective. An end cost objective is a cost center or activity established for the accumulation of the direct costs of performing government services. All costs should be considered to indirectly support the performance of these services.

Equipment Usage Tracking System. An equipment usage tracking system allows for the identification, recording, accumulation and reporting of usage of a specific piece of equipment or type of equipment and the unit of usage, e.g., hours, days, mileage, to a particular activity.

Force Account. A force account accurate for work performed on public projects using internal resources, including but not limited to labor, equipment, materials, supplies, and subcontracts of the public agency.

Government-Wide Overhead. Government-wide overhead is defined to include all costs of a public agency not associated with organizational units performing services which support all end cost objectives of the government entity.

Materiality. It is the Commission's position that, if the value of those goods obtained from inventory is material, the cost must be recorded to the public project code as a direct cost item. Materiality is defined for purposes of this manual to be any item that has a unit or aggregate value of $25 or more.

Materials, Supplies, and Subcontracts Tracking System. A materials, supplies, and subcontracts tracking system allows for the identification, recording, accumulation, and reporting of materials, supplies, and subcontracts used on a particular activity.

Object Cost. A cost center or activity (account code assigned to a department or project) established for the accumulation of the direct and indirect cost to arrive at a total cost of performing government services.

Overhead Costs. Overhead costs represent economic resources that are employed for common or joint purposes benefiting several projects or functions. As such, overhead costs are not as readily chargeable to individual projects and, therefore, generally require allocation based upon statistical relationships.

Personnel Tracking System. A personnel tracking system allows for the identification, recording, accumulation, and reporting of personnel working on a particular activity.

Project Accounting. Project accounting is the continuous process of analyzing, classifying, recording, and summarizing cost data within the confines and controls of a formal project accounting system and reporting them to users on a regular basis.

Project Tracking System. A project tracking system allows for the identification and establishment of cost (account) codes to particular activities. The system would be used to record, accumulate, and report personnel costs; equipment costs; material, supplies, and subcontracts costs; and allocated overhead to activities identified.

Public Project Unit. A public project unit (e.g. public works department) is an identifiable organizational unit of any size within a public agency whose primary goals include the undertaking and completion of public projects as defined in Public Contract Code section 22002. The Commission would, in general, consider a unit to be a public project unit when over 25% of the total unit's annual budget is expended on public projects. It is more common to have these organizational units in the larger public agencies - urban counties, cities, and school districts.

Subcontract. A subcontract provides for the use of an outside contractor with specialized skills and/or equipment needed to complete an element of work on the public project.

Unit Overhead. Unit overhead is defined as all costs incurred by an organizational unit, such as a public project unit, department, division or section, that are not directly attributable to any end cost objective, whether it be a public project or not. These costs include personnel costs, materials, supplies and subcontracts, and equipment costs not directly attributable to any end cost objective.

Work Order. A work order is written authorization for the performance of a particular project. It contains a description and location of the project and specifications for the work to be performed. Work orders are assigned an identification code and are used to record all costs both direct and indirect incurred in completing the project.

3.04 Public Agency Organization Structure

In general, public agencies will contract out design-and-build and heavy construction projects and perform only general building projects and specialty construction projects with internal resources. Frequently, this decision to undertake general building and specialty construction projects is made based on the agency's organization structure, current workload requirements, and available staffing resources.

Often, in large organizations, due to the ongoing workload, there are organizational units whose stated objective is to undertake and complete on an as-needed basis general building and specialty construction projects. These organizational units are project-oriented. Their end cost objectives primarily consists of the performance of public projects. Costs specifically incurred in connection with individual end cost objectives are considered to be direct costs. Costs not specifically incurred to support individual and cost objectives are considered to be overhead costs associated with the organizational units taken as a whole. To recognize all the costs associated with an end cost objective, these overhead costs must be allocated back to this end cost objective. Examples of end cost objectives include public projects, such as the construction of a warehouse, renovation of a lunch room, or street reconstruction and resurfacing over 1 inch. Smaller public agencies, which comprise the majority of public agencies in the state, usually do not have organizational units whose annual budgets represent more than 25% of public project work. Frequently, these employees perform general maintenance duties in addition to working on public projects. The public project costs incurred by these employees are more difficult to identify yet equally important.

3.05 Classification of Costs

It is the stated objective of the law and the Commission to have public agencies estimate the cost of public projects and track these project costs in a manner similar to private industry. Essential to achieving this

objective is the understanding and agreement by both parties as to the components of costs that are included in public projects.

The major classification of cost components for construction projects includes: direct, indirect, and overhead costs.

3.06 Direct Costs

Direct costs generally include these categories of costs: labor, bonds, permits, licensing fees (if any), equipment, permanent materials and supplies, subcontracts, nonpermanent materials and supplies. Components of each of these direct project cost categories are shown below and include costs applicable to the construction industry.

Labor

Hourly Pay/Salary
Payroll Taxes (Employer Contribution)
Worker's Compensation Insurance (Allocation of Self Insurance)
Group Health Insurance
Group Life Insurance
Retirement Plan (Employer Contribution)
Holiday Leave
Vacation
Sick Leave
Unassigned Time
Disability Insurance
Unemployment Insurance
Military Leave
Jury Duty Leave
Management Leave/Compensatory Leave
Uniform/Uniform Allowance
Tuition Reimbursement
Union Time Off
Time Off for Illness or Death of Family Member
Personal Liability Insurance
Administration/Employer Contribution of Deferred Compensation Program/401K
Overtime Premium

Use employee's productive hourly rate to calculate direct labor costs.

Equipment

Internal Equipment Rate

Depreciation
Insurance (Allocation of Self Insurance)
Initial Assembling and Dismantling Costs
Maintenance Costs
Repair Costs
Provision for Major Overhauls
Unassigned Time
Maintenance and Storage Yard Facilities Costs

Fuel and Oil
Tires and Grease

Or Use:
Caltrans Equipment Rental Rates and Labor Surcharge Book:
http://www.dot.ca.gov/hq/construc/equipmnt.html

External Equipment Rate (Leased or Rented from Commercial Dealer) which includes, if charged by the Lessor or are the responsibility of the agency, the following costs:

Rental Rate
Maintenance Costs
Assembling and Dismantling Costs
Insurance Costs
Fuel and Oil
Tires and Grease

Permanent Materials and Supplies

Cost of Permanent Materials and Supplies-Charged Directly to Job

Permanent Materials and Supplies Cost
Sales/Use Tax
Freight
Discounts Taken

Cost of Permanent Materials and Supplies Costs

Substantiated by most recent Invoice
Handling
Warehouse and Transportation Costs

Subcontracts

Payments made to Subcontractors

Nonpermanent Materials and Supplies/Miscellaneous Costs

Permits
Fees
Performance Bonds
Licenses

3.07 Indirect Costs

Indirect costs can be identified with a project but not with a specific job or unit of production within the project.

Indirect costs generally include two categories of costs: labor and other miscellaneous project site expenses. Components of each of these indirect cost categories are shown below.

Labor

Quality Control and Inspection
Field Supervisors
Security Guards
Superintendent
Job Secretary

Other Project Expenses

Mobilization, Assembly, Move-Out Costs
Yarding and Hauling
Trailer
Utilities
Telephone
Warehouse Costs
Spoilage, Loss and Theft
Other Costs

3.08 Overhead Costs

Simplified Overhead Rate

Prior to January 1, 2004, the Commission allowed all agencies to use a 20% overhead rate applied to all direct costs in lieu of calculating their overhead rates. An amendment to Public Contract Code section 22017 provides that cities with a population of less than 75,000 can assume the 20% rate. Cities with a population of 75,000 or over can either assume a 30% overhead rate or calculate an actual overhead rate.

Calculated Overhead Rate

The Commission determined that counties, special districts, and school districts can use a 30% rate or calculate an actual overhead rate, which is the same rule that applies to cities with a population of over 75,000.

Agencies may elect to calculate their overhead rates by one of the three following methods:

1) Appendix A describes the federal government's method of calculating overhead (2 CFR Part 220).

2) Appendix B describes a method of calculating overhead by allocating overhead costs as a percentage of direct labor costs.

3) Any method of calculating overhead is satisfactory with the Commission, provided that acceptable accounting procedures are used and all administrative costs are included.

Overhead costs should be applied on total project costs, including costs of material, equipment, and labor.

Overhead costs cannot be identified with or charged to jobs or units of production unless some more or less arbitrary allocation basis is used.

Components of overhead are shown below and include costs applicable to the construction industry, public agencies or both, e.g., public agencies do not have to pay surety bond premiums as does the construction industry to perform construction work, but both have costs incurred due to the processing of payroll.

Payroll
Personnel
Purchasing/Procurement
Bid/Estimate Expense
Advertising Expense
Legal Costs
General Government
General Accounting/Finance
Departmental Accounting/Finance
Facilities
Data Processing
Top Management
Management Expenses

Typically public agencies recognize only two classifications of costs: direct and overhead.

It is important to note that this does not suggest that public agencies exclude indirect costs but rather that they classify a majority of them as direct costs. For example, in the construction industry a foreman supervising employees working at the job site would have his personnel costs pooled and allocated to a job or unit of production. In a public agency, the foreman's labor cost would be charged directly to the appropriate public projects.

Regardless of the differences in how the various costs are classified, both the construction industry and public agencies recognize that the significant cost elements of any construction project include:

- Personnel
- Materials, supplies and subcontracts
- Equipment
- Overhead

3.09 Project Identification

Public projects, as defined in section 2.03, shall be identified and given specific project codes. These codes are generally referred to as project or work order numbers. These codes shall enable the public agency to segregate the cost elements discussed above, thereby allowing for the proper estimation, tracking, and comparison of estimated vs. actual cost elements incurred at the completion of a public project.

3.10 Project Tracking

The public agency shall have a manual or automated system that records, accumulates, and periodically reports the cost elements - personnel; materials, supplies and subcontracts; equipment; and overhead - incurred in completing all public projects. The public agency shall be required to account for the costs of the public project in a manner consistent with the way in which the project was bid/estimated. An audit trail of the accumulation of these cost elements shall be maintained. Source documents shall be retained identifying costs incurred on the project. These documents may include timesheets, equipment tracking records, requisitions of materials and

supplies used at the project site, and the documentation of the development of overhead rates. The project tracking system does not have to be a part of the public agency's fiscal system but should capture the major cost elements and comply with the other requirements stated in this manual. This may require the agency to establish a project tracking system or alter an existing cost accounting system.

Project Tracking Systems

Project tracking refers to the management of projects which includes but is not limited to measuring and reporting the status of milestones, tasks and activities required in achieving the pre-defined project results. Project tracking can also refer to project management software which automates the tracking of tasks, assignments, event and activities related to the project.

Most counties and larger school districts, cities, and special districts have established automated cost accounting systems that can track all identified public projects. Other project tracking systems include work order systems and project ledger card systems.

Work orders are written authorizations for the performance of a particular project. They contain a description and location of the project and the specifications for the work to be performed. These authorizations, used extensively by public agencies, are assigned an identification code and are used to accumulate and report labor, materials and supplies, and other costs associated with the project. Work orders can be used to cost public project work, as well as maintenance work and other types of end cost objective work.

A project ledger card system establishes a single ledger card to be used in recording, in summary, all cost elements associated with a particular public project.

Discussion of Example

An excel spreadsheet, is listed as a template named *Sample Estimating Form* and is available online at http://www.sco.ca.gov/ard_cuccac.html

The sample project ledger card has been established by the school district's accounting area to estimate the costs of remodeling the Main Street School. This sample can be used for estimating a project. The following data elements are included on the ledger card to establish the public project:

- Project code
- Start date
- End date
- Person responsible for work
- Name of project

Chapter 4 IDENTIFICATION, REPORTING, AND COMPUTATION OF PERSONNEL COSTS

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CHAPTER 4 IDENTIFICATION, REPORTING, AND COMPUTATION OF PERSONNEL COSTS

Identification, Reporting, and Computation of Personnel Costs

The accurate estimating, tracking and costing of personnel costs is imperative to ensure accurate reporting and future estimating of these costs. Personnel costs are those costs associated with employing public agency personnel in the performance of a specific job. They include three elements:

1) Annual salary or wage paid by the public agency.
2) Benefits received by employees such as a public agency's contribution to employee retirement programs, group health plans, and unemployment insurance.
3) Benefits paid to employee such as salaries or wages paid to employees who are on holidays, vacation leave, and sick leave.

This section of the manual describes the systems and methods used to track personnel time, determine the costs associated with personnel, and record these costs to a project tracking system.

Tracking Personnel Time

Critical to the public agency's determination of personnel costs is the ability to identify time spent by employees performing work on all public projects.

4.01 Timekeeping System

A public agency shall have a timekeeping system that accumulates hours worked by employees and assigns these hours to all public project codes. Typically, this project code is assigned by the agency's accounting department and conveyed to the person responsible for the public project, generally the foreman or equivalent position. This system shall enable the agency to track hours worked on public projects to allow for the subsequent distribution of the appropriate personnel costs.

4.02 Examples of Timekeeping Systems

The simplest of timekeeping records is a foreman's time book. These books usually have 50 pages and the foreman records on a daily or weekly basis the employee and his daily time spent on a particular project. These books have heavy tagboard covers so they can remain at the job site and be carried in a foreman's pocket. Typically, at the week's end, the foreman's time book is copied onto timesheets or timecards. This may be done at the central office by the foreman, timekeeper, payroll clerk or bookkeeper. This timekeeping system has the advantage of actual timekeeping being performed at the job site; but if the book is lost, the entire project's time record is lost.

Weekly timesheets or timecards and electronic timekeeping systems can also be used to record time. These documents should be completed by employees no later than at the end of the week showing the hours worked on each public project. For the employees to complete the cards or sheets, they must be informed of the appropriate project code to charge. This appears to be an insignificant issue; but without the establishment of a project code and the conveyance of that information to personnel working on the public project, the costs may never get recorded accurately. This decentralization of timekeeping presents the opportunity for possible inaccuracies in the recording of time spent on public projects. Therefore, this system may warrant additional review by management.

Work orders can be used to record time by the appropriate employee. As discussed in the project tracking requirements, work orders are written authorization for the performance of a particular job containing a project code, a description and location of the job, and specifications for the work to be performed. Work orders are the most frequent public project timekeeping systems used by public agencies. These are generally completed by the supervisor of the public project who records the employees' time spent on a public project.
It is important to note that work performed on public projects, unlike timekeeping in the construction industry, requires close supervision by management to ensure that hours worked on end cost objectives as defined by this manual are recorded properly.

4.03 Application of Timekeeping Systems

As discussed earlier, there are two types of organizational units within public agencies that may perform public project work. These are (1) public project units and (2) other organizations that may, in addition to their primary duties, work on public projects.

Public Project Unit

A public project unit is an identifiable organizational unit of any size whose primary goals include the undertaking and completion of public projects. Typically, these units perform construction, reconstruction, erection, alteration, renovation, improvement, demolition, repair work, and painting of any publicly owned, leased, or operated facility. For example, a public works department may have a division/section comprised of employees who as defined by this bill are dedicated to the undertaking and completion of public projects such as road resurfacing, painting, landscaping and building/remodeling. The Commission would, in general, consider a unit to be a public project unit when over 25% of the total unit's annual budget is expended on public projects. It is more common to have these organizational units in the larger public agencies--urban counties, cities and school projects.

Timekeeping Requirements

Employees who generally are considered direct labor and are assigned to a public project unit shall record their time on an hourly basis and record all hours of a full work day. This includes time spent on public projects as well as time spent on projects excluded from this program. Unassigned time by these employees will also be recorded and charged to an appropriate code.

Employees not performing labor on public projects, but who provide administrative support services to the employees of the public project unit, shall also record their time on an hourly basis and record all hours of a full work day. This time will be charged to an appropriate overhead account and will be used in the development of the organizational unit's overhead rate as discussed in Chapter 7.

Other Organizational Units Performing Work on Public Projects

There are other organizational units that have employees who perform work on public projects but whose primary goal is the performance of routine maintenance work and/or other general government services. Typically, these organizational units include: parks and recreation departments; divisions of public works agencies that have not been identified specifically as public project units, such as engineering; water and sewer; street maintenance; and routine maintenance.

a. Timekeeping Requirements
Employees of these organizational units shall report time worked on public projects. Although the Commission strongly believes that it is advisable for employees to record an eight-hour day to various end cost objectives, work performed outside of public projects is excluded from the scope of the program and is not required to be reported. All time worked on public projects by a public agency employee shall be posted to a project tracking system on a timely basis with an adequate audit trail maintained.

b. Discussion of Example
An employee of an organizational unit who performs work on a public project, but whose organization is not identified as a public project unit, must report his time. The employee has recorded only the time worked on a public project. Unit management, employees performing maintenance work, and unassigned employees need not record their time as do similar employees in a public project unit.

4.04 Recording Time to Public Projects

A public project's direct labor time shall be recorded to a project code under the following circumstances:

- The employee worked on a public project.
- The employees were in transit to or from a project site.
- The employee performed clean-up work on a public project, e.g., the employee returned to central headquarters to complete paperwork attributable to a public project.
- The employee was assigned to work on a public project but was unable to work due to unforeseen circumstances, e.g., equipment breakdown or inclement weather, and was therefore idle.

Computing Personnel Costs

In determining personnel costs, three different rates must be determined and applied: the employee's productive hourly rate, the department's overhead rate, and the general government overhead rate.

4.05 Productive Hourly Rate

Personnel costs in many public projects represent the single largest cost of a public project. In calculating these costs it is important to include the three components of personnel costs:

1) Annual salary/wages
2) Benefits received
3) Benefits paid

The calculation of an hourly rate integrating these three costs components is commonly called a "productive hourly rate."

A productive hourly rate shall be used to cost time reported to public projects. A productive hourly rate determines the full costs per hour of employing public agency personnel on a public project. A productive hourly rate is calculated by dividing annual personnel costs by an employee's available hours for work assignment.

Annual Personnel Cost

The annual personnel costs of an employee or class of employees shall be determined by the public agency. These costs shall include annual salary/wages and fringe benefits paid by the public agency.

Fringe benefits are generally calculated as a percentage of annual salary/wages or as an annual cost per employee.

If the productive hourly rate is calculated by employee class, members of each class should have reasonably comparable fringe benefits. Otherwise, further division of the employee class should be performed.

Fringe benefit calculations shall take into consideration, but not be limited to, the employer contribution portion of the following costs:

- Disability insurance
- Life insurance
- Retirement plan
- Unemployment insurance
- Worker's compensation insurance
- Personal liability insurance

The fringe benefits calculation is not required to include accrued benefits, such as sick leave or vacation earned but not taken, as a component of personnel costs. It is recognized that these accrued benefits represent a significant future cost to the public agency. Yet, many public agencies do not account for these costs and would have difficulty in developing accurate figures. If further pronouncements concerning accrued benefits of public agencies are issued, the Commission will determine whether inclusions of these costs are appropriate.

Productive Hours

The public agency shall start with the assumption of 2,080 productive hours in a year if a 40-hour work week is the standard for the public agency. If a 40-hour work week is not the standard, the appropriate number of annual productive hours must be determined by the agency. The public agency shall then determine average annual nonproductive time either by employee, class of employee, or agency-wide. Nonproductive time is time when the employee is not available to work or assignment to work and includes but is not limited to:

- Vacation
- Sick leave
- Holidays
- Military leave
- Jury duty
- Training

4.06 Unit Overhead Rate

Public Project Unit

A unit overhead rate shall be developed for each public project unit. This unit overhead rate shall include all public project costs that are not direct costs. The overhead rate shall be developed and added to the productive hourly rate.

Organizational Unit Performing Public Project Work

A unit overhead rate shall be developed for each organizational unit performing work on public projects in addition to its primary duties. This unit overhead rate shall include all of the organizational unit's costs that are not direct costs. The overhead rate should be developed and applied to the employee's productive hourly rate.

4.07 Government-Wide Overhead Rate

A government-wide overhead rate shall be developed to include all costs of a public agency not associated with organizational units performing services that support all end cost objectives of the government entity. The government-wide rate shall be developed and applied to the productive hourly rate after unit overhead has been applied.

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CHAPTER 5 IDENTIFICATION, REPORTING, AND COSTING OF MATERIALS, SUPPLIES, AND SUBCONTRACTS

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CHAPTER 5 IDENTIFICATION, REPORTING, AND COSTING MATERIALS, SUPPLIES, AND SUBCONTRACTS

Identification, Reporting, and Costing of Materials, Supplies, and Subcontracts

Materials, supplies, and subcontracts used on public projects are considered a cost element by the Commission and include such items as lumber, bricks, cement, doors, paint, asphalt, wire, sand, gravel, pipe, and work performed under a subcontract. Materials and supplies used on public projects shall be tracked and charged to project codes as discussed in Chapter 2 and can be accounted for either as direct purchase or inventory.

This section of the manual describes the systems and methods used to track materials, supplies, and subcontracts; determine their value, as well as the other costs associated with providing materials and supplies; and record these costs to a project tracking system.

Materials and Supplies

Critical to the public agency's determination of personnel costs is the ability to identify time spent by employees performing work on all public projects.

5.01 Tracking Materials and Supplies

The Commission wishes to provide policies and procedures so that public agencies account for public projects in a manner similar to the construction industry. The nature of governmental procurement and inventory practices presents challenges to the public agency's ability to meet the Commission's objective of effectively measuring material and supply costs for public projects.

Direct Purchases

Materials and supplies are often purchased directly for use on a public project. The public agency can thus identify the associated dollar value of items purchased to the public project code, which should be identified on the purchase order when the procurement is initiated.

Inventory

It is more difficult to identify the associated costs of items obtained from the public agency's inventory of materials and supplies, generally maintained at a warehouse or stockroom. The major challenge is identifying and recording the costs of material and supplies utilized for the public project which are obtained from the public agency's inventory. It is the Commission's position that, if the value of these goods obtained from inventory is material, the cost must be recorded to the public project code as a direct cost item. Materiality is defined for purposes of this manual to be any item that has a unit or aggregate value of $25 or more.

Items purchased and placed into inventory that would subsequently be used on public projects and which may exceed the $25 limit shall be issued to projects in a manner consistent with good accounting controls.

5.02 Costing Materials and Supplies

Direct Purchase

The total material and supplies costs are the invoiced amount. This amount should be posted to the project tracking system for direct purchases on a timely basis. This recorded amount should include the cost of the materials and supplies, freight, sales tax, use tax and any other appropriate costs.

Inventory

The public agency shall have a method to provide for the valuation of the inventory it releases to public projects. Acceptable methods include:

First-In, First-Out (FIFO) – The earliest acquired stock is assumed to be used first, the latest acquired stock is assumed to be still on hand. Therefore, when inventory is issued, it is valued at the cost of the earliest acquired stock.

Last-In, First-Out (LIFO) – The earliest acquired stock is assumed to be still on hand, the latest acquired stock is assumed to have been used immediately. Therefore, when inventory is issued, it is valued at the cost of the most recently (latest) acquired stock.

Weighted Average – In this type of inventory valuation system, each purchase of stock is aggregated with the former inventory balances so that a new average unit price is used to price the subsequent issues of inventory.

Recent Costs – The most recent unit costs is applied to units consumed to yield total cost.

5.03 Handling/Carrying Cost

Personnel, equipment, and facilities costs are incurred by the public agency to store and transport inventoried items. This is separate and distinct from the cost of procurement that is considered to be recaptured through general government overhead, as discussed in Chapter 4. (If warehousing and transportation costs are not provided by a central organization, it is assumed that these costs are recovered through the government-wide overhead rate).

5.04 Subcontracts

A public agency may wish to complete work on a public project by subcontracting, i.e., hiring an outside contractor to perform a portion of the work.

Subcontractors shall be accounted for in a manner similar to a direct purchase of materials and supplies. Contracts or purchase orders should be coded with the appropriate project code and the subcontract costs recorded onto the project tracking system in a timely manner. The handling/carrying overhead rate shall be calculated to recover:

- Warehouse/storeroom personnel costs
- Facility costs of storeroom/warehouse
    - Utilities
    - Rent
    - Insurance
- Transportation costs associated with the receipt/delivery of materials and supplies.

CHAPTER 6 IDENTIFICATION, REPORTING, AND COSTING EQUIPMENT

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CHAPTER 6 IDENTIFICATION, REPORTING, AND COSTING EQUIPMENT

Identification, Reporting, and Costing Equipment

Usage of equipment on public projects is a cost element of performing those public projects. Equipment usage, excluding passenger riding sedans, must be tracked when a piece of equipment is assigned to a public project. Equipment used on public projects shall be charged to a project cost code. This section describes the systems and methods used to track equipment usage, determine equipment costs, and record the costs to a projects tracking system.

6.01 Equipment Tracking Systems

The public agency shall have a manual or automated system that tracks the appropriate equipment by time, mileage or other usage factor to a public project. The system shall have the capability to track equipment usage to a public project:

- When it is in motion to/from a project site;
- When at a public project site (whether in use or not), if time is the means of equipment tracking and
- When at public project site and in use, if mileage or some other mechanism is the means of equipment tracking.

Examples of Tracking Systems

One of the simplest forms for tracking equipment is a weekly timesheet for each piece of equipment that has been assigned to the public project and the time or mileage incurred by the public project. These sheets should be submitted weekly with labor timesheets or cards. They should then be sent to the accounting area and charged to a project tracking system.

6.02 Equipment Tracking of Agency Owned/Operated Equipment

As will be seen in this chapter heading Equipment Usage Rates on page 68, the public agency can cost out equipment it owns and operates in one of two ways. The public agency can either utilize internally developed equipment rates or rates from industry equipment rate books.

Internal Rates

When an agency develops internal equipment rates for certain or all types of equipment, that agency must track the time that equipment was used on end cost objectives such as public projects, maintenance work, and unassigned time. This enables the public agency to determine what the equipment's history of productive hours has been. This enables a better forecast of projected productive hours to be made for rate development purposes.

Equipment Rate Book Rates

When an agency utilizes the calculated equipment rate from rate books, it must record the time or mileage the equipment is used on public projects. Since these equipment rates generally factor in idle time, a full tracking of the equipment as performed for "internal rate" equipment is not mandated.

Equipment Usage Rates

There are three acceptable means of determining equipment rates. They include rates developed internally for public agency owned and operated equipment, equipment rate books used by the construction industry and rental or lease rates charged by commercial vendors. Each of these methods attempts to recapture the costs associated with the equipment's purchase and operations, such as depreciation, fuel, maintenance, repair and insurance.

6.03 Internal Rates (Equipment Owned by Public Agency)

Public agencies shall utilize internally developed equipment usage rates that reflect the full cost of owning, operating and maintaining types of equipment. Rates should be developed for classes of equipment and should comply with the following guidelines:

- The internal equipment rate methodology shall be documented and an adequate audit trail provided.
- The costs of depreciation, fuel and oil, equipment storage, and income are to be included in the internally developed rates.

Depreciation

Depreciation is the method used to spread the cost of equipment, capital lease, or replacement value less residual value, over a piece of equipment's useful life. The public agency's capitalization policy should be used to determine whether a piece of equipment should be depreciated. Generally, equipment that costs more than $1,000 and has a useful life of more than one year should be depreciated.

Depreciation should be calculated as follows:

1) Useful Life
   Depreciation should be based on the average useful life for the piece of equipment in a particular operation. Determination of useful life should be based on actual or planned retirement and replacement practices.

2) Residual Value
   Residual value is the value at disposition (less costs of disposal) estimated at the time of acquisition. In many cases, the estimated residual value is so small and occurs so far in the future that it has no significant impact. As well, residual value may be almost or completely offset by removal and dismantling costs. Normally, public agency equipment will be used through the end of its estimated useful life and the residual value may be carried at zero. In the event that it is known at the time of acquisition that the capital equipment will not be used for at least 75% of its scheduled useful life, residual value should be estimated.

3) Capital Improvements
   Capital improvements are the costs of major overhauls and modifications that add value and prolong the life of a piece of equipment. These costs should be treated as capital expenditures and depreciated over the extended or remaining useful life of either the asset or improvement, whichever is less.

4) Straight Line Depreciation Method
   The straight-line depreciation method charges an equal amount for each period of useful life (generally a year). This method is considered the most practical and reasonable method for determining equipment usage costs.

5) Calculation of Depreciation Method

For annual depreciation for capitalized equipment will be estimated as follows:

A. Start with the acquisition cost (purchase price) plus capital improvements, plus all other costs incurred to place the equipment in usage, e.g., transportation, installation. The public agency may choose to utilize replacement value for this calculation.

B. Determine the useful life of the equipment, utilizing applicable guides such as the IRS guide.

C. Compute annual depreciation by dividing the depreciable basis (acquisition cost plus capital improvements less residual value) by the useful life.

D. Maintenance and Repairs
These are costs (labor and parts) that are incurred for maintenance repairs to keep the equipment in normal operating condition. These costs do not include capital improvements that add value to equipment and are accounted for under depreciation. Tires and grease are included in this classification of cost. Typically, a ledger card for each piece of equipment will be necessary to record these costs.

E. Fuel and Oil
These costs include the labor and fuel costs of supplying the equipment with fuel of any type and oil.

F. Equipment Storage Costs
Equipment storage costs include the cost of facilities associated with the use of equipment. These costs include equipment yards, warehouse facilities, and the cost of guards and other security measures.

G. Insurance
These costs include the premiums paid by the public agency (whether self-insured or paid to an outside agency) for equipment insurance.

A good discussion of the calculation of internal equipment rates can be found in State Controller's Office website, http://www.sco.ca.gov/pubs_guides.html *Accounting Standards and Procedures for Counties* in the Road Fund Accounting section.

6.04 Equipment Rate Books (Equipment Owned by Public Agency)

Public agencies that own equipment used on public projects but do not calculate internal equipment rates shall utilize appropriate private industry equipment rate books. It is understood that industrial rates may include certain costs that are not incurred by public agencies, such as personal property taxes paid on the assessed value of the equipment and interest charges. However, these equipment usage rates in some cases do not include: the cost of fuel or other energy costs to operate a particular piece of equipment; the cost of preparatory work performed before a piece of equipment can be made operative; the costs of dies, blades or welding rods that are normally consumed in the operation of a piece of equipment; or the costs of extraordinary wear and tear. Therefore, the use of industrial rates is assumed to provide a reasonable approximation of internal rates.

Equipment rate books that are acceptable to the commission for use in lieu of internal rates include:

- *Caltrans Labor Surcharge and Equipment Rental Rates*
  http://www.dot.ca.gov/hq/construc/equipmnt.html
- *Mechanical Contractors Association Tool and Equipment Rental Guide*
- *National Electrical Contractors Association Tool and Equipment Rental Schedule*

Use of other guides must first be reviewed and approved by the Commission.

These guides are maintained and updated on a periodic basis by the appropriate agency or association to accurately reflect current costs associated with equipment usage. If a piece of equipment or comparable piece of equipment is not included in an established guide, an internal rate shall be developed or a documented quote from an equipment leasing or rental agency may be utilized.

6.05 Rental or Lease Rates

Rented or leased equipment to be used partially or completely on public projects shall be tracked and have the appropriate amount charged to the public project. Additional costs associated with the leasing or renting of equipment used partially on a public project shall be charged on a pro rata basis, if appropriate to that project. Costs related to renting or leasing equipment generally include, but are not limited to:

- Rates
- Moving, loading, and assembly costs
- Maintenance and repairs
- Insurance
- Fuel (under some rate schedules)

CHAPTER 7 IDENTIFICATION, RATE DEVELOPMENT, AND ALLOCATION OF OVERHEAD

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CHAPTER 7 IDENTIFICATION, RATE DEVELOPMENT, AND ALLOCATION OF OVERHEAD

Identification, Rate Development, and Allocation of Overhead

7.01 Commission Adopted Simplified Overhead Rate

Prior to January 1, 2004, the Commission allowed all agencies to use a 20% overhead rate applied to all direct costs in lieu of calculating their overhead rates. Amendments to Public Contract Code section 22017 provides that cities with a population of less than 75,000 can assume the 20% rate. Cities with a population of 75,000 or over can either assume a 30% overhead rate or calculate an actual overhead rate.

The Commission determined that counties, special districts, and school districts could use a 30% rate or calculate an actual overhead rate, which is the same rule that applies to cities with a population of over 75,000.

Agencies may elect to calculate their overhead rates by one of three following methods:

1) Appendix A describes the federal government's method of calculating overhead (2CFR Part 200).
2) Appendix B describes a method of calculating overhead by allocating overhead costs as a percentage of direct labor costs.
3) Any method of calculating overhead is satisfactory with the Commission, provided that acceptable accounting procedures are used and all administrative costs are included.

Chapter 3, Definitions, lists items that define overhead.

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APPENDIX A COST PRINCIPLES FOR STATE, LOCAL, AND INDIAN TRIBAL GOVERNMENTS

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APPENDIX A Cost Principles for State, Local, and Indian Tribal Governments

Cost Principles for State, Local, and Indian Tribal Governments

APPENDIX A COST PRINCIPLES FOR STATE, LOCAL AND INDIAN TRIBAL GOVERNMENTS

2 CFR Part 200
(OMB Circular A-87)
Please refer to:

www.ecfr.gov

Browse: Title 2 – Grants and Agreements
Volume 1, Chapter II, Part 200

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APPENDIX B OVERHEAD DETERMINATION AND ALLOCATION PERCENTAGE OF DIRECT LABOR COSTS METHOD

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APPENDIX B OVERHEAD DETERMINATION AND ALLOCATION PERCENTAGE OF DIRECT LABOR COSTS METHOD

Identification, Rate Development, and Allocation of Overhead

B.01 Identification, Rate Development, and Allocation of Overhead

Overhead is the one cost element most frequently misunderstood and absent from public agency costs. This section defines overhead costs and the various methods used to identify, track, and allocate these costs. The Commission believes that overhead is a significant factor and that it is essential that public agencies record and allocate their costs to fairly reflect the total cost of performing public projects. It is not intended that public agencies be required to recover all their overhead costs but that overhead costs reasonably borne by public projects be allocated to these projects.

Overhead includes all costs except:

- Labor performed at the site and directly charged to any end costs objective (including other than public projects) including a pro rata share of payroll taxes and related employee benefits, such as workers' compensation, group insurance, holiday and sick leave, and similar "fringe benefits." As discussed previously, an end cost objective is a pool, center, or activity established for the accumulation of the direct cost of performing fundamental government services. Labor charged to an end cost objective should be traceable to the finished goods or services performed.
- Materials, supplies, and subcontracts actually consumed on and directly charged to any end cost objective, including related freight, sales or use tax, and handling/carrying charges if appropriate. Materials and supplies charged to an end cost objective should be traceable to the finished goods or services provided.
- Equipment costs directly charged to any end cost objective. Equipment costs charged to an end cost objective should be traceable to the finished goods or services provided.

Overhead costs represent economic resources that are employed for common or joint purposes benefiting several end cost objectives and are not identifiable to an individual end cost objective. The challenge is to achieve an equitable allocation of overhead costs to these various end cost objectives of the public agency.

Public agencies shall calculate two overhead rates or use the simplified overhead rates noted in Chapter 7:

- Unit overhead rate
- Government-wide overhead rate

Unit overhead is defined as all costs incurred by an organizational unit, such as a public project unit, department, division or section, which are not directly attributable to any end cost objective whether it be a public project or not. These costs include personnel costs, materials, supplies and subcontracts and equipment costs not directly attributable to any end cost objective. As was discussed in Chapter 4, unit overhead must be developed for public project units and organization units performing public project work.

Government-wide overhead is defined to include all costs of a public agency not associated with organizational units performing services, which support all end cost objectives of the government entity.

The unit and government-wide overhead rates must be developed on an annual basis. These rates should be developed prior to the fiscal year and applied to the productive hourly rate as discussed in Chapter 4.

B.02 Unit Overhead

Unit overhead is made up of personnel costs, materials, supplies and subcontracts, equipment usage and facilities costs that are not identified as direct costs. As was stated in Chapter 4, unit overhead rates shall be developed for public project units and any other organizational units whose employees may perform work on public projects.

Cost Components

Components which shall be included in the calculation of unit overhead include, but are not limited to, costs incurred within the organizational unit related to:

- Administration
- Accounting/finance
- Clerical assistance
- Facilities
  - Rental costs (Depreciation of facilities purchased or constructed by a public agency is not required by the Commission).
  - Utilities
  - Insurance
- Data processing
- Direct labor not charged to direct activities
- Materials and supplies not charged to direct activities
- Under-realization of labor and equipment rates

Unit overhead components shall not be included in the government-wide overhead.

Tracking of Unit Overhead

The tracking of overhead costs can be performed in two ways. Overhead can be determined through the utilization of a formal cost accounting system. This system allows for the identification of such costs as salaries and indirect materials and supplies as overhead costs, and records these costs to management overhead codes. Alternatively, cost-finding studies can be performed. A cost finding study, a less precise method of overhead determination, is usually performed on an annual basis and generally involves taking available financial accounting data and determining the value of overhead pools through various estimation techniques.

a. Public Project Unit
   As discussed in Chapter 4, a public project unit's personnel shall record and account for a full workday. This enables the public project unit to track and record time spent on overhead activities and unassigned time on an actual basis. As well, the public project shall record equipment usage costs, subcontractor costs, materials, supplies and subcontracts, and facilities costs to overhead codes when not identifiable to a specific project. Thus, the public project unit accounts for all of its costs, whether they are direct costs or overhead. The public project unit will use the resulting data to develop its unit overhead rate.

b. Organizational Unit Performing Public Project Work
Personnel working for an organizational unit whose primary goals include the performance of routine maintenance work and/or other general government work are not required to account for a full workday. However, these employees must record all hours of work performed on public projects. This organizational unit shall develop a unit overhead rate through an annual cost finding study which distinguishes direct costs for end cost objectives from indirect (overhead) costs.

B.03 Government-Wide Overhead

Government-wide overhead represents costs incurred by the support functions of the governmental entity, which are not associated with an organizational unit performing end cost objectives. As was stated in Chapter 4, government-wide overhead rates shall be determined by each public agency.

Internally Developed Government-Wide Overhead Rate

Public agencies shall utilize an internally developed government-wide overhead rate. The rate methodology shall be documented and an adequate audit trail provided.

a. Cost Components
The government-wide overhead rate shall include but not be limited to costs associated with the functions shown below to the extent that they are not included in specific unit overhead rates:

- Payroll department
- Procurement/purchasing department
- Legal function
- Central administrative function
- Accounting/finance budget function
- Data processing
- Insurance (whether self-insured or premiums are paid to an agency)
- Public Relations
- Vehicle Pool

The government-wide overhead rate may exclude the costs associated with the legislative and judicial branches of the public agency.

b. Rate Development
The public agency shall develop the government-wide overhead rate of the public agency using direct labor dollars to allocate these government-wide overhead costs in a manner similar to the allocation of unit overhead.

Government-Wide Overhead

Where a government-wide cost allocation plan has been prepared under the auspices of 2 CFR Part 200 or other government-wide rate methodologies, the public agency may utilize the overhead costs or rates developed in lieu of an internally developed government-wide overhead rate, as described in this manual. The Commission recognizes that public agencies may consider these rates imprecise or inappropriate. It is acknowledged that, in developing these rates, some costs are not included because they are considered "not allowable." Thus, the rate may not recover all costs associated with the program. In contrast, an argument could be made that the rates

are calculated to recover the costs of government-wide overhead, which would occur whether or not the specially funded program was undertaken. In this instance, the rate would be considered too high.
In acknowledging these arguments, the Commission wishes to identify the issues but still allow the use of these rates as a reasonable alternative for the calculation of government-wide overhead.

Overhead Allocation

The government-wide overhead rate shall be applied to the appropriate productive hourly rate after the unit overhead has been applied. See Chapter 4 for a more detailed discussion.

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State Controller's Office
Local Government Programs and Services Division
Local Government Policy Section
www.sco.ca.gov

If you have any questions contact:
LocalGovPolicy@sco.ca.gov

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http://www.sco.ca.gov/ard_cuccac.html

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California Uniform Public Construction Cost Accounting Act

JANUARY 14, 2020

Items for discussion tonight

A. Consider Repealing Resolution No. 96-21

B. Consider Repealing and Replacing Chapter 3.36 of the Suisun City Municipal Code to Update the Informal Bidding Procedures Under the California Uniform Public Construction Cost Accounting Act

What is the Uniform Public Construction Cost Accounting Act?

- The Act was enacted in 1983 to help promote *"uniformity of the cost accounting standards and bidding procedures on construction work performed or contracted by public entities in the state."*
- The Act is a voluntary program available to all public entities in the State, but it applies only to those public agencies that have "opted in" to the provisions set forth by the Act.

What are some of the key provisions of the Act?

- The Act allows for public project work in the amount of $60,000 or less to be performed by a public agency's own resources, or by negotiated contract, or by purchase order.
- Public projects in the amount of $200,000 or less may use the informal or formal bidding procedures set forth in the Act.
- Public projects at a cost of more than $200,000 must use formal bidding procedures to let the contract pursuant Public Contract Code.

What are benefits of the program?

- Increased force account limit for public agencies;
- Simplified bidding for projects that are $200,000 or less;
- Reduced number of formal bids based on project size;
- Expedited contracting for projects under $200,000; and
- Speed up the award process and project delivery.

Repeal of Resolution 96-21

In 1996, Council elected to continue to review contracts at or in excess of five thousand dollars ($5,000) through the adoption of Resolution 96-21 which is not in conformance with the adopted Uniform Public Construction Cost Accounting Act.

Update to the California Uniform Public Construction Cost Accounting Act Limits

Project Level	Current City Bidding Limits	Updated CUPCCAA Limits
Level 1	<$25,000	<$60,000
Level 2	<$75,000	<$200,000
Level 3	>=$75,000	>=$200,000

- *"Level 1 Projects" can be accomplished by City labor, negotiated contract, or purchase order.*
- *"Level 2 Projects" can be accomplished per informal bidding per CUPCCAA informal bidding procedures.*
- *"Level 3 Projects" must be formally bid per the CUPCCAA formal bidding procedures.*

Recommendation

A. Council Adoption of Resolution No. 2020-__: A Resolution of the City Council of the City of Suisun City Repealing Resolution No. 96-21

B. Introduce and waive further reading of Ordinance ___: An Ordinance of the City Council of the City of Suisun City, California, Repealing and Replacing Chapter 3.36 of the Suisun City Municipal Code to Update the Informal Bidding Procedures Under the California Uniform Public Construction Cost Account Act (Public Contract Code Section 2000 Et. Seq.)

AGENDA TRANSMITTAL

MEETING DATE: January 14, 2020

CITY AGENDA ITEM: PUBLIC HEARING: Request to Construct a Mixed Use Project with Apartments and Retail on Approximately 2.8 acres of Vacant Land.

1. Council Adoption of Resolution No. 2020-___: Approving the Lawler Mixed Use Project (APN's: 0173-670-290. 300, 310, 330, and 340).

FISCAL IMPACT: The project will have a significant, positive impact to the General Fund. The proposed project will be required to annex into Community Facilities District No. 2 (or equivalent). Additionally, the project would generate increased sales tax and property tax for presently undeveloped land.

STRATEGIC PLAN IMPACT: Develop a Sustainable Economy.

BACKGROUND:

Project Overview

The proposed project is a request for a 73-room/4-story apartment complex in conjunction with approximately 7,200 square feet of retail space (two twin retail buildings consisting of 3,600 square feet each) on 2.8+ acres of vacant land. The project, as submitted, will include both covered and uncovered parking spaces, tenant amenities, landscaping, and pedestrian access in and around the site.

This project seeks to exceed the luxury apartments in neighboring cities by highlighting Suisun City's environmental assets and combining them with stylish amenities and maximum convenience. The apartments will feature a welcoming entrance and enclosed lobby, a fitness center, and a secure temperature-controlled environment. Residents will also have access to elevators, which is an important feature of this project because of the tremendous convenience they provide occupants and their guests to the upper floors.

Regulatory Setting

In March 2017, the City Council adopted an updated Zoning Code to come into compliance with the 2035 General Plan which was adopted in May 2015. In both the General Plan and Zoning Code, the subject property was designated "Commercial Mixed Use" (formerly designated "General Commercial"). The premise behind establishment of such a land use and zoning designation was to allow for more flexibility in the development of applicable parcels.

The Project is located within the Commercial Mixed Use Zoning District, which is one of two districts found to be compatible with the Commercial Mixed Use Land Use Designation of the General Plan. A discussion of the Commercial Mixed Use Designation (General Plan) and Commercial Mixed Use District (Zoning Code) can be found later in the staff report.

PREPARED BY: John Kearns, Senior Planner
REVIEWED/APPROVED BY: Greg Folsom, City Manager

Table 1: Surrounding Designations and Existing Uses

Location	Existing Use	General Plan Designation	Zoning Classification
Project Site	Undeveloped land.	Commercial Mixed Use	Commercial Mixed Use
North	Undeveloped land	Commercial Mixed Use	Commercial Mixed Use
East	Two Commercial Buildings	Commercial Mixed Use	Commercial Mixed Use
South	Crescent Elementary School	Civic	Public/Quasi Public
West	Suisun Seafood Center	Commercial Mixed Use	Commercial Mixed Use

The Lawler Mixed Use Ad Hoc Committee, consisting of Mayor Wilson and Councilmember Williams, met on November 6, 2019 to discuss the project with staff. At that meeting, the Ad Hoc provided their comments and recommended the project move forward to the Planning Commission for consideration.

On December 10, 2019, the Planning Commission held a Public Hearing to consider recommending approval to the City Council. At the hearing, one verbal public comment was provided to the Commission and it was in support of the project. The Commission too provided support for the proposed project and ultimately recommended City Council approval of the project by a vote of 4-0.

Additionally, the Solano County Airport Land Use Commission was to consider consistency of the project with the Travis Air Force Base Land Use Compatibility Plan at their January 9 meeting. Staff will memorialize their determination during the presentation of the project at the Public Hearing.

STAFF REPORT:

Required Permits and Regulatory Basis

Entitlements requested for the proposed Project include a Planned Unit Development (PUD) and a Site Plan/Architectural Review. The Project would retain its current zoning designation of Commercial Mixed Use as established under the Zoning Code and the PUD would further define the qualities and character of the Project. Under City regulations, a detailed Precise Development Plan is required to implement the Project's PUD designation. In this case, the applicant has prepared and is including for City Council consideration, the Precise Development Plan. The PUD and its associated plans and exhibits visibly define the character and design details of the Project and provide the City assurance regarding the ultimate form and character of the Project.

In addition to the PUD and its associated plans, the applicant is also seeking approval for Site Plan/Architectural Review. This approval ensures the project is consistent with the direction in both the 2035 General Plan, as well as the Zoning Code. Exhibits associated with the entitlements include, but are not limited to: Site Plan, Floor Plan, Landscaping Plan, Civil Plans, and Architectural Elevations. Detailed Conditions of Approval have been prepared to guide the Project through construction. These Conditions of Approval are provided as a part of the attached resolution.

Permits Required after Approval

- Improvement Plans/Grading Permit for onsite and offsite improvements;
- Building Permit for construction of project and other onsite improvements; and
- Signage Plan.

ANALYSIS

General Plan Consistency

Per the Suisun City General Plan, the Commercial Mixed Use Land Use Designation *"Provides for retail and service commercial operations; research, assembly, fabrication, storage, distribution, and processing uses; professional offices; public services and facilities; and other compatible uses, such as higher-density dwelling units."* This project provides both retail and higher-density dwelling units. Further, the proposed project meets many of the goals of the General Plan such as Economic and Fiscal Sustainability. The mixed use nature of the proposed project aligns with the guidance provided in the General Plan.

Zoning Code Consistency

Per the Zoning Code, *"The purpose of the Commercial Mixed Use (CMU) Zoning District is to allow a mix of land uses that may include commercial retail, service, or office and housing to support a variety of uses that effectively respond to changes in the market and promote economic vitality. The CMU Zoning District is intended to be comprised of predominantly retail or service uses, in combination with other secondary and complementary uses (e.g., residential, office, or civic uses)."* Although the exact users of the commercial space have not yet been identified, the expectation is the uses will be retail in nature. The proposed project appears to meet each of the development standards except for the following provisions per Section 18.22.040 "Mixing of Uses" and an exceedance of the maximum height of a building by 3'6" (from 45' to 48'6"):

A. Each development project must include at least 50 percent minimum retail and up to a maximum of 100 percent retail gross leasable area, where 100 percent retail is permitted only in the early phases of the project (unless part of a larger commercial mixed-use development area that will contain a varied mix of commercial uses).
B. Each development may include up to 50 percent residential, office, and civic uses.

For these reasons, the project is required to go through a Planned Unit Development process which is discussed below.

Per Section 18.72 of the Zoning Code: "*The Planned Unit Development (PUD) permit is designed and intended to provide for the orderly development of land in conformance with the comprehensive scheme contemplated by the land use element and other elements of the general plan of the city and specific plan, where applicable. The permit would allow a flexible design approach to the establishment of a community environment equal to or better than that resulting from the application of the minimum standards of this title. The permit is designed and intended to accommodate various types of development, such as neighborhood and district shopping centers, professional and administrative office areas, multi-family housing developments, single-family residential developments, commercial service centers, and light industrial parks, or any other use or combination of uses which can be made appropriately a part of a planned development."*

Since the proposed project application is seeking deviation from both the percentage of residential development and the maximum height allowed, it is necessary for City Council to weigh the project's design and overall value against the adopted standards.

Application Materials

Site Plan. This exhibit depicts the proposed overall project layout, as well as project data. It also overlays information that shows turning movements for the Fire Department ladder truck as requested by City staff.

Floor Plans (and Roof Plan). These plans are comprised of floor plans for each of the four floors, as well as a roof plan (including details).

Architectural Renderings. These plans provide for color representations of the exterior treatments from each side of the proposed project.

Conceptual Grading Plan. This plan shows contours and grade elevations for both existing and proposed ground surface elevations for the project site. Those contours and grade elevations reflect the relationship with the adjacent properties; show the flow of surface storm water; and provides the extent of grading necessary to develop the project site.

Conceptual Utility Plan. This plans provides a graphic layout of the proposed utilities and shows their relationship to each other, to other proposed improvements and to existing utilities and structures.

Preliminary Landscape Plans. These plans provide proposed choices of plant materials, as well as an enlargement of certain features.

Based upon the analysis of the materials provided for the proposed Project, a review of the goals and intent of the General Plan and Zoning Code and the analysis provided herein, the project is consistent with the purpose and intent of the Commercial Mixed Use District and all applicable requirements of the Suisun City Code.

CEQA Review

The California Environmental Quality Act (Section 21000, et. seq. of the California Public Resources Code, hereafter CEQA) requires analysis of agency approvals of discretionary "projects." A "project," under CEQA, is defined as "the whole of an action, which has a potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment." The proposed project is a project under CEQA. The proposed project is exempt from CEQA under CEQA Guidelines Section 15183 (Consistency with a General Plan, Community Plan, or Zoning for Which an EIR was Prepared). This exemption applies to projects that are consistent with the General Plan. Section 15183 (i)(2) of the CEQA Guidelines defines "consistency" as "that density of the proposed project is the same or less than the standard expressed for the involved parcel in the general plan…or zoning action for which an EIR has been certified, and that the project complies with the density-related standards contained in that plan or zoning."

The subject property is designated Commercial Mixed Use (CMU) in the City's General Plan and Zoning Code. An Environmental Impact Report was prepared for the General Plan (SCH# 2011102046) and staff has reviewed the proposed action for consistency with the existing allowed

development, as described under the CEQA Guidelines. The undeveloped site is currently surrounded by existing development to the east and west, vacant land to the north, and Crescent Elementary School to the south. Onsite drainage areas have been designed with the submittal and the project has been conditioned to comply with all local and State construction requirements.

Based on the information above, the project would not result in any new potentially significant on- or off-site impacts which includes: cumulative impacts that were not discussed in the General Plan EIR and environmental reviews; no aspects peculiar to the project or the parcel that would result in new effects; and no new information of substantial importance that would result in significant effects not discussed in the previous document or substantially increase the severity of effects previously disclosed. Therefore, pursuant to CEQA Guidelines Section 15183, no further analysis is required.

Proposed Findings for City Council Consideration

In order for the City Council to approve the subject PUD/Precise Development Plan the City Council must affirm specific findings. Resolution No. 2020-__ provides specific findings related to analysis of the Project under the California Environmental Quality Act (CEQA) and the approval of the Planned Unit Development Permit and Precise Development Plan. See below for specific findings:

1) Pursuant to Government Code section 65454, the proposed Project is consistent with the goals, objectives, general land uses, programs and policies of the General Plan and Suisun City Zoning Code. The Project will provide infill development, at an allowable intensity, that will support the City.
2) The proposed Project would not be detrimental to the public interest, health, safety, convenience, or welfare of the City, as it has been reviewed by all applicable departments and agencies and has been conditioned to comply with all Federal, State, and local standards.
3) The proposed Project is consistent with City standards and has been designed to integrate with the surrounding community. The project will provide sufficient parking, infrastructure, landscaping, and amenities to serve future residents.

City Council Options

The City Council has several options in considering this application. Actions that the City Council may take within this project review include:

- Approve the project subject to the submitted application and the proposed Conditions of Approval;
- Approve the project with modifications to either the project submittal or the proposed Conditions of Approval;
- Disapprove the submitted application; or
- Continue the item for further discussion.

RECOMMENDATION: It is recommended that the City Council adopt Resolution No. 2020-___: Approving the Lawler Mixed Use Project (APN's: 0173-670-290. 300, 310, 330, and 340).

ATTACHMENTS:

1. Council Resolution No. 2020-___; Approving the Lawler Mixed Use Project (APN's: 0173-670-290, 300, 310, 330, and 340).
2. Exhibits:
    A. Project Description
    B. Project Plans
    C. Conditions of Approval
    D. Finding of Conformity
3. Planning Commission Resolution PC19-15 Recommending City Council approve project.
4. PowerPoint Presentation.

RESOLUTION NO. 2020 -

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY APPROVING THE LAWLER MIXED USE PROJECT (APN's: 0173-670-290. 300, 310, 330, AND 340).

WHEREAS, Ashria, LLC. (hereinafter referred to as Applicant) filed an application with the City of Suisun City for a Planned Unit Development Permit, Precise Development Plan, and Site Plan/Architectural Review for a 73-unit apartment complex and 7,200 square feet of retail space (hereinafter referred to as Project) located North of McCoy Creek Way, East of Lawler Center Drive and South of Anderson Drive (Assessor's Parcel Numbers: 0173-670-290. 300, 310, 330, and 340); and

WHEREAS, the applicant has met all applicable requirements under State law and City ordinances related to this development plan; and

WHEREAS, the City Council is required to review and take final action on this Project; and

WHEREAS, the City Council of the City of Suisun City did conduct on January 14, 2020 a properly noticed public hearing pursuant to Government Code Section 65090 and has considered all written and verbal testimony presented during the hearing.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Suisun City hereby approves the project subject to the following findings:

A. The City Council determines that the Project has been adequately analyzed under the provisions of the California Environmental Quality Act (CEQA) and that no further review of the Project under CEQA is required or appropriate.

   Finding. The proposed Project is consistent with the policies, development standards and designations of the General Plan and Suisun City Zoning Code. An Environmental Impact Report was prepared for the General Plan (SCH# 2011102046). Analysis of the Project has determined that: the Project would not result in any new potentially significant impacts that were not discussed in the General Plan EIR; no aspects peculiar to the project or the parcel would result in new effects; and, the Project would not substantially increase the severity of effects previously disclosed. Therefore, pursuant to CEQA Guidelines Section 15183, no further analysis is required.

B. The City Council approves the Lawler Mixed Use Planned Unit Development Permit, Precise Development Plan, and Site Plan/Architectural Review as depicted on plans and exhibits provided as Exhibits A and B of this Resolution and subject to Conditions of Approval provided as Exhibit C of this Resolution.

   Findings:

   1. That the establishment, maintenance or operation of a use or building applied for are in conformity to the General Plan for the City with regard to circulation, population densities and distribution, design, and/or other aspects of the General Plan considered by the Development Services Director to be pertinent;
   2. That adequate utilities, access roads, pedestrian and bicycle access, drainage, parking, and/or other necessary facilities have been or are being provided;

3. That the applicant exhibits proof that such use will not, under the circumstances of the particular case, constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city, provided that if any proposed building or use is necessary for the public health, safety or general welfare, the finding shall be to that effect.
4. That the proposed use conforms with all relevant federal, state, and local laws and regulations.
5. The resulting project will not adversely impact existing or planned uses of the properties.
6. The proposal is consistent with the Suisun City General Plan.
7. The proposed Project is consistent with the policies, development standards and designations of the General Plan and the Suisun City Zoning Code. An Environmental Impact Report was prepared for the General Plan (SCH# 2011102046). Analysis of the Project has determined: that the Project would not result in any new potentially significant impacts that were not discussed in the General Plan EIR; no aspects peculiar to the project or the parcel would result in new effects; and, the Project would not substantially increase the severity of effects previously disclosed. Therefore, pursuant to CEQA Guidelines Section 15183, no further analysis is required (Exhibit D).

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Suisun City duly held on Tuesday, the 14th day of January 2020, 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 14th of January, 2020.

_____
Donna Pock, CMC
Deputy City Clerk

May 4, 2019

John Kerns
City of Suisun City
701 Civic Center Blvd.
Suisun City, CA 94586

Re: Lawler Residences, Suisun City, CA

Dear Mr. Kearns,

Lawler Mixed-Use will be located on the corner of Lawler and Anderson Drive. After this property has remained vacant for decades, the proposed project will introduce 73-unit high-quality residential apartments accompanied by 7200 SF of upscale commercial buildings posed to attract commercial uses that will serve the Suisun community and beyond.

Lawler Mixed-Use will be the first high-quality luxury apartment complex to be introduced in Suisun City. This project seeks to exceed the similar luxury apartments in neighboring cities by highlighting Suisun's environmental assets and combining them with stylish amenities and maximum convenience. The apartments will feature a welcoming entrance and enclosed lobby, a fitness center, and a secure temperature-controlled environment. Residents will also have access to elevators, which are an important and expensive feature of this project because of the tremendous convenience they provide occupants and their guests.

The project will feature a four-story residential building and two 3600 SF retail buildings on a 2.81-acre lot[1] accompanied by 153 parking spaces. The 73 apartments are comprised of 25 one-bedroom, 40 two-bedroom, and 8 three-bedroom luxury apartments with floor plans ranging from one-bedroom, one-bathroom to three-bedroom, two-bathroom. These units will be 660 SF to 1260 SF and will rent for $1800 to $2350, a new market price point for Suisun City. The commercial buildings on either side of the main entrance to the apartments will create immediate easy access from these residential units to the commercial space.

Mixed use projects have gained popularity and redefined the way buildings are designed in many urban cities throughout the country. Projects like Lawler Mixed-Use capitalize on the desire to reduce expenses and increase social interaction by providing common facilities for both residential and commercial use. In highly urbanized cities, commercial, residential, and parking facilities are stacked on top of each other. This style, though efficient in land use, is much more expensive than can be born in a suburban area such as Suisun City's.

Lawler's residential units, though an integral and economically vital component of this project, are physically stepped back by approximately 15 feet to avoid the construction pitfalls of placing midrise residential above commercial uses like restaurants. Lawler's unique integration

[1] Commercial Mixed-Use Zoning Code §18.20.030 - residential density of 25.8 (du/ac) is compliant with requiring "10 to 40 dwelling units per gross acreage".

of commercial and residential units is a more suitable and economically attainable alternative for the Fairfield-Suisun market.

This project is 48'6" at its highest point. The four-story residential building was designed to provide residents on the third and fourth floors with rich views of the Suisun wildlife amongst a backdrop of Mt. Diablo's silhouette. The views are considered a marketing attraction for this project. The provision of elevators is considered an uncompromising advantage over the competition. Elevators are expensive to build and to maintain, as such, the number of units and floors were designed to absorb this cost.

Additionally, a few architectural features are added to the top of the parapet that are necessary to cover the roof top mechanical equipment and the solar panels. This project will be equipped with the latest technology in lighting, heating, and cooling systems that are environmentally friendly and will significantly benefit the residents. The finalized plans will also relocate the storm drain easement from its current location to the eastern portion of the property within the project parking lot.

The project will have onsite management and leasing office, which will manage and maintain the building and the grounds. However, this Project will also join the Lawler Ranch Lighting and Landscape Maintenance District.

This developer has been involved in the development of commercial centers for the past two decades commencing with Chevron and Popeyes on Anderson Drive followed by the Grey Hawk Mixed-Use subdivision. The developer has taken a tiered strategy to deliver increasingly higher quality residential projects toed with commercial units to boost the area's marginal commercial success and to evolve the city over time.

The McCoy Creek Mixed-Use Apartments was constructed in 2018 as another component of the development projects that aim to push the outer limit of the market in Suisun. This 10-units high-quality mixed-use apartment project is fully occupied and has established a new rent benchmark in the multi-unit residential market in Suisun City. The success of this Project hints the viability of high-end mixed-use projects in Suisun City.

Lawler Mixed Use is designed to elevate the new market price point that is crucial to the economic viability of larger luxury developments in Suisun. Initially, the absorption of these units as well as the commercial units will be slow – an expense that can be very burdensome to the project – however, we understand that the city shares the importance of achieving the socio-economic goals that accompany this project for the City as a whole.

Lawler Mixed-Use will diversify the housing options and income levels in Suisun City and fill a long-existing void. The attraction of the higher income families that choose the remedy the lack of upper scale apartments, making Suisun a prime option for high-income Bay Area migrants and Travis Airforce Base families. As the population density and housing demand increases in the Bay Area, the cost of living along with the scarcity of options are pushing residents toward Solano County. Ultimately, Lawler will put Suisun City in equal footing with

more prestigious residences in the neighboring cities. High income levels would be able to better support the local businesses and elevate Suisun's profile within the region.

In addition, the residential units are toeing 7200 SF of commercial space.[2] The commercial space will be constructed concurrently with the residential units and are open to all allowable uses in the CMU zone. While the ratio of commercial space versus residential can be the subject of discussion, it is noteworthy to emphasize the stated purpose of the CMU zoning code, which is to provide retail and services that "effectively respond to changes in the market and promote economic viability."[3] This proposal does just that. It infuses high end commercial space into Lawler Commercial Center by leveraging the market demand for housing.

Commercial developments in Lawler commercial have proven to be very slow-coming over the years. The proposed project attempts to accelerate commercial development two elegant commercial buildings that capitalize on the influx of residents and high-visibility to bolster commercial appeal. The allowed uses for these buildings will be typical of those required for the mixed zoning code and complement existing businesses. As a result, apartments and commercial tenants will be a significant contribution to local businesses and expand the economic base in the area.

We believe that Lawler Mixed-Use will be an overall benefit for both the residential and commercial markets. This project will also mark the beginning of an exciting new era for Suisun City.

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[2] Commercial Mixed-Use Zoning Code §18.22 requires minimum of 50% of the site reserved for retail use. Expected minimum square footage of retail = 15,409 SF.
[3] Commercial Mixed-Use Zoning Code §18.22.010

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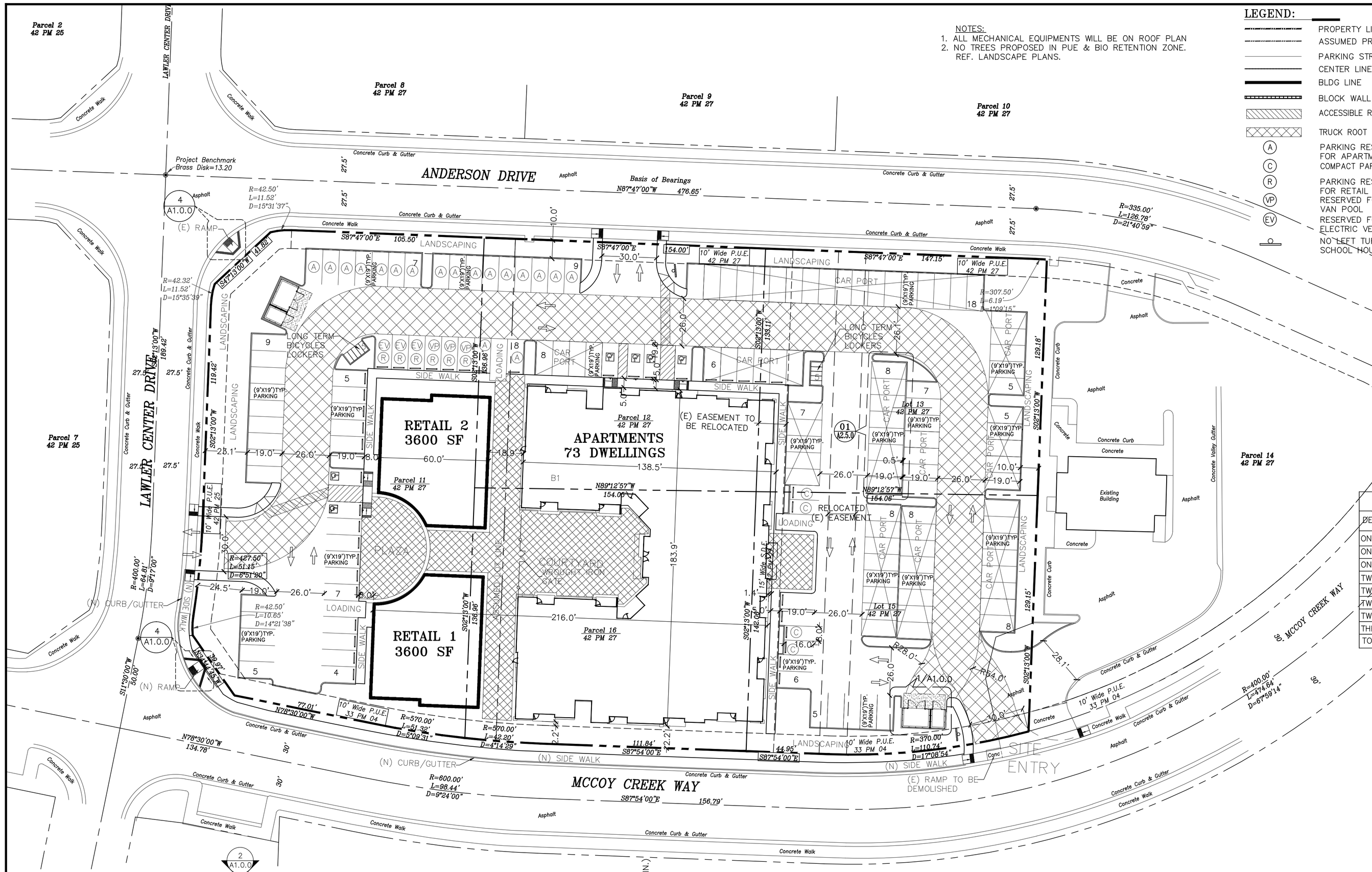
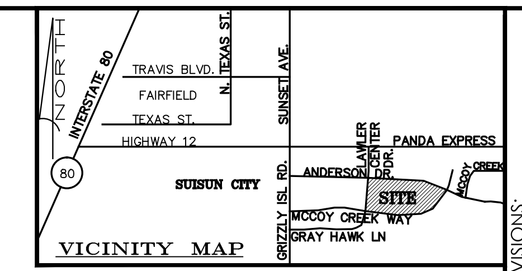
Exhibit B

NOTES:
1. ALL MECHANICAL EQUIPMENTS WILL BE ON ROOF PLAN
2. NO TREES PROPOSED IN PUE & BIO RETENTION ZONE. REF. LANDSCAPE PLANS.

LEGEND:
- PROPERTY LINE
- ASSUMED PROPERTY LINE
- PARKING STRIPS
- CENTER LINE
- BLDG LINE
- BLOCK WALL
- ACCESSIBLE ROUTE/AISLE
- TRUCK ROOT
- (A) PARKING RESERVED FOR APARTMENTS ONLY
- (C) COMPACT PARKING
- (R) PARKING RESERVED FOR RETAIL ONLY
- (VP) RESERVED FOR VAN POOL
- (EV) RESERVED FOR ELECTRIC VEHICLE
- NO LEFT TURN DURING SCHOOL HOURS





PROJECT DATA

ASSESSOR'S PARCEL NUMBER :	0173–670–290, 0173–670–300, 0173–670–310, 0173–670–330, 0173–670–340
ADDRESS:	APARTMENTS LAWLER RESIDENCES CITY OF SUISUN, CA
PROJECT DESCRIPTION:	APARTMENTS
EXISTING ZONING:	CMU
PROPOSED ZONING:	CMU
JURISDICTION :	--------
(E) LAND USE	VACANT LOT

CODE ANALYSIS

1. OCCUPANCY CLASSIFICATION: R–2
2. TYPE OF CONSTRUCTION: VA
3. FIRE SPRINKLERS: YES
4. HEIGHT (MAXIMUM)
   ACTUAL : 43'–0" ROOF LINE, 45'–10" TOP OF PARAPET, 46'–6" TOP OF EXTENDED PARAPET 48'–6" TOP OF ELEVATOR
   ALLOWABLE: 45' (AS PER TABLE 503)
5. STORIES (MAXIMUM)
   ACTUAL : 4 ALLOWABLE: 4
6. AREA BREAKDOWN
   SITE AREA — 122488 S.F. (2.81 AC)
   TOTAL UNITS — 73 UNITS
   DENSITY — 25.97 DU/AC
7. APARTMENTS AREA BREAKDOWN

UNIT BREAKDOWN

DESCRIPTION	1ST FLOOR	2ND FLOOR	3RD FLOOR	4TH FLOOR	TOTAL	AREA (WITHOUT DECK)	DECK AREA	GROSS AREA
ONE BED ROOM (A–1)	2	2	2	2	8	643 S.F.	50 S.F.	5544 S.F.
ONE BED ROOM (A–2)	2	4	4	4	14	670 S.F.	104 S.F.	10836 S.F.
ONE BED ROOM (A–3)	--	1	1	1	3	595 S.F.	45 S.F.	1920 S.F.
TWO BED ROOM (B–1)	2	2	2	2	8	820 S.F.	45 S.F.	6920 S.F.
TWO BED ROOM (B–2)	4	4	4	4	16	854 S.F.	52 S.F.	14496 S.F.
TWO BED ROOM (B–3)	2	2	2	2	8	838 S.F.	32 S.F.	6960 S.F.
TWO BED ROOM (B–4)	2	2	2	2	8	924 S.F.	52 S.F.	7808 S.F.
THREE BED ROOM (C–1)	2	2	2	2	8	1319 S.F.	48 S.F.	10936 S.F.
TOTAL	16	19	19	19	73	6663 S.F.	428 S.F.	65420 S.F.

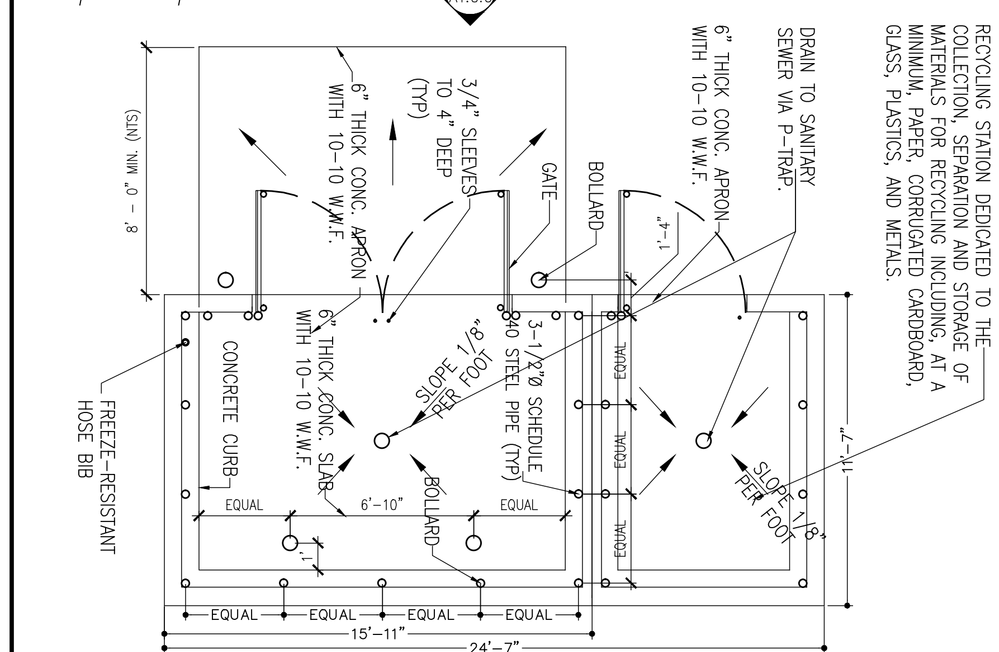
CORRIDOR ON ALL FLOORS	8792 S.F.
ELEVATOR LOBBY ON ALL FLOORS (INCLUDING ELEV.)	1861 S.F.
ELEVATOR EQUIP ON 1ST FLOOR.	45 S.F.
STORAGE AREA ON UPPER FLOORS	135 S.F.
WAITING LOBBY ON 1ST FLOOR	632 S.F.
FITNESS ROOM ON 1ST FLOOR	683 S.F.
MAIL ROOM ON 1ST FLOOR	222 S.F.
RECEPTIONIST OFFICE ON 1ST FLOOR	177 S.F.
ELECTRICAL ROOM ON 1ST FLOOR	235 S.F.
MECHANICAL ROOM ON 1ST FLOOR	90 S.F.
PUBLIC RESTROOM ON 1ST FLOOR	121 S.F.
TOTAL	12993 S.F.
MISCELLANEOUS AREA (WALLS AND SHAFTS)	1540 S.F.
GROSS AREA OF ALL THE FLOORS	84464 S.F.

8. LOT COVERAGE
   REQD. LANDSCAPE AREA — 12248 SQ.FT. (10% OF SITE AREA)
   PROVIDED LANDSCAPE AREA — 23427 SQ.FT (19.12%)
   TOTAL BUILDING FOOTPRINT — 21116 SQ.FT (17.23%)
   TOTAL PAVED AREA — 77945 SQ.FT (63.63%)
9. REQUIRED FIRE RESISTANCE OF EXTERIOR WALLS AND PROTECTION OF OPENINGS DUE TO LOCATION ON PROPERTY — YES
10. FIRE RESISTIVE CONSTRUCTION REQUIREMENTS — YES
11. SPECIAL INSPECTIONS REQUIRED: — NO
    CODE YEAR/TYPE : — 2016 CBC
12. PROPOSED BUILDING USE: — APARTMENT

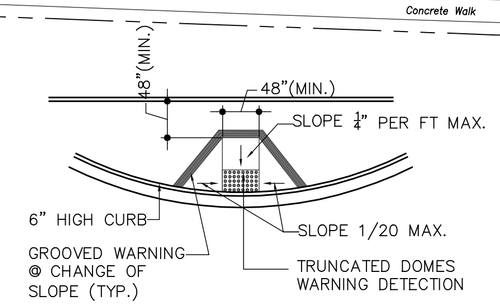
PARKING ANALYSIS

a) PARKING FOR RETAIL AREA: 5/1000 @ 7200 S.F. — 7200 S.F.
   PARKING REQUIRED: — 36 SPACES
b) TOTAL ONE BEDROOM NOS OF APARTMENT 1.25 @ PER BEDROOM — 25 NOS.
   PARKING REQUIRED: — 31 SPACES
c) TOTAL TWO BEDROOM NOS OF APARTMENT 1.75 @ PER BEDROOM — 40 NOS.
   PARKING REQUIRED: — 70 SPACES
d) TOTAL THREE BEDROOM NOS OF APARTMENT 2.25 @ PER BEDROOM — 8 NOS.
   PARKING REQUIRED: — 18 SPACES

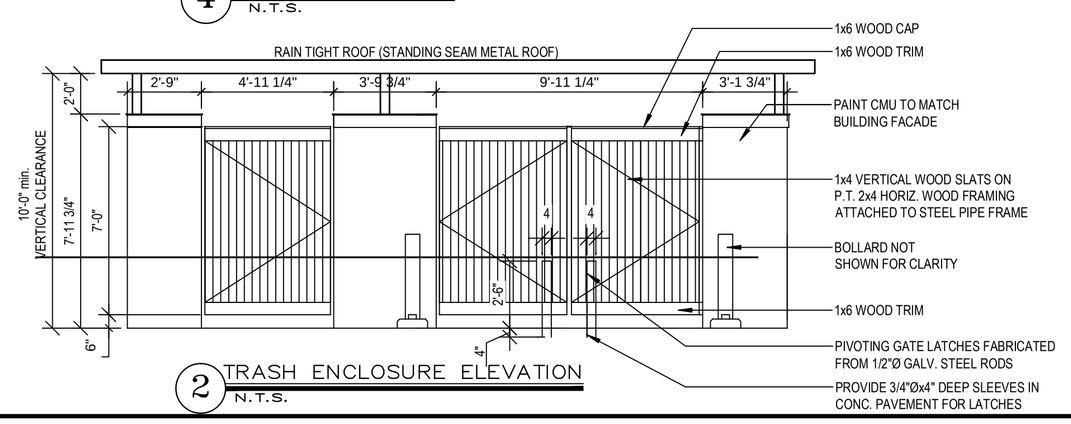
GRAND TOTAL PARKING REQUIRED:	**153 SPACES**
COMPACT PARKING PROVIDED:	**4 SPACES**
STANDARD PARKING PROVIDED:	**149 SPACES**
GRAND TOTAL PARKING PROVIDED:	**153 SPACES**
TOTAL LOADING REQUIRED	=3 SPACES
TOTAL LOADING PROVIDED	=3 SPACES
TOTAL CAR PORT PARKING PROVIDED	= 73 SPACES
TOTAL ACCESSIBLE PARKING REQUIRED:	= 6 SPACES
TOTAL ACCESSIBLE PARKING PROVIDED: (INCLUDING ONE VAN ACCESSIBLE SPACES)	= 6 SPACES
TOTAL BICYCLE PARKING PROVIDED FOR RETAIL AREA	= 5 SPACES
TOTAL BICYCLE PARKING PROVIDED FOR APARTMENTS	= 5 SPACES
TOTAL EV PARKING PROVIDED	= 3 SPACES
TOTAL VP PARKING PROVIDED	= 3 SPACES



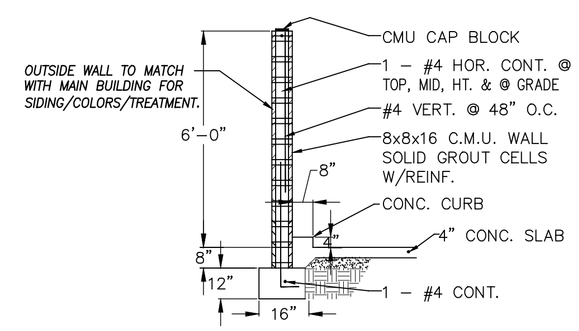
1 TRASH ENCLOSURE PLAN
SCALE: 1/4"=1'-0" REF: -A1.0.0



4 RAMP DETAIL
N.T.S.



2 TRASH ENCLOSURE ELEVATION
N.T.S.



3 TRASH ENCLOSURE SECTION
N.T.S.

NORTH
GRAPHIC SCALE
(IN FEET)
1 INCH = 30 ft.

REVISIONS:

REVISION ISSUE	DATED

ACE Design LLC
1024 Iron Point Road, Suite 1046
Folsom, CA 95630
Phone: (702) 396-5113, Fax: (702)446-8155
Land Planning • Civil Engineering • Architectural Design • Structural Engineering

TITLE: SITE PLAN
PROJECT: APARTMENTS LAWLER RESIDENCES CITY OF SUISUN, CA

REGISTERED PROFESSIONAL ENGINEER — RAJESH K. SINGH — No. 56924 — EXP. 06/30/2021 — CIVIL — STATE OF CALIFORNIA

DATE: 07/10/2019
JOB : 18-06
DWG. BY: RK
CHK. BY: MG

A1.0.0

SHEET 1 OF 13

SIGNAGE
SIGNAGE
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SIGNAGE
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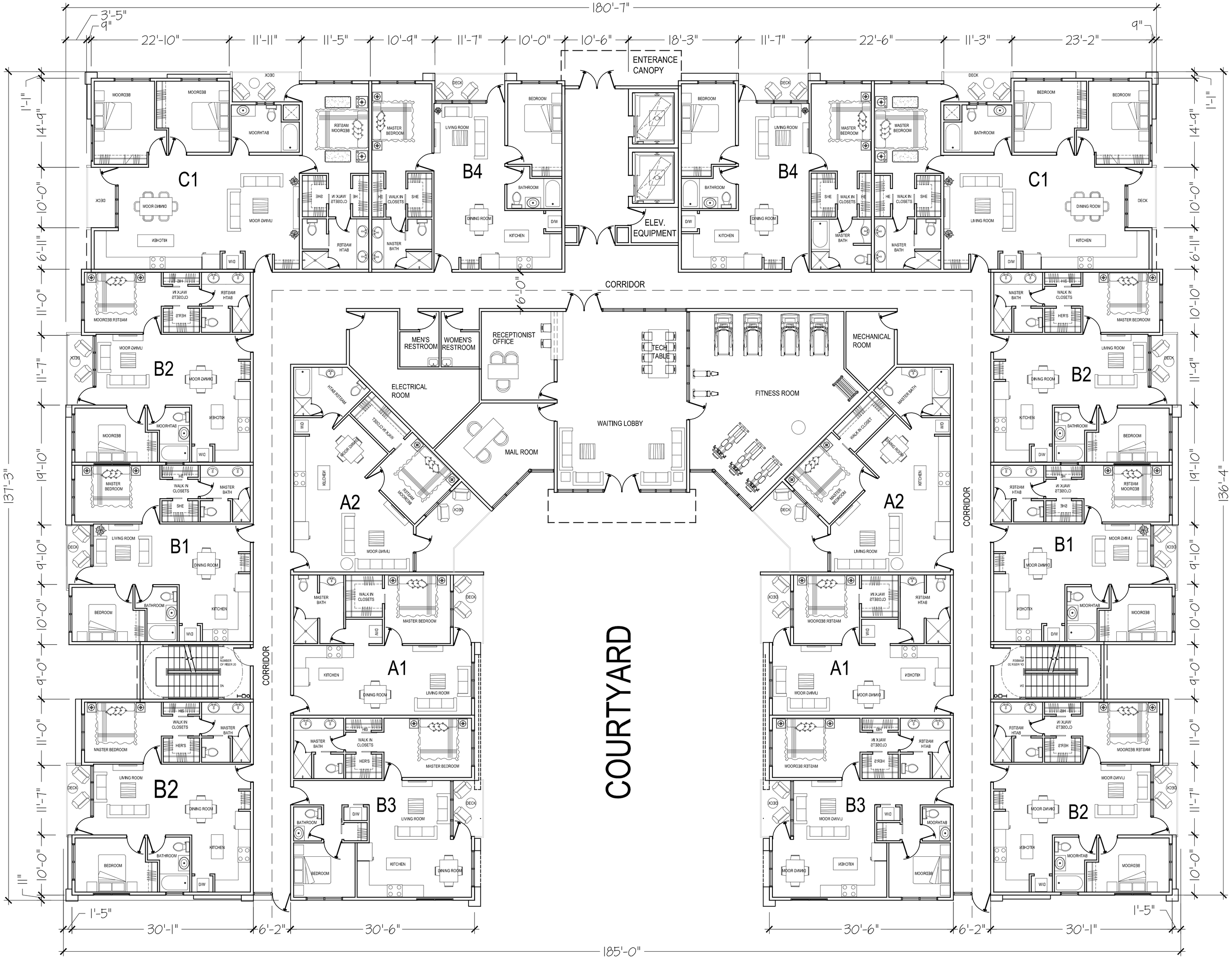
SIGNAGE



1 FIRST FLOOR PLAN
SCALE : 1/8"=1'-0"

REVISIONS:

REVISION	ISSUE	DATED

ACE Design LLC
7455 Arroyo Crossing, Suite 220
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TITLE
FIRST FLOOR PLAN

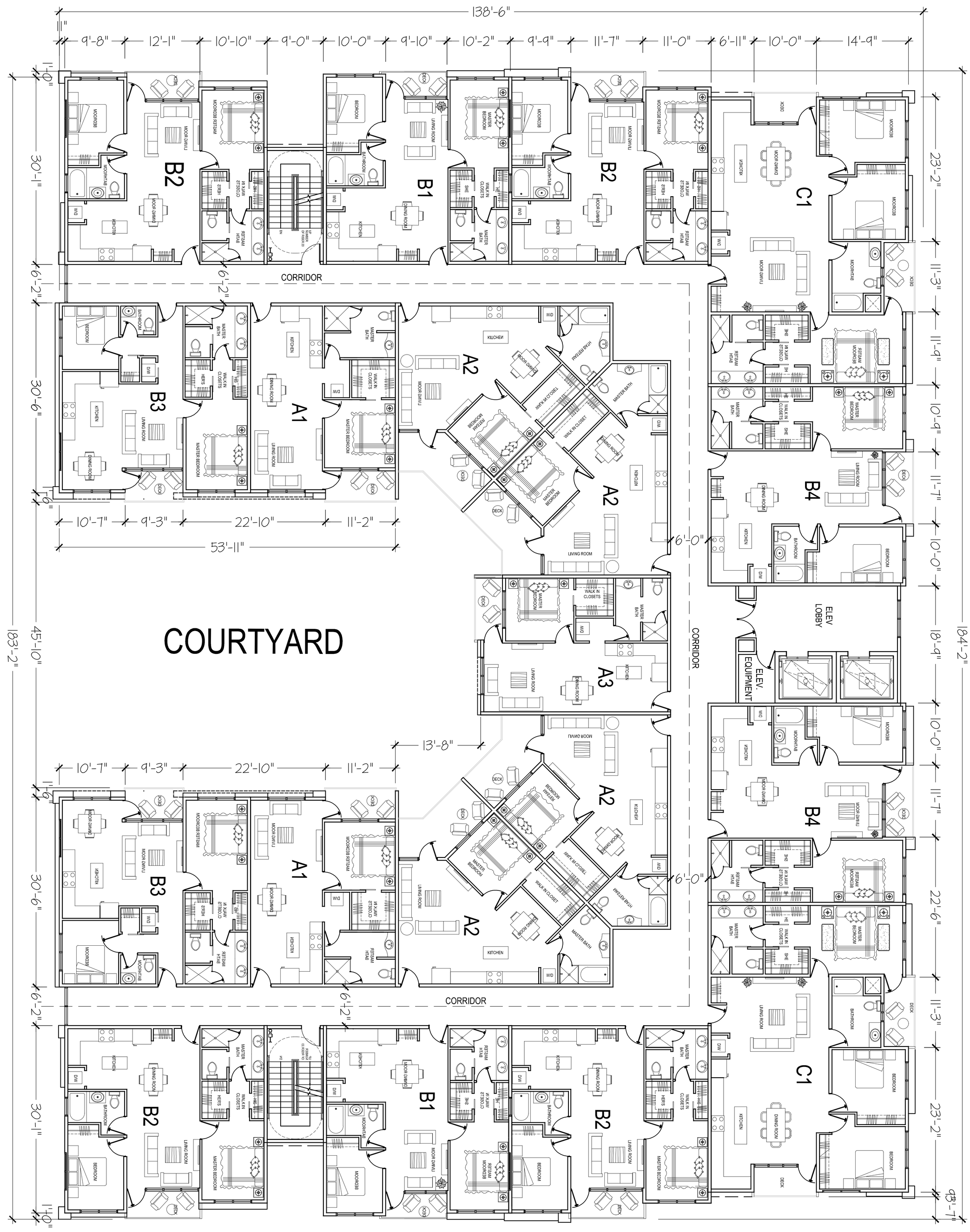
PROJECT
APPARTMENTS
LAWLER RESIDENCES
CITY OF SUISUN, CA

REGISTERED PROFESSIONAL ENGINEER
JASON S. STEWART
56924
EXP. 06/30/2019
CIVIL
STATE OF CALIFORNIA

DATE: 02/12/2019
JOB : 18-06
DWG. BY: RK
CHK. BY: MG

A1.1.0

SHEET
2 OF 13



1 2ND & 3RD FLOOR PLAN
SCALE : 1/8"=1'-0"

TITLE
2ND & 3RD FLOOR PLAN

PROJECT
APPARTMENTS
LAWLER RESIDENCES
CITY OF SUISUN, CA

ACE Design LLC
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REVISIONS:

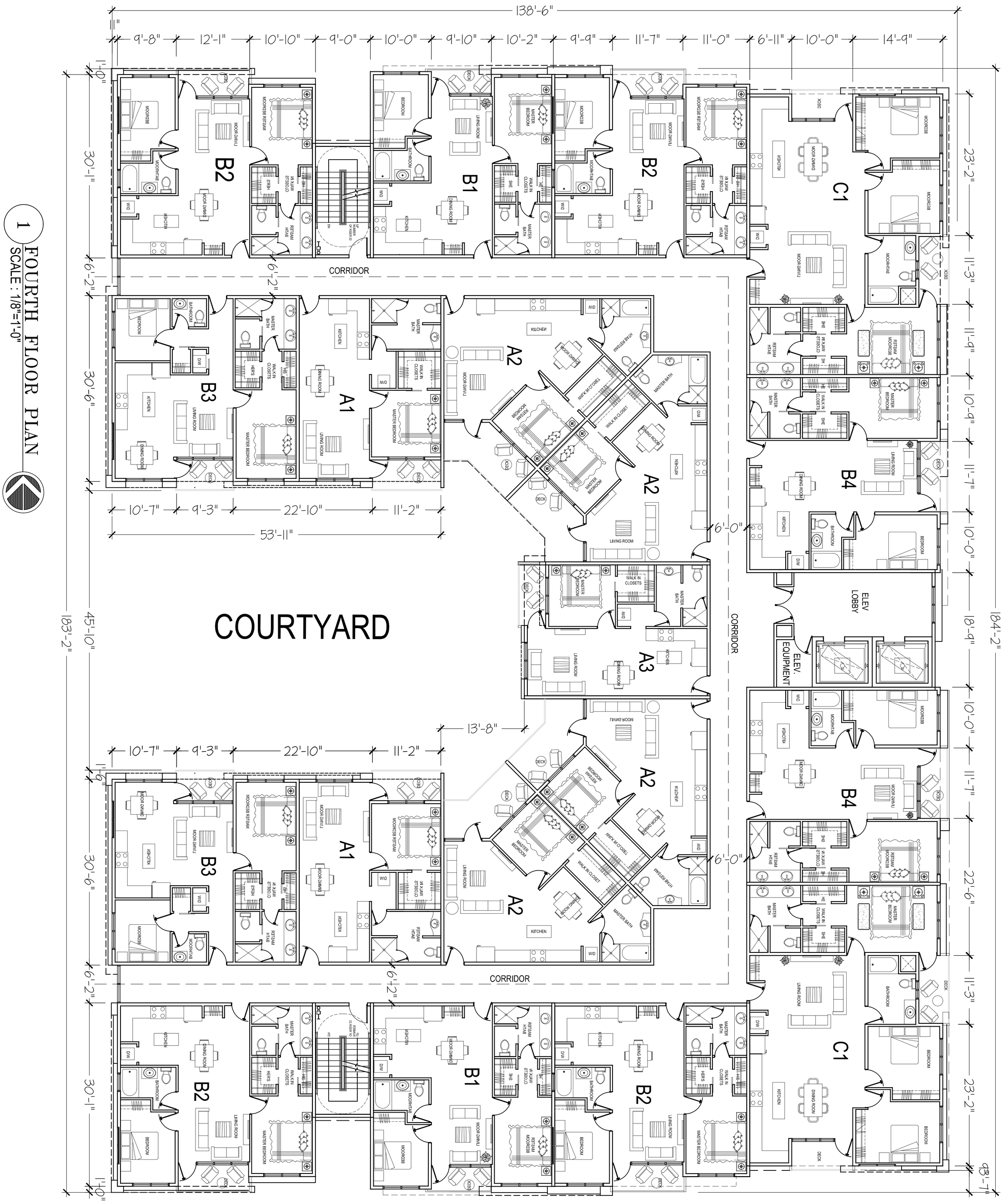
#	REVISION ISSUE	DATED

DATE: 02/12/2019
JOB : 18-06
DWG. BY: RJK
CHK. BY: MG

A1.2.0

SHEET 3 OF 13

REGISTERED PROFESSIONAL ENGINEER
JASPAL S. SINGH
56924
EXP. 06/30/2019
CIVIL
STATE OF CALIFORNIA



1 FOURTH FLOOR PLAN
SCALE : 1/8"=1'-0"

FOURTH FLOOR PLAN

TITLE

PROJECT

APPARTMENTS
LAWLER RESIDENCES
CITY OF SUISUN, CA

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REVISIONS:

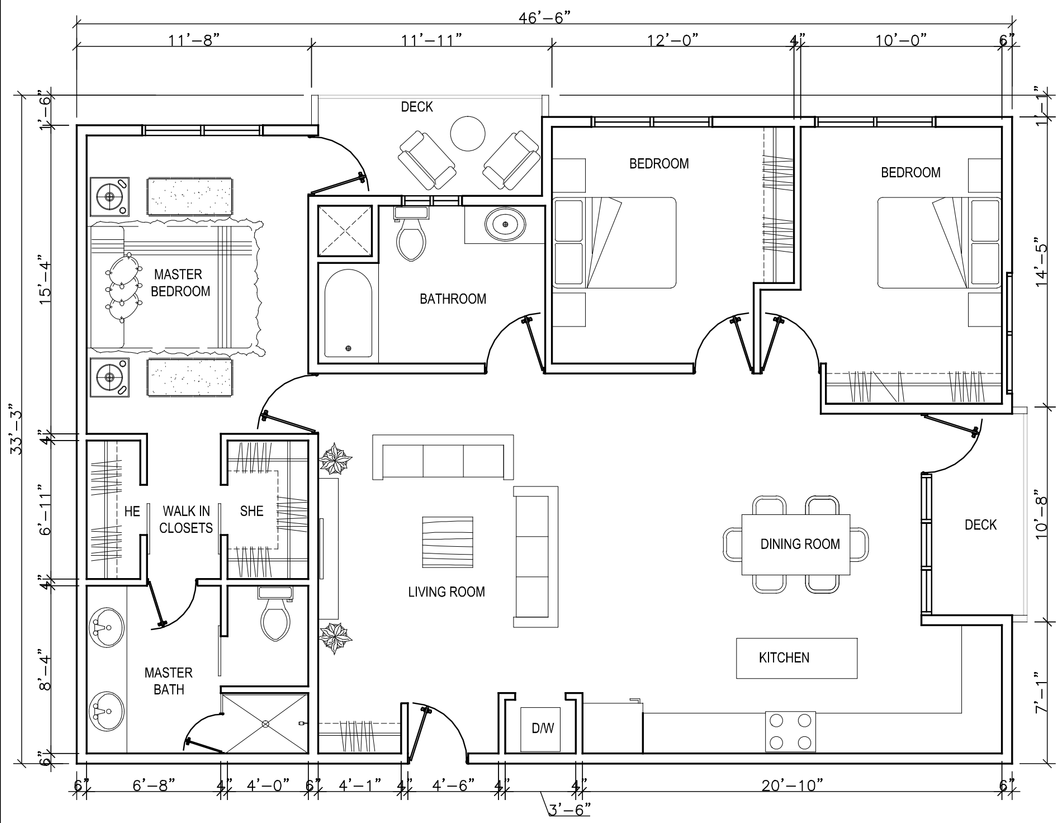
#	REVISION ISSUE	DATED

DATE: 02/12/2019
JOB : 18-06
DWG. BY: RJK
CHK. BY: MG

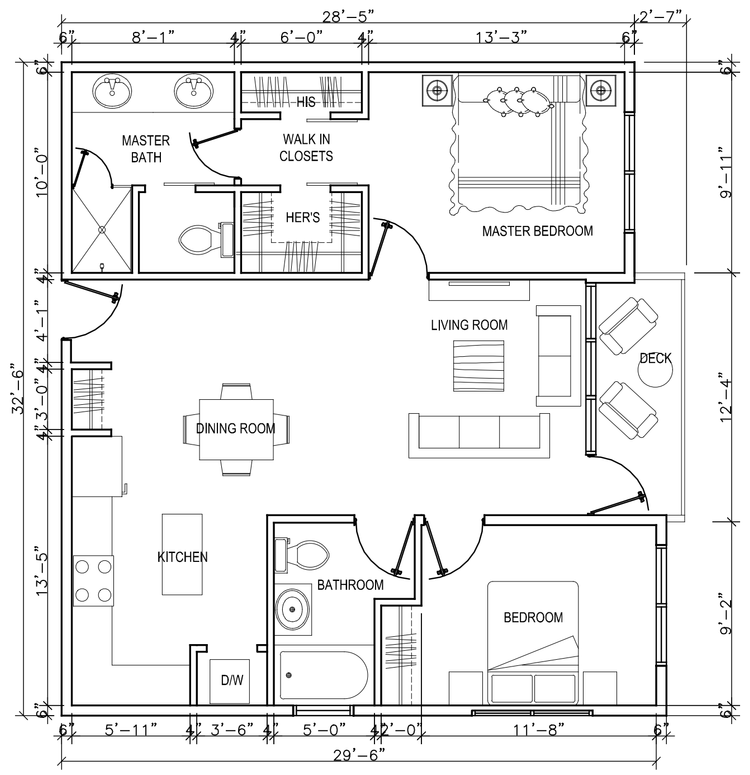
A1.3.0

SHEET 4 OF 13

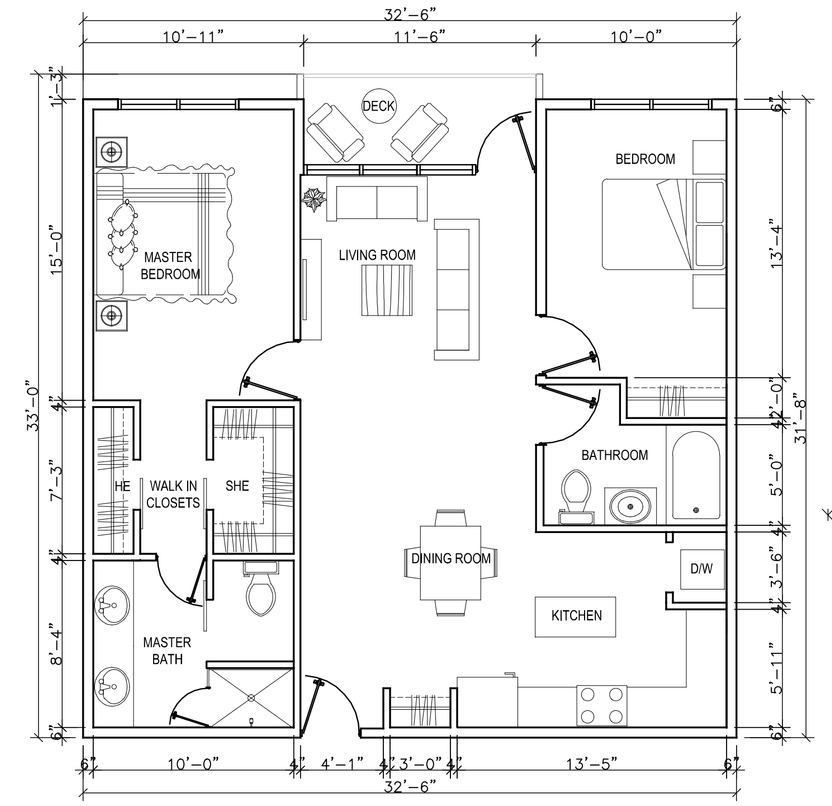
REGISTERED PROFESSIONAL ENGINEER
JASPAL S. SINGH
56924
EXP. 06/30/2019
CIVIL
STATE OF CALIFORNIA



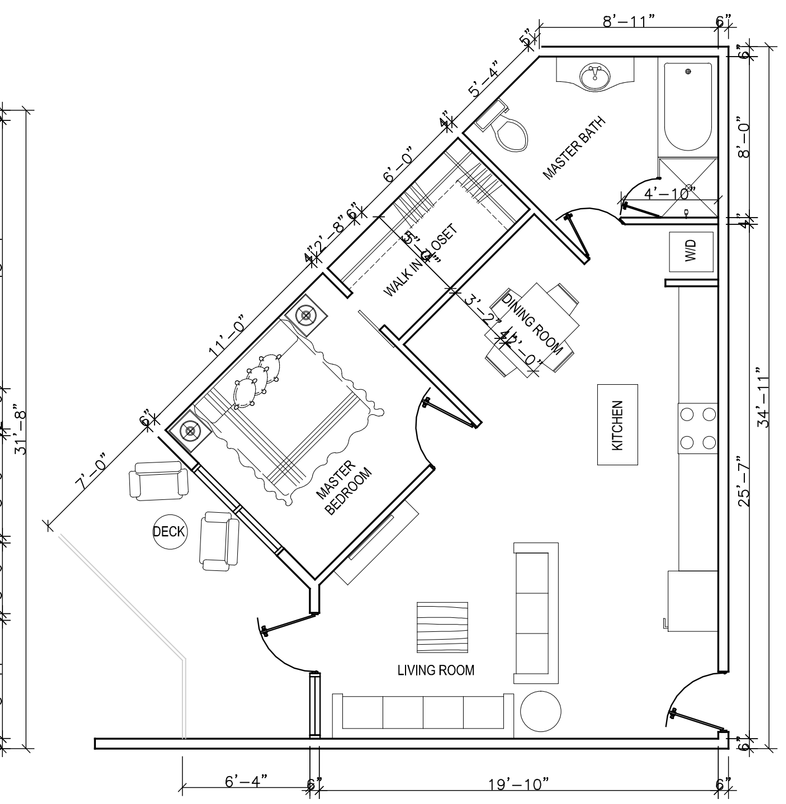
1 ENLARGE DWELLING PLAN -C1
SCALE : 3/16"=1'-0" (THREE BEDROOM TWO BATHROOM)



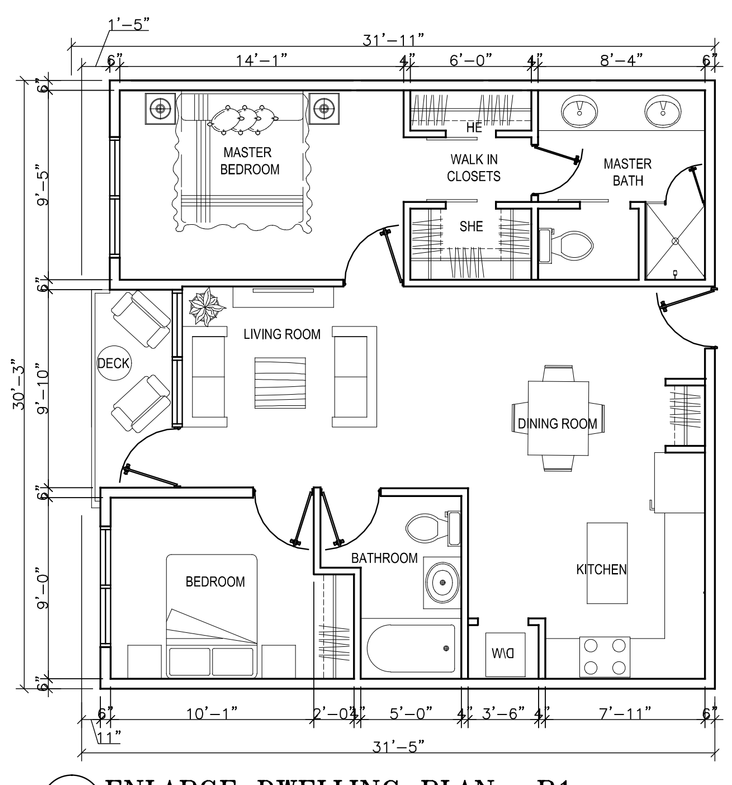
3 ENLARGE DWELLING PLAN -B2
SCALE : 3/16"=1'-0" (TWO BEDROOM TWO BATHROOM)



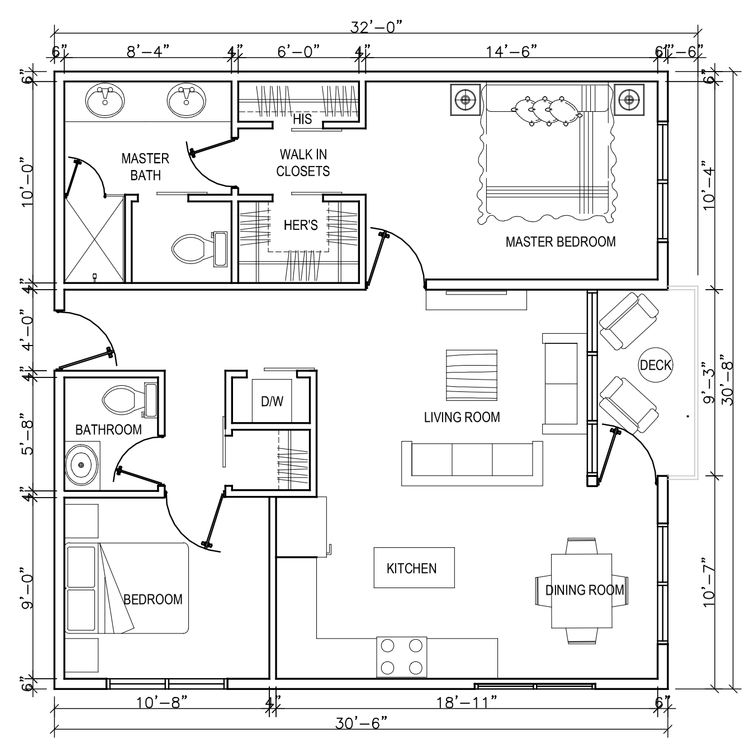
5 ENLARGE DWELLING PLAN -B4
SCALE : 3/16"=1'-0" (TWO BEDROOM TWO BATHROOM)



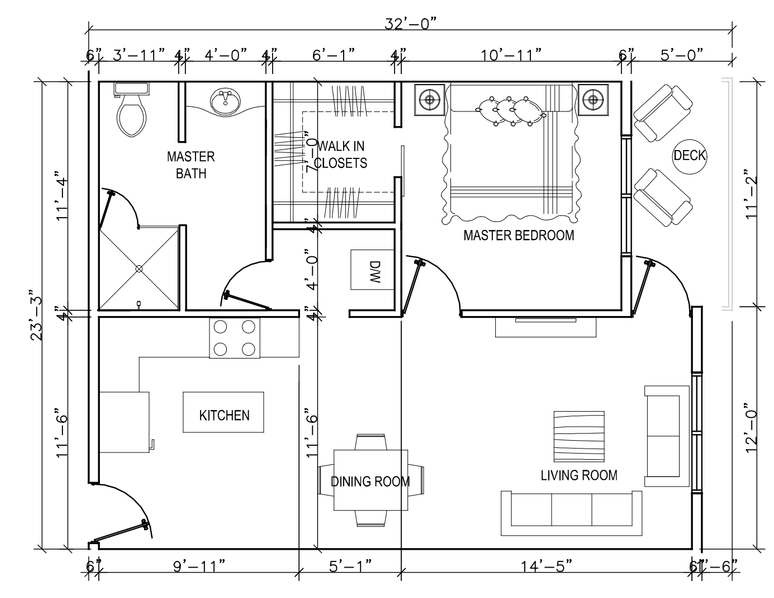
7 ENLARGE DWELLING PLAN -A2
SCALE : 3/16"=1'-0" (ONE BEDROOM ONE BATHROOM)



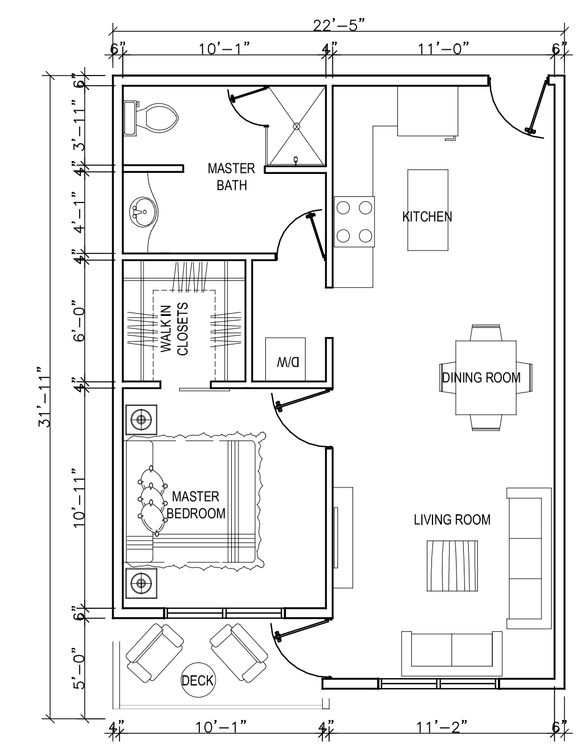
2 ENLARGE DWELLING PLAN -B1
SCALE : 3/16"=1'-0" (TWO BEDROOM TWO BATHROOM)



4 ENLARGE DWELLING PLAN -B3
SCALE : 3/16"=1'-0" (TWO BEDROOM TWO BATHROOM)



6 ENLARGE DWELLING PLAN -A1
SCALE : 3/16"=1'-0" (ONE BEDROOM ONE BATHROOM)



8 ENLARGE DWELLING PLAN -A3
SCALE : 3/16"=1'-0" (ONE BEDROOM ONE BATHROOM)

REVISIONS:

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ACE Design LLC
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Phone: (702) 396-5113, Fax: (702)446-8155
Land Planning • Civil Engineering • Architectural Design • Structural Engineering

TITLE
DWELLING ENLARGED DIMENSIONED PLANS

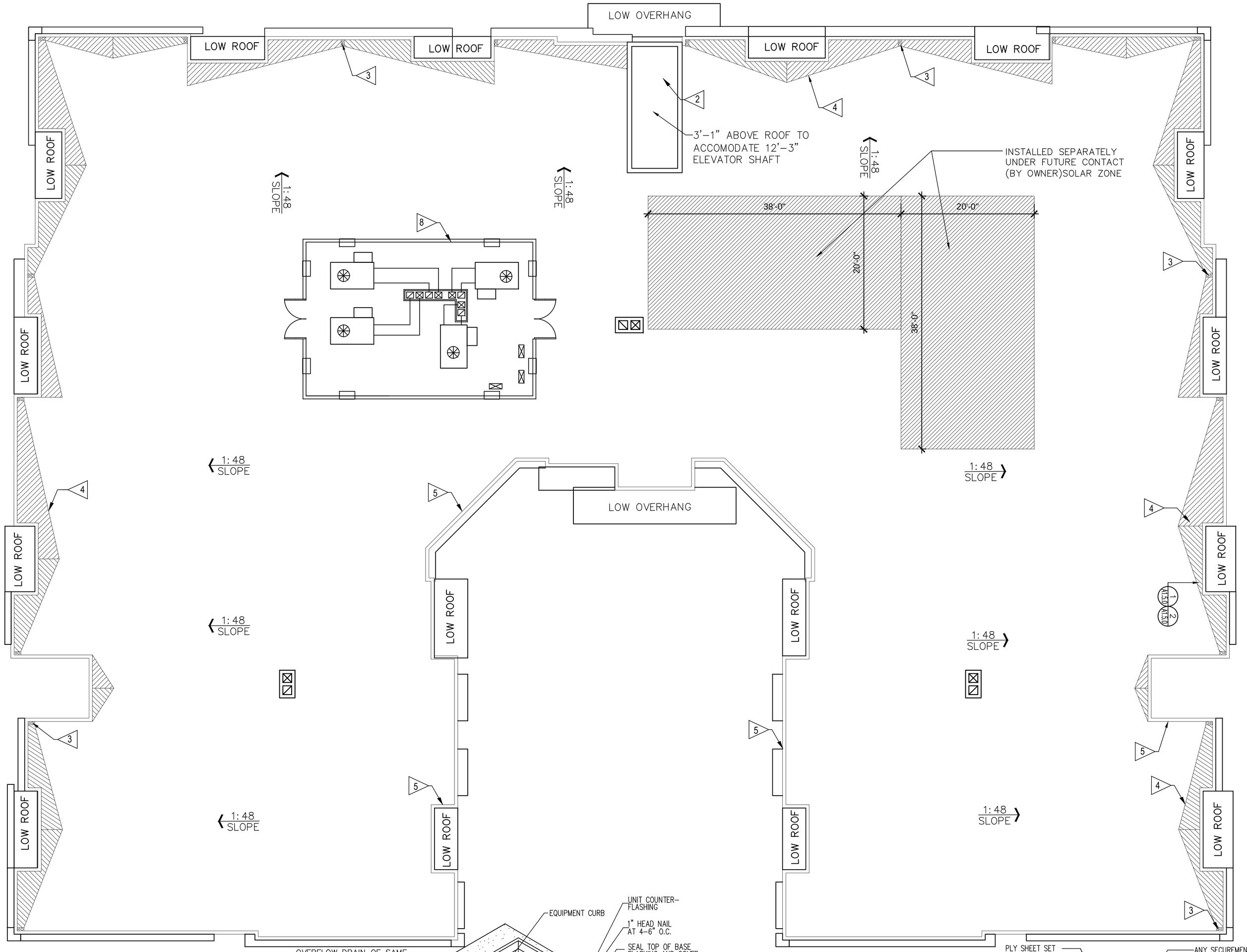
PROJECT
APARTMENTS
LAWLER RESIDENCES
CITY OF SUISUN, CA

REGISTERED PROFESSIONAL ENGINEER
JOSEPH S. STREET
56924
EXP. 06/30/2019
CIVIL
STATE OF CALIFORNIA

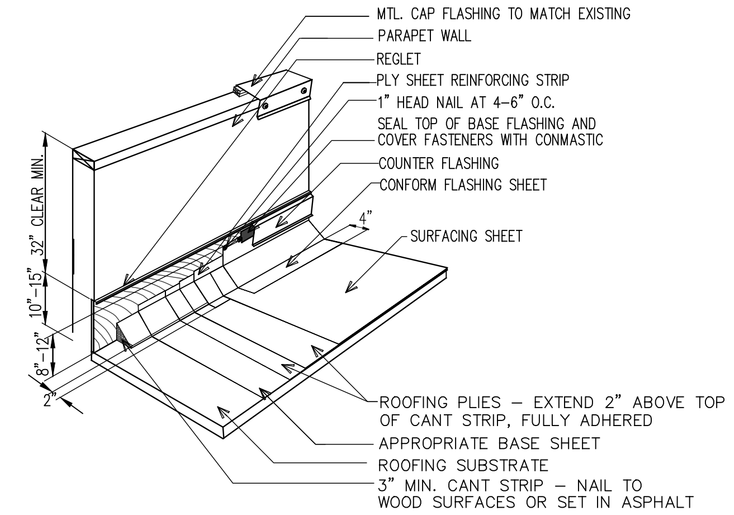
DATE: 02/11/2019
JOB : 18-06
DWG. BY: RK
CHK. BY: MG

A1.4.3

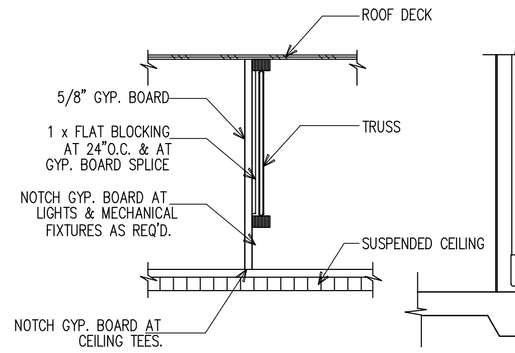
SHEET
5 OF 13



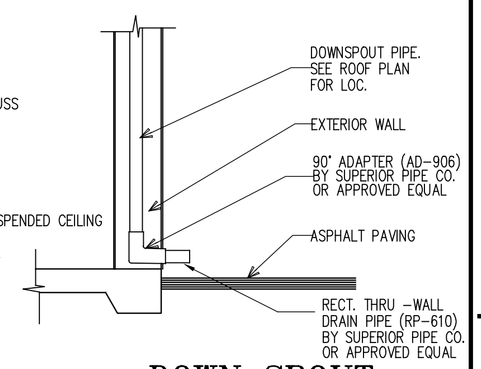
ROOF PLAN
SCALE:1/8" = 1'-0"



5 TYP. PARAPET FLASHING
SCALE: NTS.



6 DRAFT STOP DETAIL
SCALE: NTS.



7 DOWN SPOUT
SCALE: NTS.

DRAFT STOPPING NOTES:–
1. DRAFT STOPPING MATERIALS SHALL NOT BE LESS THAN 0.5-INCH GYPSUM BOARD, 0.375-INCH WOOD STRUCTURAL PANEL, 0.375-INCH PARTICLEBOARD OR OTHER APPROVED MATERIALS.
2. DRAFT STOP SHALL BE PROVIDED IN FLOOR/CEILING SPACES, ATTICS, MANSARDS, OVERHANGS OR OTHER CONCEALED ROOF SPACES. DRAFT STOPPING SHALL BE INSTALLED ABOVE, AND IN LINE WITH WALLS SEPARATING GUESTROOMS FROM EACH OTHER AND FROM OTHER AREAS. DRAFT STOP ALONG WALLS SHALL EXTEND TO THE OTHER SIDE OF CORRIDOR. DRAFT STOP SHALL BE PROVIDED ALONG ONE OF THE CORRIDOR WALLS.

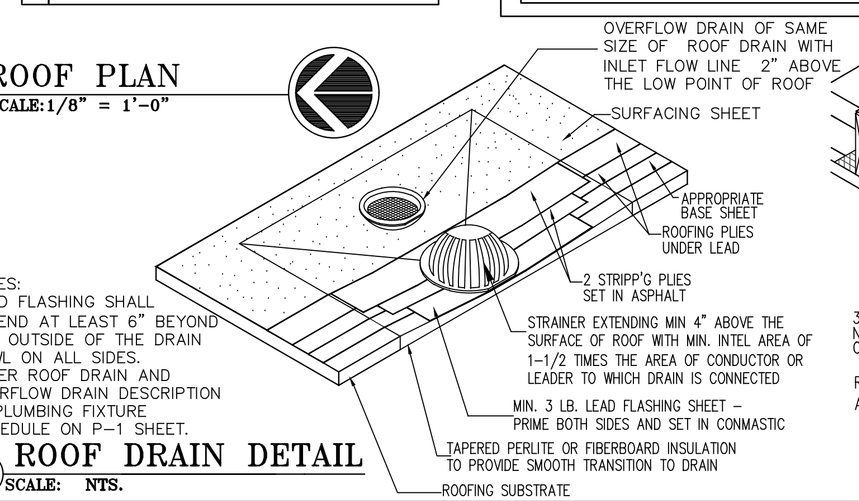
KEY NOTES

1. LOWER LEVEL ROOF @ FIRST FLOOR. SLOPE TO DOWNSPOUT/OVERFLOW SCUPPER.
2. ELEVATOR OVER RUN ENCLOSURE. SLOPE TO ROOF DRAIN @ 1/2" : 1'–0".
3. 3" ROOF DRAIN & OVER FLOW PIPE (TYP.)
4. 1/2" PLYWOOD CRICKET O/2X6 KICKERS @ 16"O.C. W/ 6":12" MAX. SLOPE TYPICAL
5. PREFINISHED METAL COPING.
6. DRAFT STOP SHALL BE PROVIDED IN FLOOR/CEILING SPACES, ATTICS, MANSARDS, OVERHANGS OR OTHER CONCEALED ROOF SPACES. DRAFT STOPPING SHALL BE INSTALLED ABOVE, AND IN LINE WITH WALLS SEPARATING GUESTROOMS FROM EACH OTHER AND FROM OTHER AREAS. DRAFT STOP ALONG WALLS SHALL EXTEND TO THE OTHER SIDE OF CORRIDOR. DRAFT STOP SHALL BE PROVIDED ALONG ONE OF THE CORRIDOR WALLS.
7. REFER TO ROOF DETAILS #6, #7, #8 ON A1.5.0 SHEET FOR EQUIPMENT PLATFORM REQUIREMENT. (SEE MECHANICAL PLAN TO VERIFY SIZES & NUMBER). VERIFY LOCATION W/ TRUSS MANUFACTURER FOR LOAD DISTRIBUTION.
8. OPTIONAL SCREENED ENCLOSURE FOR EQUIPMENT.

NOTE FOR GENERAL CONTRACTOR AND SPRINKLER CONTRACTOR:

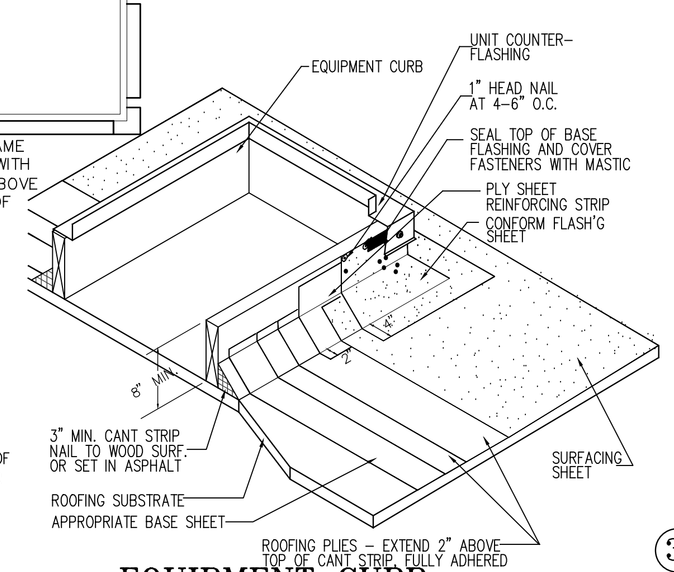
THE GENERAL CONTRACTOR AND THE SPRINKLER CONTRACTOR SHALL COORDINATE THE PROTECTION OF ROOF "CRICKETS" OR OTHER CONCEALED COMBUSTIBLE SPACES (WHERE APPLICABLE).

NOTE:
ROOF TO BE CEC CERTIFIED COOL ROOF BY MANSVILLE EPDM.

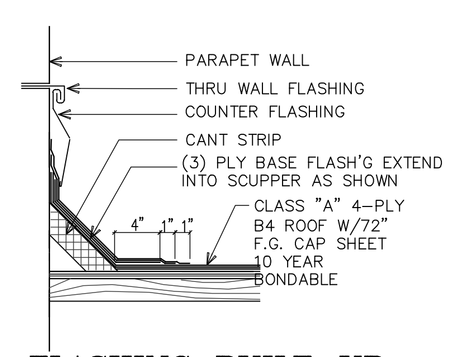


NOTES:
1. LEAD FLASHING SHALL EXTEND AT LEAST 6" BEYOND THE OUTSIDE OF THE DRAIN BOWL ON ALL SIDES.
2. REFER ROOF DRAIN AND OVERFLOW DRAIN DESCRIPTION IN PLUMBING FIXTURE SCHEDULE ON P-1 SHEET.

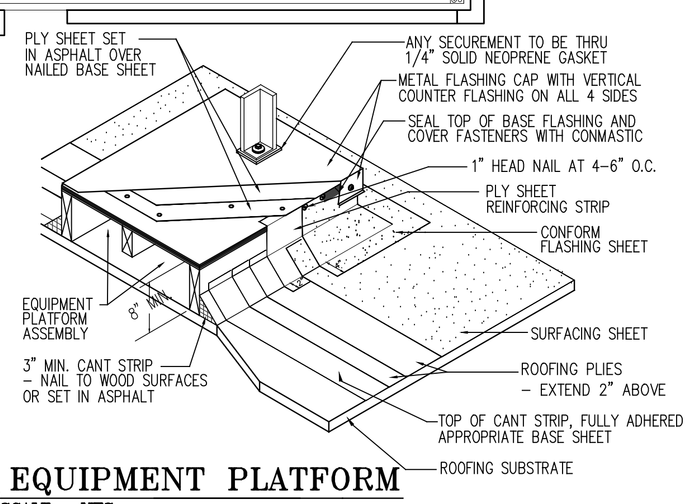
1 ROOF DRAIN DETAIL
SCALE: NTS.



2 EQUIPMENT CURB
SCALE: NTS.



3 FLASHING BUILT-UP
SCALE: NTS.



4 EQUIPMENT PLATFORM
SCALE: NTS.

REVISIONS:

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7455 Arroyo Crossing, Suite 220
LAS VEGAS, NEVADA 89113
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Land Planning • Civil Engineering • Architectural Design • Structural Engineering

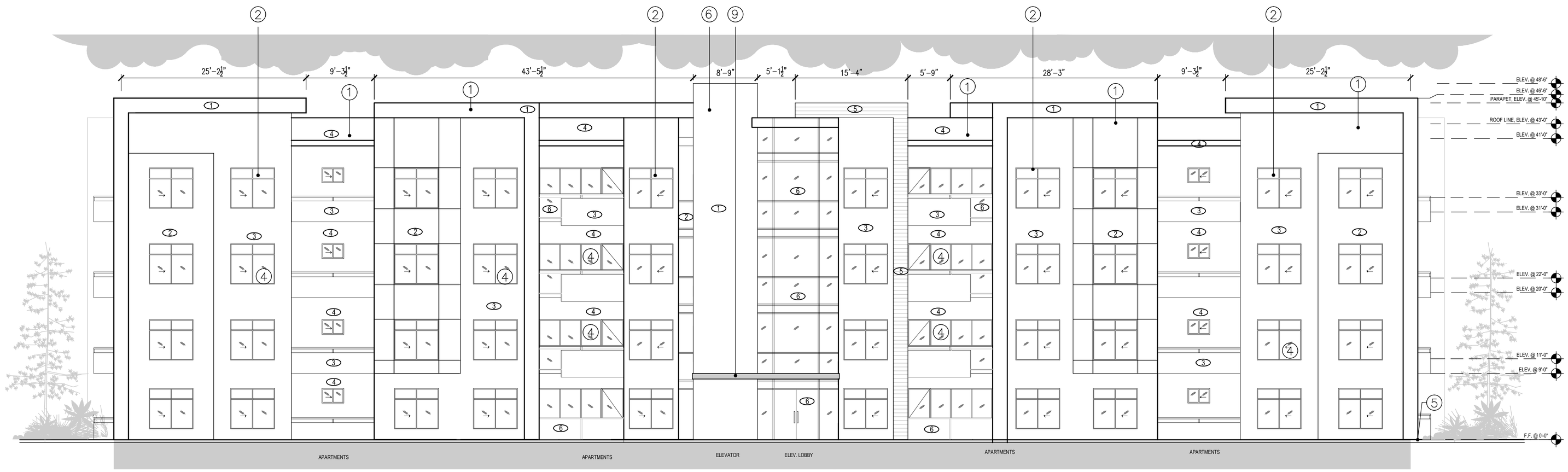
TITLE: ROOF PLAN
PROJECT: APPARTMENTS, LAWLER RESIDENCES, CITY OF SUISUN, CA

REGISTERED PROFESSIONAL ENGINEER JOSEPH S. STRAZZA 56924 EXP.06/30/2019 CIVIL STATE OF CALIFORNIA

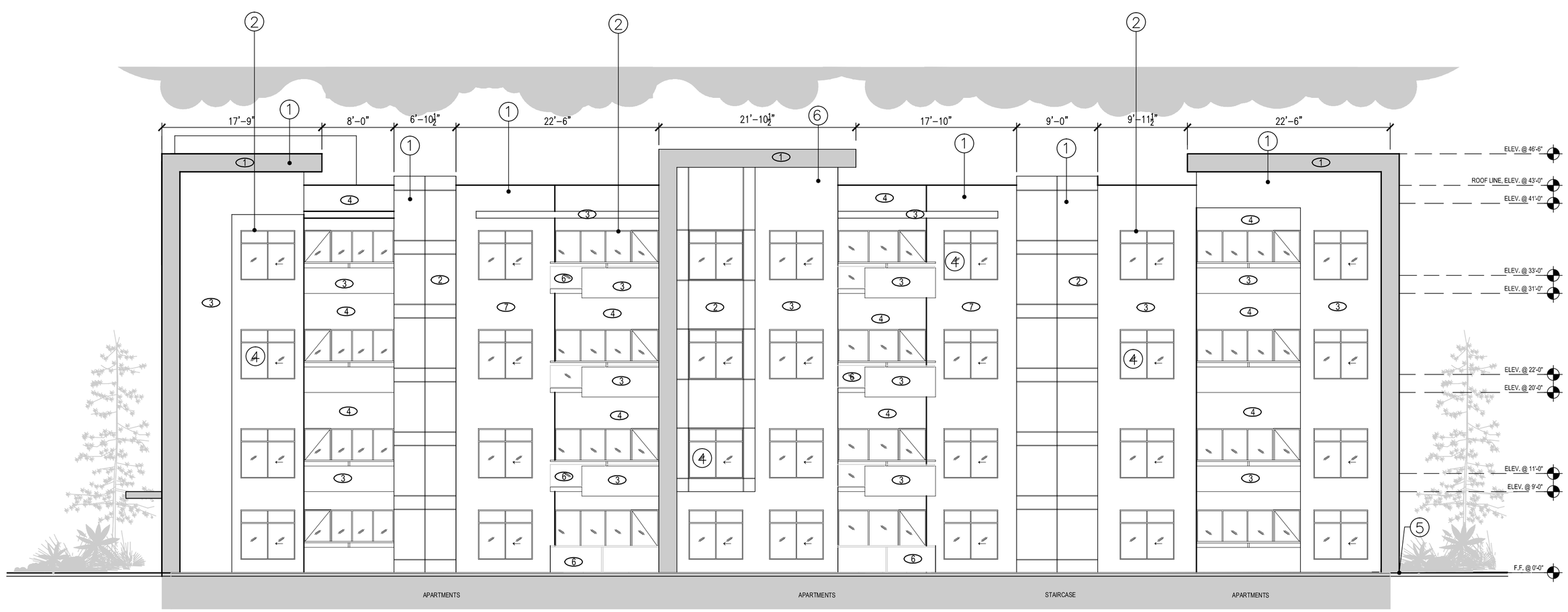
DATE: 02/12/2019
JOB : 18-06
DWG. BY: HS
CHK. BY: MG

A1.5.0
SHEET 6 OF 13

#	KEY NOTES:
1	(3) COLOR COAT STUCCO (a) IS A 3-COAT, 7/8 INCH MINIMUM THICK (b) HAS TWO LAYERS OF GRADE D PAPER UNDER STUCCO WERE OCCURS OVER PLYWOOD SHEATHING; AND (c) HAS 26 ga GALVANIZED WEEP SCREED AT FOUNDATION PLATE LINE AT LEAST 4" ABOVE GRADE (OR 2 INCH ABOVE CONCRETE OR PAVING) 2"x6" WOOD STUDS 16" ON CENTER WITH 7/8" CEMENT PLASTER (MEASURED FROM THE FACE OF STUDS) ON THE EXTERIOR SURFACE WITH INTERIOR SURFACE TREATMENT AS REQUIRED FOR INTERIOR WOOD STUD PARTITIONS. PLASTER MIX 1:4 FOR SCRATCH COAT AND 1:5 FOR BROWN COAT, BY VOLUME, CEMENT TO SAND
2	WINDOW VINYL (OWNER TO SELECT FINISH.)
5	ILLUMINATED BUILDING SIGN N.I.C.
9	FRONT ENTRY FACADE OWNER PROVIDE



1 FRONT ELEVATION (EAST)
SCALE : 1/8"=1'-0"



2 RIGHT ELEVATION (SOUTH)
SCALE : 1/8"=1'-0"

EXTERIOR FINISH KEY

1. STUCCO: BENJAMIN MOORE "DEEP SPACE 2125-20"
2. STUCCO: BENJAMIN MOORE "SHADOW GRAY 2125-40"
3. STUCCO: BENJAMIN MOORE "SEATTLE GRAY 2130-70"
4. STUCCO: BENJAMIN MOORE "HILLSIDE GREEN 495"
5. FIBER CEMENT SIDING: PAINTED - BENJAMIN MOORE "LOG CABIN 2163-10"
6. GLASS: CLEAR ANODIZED COATING
7. STUCCO: BENJAMIN MOORE "166 ORANGE ICE"

KEY NOTES:

1. EXTERIOR WALLS: "STUCCO" CEMENT PLASTER, COLOR AND TEXTURE TO MATCH THE EXTERIOR FINISH INDEX ABOVE.
2. TRIMS: CEMENT PLASTER FINISH OVER 2x4 FOAM SHAPES, COLOR TO MATCH WALLS.
3. BUSINESS SIGN SHALL CONSIST OF SINGLE LETTERS INSTALLED OVER THE FINISHED STUCCO. PROVIDE INDIRECT LIGHTING FOR SIGN-LETTER ILLUMINATION AS APPROVED BY PLANNING DEPARTMENT. EACH LETTER SHALL BE ILLUMINATED BY A SEPARATE LIGHT. SUBMIT FIXTURES TO PLANNING FOR APPROVAL PRIOR TO ORDER/ INSTALLATION.
4. WINDOWS: VINYL DUAL PANE WINDOWS BY "MILGAURD" OR EQUIVALENT. COLOR SELECTION BY OWNER.
5. WEEP SCREED @ +4" MINIMUM ABOVE FINISH GRADE (2" ABOVE PAVED AREAS).
6. THE ADDRESS NUMBERS SHALL BE VISIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY , SHALL CONTRAST WITH THEIR BACKGROUND AND SHALL BE EITHER INTERNALLY OR EXTERNALLY ILLUMINATED BY A DEDICATED LIGHT SOURCE.

REVISIONS:

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4		

ACE Design LLC
1024 Iron Point Road, Suite 1046
Folsom, CA 95630
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Land Planning • Civil Engineering • Architectural Design • Structural Engineering

TITLE: EXTERIOR ELEVATIONS

PROJECT: APARTMENTS
LAWLER RESIDENCES
CITY OF SUISUN, CA

REGISTERED PROFESSIONAL ENGINEER
JOSEPH S. STEWART
56924
EXP. 06/30/2019
CIVIL
STATE OF CALIFORNIA

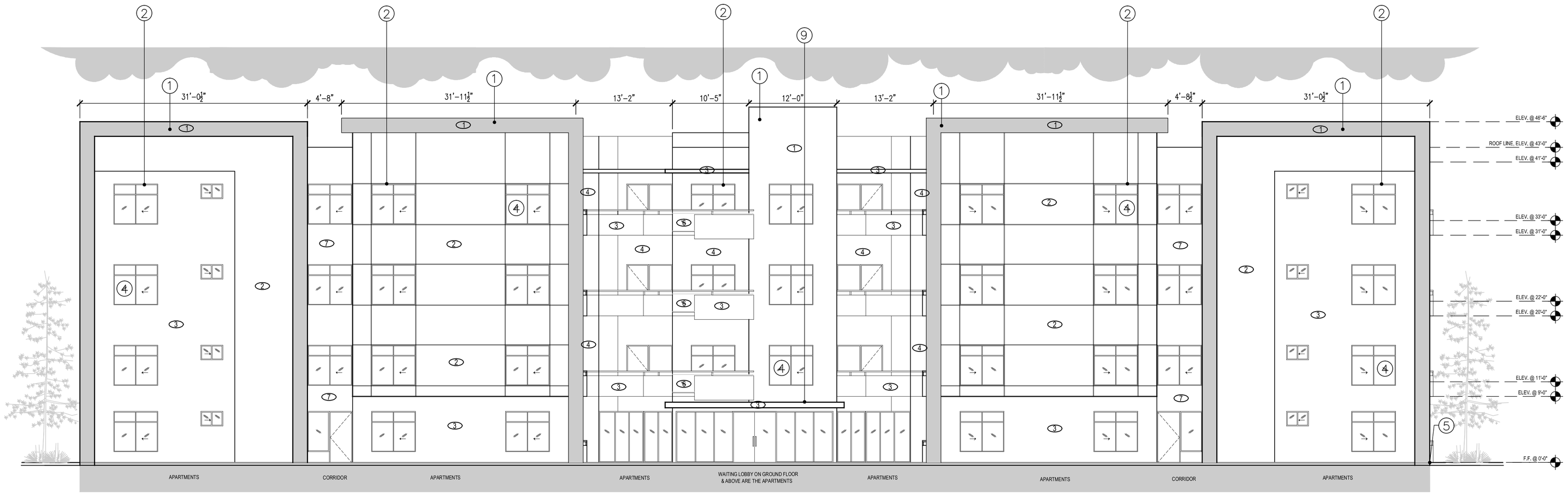
DATE: 03/25/2019
JOB : 18-06
DWG. BY: RK
CHK. BY: MG

A2.0.0

SHEET
7 OF 13

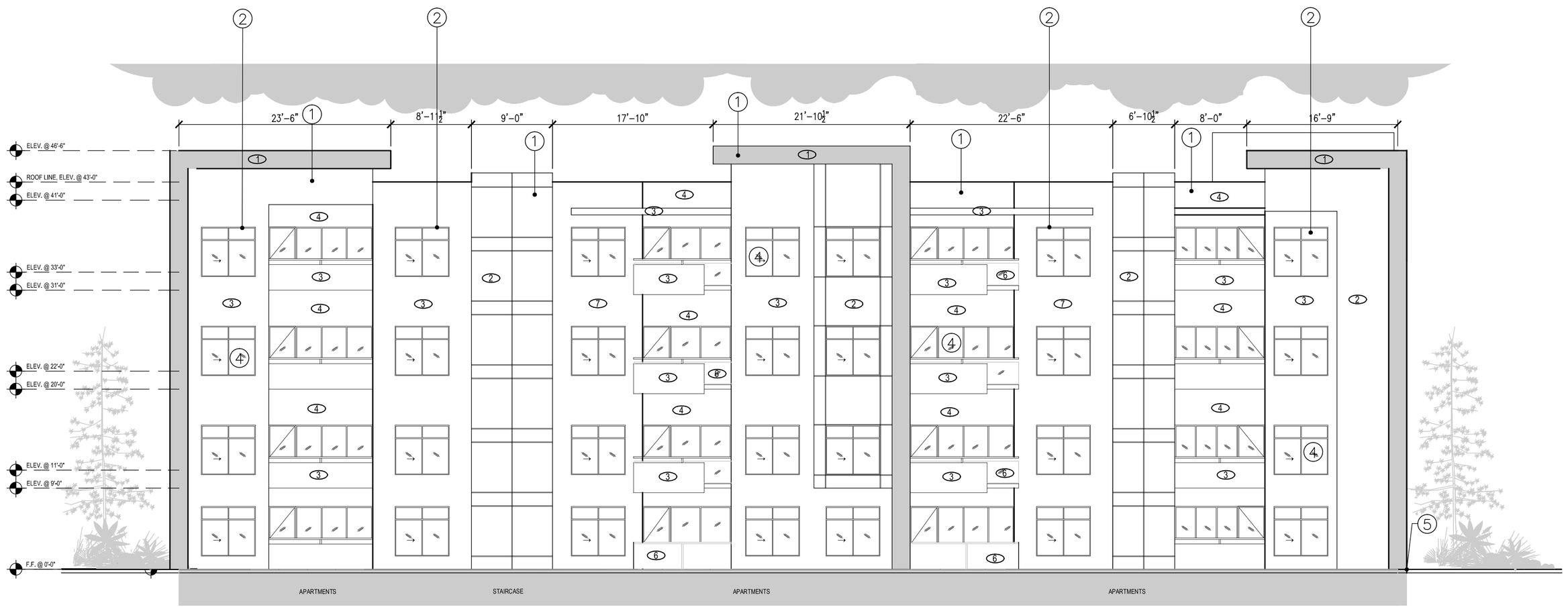
232

Item 12
Attachment 2 - Exhibit B



3 REAR ELEVATION (WEST)
SCALE : 1/8"=1'-0"

#	KEY NOTES:
1	(3) COLOR COAT STUCCO (a) IS A 3-COAT, 7/8 INCH MINIMUM THICK (b) HAS TWO LAYERS OF GRADE D PAPER UNDER STUCCO WERE OCCURS OVER PLYWOOD SHEATHING; AND (c) HAS 26 ga GALVANIZED WEEP SCREED AT FOUNDATION PLATE LINE AT LEAST 4" ABOVE GRADE (OR 2 INCH ABOVE CONCRETE OR PAVING) 2"x6" WOOD STUDS 16" ON CENTER WITH 7/8" CEMENT PLASTER (MEASURED FROM THE FACE OF STUDS) ON THE EXTERIOR SURFACE WITH INTERIOR SURFACE TREATMENT AS REQUIRED FOR INTERIOR WOOD STUD PARTITIONS. PLASTER MIX 1:4 FOR SCRATCH COAT AND 1:5 FOR BROWN COAT, BY VOLUME, CEMENT TO SAND
2	WINDOW VINYL (OWNER TO SELECT FINISH.)
5	ILLUMINATED BUILDING SIGN N.I.C.
9	FRONT ENTRY FACADE – HOLIDAY INN EXPRESS BRAND HALLMARK UPLIGHTING (MANDATORY) OWNER PROVIDED THROUGH IHG. .



4 LEFT ELEVATION (NORTH)
SCALE : 1/8"=1'-0"

EXTERIOR FINISH KEY

1. STUCCO: BENJAMIN MOORE "DEEP SPACE 2125-20"
2. STUCCO: BENJAMIN MOORE "SHADOW GRAY 2125-40"
3. STUCCO: BENJAMIN MOORE "SEATTLE GRAY 2130-70"
4. STUCCO: BENJAMIN MOORE "HILLSIDE GREEN 495"
5. FIBER CEMENT SIDING: PAINTED – BENJAMIN MOORE "LOG CABIN 2163-10"
6. GLASS: CLEAR ANODIZED COATING
7. STUCCO: BENJAMIN MOORE "166 ORANGE ICE"

KEY NOTES:

1. EXTERIOR WALLS: "STUCCO" CEMENT PLASTER, COLOR AND TEXTURE TO MATCH THE EXTERIOR FINISH INDEX ABOVE.
2. TRIMS: CEMENT PLASTER FINISH OVER 2x4 FOAM SHAPES, COLOR TO MATCH WALLS.
3. BUSINESS SIGN SHALL CONSIST OF SINGLE LETTERS INSTALLED OVER THE FINISHED STUCCO. PROVIDE INDIRECT LIGHTING FOR SIGN-LETTER ILLUMINATION AS APPROVED BY PLANNING DEPARTMENT. EACH LETTER SHALL BE ILLUMINATED BY A SEPARATE LIGHT. SUBMIT FIXTURES TO PLANNING FOR APPROVAL PRIOR TO ORDER/ INSTALLATION.
4. WINDOWS: VINYL DUAL PANE WINDOWS BY "MILGAURD" OR EQUIVALENT. COLOR SELECTION BY OWNER.
5. WEEP SCREED @ +4" MINIMUM ABOVE FINISH GRADE (2" ABOVE PAVED AREAS).
6. THE ADDRESS NUMBERS SHALL BE VISIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY , SHALL CONTRAST WITH THEIR BACKGROUND AND SHALL BE EITHER INTERNALLY OR EXTERNALLY ILLUMINATED BY A DEDICATED LIGHT SOURCE.

REVISIONS:

REVISION	ISSUE	DATED

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Folsom, CA 95630
Phone: (702) 396-5113, Fax: (702)446-8155
Land Planning • Civil Engineering • Architectural Design • Structural Engineering

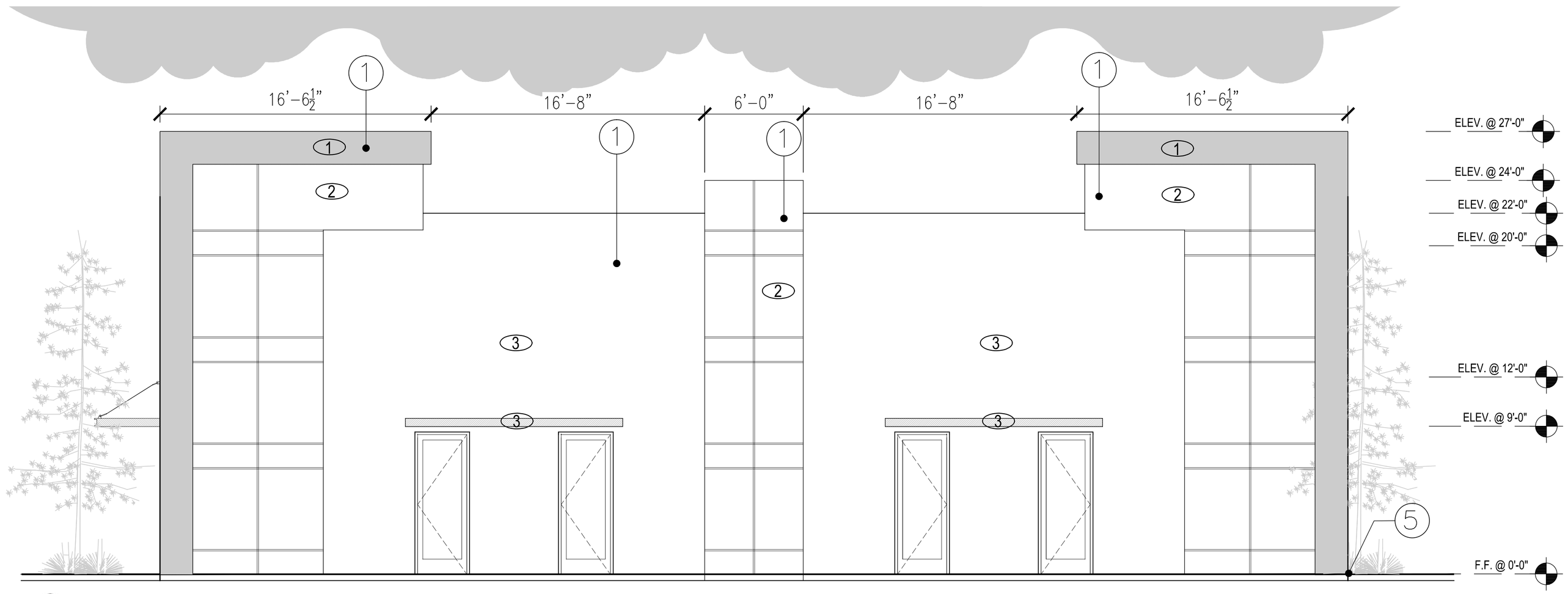
TITLE: EXTERIOR ELEVATIONS
PROJECT: APARTMENTS
LAWLER RESIDENCES
CITY OF SUISUN, CA

REGISTERED PROFESSIONAL ENGINEER
JASPAL S. SIDHU
56924
EXP. 06/30/2019
CIVIL
STATE OF CALIFORNIA

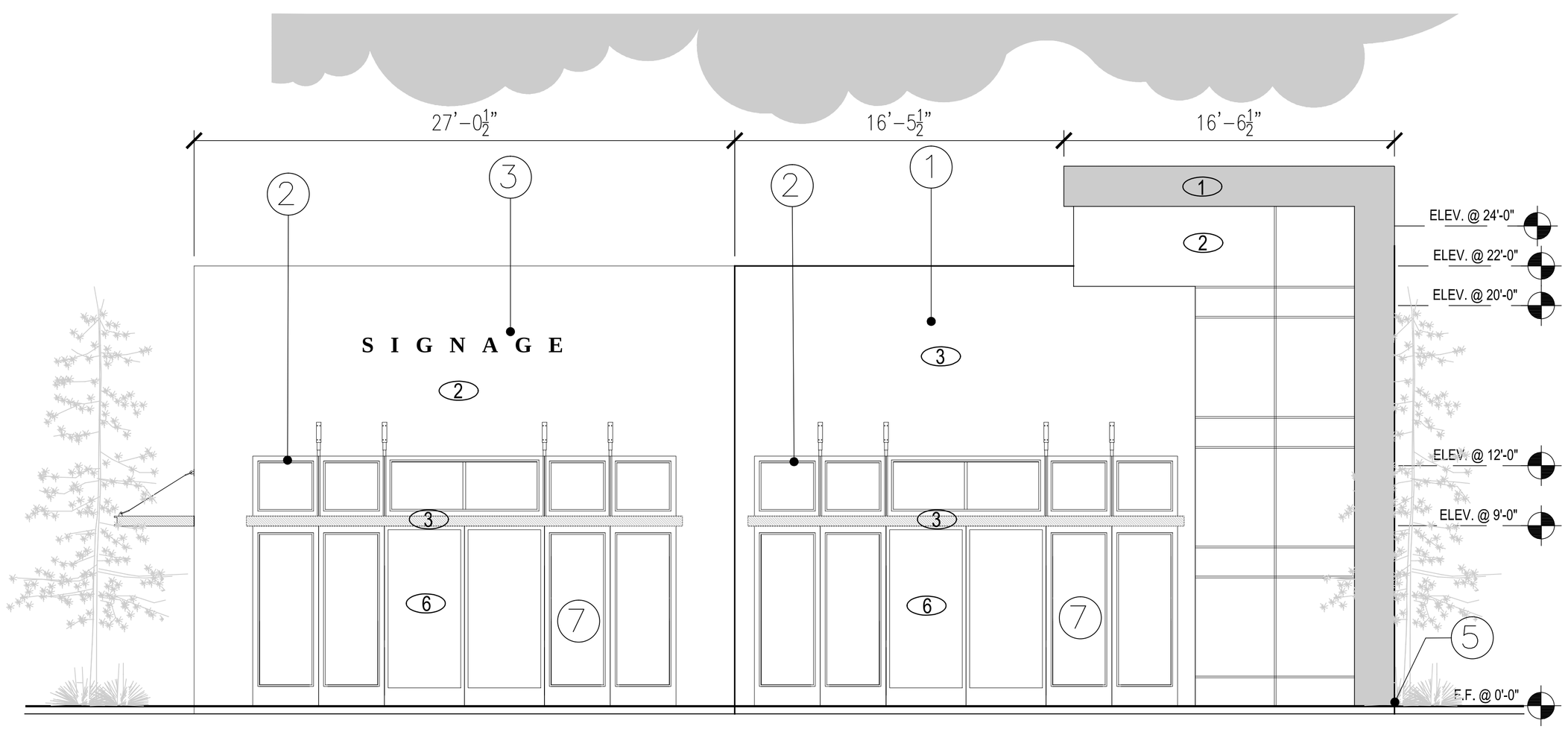
DATE: 03/25/2019
JOB : 18-06
DWG. BY: RK
CHK. BY: MG

A2.1.0

#	KEY NOTES:
1	(3) COLOR COAT STUCCO (a) IS A 3-COAT, 7/8 INCH MINIMUM THICK (b) HAS TWO LAYERS OF GRADE D PAPER UNDER STUCCO WERE OCCURS OVER PLYWOOD SHEATHING; AND (c) HAS 26 ga GALVANIZED WEEP SCREED AT FOUNDATION PLATE LINE AT LEAST 4" ABOVE GRADE (OR 2 INCH ABOVE CONCRETE OR PAVING) 2"x6" WOOD STUDS 16" ON CENTER WITH 7/8" CEMENT PLASTER (MEASURED FROM THE FACE OF STUDS) ON THE EXTERIOR SURFACE WITH INTERIOR SURFACE TREATMENT AS REQUIRED FOR INTERIOR WOOD STUD PARTITIONS. PLASTER MIX 1:4 FOR SCRATCH COAT AND 1:5 FOR BROWN COAT, BY VOLUME, CEMENT TO SAND
2	WINDOW VINYL (OWNER TO SELECT FINISH.)
5	ILLUMINATED BUILDING SIGN N.I.C.
9	FRONT ENTRY FACADE OWNER PROVIDE



3 REAR ELEVATION (EAST)
SCALE : 1/4"=1'-0"



4 RIGHT ELEVATION (SOUTH)
SCALE : 1/4"=1'-0"

EXTERIOR FINISH KEY

1. STUCCO: BENJAMIN MOORE "DEEP SPACE 2125-20"
2. STUCCO: BENJAMIN MOORE "SHADOW GRAY 2125-40"
3. STUCCO: BENJAMIN MOORE "SEATTLE GRAY 2130-70"
4. STUCCO: BENJAMIN MOORE "HILLSIDE GREEN 495"
5. FIBER CEMENT SIDING: PAINTED - BENJAMIN MOORE "LOG CABIN 2163-10"
6. GLASS: CLEAR ANODIZED COATING

KEY NOTES:

1. EXTERIOR WALLS: "STUCCO" CEMENT PLASTER, COLOR AND TEXTURE TO MATCH THE EXTERIOR FINISH INDEX ABOVE.
2. TRIMS: CEMENT PLASTER FINISH OVER 2x4 FOAM SHAPES, COLOR TO MATCH WALLS.
3. BUSINESS SIGN SHALL CONSIST OF SINGLE LETTERS INSTALLED OVER THE FINISHED STUCCO. PROVIDE INDIRECT LIGHTING FOR SIGN-LETTER ILLUMINATION AS APPROVED BY PLANNING DEPARTMENT. EACH LETTER SHALL BE ILLUMINATED BY A SEPARATE LIGHT. SUBMIT FIXTURES TO PLANNING FOR APPROVAL PRIOR TO ORDER/ INSTALLATION.
4. WINDOWS: VINYL DUAL PANE WINDOWS BY "MILGAURD" OR EQUIVALENT. COLOR SELECTION BY OWNER.
5. WEEP SCREED @ +4" MINIMUM ABOVE FINISH GRADE (2" ABOVE PAVED AREAS).
6. THE ADDRESS NUMBERS SHALL BE VISIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY , SHALL CONTRAST WITH THEIR BACKGROUND AND SHALL BE EITHER INTERNALLY OR EXTERNALLY ILLUMINATED BY A DEDICATED LIGHT SOURCE.
7. STOREFRONT: VINYL DUAL PANE WINDOWS BY "MILGAURD" OR EQUIVALENT. COLOR SELECTION BY OWNER.

REVISIONS:

REVISION	ISSUE	DATED

ACE Design LLC
1024 Iron Point Road, Suite 1046
Folsom, CA 95630
Phone: (702) 396-5113, Fax: (702)446-8155
Land Planning • Civil Engineering • Architectural Design • Structural Engineering

TITLE
EXTERIOR RETAIL ELEVATIONS

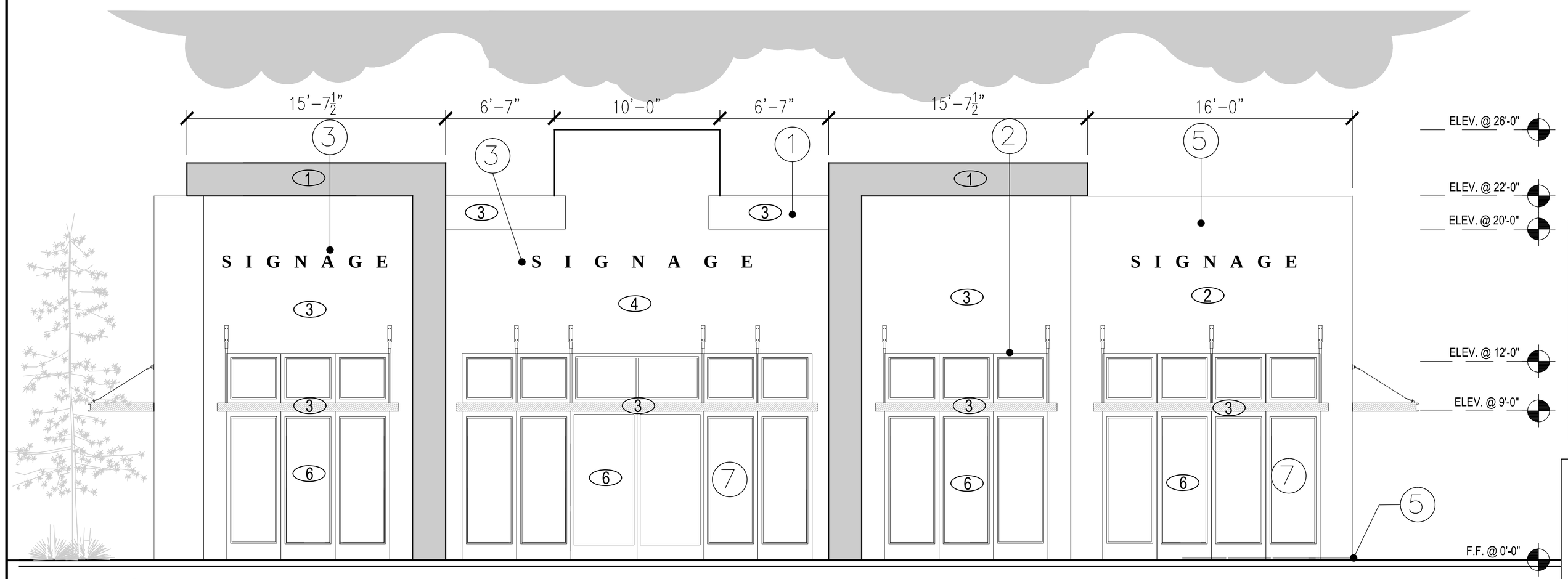
PROJECT
APARTMENTS
LAWLER RESIDENCES
CITY OF SUISUN, CA

REGISTERED PROFESSIONAL ENGINEER
JASPAL S. SIDHU
56924
EXP.06/30/2019
CIVIL
STATE OF CALIFORNIA

DATE: 03/25/2019
JOB : 18-06
DWG. BY: RK
CHK. BY: MG

A2.2.0

SHEET
9 OF 13



1 FRONT ELEVATION (WEST)
SCALE : 1/4"=1'-0"

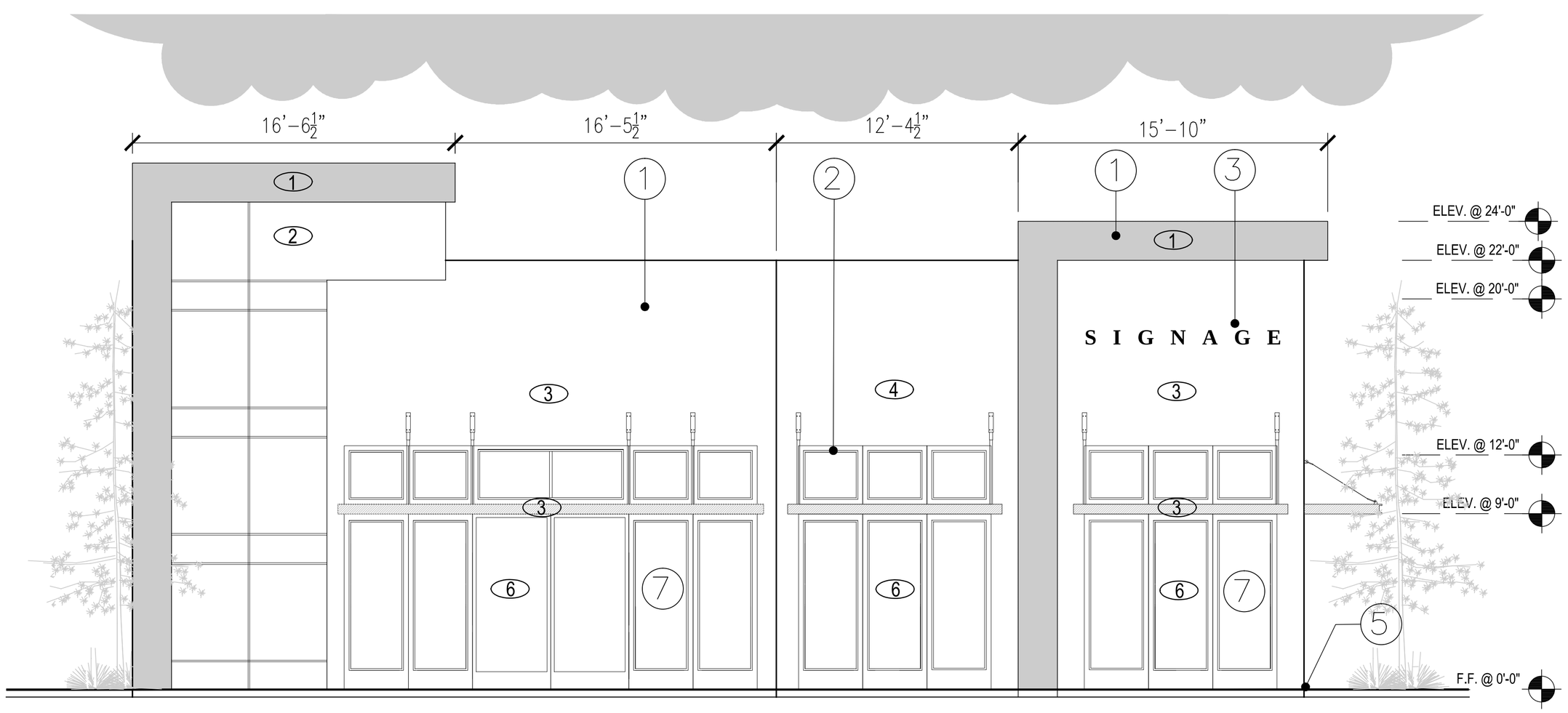
#	KEY NOTES:
1	(3) COLOR COAT STUCCO (a) IS A 3-COAT, 7/8 INCH MINIMUM THICK (b) HAS TWO LAYERS OF GRADE D PAPER UNDER STUCCO WERE OCCURS OVER PLYWOOD SHEATHING; AND (c) HAS 26 ga GALVANIZED WEEP SCREED AT FOUNDATION PLATE LINE AT LEAST 4" ABOVE GRADE (OR 2 INCH ABOVE CONCRETE OR PAVING) 2"x6" WOOD STUDS 16" ON CENTER WITH 7/8" CEMENT PLASTER (MEASURED FROM THE FACE OF STUDS) ON THE EXTERIOR SURFACE WITH INTERIOR SURFACE TREATMENT AS REQUIRED FOR INTERIOR WOOD STUD PARTITIONS. PLASTER MIX 1:4 FOR SCRATCH COAT AND 1:5 FOR BROWN COAT, BY VOLUME, CEMENT TO SAND
2	WINDOW VINYL (OWNER TO SELECT FINISH.)
5	ILLUMINATED BUILDING SIGN N.I.C.
9	FRONT ENTRY FACADE OWNER PROVIDE

EXTERIOR FINISH KEY

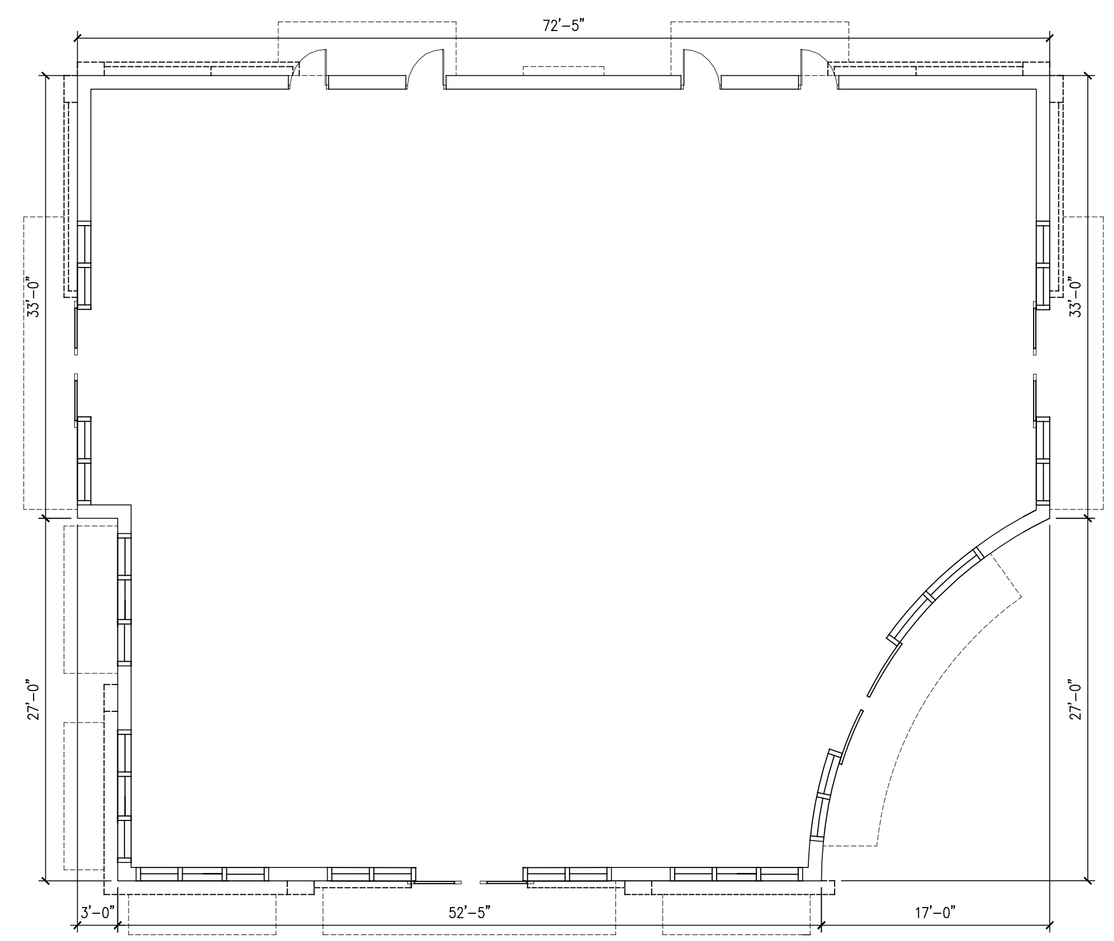
1. STUCCO: BENJAMIN MOORE "DEEP SPACE 2125-20"
2. STUCCO: BENJAMIN MOORE "SHADOW GRAY 2125-40"
3. STUCCO: BENJAMIN MOORE "SEATTLE GRAY 2130-70"
4. STUCCO: BENJAMIN MOORE "HILLSIDE GREEN 495"
5. FIBER CEMENT SIDING: PAINTED - BENJAMIN MOORE "LOG CABIN 2163-10"
6. GLASS: CLEAR ANODIZED COATING

KEY NOTES:

1. EXTERIOR WALLS: "STUCCO" CEMENT PLASTER, COLOR AND TEXTURE TO MATCH THE EXTERIOR FINISH INDEX ABOVE.
2. TRIMS: CEMENT PLASTER FINISH OVER 2x4 FOAM SHAPES, COLOR TO MATCH WALLS.
3. BUSINESS SIGN SHALL CONSIST OF SINGLE LETTERS INSTALLED OVER THE FINISHED STUCCO. PROVIDE INDIRECT LIGHTING FOR SIGN-LETTER ILLUMINATION AS APPROVED BY PLANNING DEPARTMENT. EACH LETTER SHALL BE ILLUMINATED BY A SEPARATE LIGHT. SUBMIT FIXTURES TO PLANNING FOR APPROVAL PRIOR TO ORDER/ INSTALLATION.
4. WINDOWS: VINYL DUAL PANE WINDOWS BY "MILGAURD" OR EQUIVALENT. COLOR SELECTION BY OWNER.
5. WEEP SCREED @ +4" MINIMUM ABOVE FINISH GRADE (2" ABOVE PAVED AREAS).
6. THE ADDRESS NUMBERS SHALL BE VISIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY , SHALL CONTRAST WITH THEIR BACKGROUND AND SHALL BE EITHER INTERNALLY OR EXTERNALLY ILLUMINATED BY A DEDICATED LIGHT SOURCE.
7. SOREFRONT: VINYL DUAL PANE WINDOWS BY "MILGAURD" OR EQUIVALENT. COLOR SELECTION BY OWNER.



2 LEFT ELEVATION (NORTH)
SCALE : 1/4"=1'-0"



A RETAIL BUILDING PLAN (SHELL)
SCALE : 1/8"=1'-0"

REVISIONS:

REVISION	ISSUE	DATED

ACE Design LLC
1024 Iron Point Road, Suite 1046
Folsom, CA 95630
Phone: (702) 396-5113, Fax: (702)446-8155
Land Planning • Civil Engineering • Architectural Design • Structural Engineering

TITLE
EXTERIOR RETAIL ELEVATIONS

PROJECT
APPARTMENTS
LAWLER RESIDENCES
CITY OF SUISUN, CA

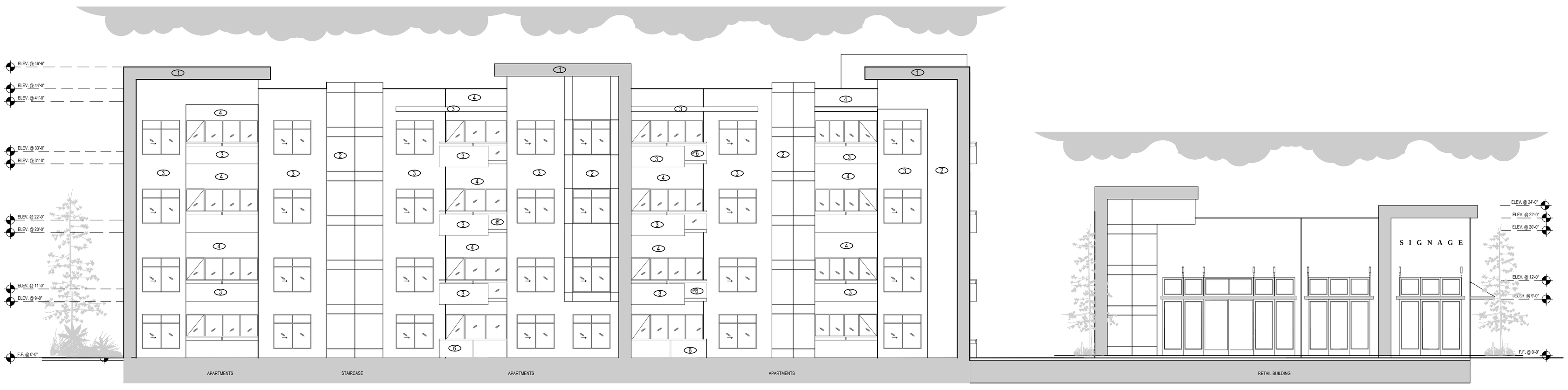
REGISTERED PROFESSIONAL ENGINEER
JASPAL S. SIDHU
56924
EXP.06/30/2019
CIVIL
STATE OF CALIFORNIA

DATE: 03/25/2019
JOB : 18-06
DWG. BY: RK
CHK. BY: MG

A2.3.0

SHEET
10 OF 13

1 RETAIL AREA (NORTH)
SCALE : 1/8"=1'-0"



2 APARTMENT & RETAIL AREA (NORTH)
SCALE : 1/8"=1'-0"

REVISIONS:

REVISION	ISSUE	DATED

ACE Design LLC
1024 Iron Point Road, Suite 1046
Folsom, CA 95630
Phone: (702) 396-5113, Fax: (702)446-8155
Land Planning • Civil Engineering • Architectural Design • Structural Engineering

TITLE
EXTERIOR COMBINED ELEVATIONS

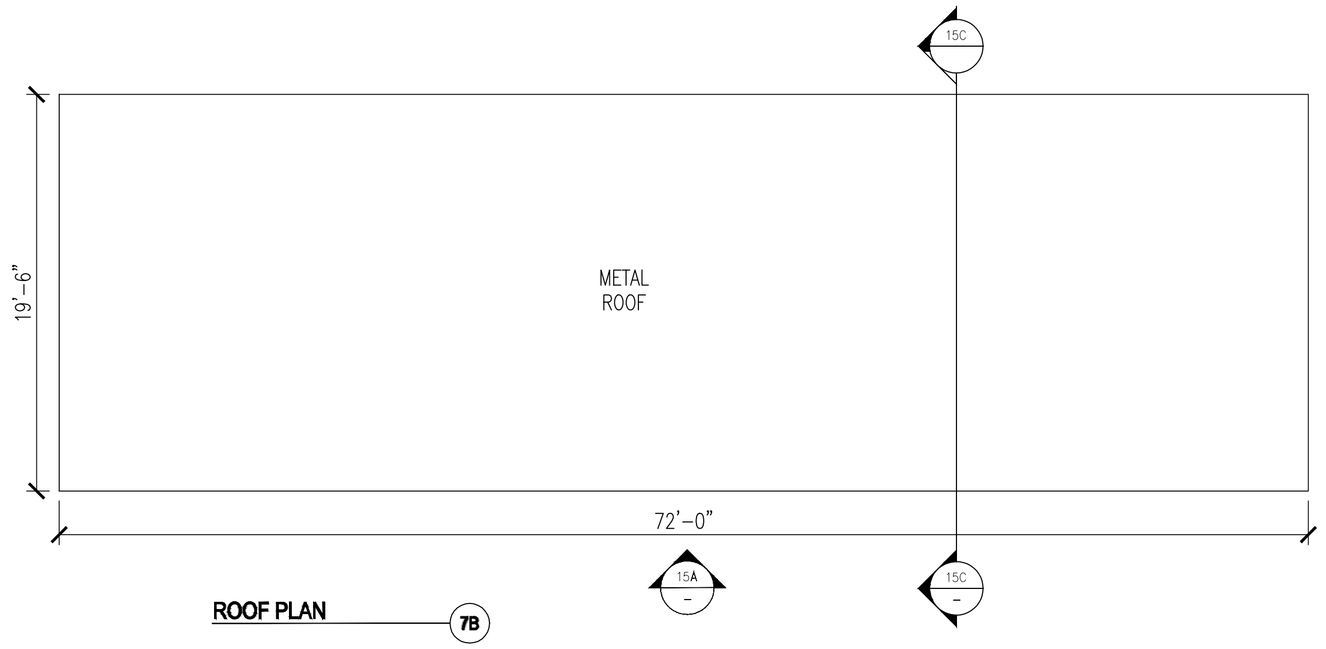
PROJECT
APPARTMENTS
LAWLER RESIDENCES
CITY OF SUISUN, CA

REGISTERED PROFESSIONAL ENGINEER
JASON S. STEPHENS
56924
EXP. 06/30/2019
CIVIL
STATE OF CALIFORNIA

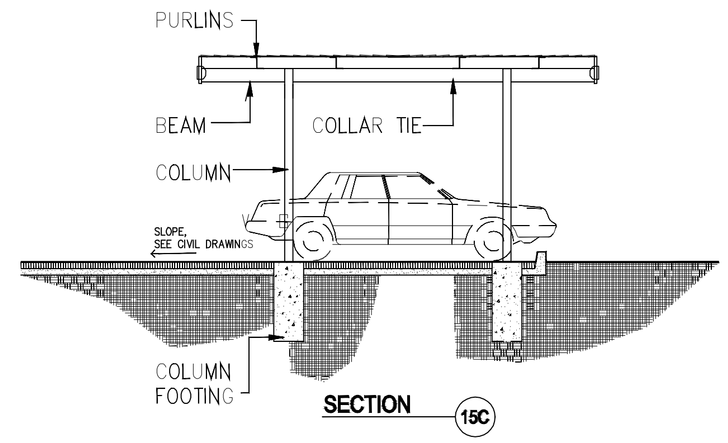
DATE: 03/25/2019
JOB : 18-06
DWG. BY: RK
CHK. BY: MG

A2.4.0

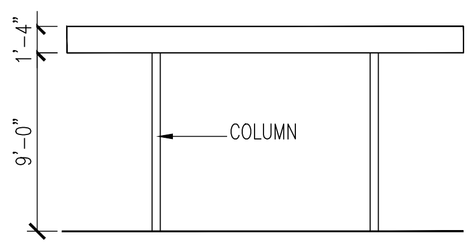
SHEET
11 OF 13



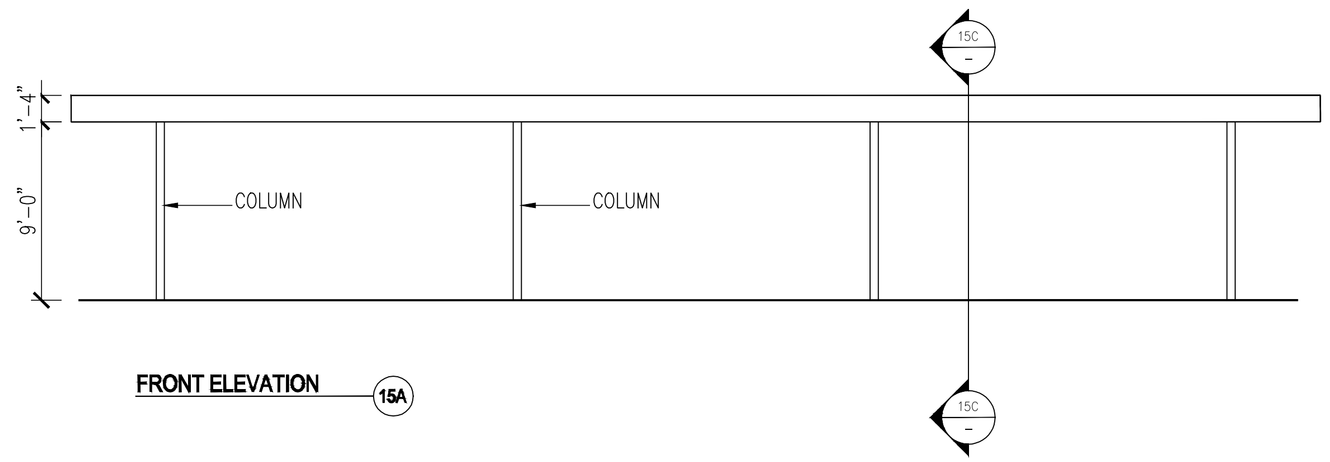
ROOF PLAN 7B



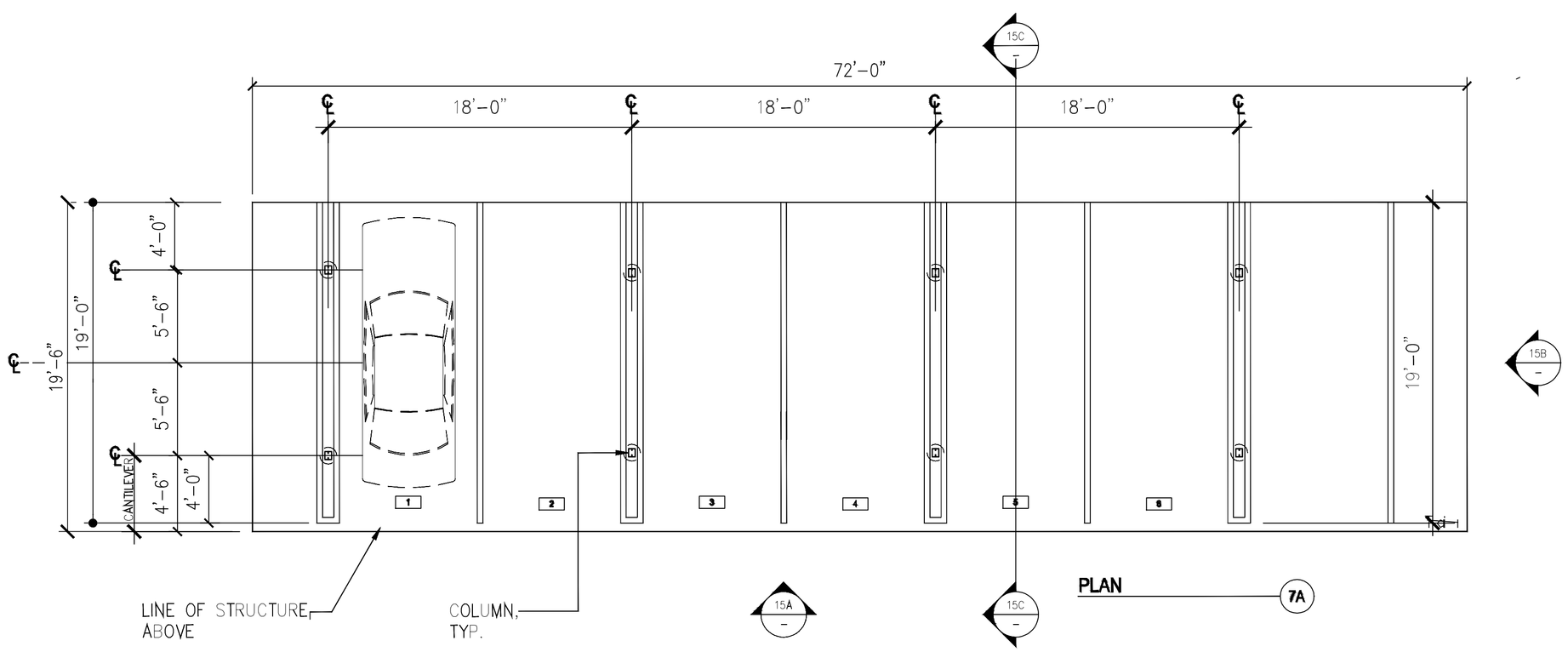
SECTION 15C



SIDE ELEVATION 15B



FRONT ELEVATION 15A



PLAN 7A

NOTE :
CITY OF SUISUN STANDARDS:
THE CARPORT STRUCTURES SHALL BE ARCHITECTURALLY INTEGRATED WITH THE PRIMARY STRUCTURES PER APPROVAL OF THE PLANNING DIRECTOR. BUILDING MATERIALS AND COLORS SHALL BE CONSISTENT WITH THE PRIMARY STRUCTURE.

CARPORT PARKING 1

SCALE: 3/16" = 1'-0"

REVISIONS:

	REVISION ISSUE	DATED

ACE Design LLC
1024 Iron Point Road, Suite 1046
Folsom, CA 95630
Phone: (702) 396-5113, Fax: (702)446-8155
Land Planning • Civil Engineering • Architectural Design • Structural Engineering

TITLE: CARPORT DETAILS

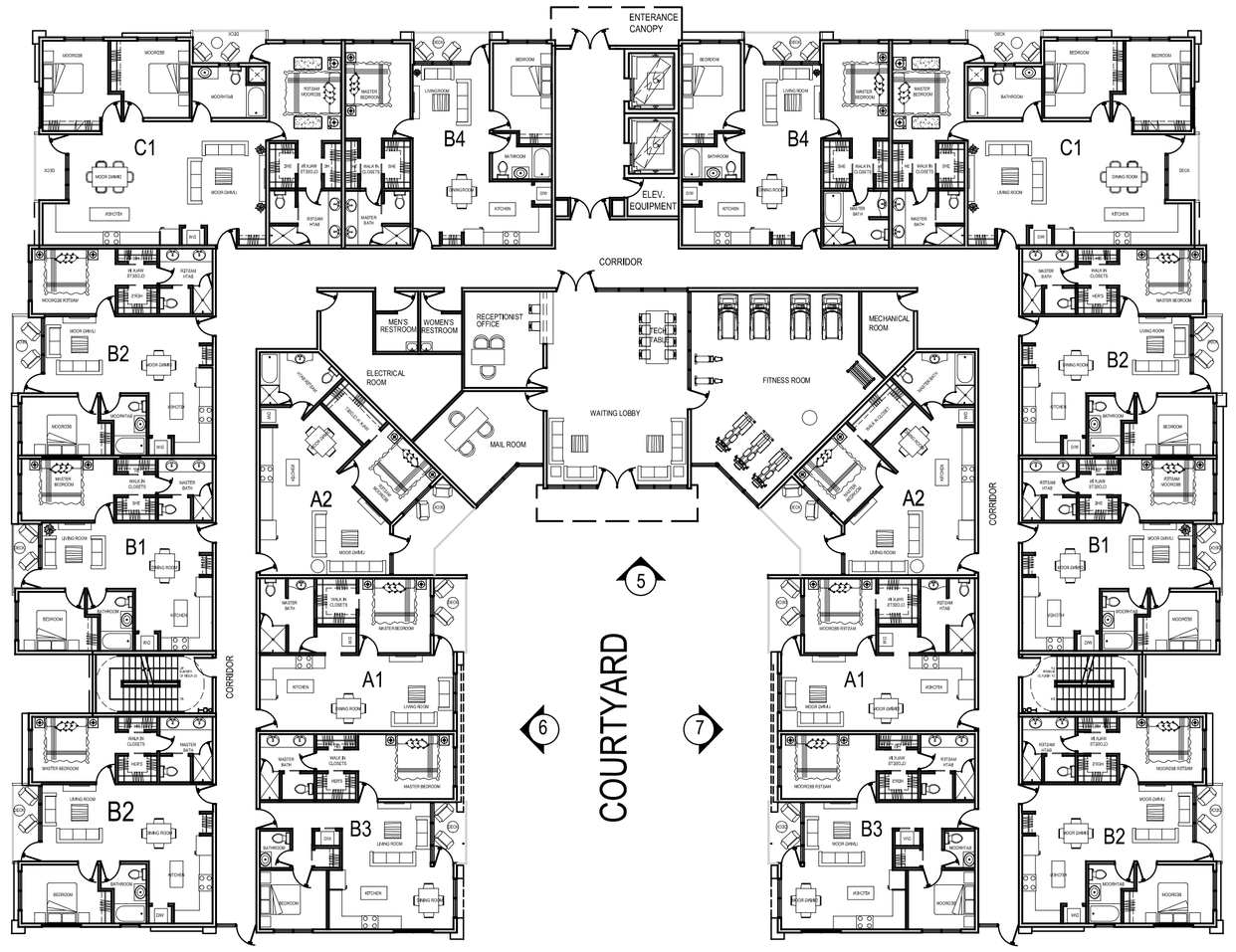
PROJECT: APPARTMENTS
LAWLER RESIDENCES
CITY OF SUISUN, CA

REGISTERED PROFESSIONAL ENGINEER
RAFAEL S. SYCIP
56924
EXP. 06/30/2019
CIVIL
STATE OF CALIFORNIA

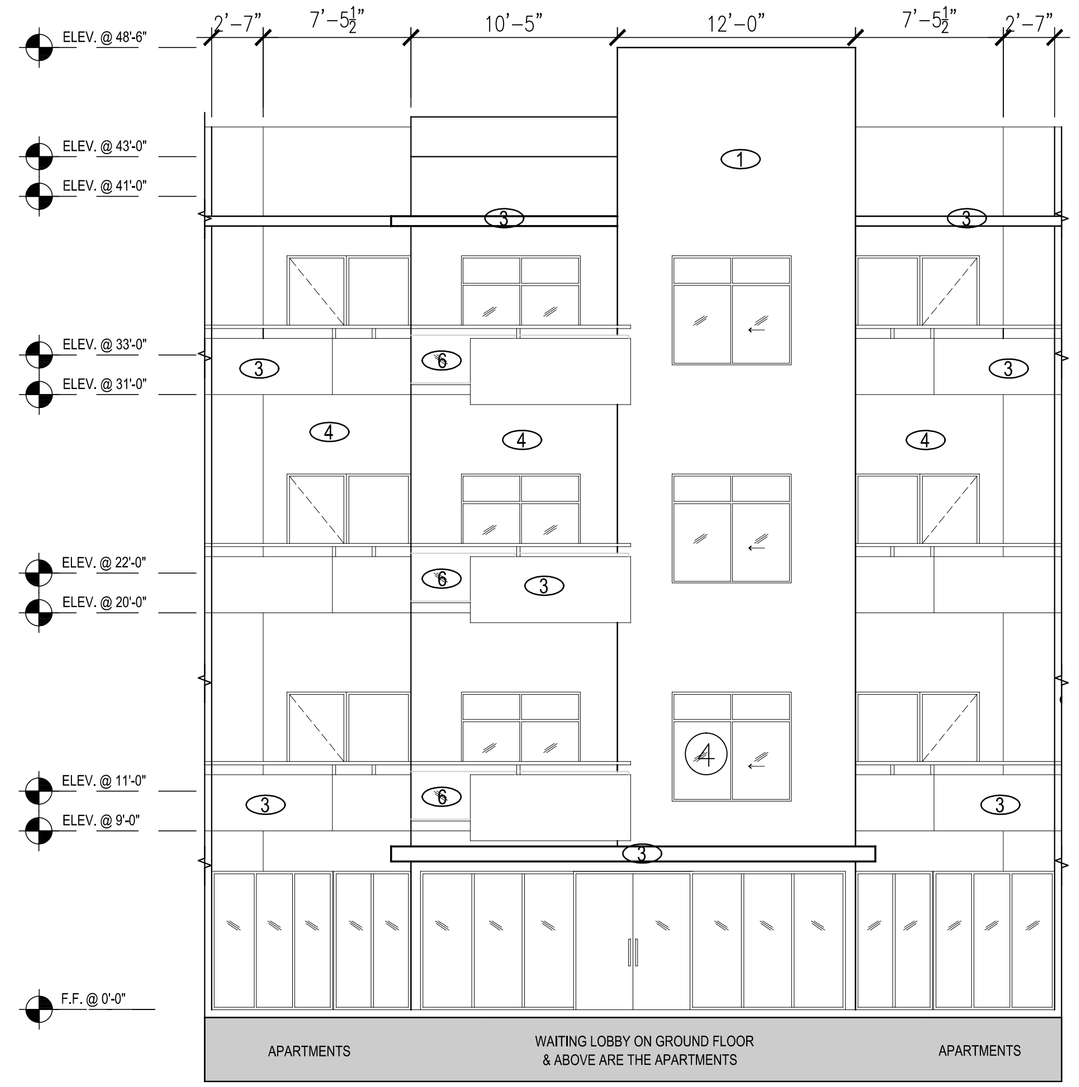
DATE: 03/25/2019
JOB : 18-06
DWG. BY: RK
CHK. BY: MG

A2.5.0

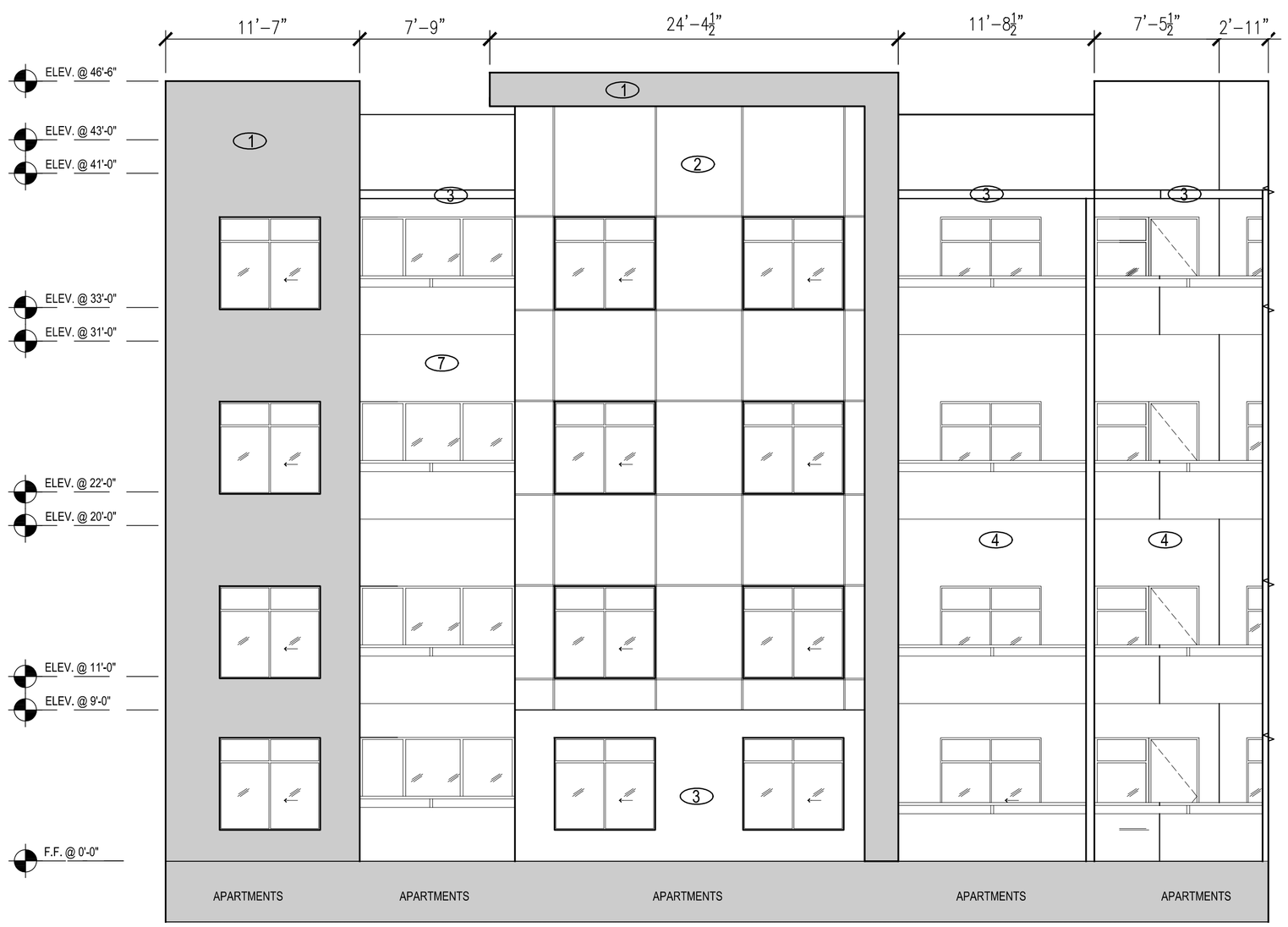
SHEET
12 OF 13



A KEY PLAN
SCALE : 1/16"=1'-0"



5 ELEVATION
SCALE : 3/16"=1'-0"



6 ELEVATION
SCALE : 3/16"=1'-0"

7 ELEVATION
SCALE : 3/16"=1'-0"

REVISIONS:

	REVISION ISSUE	DATED
1		

ACE Design LLC
1024 Iron Point Road, Suite 1046
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Phone: (702) 396-5113, Fax: (702)446-8155
Land Planning • Civil Engineering • Architectural Design • Structural Engineering

TITLE
EXTERIOR ELEVATIONS

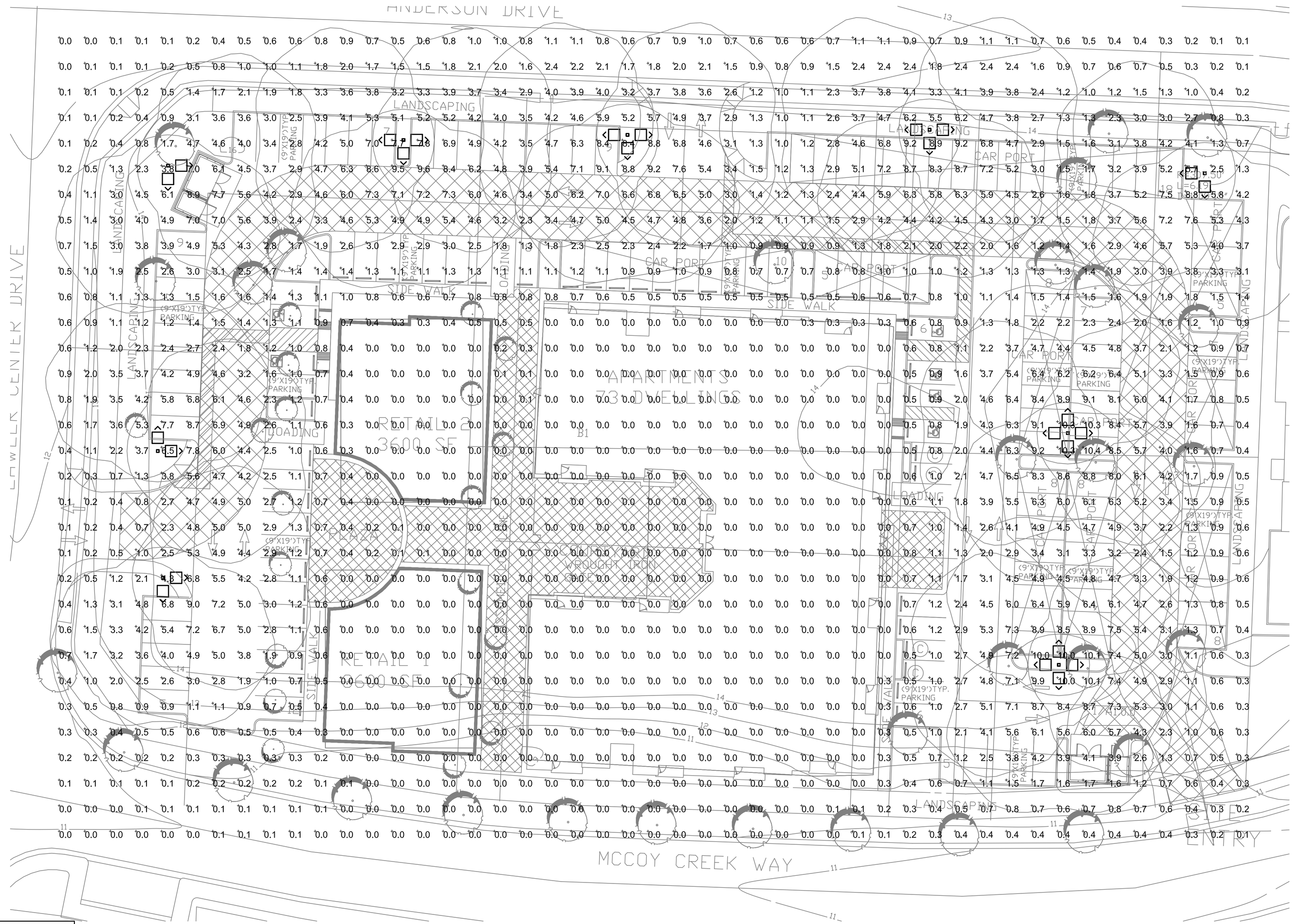
PROJECT
APPARTMENTS
LAWLER RESIDENCES
CITY OF SUISUN, CA

REGISTERED PROFESSIONAL ENGINEER
JASPAL S. SIDHU
56924
EXP. 06/30/2019
CIVIL
STATE OF CALIFORNIA

DATE: 03/25/2019
JOB : 18-06
DWG. BY: RK
CHK. BY: MG

A2.6.0

SHEET
13 OF 13



PHOTOMETRY PLAN KEY NOTES

1. NOT USED
2. FIXTURE MOUNTING HEIGHT 24'-0"

STATISTICS

Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Calc Zone #1	+	1.9 fc	10.4 fc	0.0 fc	N / A	N / A

LUMINAIRE SCHEDULE

Symbol	Label	Qty	Catalog Number	Description	Lamp	File	Lumens	LLF	Watts
	AR4 2	25	KAX1 LED P3 40K R4 MVOLT HS	KAX AREA SERIES SIZE 1, PERFORMANCE PACKAGE 3, 4000 K, TYPE 4, 120-277V, HOUSE-SIDE SHIELD	LED	KAX1_LED_P3_40K_R4_MVOLT_HS.ies	12021	1.00	130

PHOTOMETRIC PLAN

SCALE: 1" = 20'-0"

NORTH

REVISIONS:

REVISION	ISSUE	DATED

ACE Design LLC
6283 Dean Martin Drive, Suite B
LAS VEGAS, NEVADA 89118
Phone: (702) 396-5114, Fax: (702)446-8155
Land Planning • Civil Engineering • Architectural Design • Structural Engineering

TITLE

PHOTOMETRIC PLAN

PROJECT

APPARTMENTS
LAWLER RESIDENCES
CITY OF SUISUN, CA

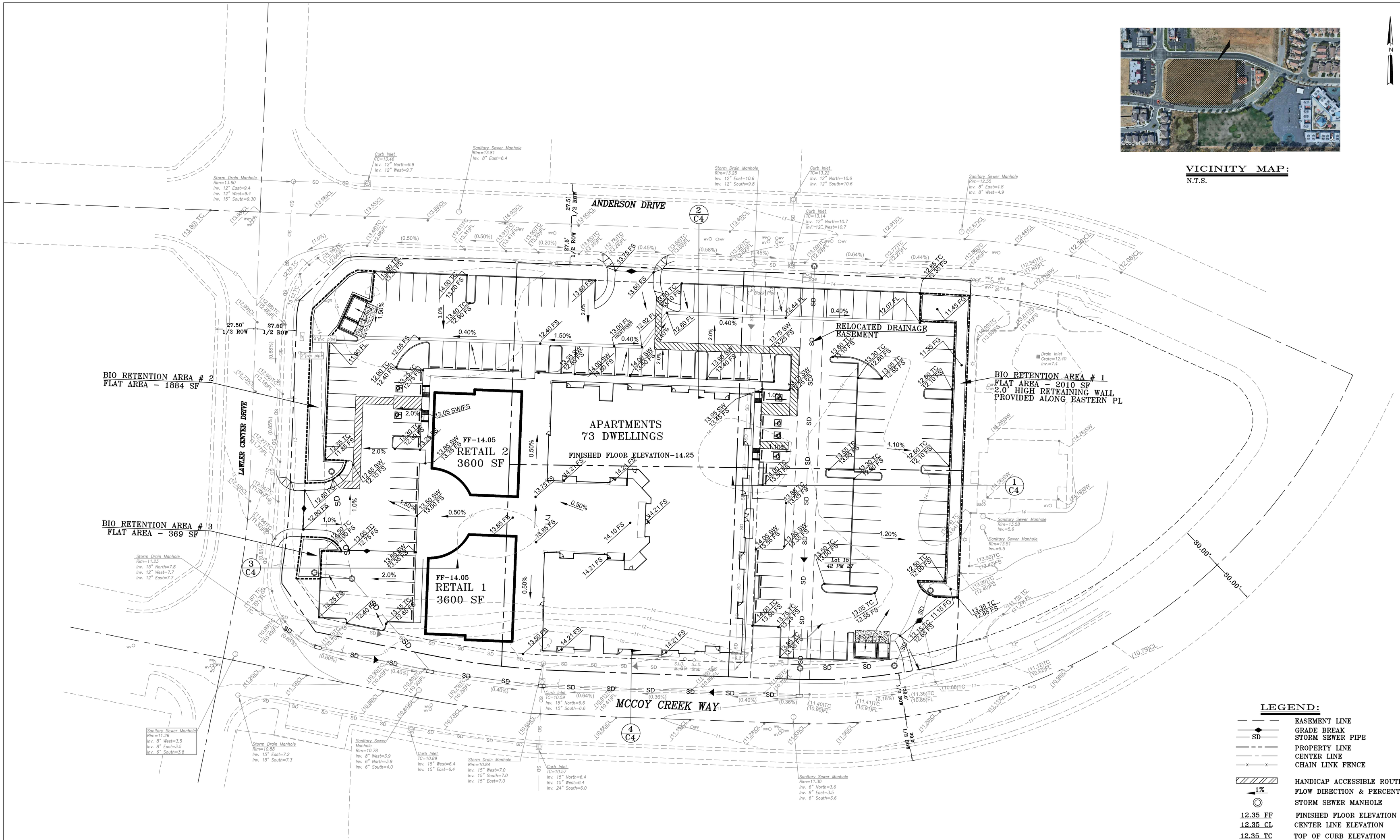
REGISTERED PROFESSIONAL ENGINEER
BILFING FANG
No. E18301
Exp. 12-31-19
ELECTRICAL
STATE OF CALIFORNIA

DATE:
JOB : 18-06
DWG. BY:
CHK. BY:

E-1

BK CONSULTING ENGINEERS INC
5246 Clair Street Montclair, CA 91763
T: 909.569.2586 Email: billfang8888@gmail.com

Item 12
Attachment 2 - Exhibit B



VICINITY MAP:
N.T.S.

LEGEND:

	EASEMENT LINE
	GRADE BREAK
SD	STORM SEWER PIPE
	PROPERTY LINE
	CENTER LINE
x x	CHAIN LINK FENCE
	HANDICAP ACCESSIBLE ROUTE
1%	FLOW DIRECTION & PERCENT
	STORM SEWER MANHOLE
12.35 FF	FINISHED FLOOR ELEVATION
12.35 CL	CENTER LINE ELEVATION
12.35 TC	TOP OF CURB ELEVATION
12.35 FL	FLOW LINE ELEVATION
12.35 FS	FINISHED SURFACE ELEVATION
12.35 FG	FINISHED GRADE ELEVATION
12.35 HP	HIGH POINT ELEVATION
12.35 EP	EDGE OF PAVEMENT ELEVATION
CG & SW	CURB GUTTER AND SIDEWALK
(12.35) TC	EXISTING TOP OF CURB ELEVATION
(12.35)FL	EXISTING FLOW LINE ELEVATION
(12.35) AC	EXISTING ASPHALT CONCRETE
(12.35) CL	EXISTING CENTER LINE ELEVATION
40	EXISTING CONTOURS

REVISIONS:		
	REVISION ISSUE	DATED
1		
2		
3		
4		

ACE Design LLC
7455 Arroyo Crossing, Suite 220
LAS VEGAS, NEVADA 89113
Phone: [702] 396-5113, Fax: [702]446-8155
Land Planning • Civil Engineering • Architectural Design • Structural Engineering

TITLE: CONCEPTUAL GRADING PLAN

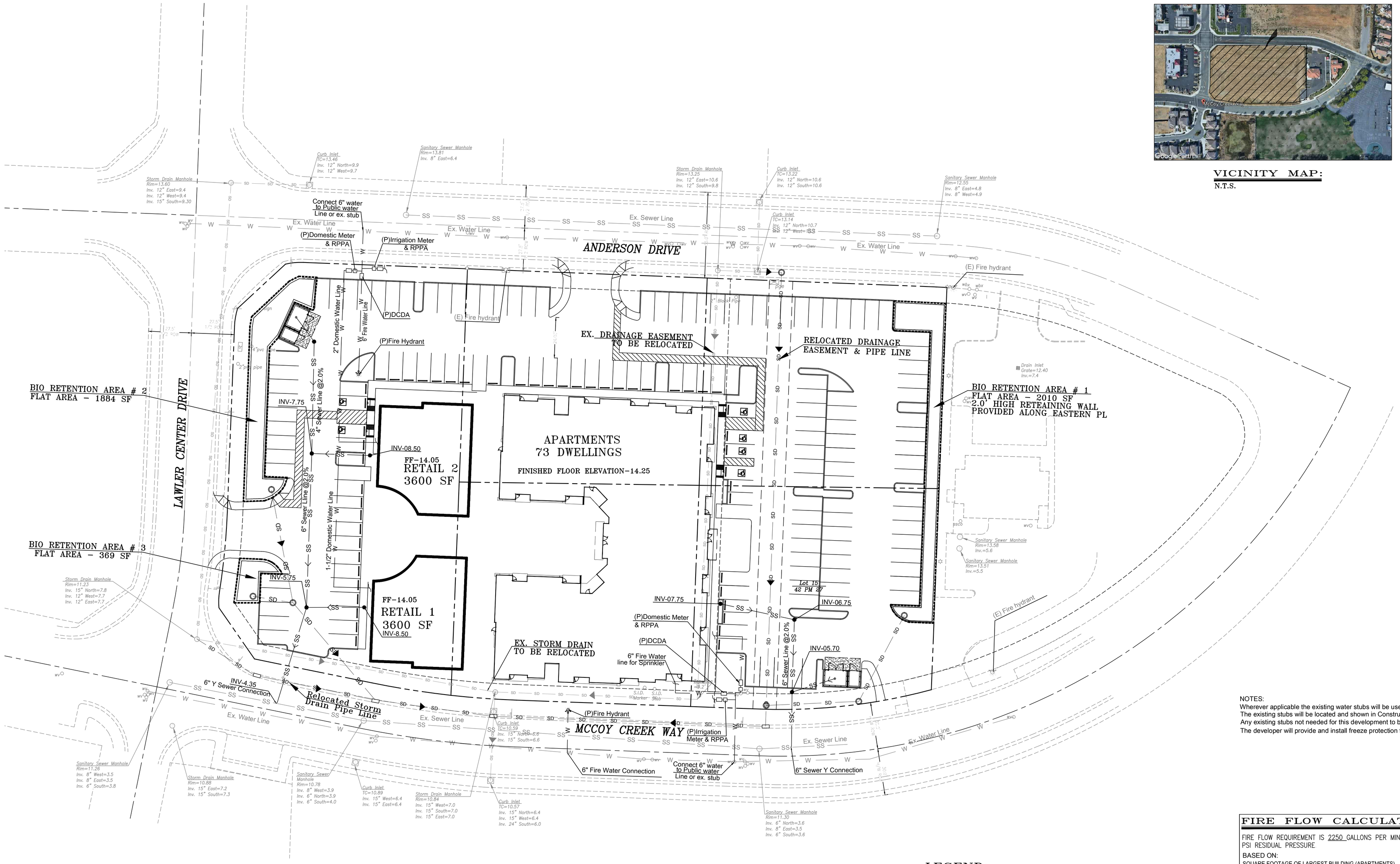
PROJECT: APARTMENTS
LAWLER RESIDENCES
SUISUN, CA

REGISTERED PROFESSIONAL ENGINEER
56594
EXP.06/30/2019
CIVIL
STATE OF CALIFORNIA

DATE: 03/21/2019
JOB : 18-06
DWG. BY: BSS
CHK. BY: DS

C1

SHEET
1 OF 4



VICINITY MAP:

N.T.S.

NOTES:
Wherever applicable the existing water stubs will be used for this development.
The existing stubs will be located and shown in Construction plans
Any existing stubs not needed for this development to be removed.
The developer will provide and install freeze protection for all RPBFP's and DCDC's .

FIRE FLOW CALCULATIONS

FIRE FLOW REQUIREMENT IS 2250 GALLONS PER MINUTE AT 20 PSI RESIDUAL PRESSURE.

BASED ON:

SQUARE FOOTAGE OF LARGEST BUILDING (APARTMENTS)	65420 SQ. FT.
BUILDING HEIGHT	44'-10"(TOP OF PARAPET)
NUMBER OF STORIES	4 STORY
TYPE OF CONSTRUCTION	V-A
OCCUPANCY	R-2
FULL AUTOMATIC FIRE SPRINKLER SYSTEM	YES

LEGEND:

- EASEMENT LINE
- GRADE BREAK
- SD — PROPOSED STORM SEWER LINE
- PROPERTY LINE
- CENTER LINE
- X — CHAIN LINK FENCE
- HANDICAP ACCESSIBLE ROUTE
- 1% — FLOW DIRECTION & PERCENT
- STORM SEWER MANHOLE
- W — PROPOSED WATER LINE
- SS — PROPOSED SEWER LINE
- W — EXISTING WATER LINE
- SS — EXISTING SEWER LINE

30 15 0 30 60

SCALE : 1" = 30'

REVISIONS:

	REVISION ISSUE	DATED

ACE Design LLC
7455 Arroyo Crossing, Suite 220
LAS VEGAS, NEVADA 89113
Phone: (702) 396-5113, Fax: (702)446-8155
Land Planning • Civil Engineering • Architectural Design • Structural Engineering

TITLE: CONCEPTUAL UTILITY PLAN

PROJECT: APARTMENTS
LAWLER RESIDENCES
SUISUN, CA

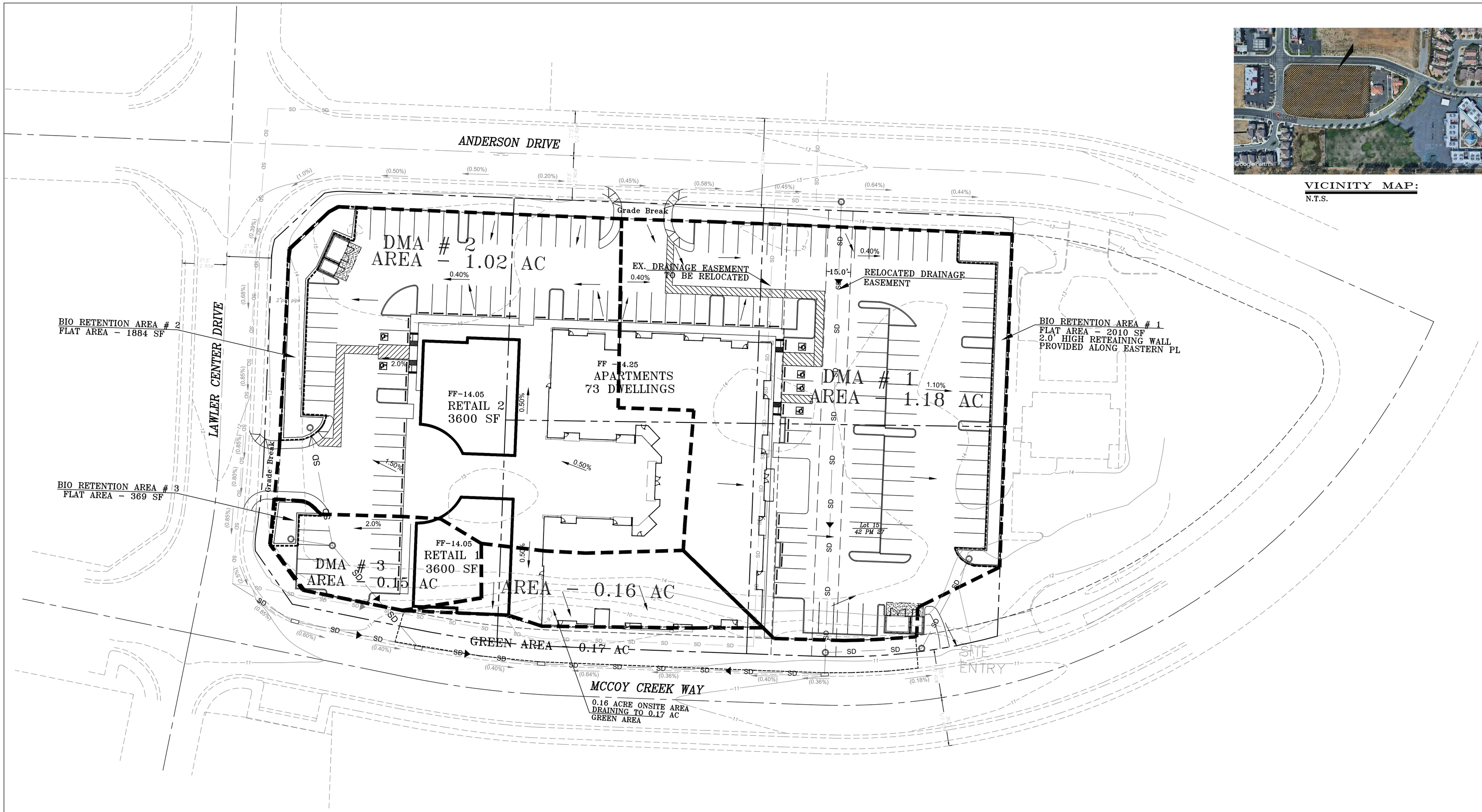
REGISTERED PROFESSIONAL ENGINEER
DAVID SHAFER
56924
EXP.06/30/2019
CIVIL
STATE OF CALIFORNIA

DATE: 03/21/2019
JOB : 18-06
DWG. BY: APS
CHK. BY: DS

C2

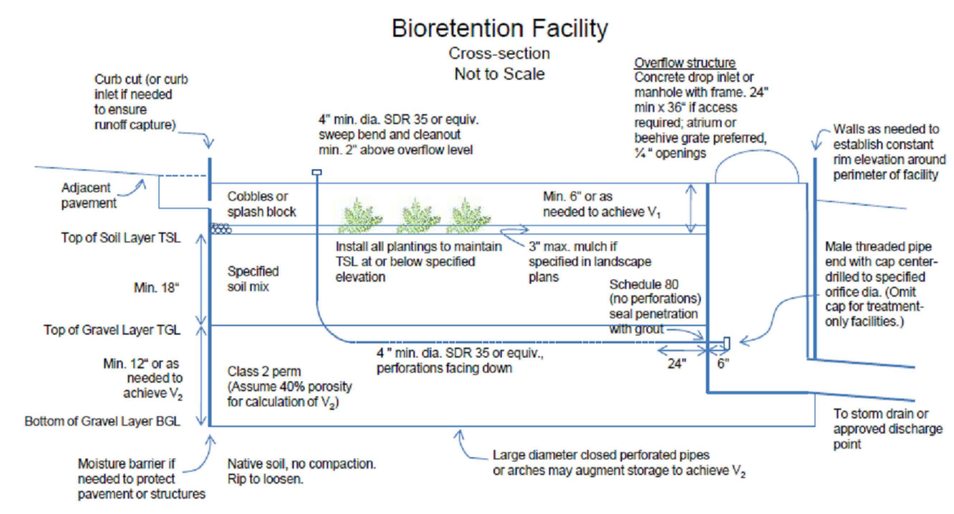
SHEET
2 OF 4

Attachment 2 - Exhibit B
Item 12



VICINITY MAP:
N.T.S.

Area required for Bio Retention								
Basin	**Total Area in Acre**	**Impervious Area in Acres**	**Impervious Area in Sqaure Feet**	**Percentage of Bioretention area required as per Manual**	**Required flat area in Square Feet**	**Provided Area in Square Feet**	**Depth of Soil Mix in Feet**	**Provided Depth of Subsurface Gravel Layer below Soil Mix in Feet**
DMA # 1	1.18	1.08	46943	4.00%	1878	2010	1.50	2.40
DMA # 2	1.02	0.95	41368	4.00%	1655	1884	1.50	2.20
DMA#3	0.15	0.15	6477	4.00%	259	369	1.50	1.80
Small Impervious area along southern property line	0.16	**Draining to 0.17 Acre Green area south of the Impervious area**						
Landscape/green area	0.26	Green Area under Public Utility easement along North, South and western property lines						
Driveway Impervious area	0.04	Driveways at three peripheral roads draining to ROW only 1.80% of total site area						
Total	**2.81**							



Notes:
- No liner, no filter fabric, no landscape cloth.
- Maintain BGL, TGL, TSL throughout facility area at elevations to be specified in plan.
- Class 2 perm layer may extend below and undemeath drop inlet.
- Elevation of perforated pipe underdrain is near top of gravel layer, except when zero infiltration is expected.

LEGEND:

- EASEMENT LINE
- GRADE BREAK
- SD — STORM SEWER PIPE
- PROPERTY LINE
- CENTER LINE
- CHAIN LINK FENCE
- HANDICAP ACCESSIBLE ROUTE
- 1% — FLOW DIRECTION & PERCENT
- STORM SEWER MANHOLE
- DMA BOUNDARY

30 15 0 30 60
SCALE : 1" = 30'

REVISIONS:

	REVISION ISSUE	DATED
1		
2		
3		
4		

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LAS VEGAS, NEVADA 89113
Phone: [702] 396-5113, Fax: [702]446-8155
Land Planning • Civil Engineering • Architectural Design • Structural Engineering

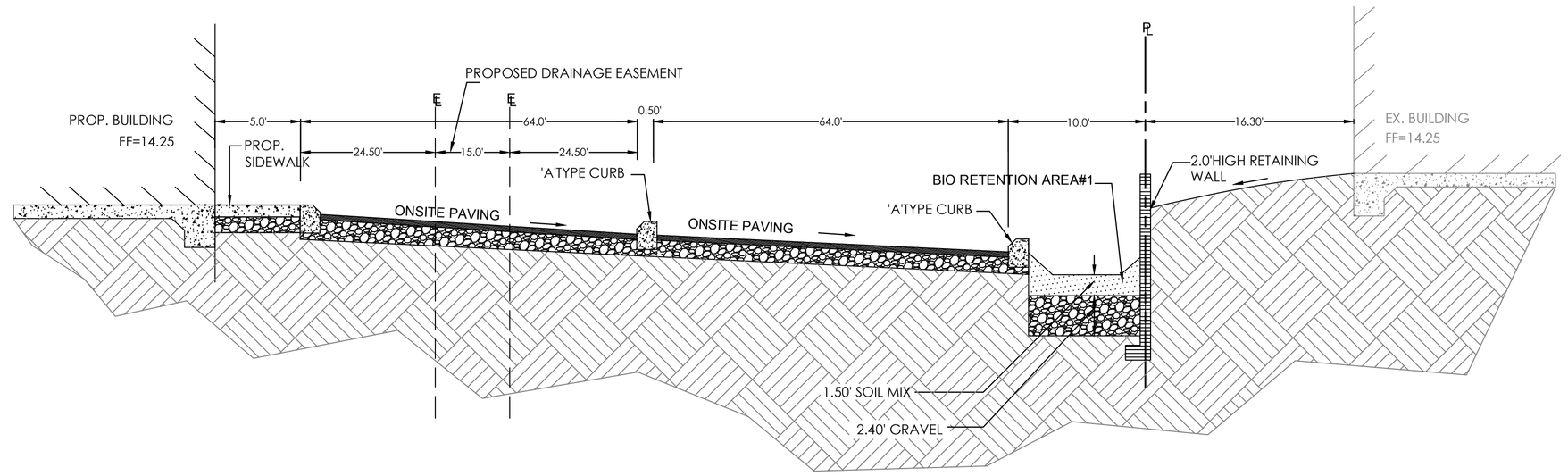
TITLE
STORMWATER QUALITY CONTROL PLAN

PROJECT
APARTMENTS
LAWLER RESIDENCES
SUISUN, CA

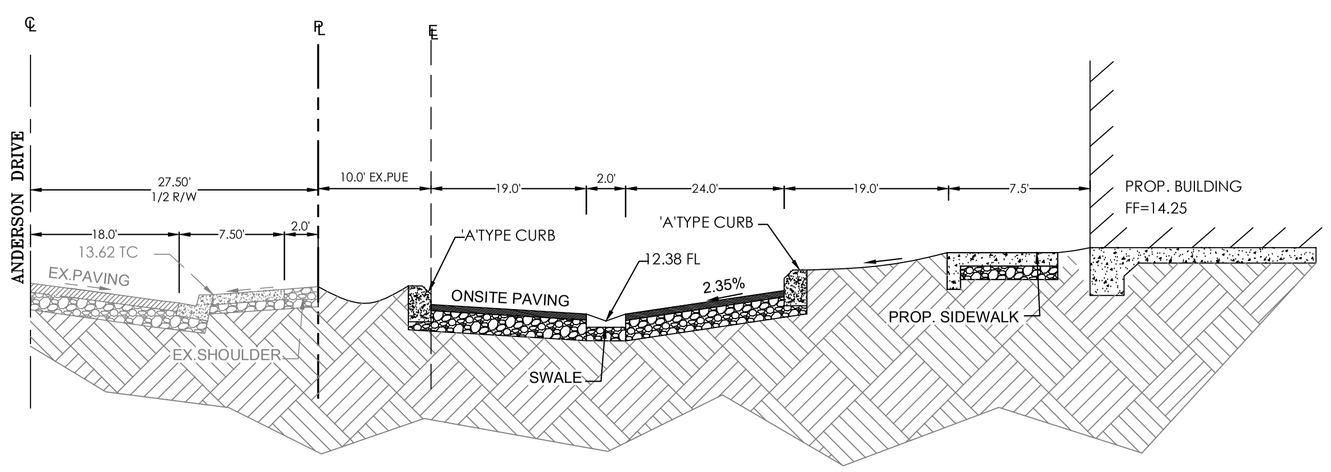
REGISTERED PROFESSIONAL ENGINEER 56924 EXP. 06/30/2019 CIVIL STATE OF CALIFORNIA

DATE: 03/21/2019
JOB : 18-06
DWG. BY: APS
CHK. BY: DS

C3
SHEET
3 OF 4



1 SECTION AT EASTERN PROPERTY LINE
NTS



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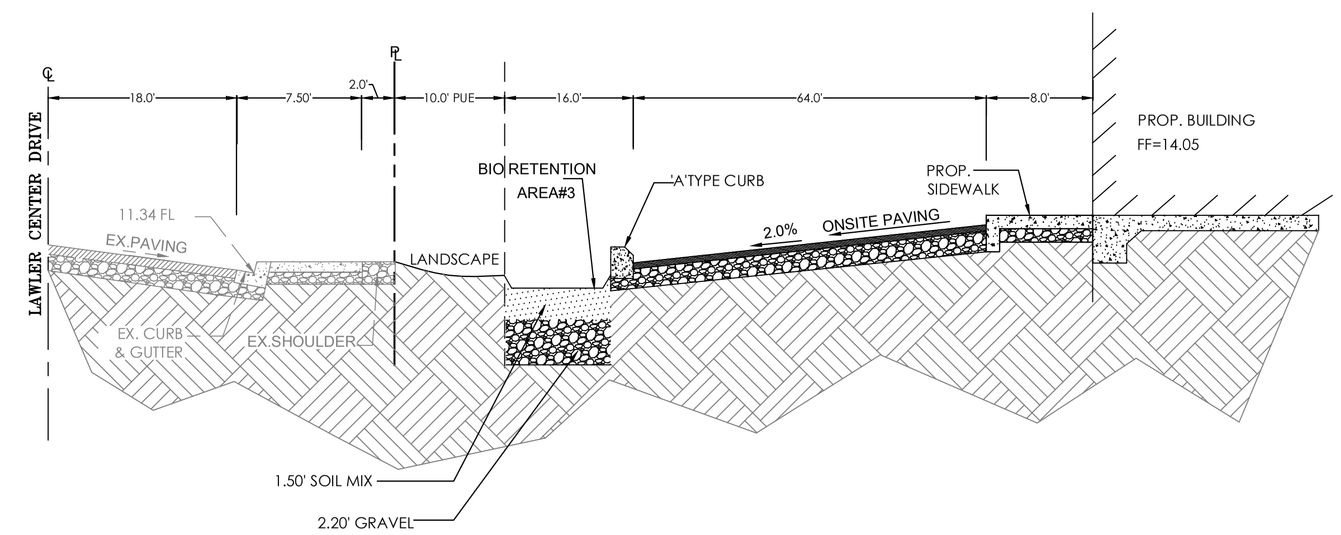

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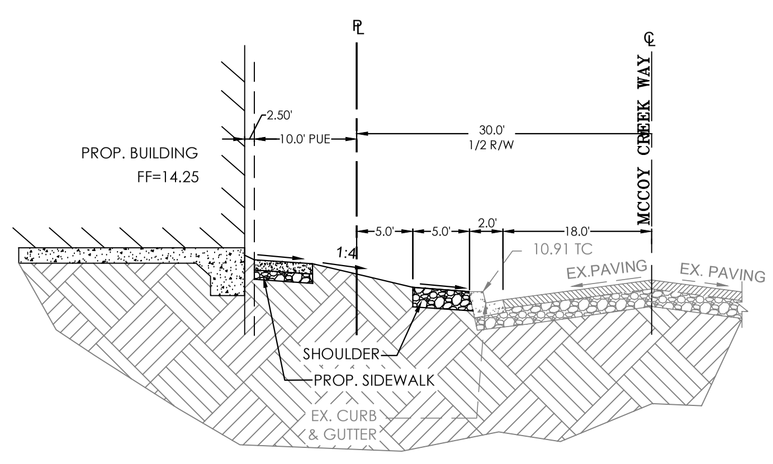

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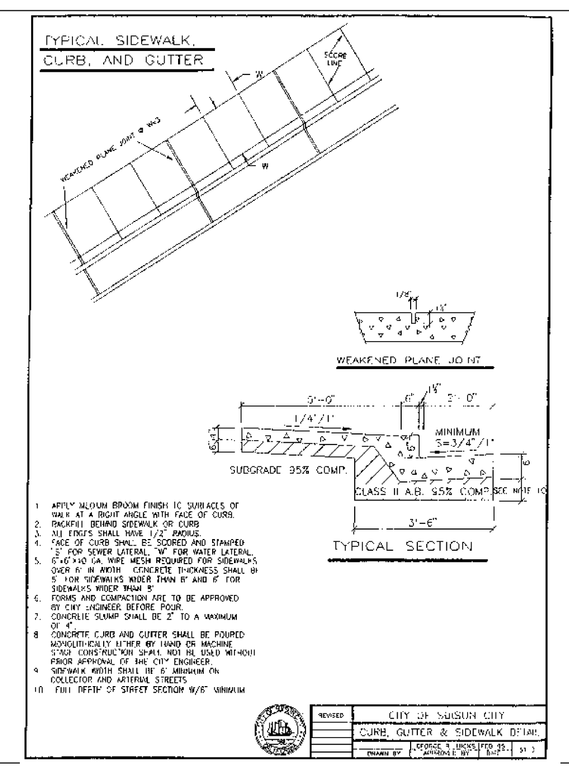

CURB, GUTTER AND SIDEWALK DETAIL
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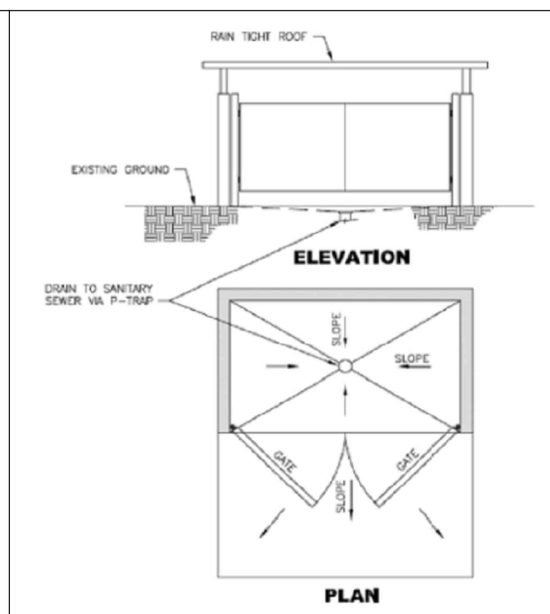


TRASH ENCLOSURE

REVISIONS:

REVISION ISSUE	DATED

ACE Design LLC
7455 Arroyo Crossing, Suite 220
LAS VEGAS, NEVADA 89113
Phone: (702) 396-5113, Fax: (702)446-8155
Land Planning • Civil Engineering • Architectural Design • Structural Engineering

TITLE
GRADING PLAN (SECTIONS)

PROJECT
APARTMENTS
LAWLER RESIDENCES
SUISUN, CA

REGISTERED PROFESSIONAL ENGINEER
56924
EXP.06/30/2019
STATE OF CALIFORNIA

DATE: 03/21/2019
JOB : 18-06
DWG. BY: BSS
CHK. BY: DS

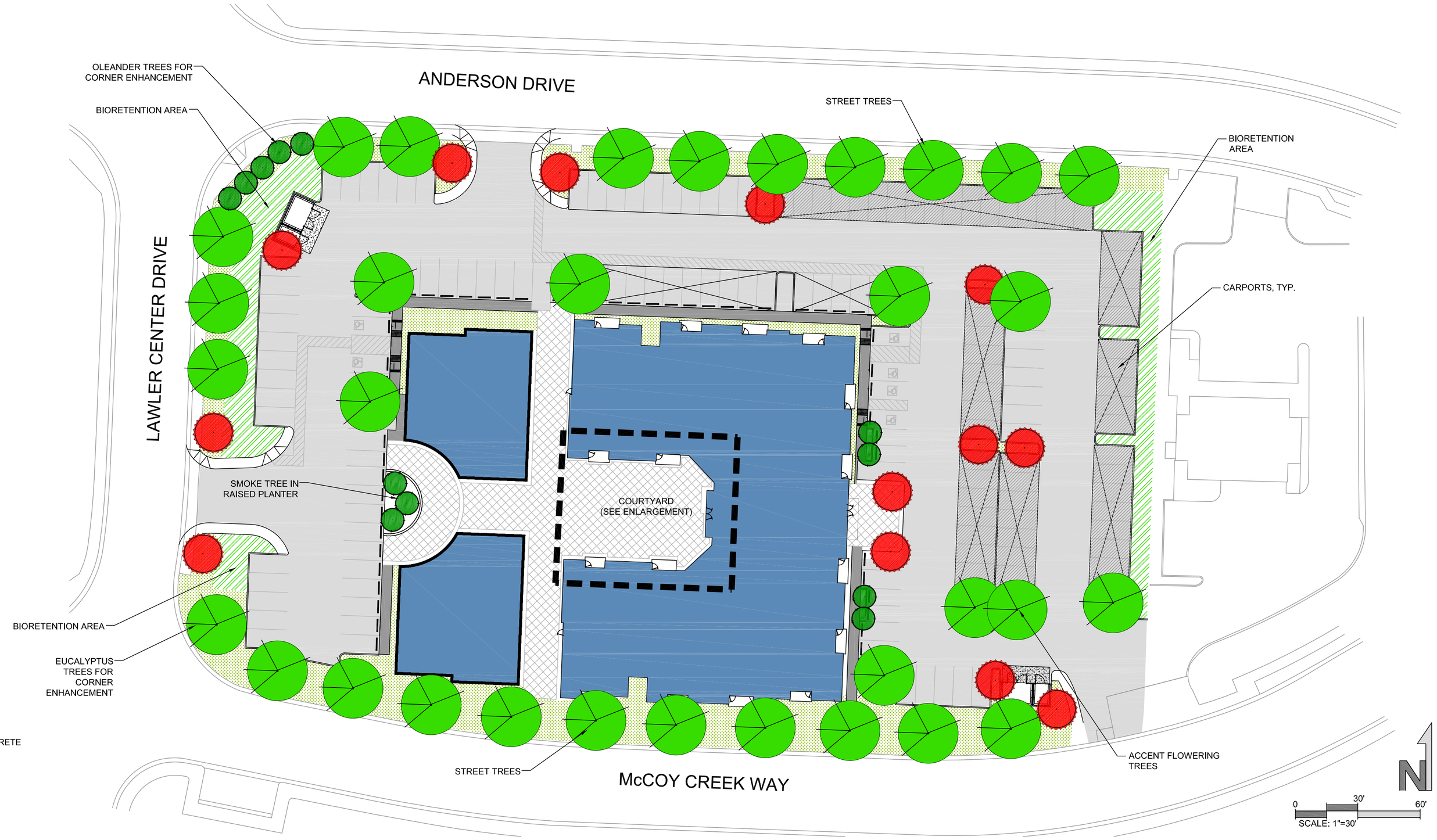
C4
SHEET
4 OF 4

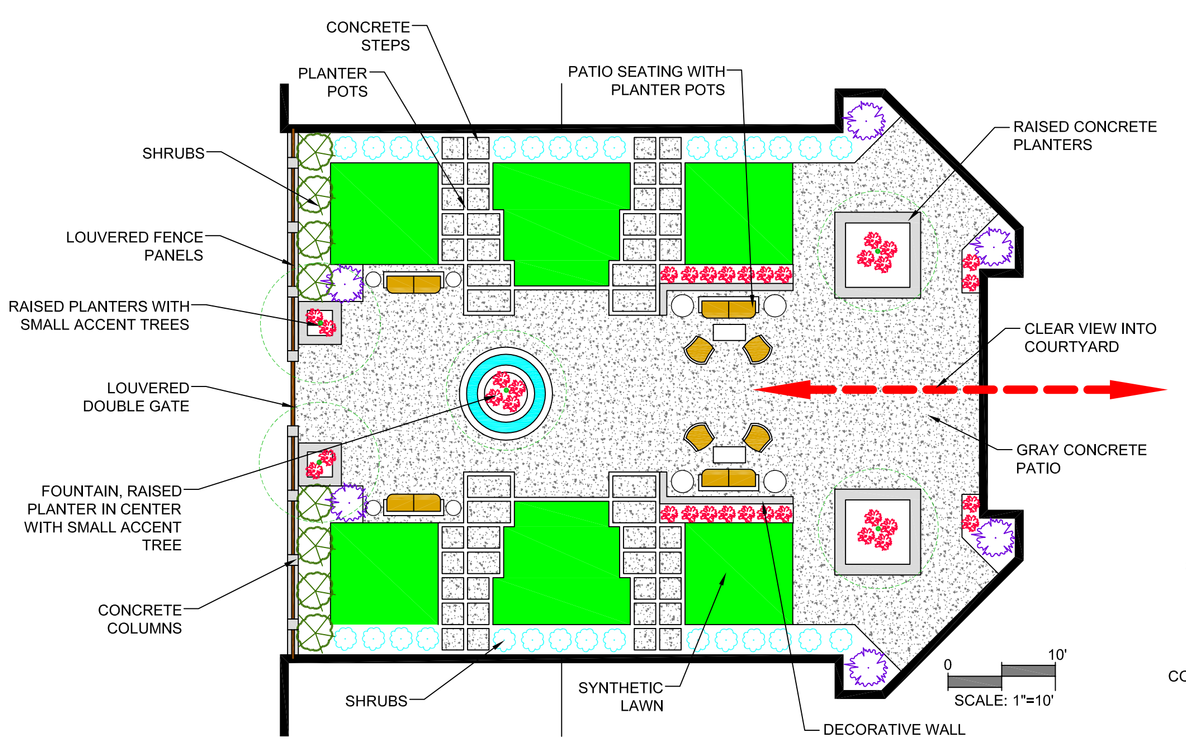
LAWLER MIX-USE APARTMENTS

SUISUN, CALIFORNIA

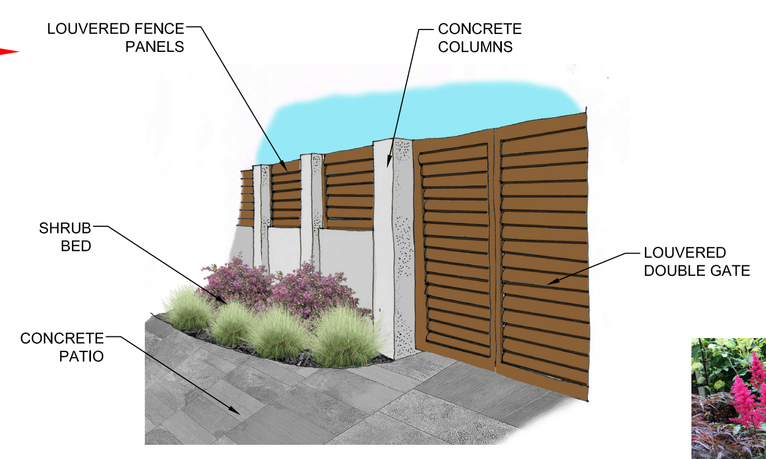
PLANT LEGEND

SYM	BOTANICAL/ COMMON NAME	SIZE	QTY
	SITE TREES		
	LAGERSTROEMIA INDICA 'DYNAMITE'-CRAPE MYRTLE	15 GAL	13
	COTINUS AMERICANUS-AMERICAN SMOKE TREE	24" BOX	12
	NERIUM OLEANDER (STANDARD)		
	ZELKOVA SERRATA 'VILLAGE GREEN'-JAPANESE ZELKOVA	15 GAL	32
	COURTYARD TREES		
	CORNUS 'CLOUD 9'-WHITE FLOWERING DOGWOOD	15 GAL	1
	ACER 'BLOODGOOD'-BLOODGOOD JAPANESE MAPLE	15 GAL	2
	SHRUBS/GROUNDCOVER		
	ASTILBE SPP.	1 GAL	--
	DIANTHUS SPP.	1 GAL	--
	EURYOPS PECTINATUS 'MUNCHKIN'/DWARF EURYOPS	1 GAL	--
	HEMEROCALLIS SPP./ DAY LILY	1 GAL	--
	LANTANA MONTEVIDENSIS/TRAILING LANTANA	1 GAL	--
	LOROPETALUM 'PLUM DELIGHT'/PURPLE FRINGE FLOWER	5 GAL	--
	MUHLENBERGIA RIGENS/DEER GRASS	5 GAL	--
	NANDINA 'GULF STREAM'/ HEAVENLY BAMBOO	5 GAL	--
	TULBAGHIA 'SILVER LACE'/VARIEGATED SOCIETY GARLIC	1 GAL	--

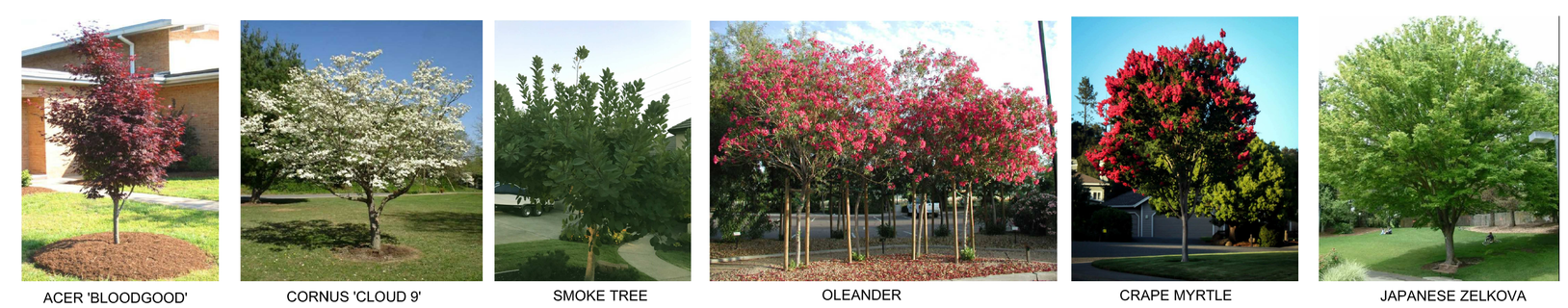




COURTYARD ENLARGEMENT



COURTYARD GATE/FENCE



ACER 'BLOODGOOD' | CORNUS 'CLOUD 9' | SMOKE TREE | OLEANDER | CRAPE MYRTLE | JAPANESE ZELKOVA

ASTILBE SPP. | DIANTHUS | EURYOPS | HEMEROCALLIS | LANTANA | LOROPETALUM | MUHLENBERGIA | NANDINA | TULBAGHIA

MSLA
LANDSCAPE ARCHITECTURE
306 Canyon Falls Dr. Folsom, CA 95630
ph/fax 916.989.3372 www.msladesign.com

PRELIMINARY LANDSCAPE PLAN

SEPTEMBER 12, 2018

LICENSED LANDSCAPE ARCHITECT
MICHAEL SHULAR No. 4398
Signature
Exp. 05-31-19
Renewal Date
Date
STATE OF CALIFORNIA

SHEET L1 OF TOTAL 1

Exhibit C
Lawler Mixed Use
Conditions of Approval

Fairfield-Suisun Sewer District

FSSD-1 Connection fees for this project are due at the issuance of a building permit.

Fire

F-1 Fire Department will evaluate the number and locations of hydrants during the permitting process.

F-2 Fire Department will review and approve parking lot circulation to accommodate fire ladder truck during building permit submittal.

F-3 The proposed apartment dwelling will require automatic sprinkler systems, including the exterior decks, as well as the proposed retail 1 and retail 2 (occupancy dependent).

F-4 The proposed apartment dwelling will require fire alarm notification, as well as the proposed retail 1 and retail 2 (occupancy dependent).

F-5 The proposed apartment dwelling, retail 1, and retail 2 shall have key boxes for fire department access (Knox Box).

F-6 The elevators in the proposed apartment dwelling shall meet minimum standards regarding operation, maintenance, and fire service keys.

F-7 The proposed apartment dwelling shall have standpipes installed at each of the stairwells for firefighting and rescue purposes.

General

G-1 The applicant or applicants successor in interest shall indemnify, defend and hold harmless the City of Suisun City it's agents, officers, and employees from any and all claims, actions or proceedings against the City of Suisun City, its agents, officers, and employees to attach, set aside, void or annul, any approval by the City of Suisun City and its advisory agency, appeal board, or legislative body concerning this application which action is brought within applicable statutes of limitations. The City of Suisun City shall promptly notify the applicant or applicant's successor in interest of any claim or proceedings and shall cooperate fully in the defense. If the City fails to do so, the applicant or applicant's successor in interest shall not thereafter be responsible to defend, indemnify or hold the City harmless. This condition may be placed on any plans, or other documents pertaining to this application.

G-2 The use shall be constructed in accordance with the information presented (except as otherwise identified in the Conditions of Approval) and shall conform to all requirements of the City of Suisun City Code including but not limited to the Uniform Building Code as adopted by the City of Suisun City.

G-3 The applicant shall participate in the Lawler Ranch Maintenance Assessment District.

G-4 Approval of this permit will be effective, provided no appeals are received within 10 calendar days of the Planning Commission meeting date of December 10, 2019 and that the property owner and the applicant signatures are obtained affirming that they have read and understand the Conditions of Approval for Planned Unit Development No. PUD18/19-001 and Site Plan/Architectural Review No. AR18/19-001 and agree to comply with the conditions.

G-5 The applicant shall comply with all applicable Federal, State, and local codes including, but not limited to, the Uniform Building Code, Fire Code and County Health Department guidelines as interpreted by the County Health Inspectors.

G-6 All the proposed improvements, including landscape installation shall be completed prior to issuance of any business license or Certificate of Occupancy.

G-7 New development shall pay development impact fees set forth in Resolution 2017-02.

Planning

P-1 A sign program is to be submitted to and approved by the Development Services Department prior to issuance of any signage permit.

P-2 The applicant is to provide a final landscape plan for the review and approval of the Development Services Director (or his/her designee).

P-3 Transformers, telephone switching boxes, utility poles, fire valves, trash enclosures, service areas as well as other utility or service functions shall be screened with landscape. The emphasis shall be on reducing or eliminating negative visual impacts on major public areas, high priority buildings, prominent architecture elements, and along primary roadways.

P-4 The final color scheme to be approved by Development Services Director (or his/her designee).

P-5 Final architectural plans, responding to any comments raised at the _____ Planning Commission meeting, need to be submitted and approved by the Development Services Director (or his/her designee).

P-6 A final photometric/lighting plan shall be submitted and approved by the Development Services Director (or his/her designee) before building permit issuance.

P-7 All exterior lighting shall be downcast.

P-8 All future uses of the retail spaces shall follow the allowable and conditionally allowable uses shown in the Commercial Mixed Use District of the Zoning Ordinance.

P-9 A minimum of ten percent of the total off-street parking area shall be landscaped. Landscaping shall consist of a minimum of irrigation systems, groundcover (mulch or decomposed granite), and a tree program with the approval of the development services director. Trees shall be a minimum of 15-gallon size tree. The development services director and the chief of police, in considering the landscape plans, shall review for safety and security of pedestrian movement within the parking lot. The area shall be computed by adding the areas used for access drives, aisles, stalls, maneuvering, and landscaping within that portion of the premises that is devoted to vehicular parking and circulation.

P-10 Planter required every other row of parking stalls of at least three feet in width.

P-11 Such planters to contain approved trees on 20-foot centers or as permitted by the standards below.

P-12 Each unenclosed parking facility shall provide a perimeter landscaped strip at least five feet wide (inside dimension) where the facility adjoins a side property line, unless specifically waived by the development services director. The perimeter landscaped strip may include any landscaped yard or landscaped area otherwise required, and shall be continuous, except for required access to the site or to the parking facility.

P-13 Planters shall be separated from maneuvering and parking areas by a six-inch raised curb or equivalent barriers. The innermost two feet of each parking space (between the curb and planter, sidewalk, or bumper) may remain unpaved and planted with low groundcover to expand the planting area and reduce impervious surface area.

P-14 Islands of a minimum area of 60 square feet shall be established at an average separation of ten continuous parking stalls. The islands shall be landscaped with groundcovers and at least one 15-gallon tree planted with each. Alternatively landscaped tree wells, of a

minimum 25 square feet, may be provided with an average separation of five continuous parking stalls.

P-15 A lot merger application is to be submitted to and approved by the Development Services Director and City Engineer prior to issuance of any permit for the site.

P-16 Construction of the project and use of the property shall be in substantial conformance with the approved plans including the project description. Any deviation will need to be submitted to the Development Services Director to determine whether further Planning Commission consideration is necessary.

P-17 All future users of the retail spaces must comply with the allowable and conditionally allowable uses of the Commercial Mixed Use Zoning District.

Public Works

PW-1 All work performed shall conform to these conditions as well as to all City ordinances, rules, standard specifications and details, design standards, and any special requirements imposed by the City Engineer. The Public Works Department will provide inspection to ensure conformance. Any deviation from the aforementioned documents shall require review and written approval by the City Engineer. Deviations or exceptions to the design requirements in the listed documents for private improvements must be identified in the design guidelines, or submitted to the City Engineer for approval.

PW-2 The Applicant shall agree, with respect to the new public improvements on this project, to either establish a community facilities district (CFD) or annex such property to an existing community facilities district, as deemed appropriate by the Applicant and the City, for the purpose of financing the cost of providing the following public services to the project property(ies): maintenance of public street lighting, sanitary sewer, storm drains and public infrastructure. The rate and method of apportionment of special tax applicable to the property shall establish a special tax designed to offset public services per City Council Resolution 2005-70. The City shall not be obligated to issue certificates of occupancy with respect to the property until formation of the new community facilities district or annexation to an existing community facilities district is completed.

PW-3 The City Engineer may approve and/or negotiate minor changes or exceptions to Public Works Department conditions of approval.

PW-4 The Applicant shall designate a design professional as the main point of contact in submitting plans, reports and other documents to the City during the design and plan review phase. Submittals from any other person will not be accepted by the City.

PW-5 The Improvement Plans shall include a General Note that: any revisions to the approved Improvement Plans and/or City Standards, including those due to field conditions, shall require review and written approval by the City Engineer. The Applicant shall have the revised plans prepared by the Project Professional Designer and shall have the revised plans submitted for review and approval by the City Engineer. Any revisions to the Improvement Plans resulting from these or other conditions contained herein shall be subject to written approval of the City Engineer.

PW-6 The Improvement Plans shall include a Site Improvement Plan prepared by a registered Civil Engineer and shall comply with the requirements of the soils report for the project.

PW-7 The Improvement Plans shall include and demonstrate successful turning movements for all City fire trucks.

PW-8 Building foundations shall comply with Suisun City's Ordinance No. 729 and the most current Building Code.

PW-9 The Applicant shall pay all Public Works fees, including plan review and inspection fees, as established by the City Public Works Fee Schedule at the time of submittal of Improvement Plans.

PW-10 The Applicant shall pay Suisun-Solano Water Authority (SSWA) plan check and inspection fees within 30 calendar days upon receipt of invoice from the Solano Irrigation District (SID). The invoice will be for actual expenses incurred by SSWA for providing plan checking and inspection services for the project.

PW-11 Developer shall submit his Faithful Performance Bond and Labor & Materials Bond prior to the approval of Improvement Plans. Developer shall submit his One-Year Warranty Bond prior to the City's acceptance of the improvements. The amounts of the Faithful Performance Bond and Labor & Materials Bond shall each be 100% the cost estimate of the civil and landscape improvements, while the amount of the One-Year Warranty Bond shall be 20% of the cost estimate of the civil and landscape improvements.

PW-12 The Applicant shall obtain all necessary permits from all applicable agencies prior to start of construction.

PW-13 The Applicant shall dedicate any required right-of-way by Final Map or approved instrument prior to start of construction.

PW-14 The Applicant shall dedicate, as required, on-site easements for new public utilities by Final Map or approved instrument prior to start of construction.

PW-15 If not already existing, the Applicant shall dedicate ten-foot (10') minimum utility service easements along all roadways by Final map or approved instrument prior to construction.

PW-16 Dumpsters to be used on this project shall be dumpsters supplied by Republic Services. This is pursuant to the agreement between the City and Republic Services for all areas within Suisun City. Dumpsters shall be screened from public view by a City-approved method and shall be covered at all times after work hours.

PW-17 All work within the public right-of-way, which is to be performed by the Applicant, the general contractor, and all subcontractors shall be included within a single City Encroachment Permit issued by the City Public Works Department. Issuance of the Encroachment Permit and payment of all appropriate fees shall be completed prior to commencement of work, and all work under the permit shall be completed prior to issuance of occupancy permit.

PW-18 The Applicant shall have a superintendent present at all times at the job site. Superintendent shall provide the quality control for the Applicant; respond to the City's concerns; coordinate inspections with the City Inspector; make construction decisions on behalf of the Applicant; and coordinate work of the Applicant's subcontractors.

PW-19 A sign shall be posted on the property in a manner consistent with the public hearing sign requirements, which shall identify the address and phone number of the Applicant and/or Applicant's representative for the purposes of responding to questions and complaints during the construction period. Said sign shall also indicate the hours of permissible construction work.

PW-20 Prior to start of construction, a security fence with privacy screening, the height of which shall be the maximum permitted by the Zoning Ordinance, shall be installed and maintained around the perimeter of the lot. The lot shall be kept clear of all trash, weeds, and unusable construction material throughout the construction activity.

PW-21 Unless otherwise approved by the City Engineer, all existing sidewalks shall be kept clear and passable during all phases of the project.

PW-22 Any existing wells shall be abandoned per County of Solano Health Department standards prior to development of the property. Owner shall submit documentation to the Public Works Director that this condition has been satisfied prior to any construction on this project.

PW-23 If any archaeological resources are found during the grading of the site or during performance of any work, work shall be halted, the City Engineer shall be notified and a certified archaeological firm shall be consulted for advice at Applicant's expense.

PW-24 Any relocation or modification of any existing facilities necessary to accommodate subject project shall be at the Applicant's expense. It shall be the responsibility of the Applicant to coordinate all necessary utility relocations with the appropriate utility company.

PW-25 Any existing frontage, or street, improvements, which in the opinion of the City Engineer, are currently damaged or become damaged as a part of the work shall be removed and replaced as required to the current City Standards, or as directed. Prior to start of construction, Developer shall perform a walk-through with the Public Works Department staff and take date-stamped photos of existing conditions.

PW-26 Visual obstructions over three feet in height will not be allowed within the driver's sight triangle near driveways and corners in order to allow an unobstructed view of oncoming traffic. Improvements at driveways and corners are subject to the review and approval of the City Engineer.

PW-27 The project shall comply with the requirements of the most current Municipal Regional Permit (MRP) issued to the Fairfield-Suisun Urban Runoff Management Program and to the City's Stormwater C.3 Guidebook. This includes, but is not limited to, construction and post-construction Best Management Practices (BMPS); obtaining all necessary permits for storm water discharges; entering into a Stormwater Treatment Measures Maintenance Agreement; preparing a long-term maintenance plan for the Applicant's maintenance of the post-construction stormwater facilities; and contracting with a Qualified SWPPP Practitioner (QSP) to inspect and to ensure the implementation of all elements of the Storm Water Pollution Prevention Plan (SWPPP), including non-stormwater and stormwater visual observations, sampling, and analysis and preparation of Rain Event Action Plans (REAP). As part of the improvement plans, the ponding depths, pipe sizing, time of release, and storage for the bioretention facilities shall be calculated. The project shall not introduce any ponding nuisance and shall eliminate the possibility of flooding in the bioretention facilities.

PW-28 The proposed trash enclosures are to comply with Detail SW-3 of the City's Stormwater C.3 Guidebook. Additionally, trash enclosures serving food service facilities, the drain shall be connected to a properly sized grease removal device and/or treatment devices prior to discharging to the sanitary sewer.

PW-29 The project shall install full capture trash devices within the proposed on-site drain inlets. These full trash capture trash devices shall be monitored and maintained by the Applicant.

PW-30 The maximum allowable slope in landscape areas shall be 2:1, or as approved by City Engineer. Slopes steeper than the allowable slope would require the installation of retaining wall.

PW-31 Dust control shall be in conformance with City Standards and Ordinances. Vehicles hauling dirt or other construction debris from the site shall cover any open load with a tarpaulin or other secure covering to minimize dust emissions.

PW-32 All relocated facilities shall meet state and local separation standards. Separation between proposed water and sanitary sewer pipes shall meet the latest Suisun-Solano Water Authority (SSWA) Design Standards, Standard Specifications, and Standard Drawings.

PW-33 Direct tapping of City or SSWA water mains is not permitted. Applicant shall install the required fittings in the existing or new main lines to accommodate the proposed water system. No existing water mains shall be shut down without specific permission of the City Engineer and the Solano Irrigation District.

PW-34 The Applicant shall provide phasing schedule and traffic circulation plan for each phase of the project. Each phase shall provide provisions for adequate fire trucking movement and access

PW-35 The Applicant shall provide a turning movement study for commercial trucks.

PW-36 Street sweeping shall be regularly performed such that no evidence of tracking dirt shall be present on the public street.

PW-37 The landscaping and irrigation shall comply with the City's water efficient landscaping ordinance.

PW-38 Project improvements shall comply with ADA requirements.

PW-39 The project shall provide accessible on-site walk path connections to all buildings.

PW-40 The project shall replace the curb ramp at the northeast corner of McCoy Creek Way and Lawler Center Drive, as well as the curb ramp at the southeast corner of Anderson Drive and Lawler Center Drive, with ADA-complaint curb ramps.

PW-41 The Improvement Plans shall show the installation of any necessary street signage and pavement markings and striping along the frontage of the development. All pavement markings and striping shall be thermoplastic or as required by City Engineer. At the minimum, the project shall remove and replace the pavement markings and striping on segments of Lawler Center and Anderson Drive fronting the project site.

PW-42 The project shall provide on-site directional and wayfinding signs to guide shoppers to the commercial parking lot/spaces.

PW-43 Each project driveway shall be controlled by STOP signs, bars and legends.

PW-44 The proposed driveway on McCoy Creek Way shall be a shared driveway with the parcel abutting the project site. The Applicant shall secure a shared driveway easement from the Property Owner of said parcel. The project shall provide a raised median at this shared driveway to channelize incoming and outgoing vehicles.

PW-45 The proposed driveway on Lawler Center Drive shall be centered/aligned with the existing driveway on the other side of the street.

PW-46 No structures such as trees and building foundations shall be installed within easements. Civil and landscape plan sheets shall show the easements.

PW-47 Trees shall not be planted within bioretention areas.

PW-48 The project shall protect bioretention areas by installing 4-foot tall metal fence (or other barrier acceptable to the City Engineer) around them. Metal fence shall have trash capture screening at the base.

PW-49 The project shall provide a photometric analysis for on-site courtyards and parking lots as well as for the public street segments fronting the project site. The project shall

comply with the City standards for illumination, and shall install, at the minimum, three cobra head street light with LED lights along McCoy Creek Way and two along Lawler Center Drive.

PW-50 Runoff shall not drain onto the adjacent private parcels.

PW-51 The Applicant shall dedicate to the City a storm drain easement for the existing north-south public storm drain that the Applicant is proposing to be relocated within the project site. Moreover, the Applicant shall provide the City with the legal description and plat map of the existing storm drain easement for the abandonment of the easement. Said documents shall be prepared by a Professional Land Surveyor.

PW-52 The Applicant shall arrange for the videotaping of the existing north-south storm drain pipeline fronting the project site on McCoy Creek Way. If the pipeline segment and catch basins are damaged in the opinion of the City Engineer, the project shall repair or replace the facilities to the satisfaction of the City Engineer

PW-53 The Applicant shall provide stormwater drainage calculation per Section 4 of the City standard specifications.

The diversion of natural drainage will be allowed only within the limits of a proposed improvement. All natural drainage must leave the improved area at its original horizontal and vertical alignment unless a special agreement, approved by the City Engineer, has been executed with adjoining property owners.

All proposed storm drain facilities shall include provisions for future upstream development and no development shall discharge at a rate, which exceeds the capacity of the existing downstream system. In the event that the downstream storm drain system (pipes and channels) is insufficiently sized to carry the design flow, the project applicant shall prepare a storm water routing analysis, acceptable to the City Engineer. In the event that storm waters cannot be contained within acceptable public rights-of-way, the project applicant shall either replace downstream constrictions or attenuate the developed discharge through construction of detention facilities. Calculations for storm drainage design within a development as well as calculations for runoff generated by upstream areas within the contributing watershed shall be submitted to the City Engineer for approval.

The north-south storm drain within the project site as well as the existing north-south storm drain segment on McCoy Creek Way that fronts the project site shall be analyzed, and upsized as necessary to convey peak flow rates.

PW-54 With the exception of the north-south public storm drain within the parcel, all new on-site storm drain pipelines and facilities shall be private and maintained by the Property Owners Association. Property Owners shall be responsible for the maintenance of private storm drains up to the public catch basins located within the public streets.

PW-55 The on-site sanitary sewer pipelines and facilities shall be private and maintained by the Property Owners Association. Property Owners shall be responsible for the maintenance of the private sanitary sewers up to the street side cleanouts, which are to be installed at the back of public sidewalk.

PW-56 The sanitary sewer connection by the southeast corner of the project site shall be to the existing sanitary sewer manhole on McCoy Creek Way.

PW-57 Maintenance of on-site lighting, landscaping, paving, utilities and other on-site improvements shall be the responsibility of all project parcels. The Applicant shall form a Property Owners Association to address these responsibilities.

PW-58 The project shall slurry the north half of McCoy Creek Way from Lawler Ranch Parkway to the extension of the project site's easterly property line.

PW-59 Prior to the issuance of Certificate of Occupancy, the Applicant shall submit to the Public Works Department "as-built" Improvement Plans in PDF format.

Solano Irrigation District

SID-1 The SSWA Engineer, to the extent of existing records, will identify existing SSWA facilities within the scope of a project. Per the Lawler Ranch Commercial improvement plans, there are currently 8- inch water mains located on Anderson Drive, Lawler Center Drive and McCoy Creek Way with two (2) stubs to each of the current parcels. The existing stubs should be used for this development. Any existing stubs not needed for this development must be removed.

A. Any extension and/or connection to the existing stubs or water main shall be in accordance with the Standard Specifications of the SSWA, and at the developer's expense. A service lateral may not be located within a driveway approach.

SID-2 Per the SSWA Cross-Connection Control Resolution No. 99-01, all types of commercial buildings and landscape irrigation services are required to include an approved backflow prevention assembly, at the developer's expense. The desired location, service size and flow-rate for the backflow prevention assembly must be submitted for approval. Based on the proposed commercial use, a Reduced Pressure Principle (RPP) Assembly will be required on each of the domestic water services.

SID-3 Per the SSWA Cross-Connection Control Resolution No. 99-01, fire protection systems are required to include an approved backflow prevention assembly, at the developer's expense. The desired location, service size and flow-rate for the fire protection system must be submitted for approval. Based on the proposed commercial use, a Double Check-Detector Check (DCDC) Assembly will be required on each of the fire protection systems.

SID-4 The developer is required to provide and install freeze protection for all RPBFP's and DCDC's at the developer's expense.

SID-5 At the time the Building Permit is issued, the developer will be required to pay the appropriate SSWA Connection Fee and Meter Installation Fee at the City of Suisun City. These fees are determined by the size of meter requested. All domestic water services will be metered.

SID-6 We require that the District (on behalf of SSWA) review, approve and sign all Final and/or Parcel Maps, and that SSWA review, approve and sign the Improvement Plans of this development.

SID-7 The SSWA Plan Review Fee applies and is due upon submittal of the maps and plans for review.

SID-8 Electronic AutoCAD files and scanned .tif images at 300 dpi (of all improvement plan sheets) are required upon the completion of the project showing "as-builts" for electronic archiving.

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CEQA Determination: Finding of Consistency
City of Suisun City
Lawler Mixed Use

PROJECT DESCRIPTION

The proposed project is a request for a 73-room/4-story apartment complex in conjunction with approximately 7,200 square feet of retail space (two twin retail buildings consisting of 3,600 square feet each) on 2.8+ acres of vacant land. The project as submitted will include both covered and uncovered parking spaces, tenant amenities, landscaping and pedestrian access in and around the site. This project seeks to exceed the similar luxury apartments in neighboring cities by highlighting Suisun City's environmental assets and combining them with stylish amenities and maximum convenience. The apartments will feature a welcoming entrance and enclosed lobby, a fitness center, and a secure temperature-controlled environment. Residents will also have access to elevators, which are an important feature of this project because of the tremendous convenience they provide occupants and their guests.
The impacts associated with the types of development proposed citywide including land use designations, development density, and the locations where development would occur, were previously analyzed in the 2035 General Plan EIR. Therefore, pursuant to CEQA and the CEQA Guidelines, the City, as the lead agency, intends to use the 2035 General Plan EIR as the CEQA document for the environmental impacts associated with the updated WDSP. The 2035 General Plan EIR is available for review from the City's website: http://www.suisun.com/departments/development-services/planning/general-plan/. The 2035 General Plan EIR may also reviewed in person at the City Development Services Department offices, located at 701 Civic Center Boulevard, Suisun City, CA.

1.1 IMPLEMENT THE 2035 GENERAL PLAN

In 2015, the City adopted a comprehensively revised General Plan. The 2035 General Plan provides an updated set of policy guidance for the overall amount, character, and location of urban development, as well as preservation and natural resource conservation, economic development, transportation, safety, public facilities and services, and housing.

For developed uses within the Commercial Mixed Use (CMU) District of the Zoning Ordinance (code), the allowable floor area ratio (FAR) is 0.25 to 1.0. As a part of preparation of the Zoning Ordinance Update, the minimum allowable FAR and the upper end of the FAR range for non-residential and mixed-development within the Zoning Ordinance Update are consistent with the General Plan land use designations. The assumed location, type, and density/intensity of development under the Zoning Code and the General Plan are the same. The proposed project helps implement both the Zoning Code and General Plan's policy direction.

1.2 ALLOWABLE LAND USE

The Zoning Map (**see Section 18.06.050 of the Zoning Code**) identifies the Commercial Mixed Use zone in certain specified areas. The CMU zone has different allowable land uses, development standards, and other guidelines.

- **Commercial Mixed Use (CMU).**
  The Commercial Mixed Use (CMU) zoning district is applicable to parcels where a variety of commercial uses are desired as the primary use, with residential uses permitted as a secondary use. Commercial and other nonresidential uses in this zone may be within the 0.25 – 1.0 floor area ratio range, with residential uses to be developed within the 10-40 dwelling units per acre range. Residential uses are not required on any given parcel, but if included, must be above or behind ground floor

commercial uses in this zone. All uses must meet development standards, as defined in Section 18.32. The CMU zone is consistent with the Mixed Use land use designation in the General Plan.

2 CEQA REVIEW AND FINDINGS

The City of Suisun City ("City") is the lead agency for purposes of compliance with the requirements of the California Environmental Quality Act (CEQA, Public Resources Code Section 21000 et seq.). Pursuant to CEQA Guidelines section 15060, the City has performed a preliminary review and determined that the Zoning Ordinance Update (also known as "the project") is subject to CEQA.

2.1 THE LAWLER MIXED USE IS EXEMPT FROM CEQA PURSUANT TO PUBLIC RESOURCES CODE SECTION 21083.3.

Public Resources Code section 21083.3 provides a limited statutory exemption from CEQA (the "Statutory Exemption") pursuant to which projects may proceed without additional CEQA analysis.

Public Resources Code Section 21083.3 (b) provides that, where a development project is consistent with the general plan of a local agency, and an environmental impact report was certified for the zoning or planning action or the general plan, the examination of environmental effects shall be limited to those that:

> "…are peculiar to the parcel or to the project and which were not addressed as significant effects in the prior environmental impact report, or which substantial new information shows will be more significant than described in the prior environmental impact report."

Public Resources Code Section 21083.3(d) further defines that an effect of a project upon the environment shall not be considered peculiar to project if uniformly applied development policies or standards have been previously adopted, with a finding based upon substantial evidence that the development policies or standards will substantially mitigate the environmental effect when applied to future projects.

2.2 ADOPTION OF GENERAL PLAN AND CERTIFICATION OF GENERAL PLAN EIR

The Planning Commission hereby finds and determines that on May 5, 2015, the City Council of the City of Suisun City certified the City of Suisun City 2035 General Plan Final Environmental Impact Report (General Plan EIR, State Clearinghouse Number #2011102046, consisting of the Draft Environmental Impact Report (DEIR), revisions to the DEIR, comments on the DEIR, and responses to comments, and subsequently adopted the City of Suisun City 2035 General Plan (General Plan).

The General Plan EIR declared the City's intent to make use of the limited statutory exemption from CEQA described in Public Resources Code Section 21083.3:[1]

> "The City intends to use the 2035 General Plan EIR to streamline environmental review and approval of private and public projects that are consistent with the 2035 General Plan. The City will make full use of existing streamlining provided by CEQA …The material provided under Public Resources Code 21083.3 and CEQA Guidelines 15183 is sometimes called the 'partial exemption.' Under this provision, CEQA only applies to issues 'peculiar to the site.'…CEQA Guidelines Section 15183 (f) establishes that impacts are not peculiar to the project if uniformly applied development policies or standards substantially mitigate that environmental effect. The

[1] City of Suisun City. 2035 General Plan EIR, page 1-2.

determination of whether or not uniformly applied development policies or standards would substantially mitigate each environmental effect shall be based on substantial evidence, but not necessarily presented in an EIR… In order to maximize the value of the General Plan EIR to future projects that promote the 2035 General Plan's objectives, the City has strategically integrated the General Plan and the environmental review. The policy development process has been used to vet potential mitigation strategies. The General Plan Update process was used to investigate policies and programs that can serve as uniformly applied standards and substantially limit the scope of analysis for projects consistent with the 2035 General Plan."

The Planning Commission recommends that, based on the following findings, the City Council determine that the Project has been adequately analyzed under the provisions of the California Environmental Quality Act (CEQA) and that no further review of the Project under CEQA is required or appropriate.

2.3 THE PROJECT IS CONSISTENT WITH THE GENERAL PLAN

The proposed Project is consistent with the policies, development standards and designations of the General Plan and Suisun City Zoning Code. An Environmental Impact Report was prepared for the General Plan (SCH# 2011102046). Analysis of the Project has determined that: the Project would not result in any new potentially significant impacts that were not discussed in the General Plan EIR; no aspects peculiar to the project or the parcel would result in new effects; and, the Project would not substantially increase the severity of effects previously disclosed. Therefore, pursuant to CEQA Guidelines Section 15183, no further analysis is required.

2.3.1 GENERAL PLAN LAND USE DESIGNATIONS AND ZONING DISTRICTS

- Allowable land uses: Provides for a wide range of uses allowed by the Zoning Ordinance, including "horizontal" (same site) and "vertical" (same building) mixed retail, commercial service, professional office, public services and facilities; research, assembly, fabrication; low-, medium-, and higher-density dwelling units; and other compatible uses.
- Allowable density: 10 to 45 units per gross acre
- Allowable intensity: 0.25 to 1.0 FAR
- Guidance for mixed-use projects: Mixed-use projects may use FAR to regulate intensity of combined residential and nonresidential sites or may use the FAR and density (units per acre) separately for the nonresidential and residential portions of the project.

The Zoning Ordinance also describes allowable land use, density, and development intensity. However, instead of broad policy guidance provided in the General Plan, the Zoning Ordinance provides more detailed development standards and regulations.

The Planning Commission finds and determines that the proposed building intensity of the Lawler Mixed Use District is consistent with the allowable uses, density, and development intensity in the General Plan.

2.4 FINDINGS RELATIVE TO EFFECTS ON THE ENVIRONMENT PECULIAR TO THE PROJECT

Public Resources Code section 21083.3 provides that since the project is consistent with the General Plan and the General Plan EIR was certified with respect to the General Plan, the application of CEQA to the approval of the project shall be limited to significant effects on the environment which are peculiar to the project (in this case the Lawler Mixed Use Project) and which were not addressed as significant effects in the prior General Plan EIR, or which substantial new information shows will be more significant than described in that environmental impact report.

The General Plan EIR analyzed the impacts of development anticipated under the Lawler Mixed Use Project. The impacts associated with the types of development of the proposed project were previously analyzed in the General Plan EIR.

2.5 FINDINGS RELATING TO UNIFORMLY APPLIED DEVELOPMENT POLICIES

The Planning Commission finds and determines that the development standards and guidelines contained in the Zoning Ordinance Update, along with the uniformly applied development policies will serve to substantially mitigate impacts of the project and, thus, the effects of the project upon the environment shall not be considered peculiar.

2.6 FINDINGS RELATING TO ENVIRONMENTAL EFFECTS

The Planning Commission hereby finds and determines, based upon substantial evidence, including the studies and uniformly applicable development policies and standards set out above, that:

(1) there are no environmental effects peculiar to the Project that warrant further environmental examination and analysis;

(2) there are no environmental effects of the Project were not analyzed as significant effects in the General Plan EIR;

(3) there are no potentially significant off-site impacts and cumulative impacts that were not discussed in the General Plan EIR that may be caused by the Project; and

(4) there are no previously identified significant effects that could have a more severe adverse impact than discussed in the General Plan EIR. (14 Cal. Code Regs. Section 15183[b])

2.7 FINDINGS UNDER SECTION 21083.3(C) OF THE PUBLIC RESOURCES CODE

As required by section 21083.3(c) of the Public Resources Code, the Planning Commission, following a public hearing, finds that all mitigation measures included in the General Plan EIR that are relevant to the Lawler Mixed Use Project (as set forth in more detail above) shall be undertaken.

CITY OF SUISUN CITY, 701 Civic Center Blvd., Suisun City, California 94585

NOTICE OF EXEMPTION

To: ☒ Office of Planning and Research
P.O. Box 3044, 1400 Tenth Street, Room 22
Sacramento, CA 95812-3044

☒ County Clerk-Recorder
Solano County
675 Texas Street, Suite 2700
Fairfield, CA 94533-6338

From: City of Suisun City
701 Civic Center Blvd.
Suisun City, CA 94585

Project Title:	Lawler Mixed Use
Project Location:	2.81 Acres of Vacant Land South of Anderson Drive, East of Lawler Center Drive, and North of McCoy Creek Way.
Assessor's Parcel Number(s):	0173-670-290, 300, 310, 330, and 340.
Project Description:	The proposed Project consists of a 73-unit apartment complex and approximately 7,200 square feet of retail in the Commercial Mixed Use Zoning District.
Lead Agency:	City of Suisun City
Lead Agency Contact Person and Phone Number:	John Kearns, Senior Planner, 707 421-7337
Applicant:	Ashria LLC 9700 Village Center Drive Ste. 120 Granite Bay, CA 95746

Exemption Status:

☐ Ministerial
☒ Consistent with a Community Plan or Zoning [CEQA Guidelines §15183; PRC §21083.3]
☐ Emergency Project
☐ General Rule
☐ Categorical Exemption [CEQA Guidelines §15301; PRC §21084]
☐ Statutory Exemption

REASONS WHY THIS PROJECT IS EXEMPT:

The California Environmental Quality Act (Section 21000, et. seq. of the California Public Resources Code, hereafter CEQA) requires analysis of agency approvals of discretionary "projects." A "project," under CEQA, is defined as "the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment." The proposed project is a project under CEQA. The proposed project is exempt from CEQA under CEQA Guidelines Section 15183 (Consistency with a General Plan, Community Plan, or Zoning for Which an EIR was Prepared). This exemption applies to projects that are consistent with the General Plan. Section 15183 (i)(2) of the CEQA Guidelines defines "consistency" as "that density of the proposed project is the same or less than the standard expressed for the involved parcel in the general plan…or zoning action for which an EIR has been certified, and that the project complies with the density-related standards contained in that plan or zoning."

The project site is designated Commercial Mixed Use in the City's General Plan and zoned Commercial Mixed Use within the Zoning Code. An EIR was prepared for the General Plan (SCH# 2011102046). The proposed project is consistent with the existing allowed development density. Based on the existing conditions on the site and project vicinity, potential impacts from traffic, ground disturbances from grading, noise, and light were found to have impacts consistent with the area's previous analyses for Commercial Mixed Use at the project site. Onsite drainage basins have been added as the project has been conditioned to comply with all local and State construction requirements.

Based on the above, the Lawler Mixed Use project would not result in any new potentially significant on- or off-site impacts and cumulative impacts that were not discussed in the General Plan EIR and environmental reviews and no aspects peculiar to the project or the project site that would result in new effects; and no new information of substantial importance that would result in significant effects not discussed in the previous document or substantially increase the severity of effects previously disclosed. Therefore, pursuant to CEQA Guidelines Section 15183, no further analysis is required.

By John Kearns

1-3-20

John Kearns, Senior Planner
City of Suisun City

Date

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RESOLUTION NO. PC 19-15

A RESOLUTION OF THE CITY OF SUISUN CITY PLANNING COMMISSION RECOMMENDING CITY COUNCIL APPROVAL OF THE LAWLER MIXED USE PROJECT (APN'S: 0173-670-290. 300, 310, 330, AND 340).

WHEREAS, Ashria, LLC. (hereinafter referred to as Applicant) filed an application with the City of Suisun City for a Planned Unit Development Permit, Precise Development Plan, and Site Plan/Architectural Review for a 73-unit apartment complex and 7,200 square feet of retail space (hereinafter referred to as Project) located North of McCoy Creek Way, East of Lawler Center Drive and South of Anderson Drive (Assessor's Parcel Numbers: 0173-670-290. 300, 310, 330, and 340); and

WHEREAS, the applicant has met all applicable requirements under State law and City ordinances related to this development plan; and

WHEREAS, the Planning Commission is required to review and make a recommendation to the City Council for final action on this Project; and

WHEREAS, the Planning Commission of the City of Suisun City did conduct on December 10, 2019 a properly noticed public hearing pursuant to Government Code Section 65090 and has considered all written and verbal testimony presented during the hearing.

NOW, THEREFORE, BE IT RESOLVED THE PLANNING COMMISSION OF THE CITY OF SUISUN CITY does hereby make the following findings and recommendations.

A. The Planning Commission recommends that, based on the following findings, the City Council determine that the Project has been adequately analyzed under the provisions of the California Environmental Quality Act (CEQA) and that no further review of the Project under CEQA is required or appropriate.

   Finding. The proposed Project is consistent with the policies, development standards and designations of the General Plan and Suisun City Zoning Code. An Environmental Impact Report was prepared for the General Plan (SCH# 2011102046). Analysis of the Project has determined that: the Project would not result in any new potentially significant impacts that were not discussed in the General Plan EIR; no aspects peculiar to the project or the parcel would result in new effects; and, the Project wouldnot substantially increase the severity of effects previously disclosed. Therefore, pursuant to CEQA Guidelines Section 15183, no further analysis is required.

B. The Planning Commission recommends that, based on the following findings, the City Council approve the Lawler Mixed Use Planned Unit Development Permit, Precise Development Plan, and Site Plan/Architectural Review as depicted on plans and exhibits provided as Exhibits A and B of this Resolution and subject to Conditions of Approval provided as Exhibit C of this Resolution.

   Findings:

   1. That the establishment, maintenance or operation of a use or building applied for are in conformity to the General Plan for the City with regard to circulation, population

densities and distribution, design, and/or other aspects of the General Plan considered by the Development Services Director to be pertinent;

2. That adequate utilities, access roads, pedestrian and bicycle access, drainage, parking, and/or other necessary facilities have been or are being provided;
3. That the applicant exhibits proof that such use will not, under the circumstances of the particular case, constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city, provided that if any proposed building or use is necessary for the public health, safety or general welfare, the finding shall be to that effect.
4. That the proposed use conforms with all relevant federal, state, and local laws and regulations.
5. The resulting project will not adversely impact existing or planned uses of the properties.
6. The proposal is consistent with the Suisun City General Plan.
7. The proposed Project is consistent with the policies, development standards and designations of the General Plan and the Suisun City Zoning Code. An Environmental Impact Report was prepared for the General Plan (SCH# 2011102046). Analysis of the Project has determined: that the Project would not result in any new potentially significant impacts that were not discussed in the General Plan EIR; no aspects peculiar to the project or the parcel would result in new effects; and, the Project would not substantially increase the severity of effects previously disclosed. Therefore, pursuant to CEQA Guidelines Section 15183, no further analysis is required (Exhibit D).

The forgoing motion was made by Commissioner Holzwarth and seconded by Commissioner Rowe and carried by the following vote:

AYES:	Commissioners:	Clemente, Holzwarth, Ramos, Rowe
NOES:	Commissioners:	None
ABSENT:	Commissioners:	Borja, Thomas
ABSTAIN:	Commissioners:	Pal

WITNESS my hand and the seal of said City this 10th day of December 2019.

Joann Martinez, Commission Secretary

Exhibit A: Project Description, Submitted by ACE Design LLC

Exhibit B: Planned Unit Development and Site Plan/Architectural Review Exhibits

Exhibit C: Lawler Mixed Use Project Conditions of Approval

Exhibit D: Finding of Conformity

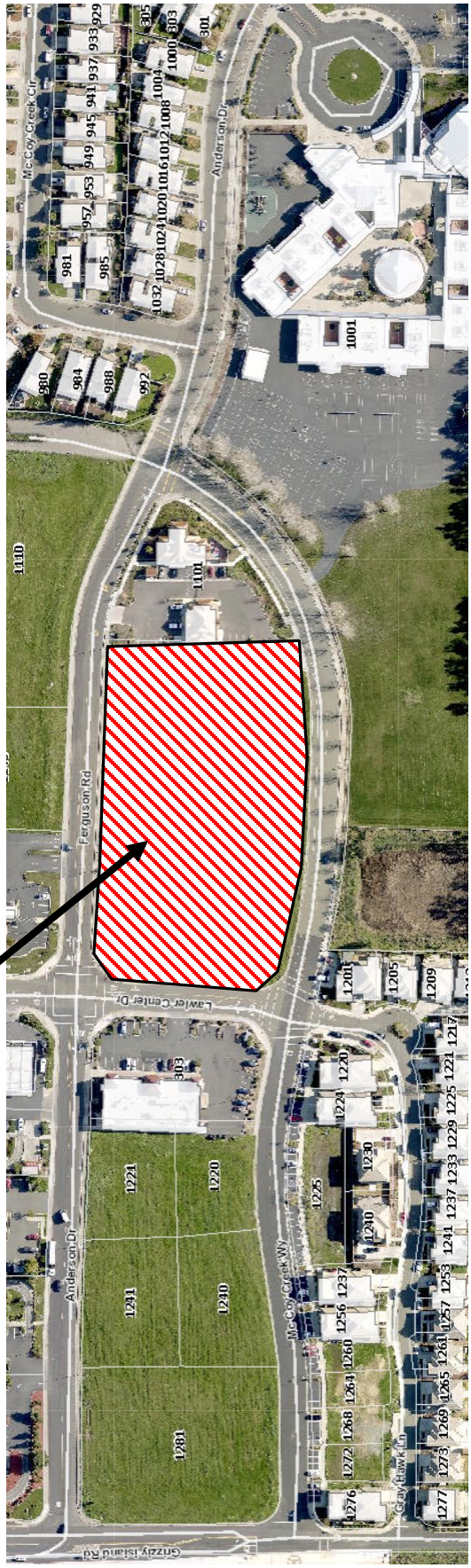
Lawler Mixed Use

JANUARY 14, 2020

Lawler Mixed Use

- Agenda Item and Applicant Request.
- Staff Recommendation.
- Background.
- Staff Analysis.
- City Council Action.

PROJECT SITE



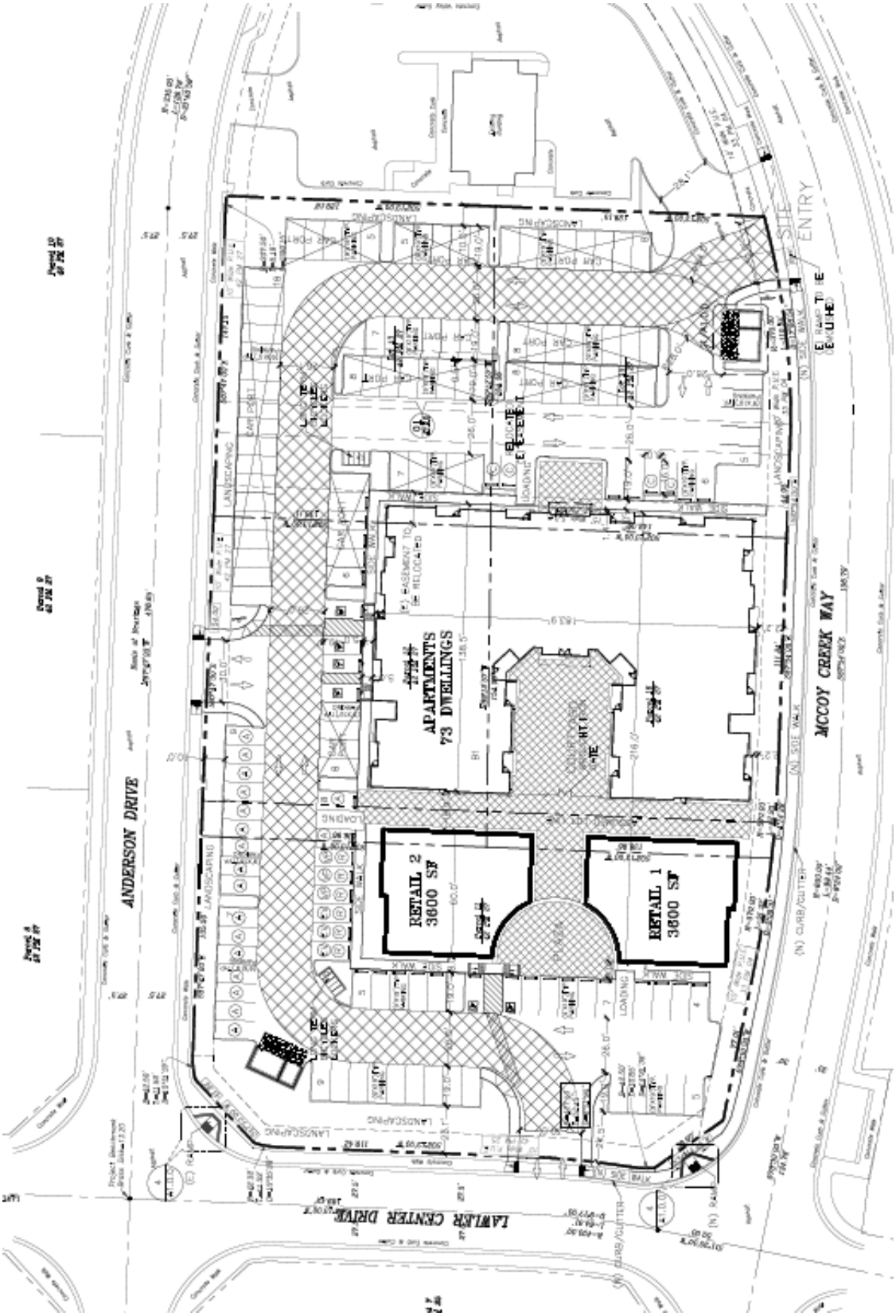
Recommendations

The Planning Commission approved Resolution No. PC 19-15 recommending approval of the project.

Staff recommends adoption of Resolution No. 2020 -___: A Resolution of the City Council of the City of Suisun City Approving the Lawler Mixed Use Project (APN's: 0173-670-290. 300, 310, 330, and 340).

Background

- Project Overview.
- Regulatory Setting.
- Regulatory Permits.
- Permits Required After Approval.


ANDERSON DRIVE
MCCOY CREEK WAY
LAWLER CENTER DRIVE
APARTMENTS
73 DWELLINGS
RETAIL 2
3600 SF
RETAIL 1
3600 SF
LANDSCAPING
LOADING
(N) CURB/GUTTER
(N) SIDE WALK
SITE ENTRY

Staff Analysis

- General Plan Consistency.
- Zoning Consistency.
- Application Materials.

City Council Action

The City Council has several options in considering this application. Actions that the City Council may take within this project review include:

- Approve the project subject to the submitted application and the proposed Conditions of Approval;
- Approve the project with modifications to either the project submittal or the proposed Conditions of Approval;
- Disapprove the submitted application;
- Continue the item for further discussion.

AGENDA TRANSMITTAL

MEETING DATE: January 14, 2020

CITY AGENDA ITEM: PUBLIC HEARING: Council Introduce and Waive Reading of Ordinance No. ___: Amending Sections 8.12.070 and 8.12.080 of Chapter 8.12 of Title 8 (Health and Safety) of the Suisun City Municipal Code to Implement Noise Regulations.

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

STRATEGIC PLAN IMPACT: Enhancement Environment.

BACKGROUND: Presently, the City does not have an adopted noise ordinance. Instead, there are policies in the 2035 General Plan which encourage the discussion and ultimate adoption of noise regulations. In Title 15, "Buildings and Construction," there are regulations relative to construction work hours, but no regulations that generally addresses noise or other activities that generate noise or could be considered a nuisance. Absent an adopted ordinance that addresses more comprehensive issues, the Police Department is limited in what they can do in response to citizen complaints.

STAFF REPORT: Staff is recommending this ordinance be included in Title 8 under Chapter 8.12 "Public Nuisances." Updating Suisun City Code, Title 8 "Health and Safety," to include noise regulations would allow for needed policy updates, as well as an enforceable standard by which the Police Department can uphold.

City staff has conducted two Noise Workshops; the first on May 1st, 2019 where twelve residents attended, and the second on June 8th, 2019, where five residents attended. The meeting consisted of an informational session where staff educated the group on what an ordinances timeline to adoption looks like. Commander Dan Healy then gave a presentation on how enforcement without an ordinance works presently. A map was provided (Attachment 2), showing all the noise calls to the Police Department in 2018 and categorizing them by type and quantity. Barking dogs was the number one complaint in 2018. At both meetings, staff took thoughts and concerns from those in attendance, and held a short exercise in which priorities of those that attended could be memorialized. The following comments were shared by the groups:

Top concerns:

- Animals, barking non-stop
- Vehicles, motorbikes, street racing
- Construction hours
- Mowing lawn, power tools
- Music, party, band, bass
- Businesses: Nelson Center, Kroc Center, Church on Blossom
- Noise Map – needs better data to show times of complaints, and animal complaints.

PREPARED BY: Joann Martinez, Assistant Planner
REVIEWED BY: John Kearns, Senior Planner
APPROVED BY: Greg Folsom, City Manager

Solutions:

- Quiet hours: Weekend 8am – 10am, Weekday 7am-9am, Sunday 9am
- Quiet hours for different zones
- Warning 1st (Talk to your neighbor) then citation
- Amend construction hours 8am – 7pm
- Set hours for home improvement
- Ask businesses to close doors during events to not let out the noise.
- Regulate hours / decibels

With the residents' feedback, a dot exercise was conducted showing that constant dog barking was the number one complaint of the group. After each meeting, staff provided a short update to the City Council highlighting what happened at the meeting and what the planned next steps would be for the ordinance development.

Staff also set up the option to participate online, by taking an online survey. The survey asked what their number one noise complaint was in the city. Of the sixteen surveys received the top complaints were loud vehicles and barking dogs.

In developing the draft ordinance, each city department was involved to review, comment, and provide suggestions. Staff also reviewed ordinances from other relatively nearby communities to inform a proper approach. Once a first draft of an ordinance was developed, staff consulted the City Attorney for legal review. The ordinance before the City Council is the result of several months of work.

An overview of the draft ordinance can be found below:

- Twenty-two (22) definitions are proposed to be added to clarify terms used and applicability of the ordinance;
- Addition of "General Noise Regulations";
- Addition of "Specific Prohibitions"; and
- Addition of "Exemptions."

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

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

RECOMMENDATION: It is recommended that the City Council:

1. Open the Public Hearing; and
2. Take Public Comment; and
3. Close the Public Hearing; and

4. Introduce and waive the reading of Ordinance No. ___: Amending Sections 8.12.070 and 8.12.080 of Chapter 8.12 of Title 8 (Health and Safety) of the Suisun City Municipal Code to Implement Noise Regulations.

ATTACHMENTS:

1. Ordinance No. _____; Amending Sections 8.12.070 and 8.12.080 of Chapter 8.12 of Title 8 (Health and Safety) of the Suisun City Municipal Code to Implement Noise Regulations.
2. Noise Complaints 2018 Map.
3. Online Survey Results.
4. Noise Ordinance PowerPoint.

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ORDINANCE NO. 2020 - ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY, CALIFORNIA, AMENDING SECTIONS 8.12.070 AND 8.12.080 OF CHAPTER 8.12 OF TITLE 8 (HEALTH AND SAFETY) OF THE SUISUN CITY MUNICIPAL CODE TO IMPLEMENT NOISE REGULATIONS

WHEREAS, the City of Suisun City ("City") has received an increased number of complaints about loud and annoying noises in the City; and

WHEREAS, these loud and annoying noises have disturbed the quiet enjoyment of residential property in the City; and

WHEREAS, these noise complaints have resulted from, among other sources, mechanical equipment, amplified noises, drive-thru speakers, construction noise, power tools, landscape activities, alarms, loud parties, etc.; and

WHEREAS, the City has a keen interest in maintaining the City free from noise pollution; and

WHEREAS, the City Council finds that loud and unreasonable noises are a threat to the public peace, health, safety and welfare of the city and its residents; and

WHEREAS, the City Council now desires to amend Sections 8.12.070 and 8.12.080 of Chapter 8.12 of Title 8 of the Suisun City Municipal Code to include a noise ordinance to preserve the public peace, health, and safety; provide City residents and visitors with clear guidance regarding what level of noise is prohibited in the City; and to provide City staff with a clear and effective mechanism to enforce noise regulations.

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

Amend: 8.12.070 - Generally—Definitions.

Average Sound Level: Sound level typical of the sound levels at a certain place during a given period of time, averaged by the general rule of combination for sound levels, said general rule being set forth in the American National Standard Specifications (ANSI) for Sound Level Meters. Average sound level is also called equivalent continuous sound level.

A-Weighted Sound Level (dBA): The sound pressure level in decibels as measured on a sound level meter using the A-weighting network. The A-weighted network is the network for measuring sound that most closely resembles what the human ear hears. Sound measured using the A-weighted network is designated dBA.

Construction: Any building activity that affects the exterior appearance of a structure, including the assembly, erection, alteration, reconstruction, repair, maintenance or extension of a structure, requiring the issuance of a building permit.

Construction Equipment: Any tools, machinery or equipment used in connection with construction operations, regardless of whether such construction site be located on highway or off highway.

Cumulative Duration: Refers to time within any one-hour period.

Clearly audible: A sound that can be heard by any person of average or normal hearing capability.

Day-night average sound level (Ldn): The average noise level over a 24-hour period. The noise level measurements between the hours of 10pm and 7am are artificially increased by 10 dB before averaging.

Decibel (dB): A unit for measuring the volume of a sound.

Demolition: Any act or process that destroys (in part or in whole) a structure.

Emergency Work: Work made necessary (1) to restore property to a safe condition following a natural disaster such as an earthquake, fire, flood, public calamity, or other cause or event not within the control of the person undertaking the work, (2) work required to protect persons or property from imminent exposure to injury, danger or damage, or (3) work by public or private utilities when restoring utility service.

Equivalent A-Weighted Sound Level (Leq): The sound level containing the same total energy as a time varying signal over a given sample period, typically one hour.

Impulsive Sound: Sound of short duration, usually less than one second, with an abrupt onset and rapid decay. Examples of sources of impulsive sound include explosions and the discharge of firearms.

Intrusive Noise: That noise which intrudes over and above the existing normal background noise at a given location. The relative intrusiveness of a sound depends upon its amplitude, duration, frequency, time of occurrence, and tonal or informational content, as well as the prevailing background noise level.

Junk: Any cast-off, damaged, discarded, junked, obsolete, salvage, scrapped, unusable, worn-out or wrecked object, thing or material composed in whole or in part of asphalt, brick, carbon, cement, plastic or other synthetic substance, fiber, glass, metal, paper, plaster, plaster of Paris, rubber, terra cotta, wool, cotton, cloth, canvas, organic matter or other substance.

Junk yard: Any premises from or on which any junk is abandoned, bailed, bartered, bought, brought, bundled, dissembled, disposed of, exchanged, handled, packed, processed, shipped, sold, stored or transported, regardless of whether or not such activity is done for profit.

Mobile Noise Source: Any noise source other than a fixed noise source.

Motor Vehicles: Any and all self-propelled vehicles as defined in the California Vehicle Code, specifically including, but not limited to, minibikes and go-carts.

Noise: Any sound which annoys or disturbs a reasonable person of normal sensitivities.

Noise Level: Means the same as sound level. The terms may be used interchangeably herein.

Noise Sensitive Land Use: Locations where there is greater sensitivity to excess noise, including but not limited to, residences, hospitals, nursing homes, theaters, auditoriums, churches, meeting halls, schools, libraries, museums, and parks.

Owner: Owner of record of real property, occupant, lessee, or interest holder in same, as the case may be.

Permit: Any permit deemed necessary by authorized enforcer.

Persistent Sound: Sound of cumulative duration, usually more than twenty minutes, a continuous sound that disturbs a reasonable person that can be heard from the property line of the noise source. Examples of sources of persistent sound include dogs barking, amplified sound and like noises.

Premises: Any real property, or improvements thereon, as the case may be.

Property: Means premises.

Sound Level: The sound pressure level in decibels as measured on a sound level meter using the A-weighting filter network. The A-weighting filter de-emphasizes the very low and very high frequency components of the sound in a manner similar to the response of the human ear and gives a good correlation with subjective reactions to noise.

Sound Level Meter: An instrument of the measurement of sound including a microphone, amplifier, an attenuator, networks for at least the standardized "A" frequency weighting, and an indicating instrument having at least the standardized dynamic characteristic "fast," as specified in the American National Standards Institute Specifications for Sound Level Meters.

Amend: 8.12.080 - Generally—Acts declared to be nuisances.

S. The following special noise restrictions are hereby established without regard to their sound level impact and may be enforced without the prerequisite of a sound level measurement.

1. **General Noise Regulations**
    a. Notwithstanding any other provisions of this chapter, and in addition thereto, it is unlawful for any person to willfully make or continue or permit or cause to be made or continued, any loud, unnecessary, or unusual noise which unreasonably disturbs the peace and quiet of any neighborhood or which causes discomfort or annoyance to any reasonable person of normal sensitiveness residing in the area. The standards which shall be considered in determining whether a violation of the provisions of this section exists shall include, but not be limited to, the following:
        i. The volume of the noise;
        ii. The intensity of the noise;
        iii. Whether the nature of the noise is usual or unusual;
        iv. Whether the origin of the noise is natural or unnatural;
        v. The volume and intensity of the background noise, if any;
        vi. The proximity of the noise to residential sleeping facilities;
        vii. The nature and zoning of the area within which the noise emanates;
        viii. The density of the inhabitation of the area within which the noise emanates;
        ix. The time of the day or night the noise occurs;
        x. The duration of the noise, including whether its short term or temporary;
        xi. Whether the noise is produced by a commercial or noncommercial activity.
    b. This section shall be inapplicable to emergency work.

2. **Specific Prohibitions**: No person shall do, cause or suffer or permit to be done on any premises owned, occupied or controlled by such person, the following activities which are declared to cause disturbing, excessive or offensive noise in violation of this section, but said enumeration shall not be deemed exclusive. Violation of this section shall be an infraction.
    a. **Auto body repairs** - Repair any auto body or fender unless within a completely enclosed building and the noises from such repairs are reasonably confined to such building.
    b. **Animals and fowl** - Keep or maintain any animal, crowing rooster or fowl, which by any persistent sound or cry shall disturb a reasonable person owning, using, or occupying property in the neighborhood between the hours of 10:00 p.m. and 8:00 a.m.
    c. **Generators** – Generators are considered accessory structures in residentially zoned lots and shall meet the setbacks described in Section 18.31.01 for accessory structures in residential zones. Generators in commercially zoned lots shall be located 250 feet away from noise sensitive land uses or meet the guidelines of section 18.20.080 Trash and Storage Areas and meet the setbacks described in Section 18.32.01 for structures in commercial zones, the openings of the structure shall not face noise sensitive zones.
    d. **Portable Generators** – Must meet the setbacks described in section 18.31.01 for accessory structures in residential zones, unless manufacturer's decibel rating is below 70dB (consistent with air conditioning unit).
    e. **Sounding horns and signal devices** - This provision shall be inapplicable to the sounding of any horn, bell, whistle, siren or other audible warning device which is operated in compliance with Section 7604 of the California Public Utilities Code, or other State or Federal laws governing railroad operations.
        i. The sounding of burglar alarms shall not constitute a violation of this section except after 20 minutes of continuous activation. Further, on or after one (1) year from the effective date of the ordinance codified in this chapter, no owner of a motor vehicle, dwelling or commercial property shall have in operation an audible burglar alarm therein unless such burglar alarm shall be capable of terminating its operation within 20 minutes of its being activated.
    f. **Engine Repair and Testing** - It shall be unlawful for any person to repair, rebuild or test any engine so as to create a noise disturbance between the hours of 10:00 p.m. and 8:00 a.m.
    g. **Musical instruments, sound amplifiers and sounds in general** - Use or operate any musical instrument or any device, machine, apparatus, or instrument for intensification or amplification of the human voice or any sound or noise.
        i. No person in the Plaza, Public Parks, Public Places and Waterfront District Specific Plan Area shall do any of the following acts:
            1. Musical instruments, sound amplifiers and sounds in general - Use or operate any musical instrument or any device, machine, apparatus, or instrument for intensification or amplification of the human voice or any sound or noise.

ii. It is unlawful for any person to use any drum or musical instrument clearly audible from a distance in excess of 50 feet, upon public streets, rights-of-way or parks without a permit.

h. **Places of public entertainment** - Operating, playing or permitting the operation or playing of any radio, television, phonograph, drum, musical instrument, sound amplifier, or similar device which produces, reproduces or amplifies sound in any place of public entertainment such that the noise level at the property line disturbs a reasonable person owning, using, or occupying property in the neighborhood between the hours of 10:00 p.m. and 8:00 a.m.

i. **Explosives, firearms, and similar devices** - The use or firing of explosives, firearms, or similar devices which create impulsive sound so as to cause a noise disturbance across a real property boundary or on a public space or right-of-way, except when part of a government-authorized honor guard.

j. **Large vehicle delivery and loading** - The loading, unloading or delivery of goods, merchandise, vehicles or supplies by large trucks, tractor-trailers, or other similar vehicles between the hours of 10:00 p.m. and 8:00 a.m. adjacent or within 150 feet of a noise sensitive land use.

k. **Construction or demolition work** - It shall be the responsibility of anyone engaging in construction or demolition work to restrict the hours of work activity on the site as follows:

i. No construction equipment shall be operated nor any outdoor construction or repair work shall be permitted within 500 feet from any occupied residence except during the hours of 7:00 a.m. to 10:00 p.m., Monday through Saturday, and 8:00 a.m. to 10:00 p.m., on Sunday.

1. Interior work which would not create noise higher than 70dB from the exterior property line shall not be subject to these restrictions.
2. A request for an exception to the permitted construction hours and days may be granted by the Development Services Director for emergency work, to offset project delays due to inclement weather, for 24-hour construction projects, or other similar occurrences.
3. City projects determined by the Director of Public Works to be emergencies shall be exempt from these provisions.
4. For construction work hours for earthwork, trenching, concrete or paving see section 15.12.320. (Ord. No. 724, § 2, 9-3-2013)

l. **Vendor** – No vendor shall use sound of any sort to attract customers. Radios for personal use by vendors or any other noise generator shall not be audible twenty feet from vendor's location as stated in Chapter 5.34.070 – Performance criteria.

m. **Radio, stereo, tape player, phonograph, television set, loud speaker, sound amplifier, audio system or similar device** - It is unlawful to operate any radio, phonograph, loud speaker, sound amplifier, or similar device upon the public streets, rights-of-way, plaza, Downtown Waterfront Specific Plan area or parks for the purpose of attracting the attention of the public in any manner without a permit.

i. It is unlawful to operate any radio, stereo, tape player or other audio equipment on public streets and rights-of-way at a volume or sound level which endangers the safety of any person using the public streets and rights-of-way. It is hereby found and declared, as a matter of legislative policy, that any such audio equipment, either in or on a motor vehicle or a bicycle, which is clearly audible at 50 feet distance, endangers the public safety and welfare by interference with the normal human capability for hearing nearby traffic movement and warning signals. This section shall be inapplicable to radio systems operated by FCC licensees in the regular course of business.

ii. It is unlawful to operate any radio, television set, musical instrument, phonograph, stereo or audio system, whether or not said noise source is inside a building or motor vehicle, so as to cause an unreasonable annoyance to others located or living nearby, or so as to disturb the peace and quiet of any neighborhood, unless an exception is granted by a permit. It is hereby found and declared as a matter of legislative policy that the operation of the aforesaid equipment or instruments on the public streets and rights-of-way adjacent to public parks during the hours from 10:00 p.m. to 8:00 a.m., in such a manner as to be clearly audible for a distance in excess of 25 feet constitutes prima facie evidence of a violation of this section. This section shall be inapplicable to radio systems operated by FCC licensees in the regular course of business.

n. **Exhaust noise** – All vehicles shall be in compliance with California State Code (CA VC 27150, 27151, 27200, CCR 1036).

3. **Exemptions**: Sound or noise emanating from the following sources and activities are exempt from the provisions of this ordinance:

a. Sound sources typically associated with residential uses (e.g. children at play, air conditioning and similar equipment, but not including barking dogs).

b. Sound sources associated with property maintenance (e.g., lawn mowers, edgers, blowers, pool pumps, power tools, etc.) provided such activities take place between the hours of 7:00 a.m. and 9:00 p.m.

c. Safety, warning and alarm devices, including house and car alarms, and other warning devices that are designed to protect the health, safety and welfare, provided such devices are not negligently maintained or operated.

d. The normal operation of public and private schools typically consisting of classes and other school-sponsored activities, such as school bands and school athletic events.

e. Emergencies, involving the execution of the duties of duly authorized governmental personnel and others providing emergency response to the general public, including but not limited to sworn peace officers, emergency personnel, utility personnel, and the operation of emergency response vehicles and equipment.

f. Tree, and park maintenance activities conducted by the City or a City contractor.

g. Any activity related to the construction, development, manufacture, maintenance, testing or operation of any aircraft engine, or of any weapons

system or subsystems which are owned, operated or under the jurisdiction of the United States.

h. Any other activity to the extent regulation thereof has been preempted by state or federal law or regulations.

i. Activities or events whose noise is regulated by a City issued permit with conditions that specify the type of noise and hours permitted to operate, such as but not limited to, a Special Use Permit, Special Event Permit, Special Construction Permit.

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

_____
Lori D. Wilson, Mayor

ATTEST:

_____
Linda Hobson, CMC
City Clerk

CERTIFICATION

I, Linda Hobson, City Clerk of the City of Suisun City and ex-officio Clerk of the City Council of said City, do hereby certify that the above and foregoing ordinance was introduced at a regular meeting of the said City Council held on Tuesday, January 14, 2020 and passed and adopted at a regular meeting of said City Council held on Tuesday, _____, 2020, by the following vote:

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

WITNESS my hand and the seal of said City this _____ 2020.

_____
Linda Hobson, CMC
City Clerk

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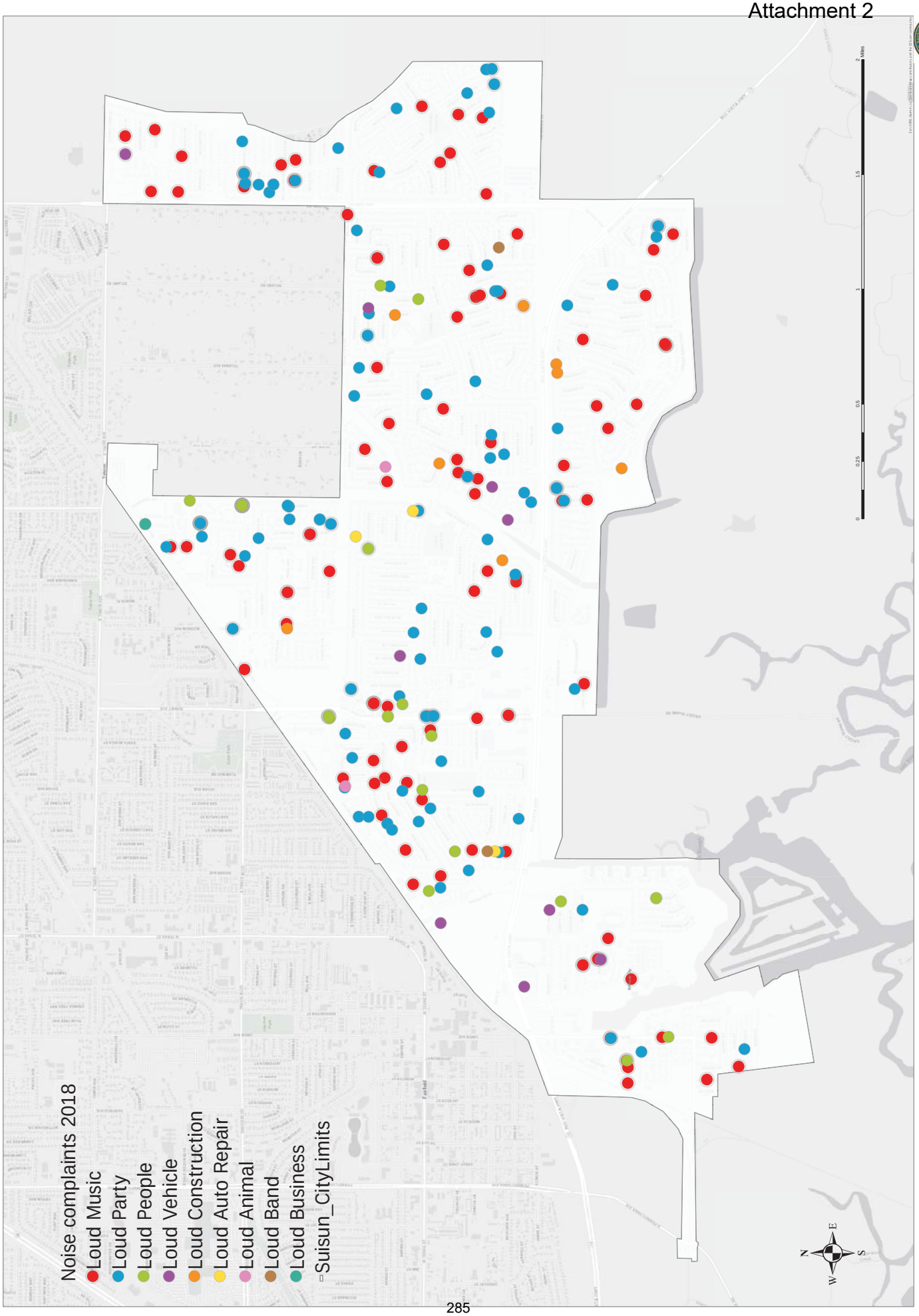
Noise complaints 2018
Loud Music
Loud Party
Loud People
Loud Vehicle
Loud Construction
Loud Auto Repair
Loud Animal
Loud Band
Loud Business
Suisun_CityLimits
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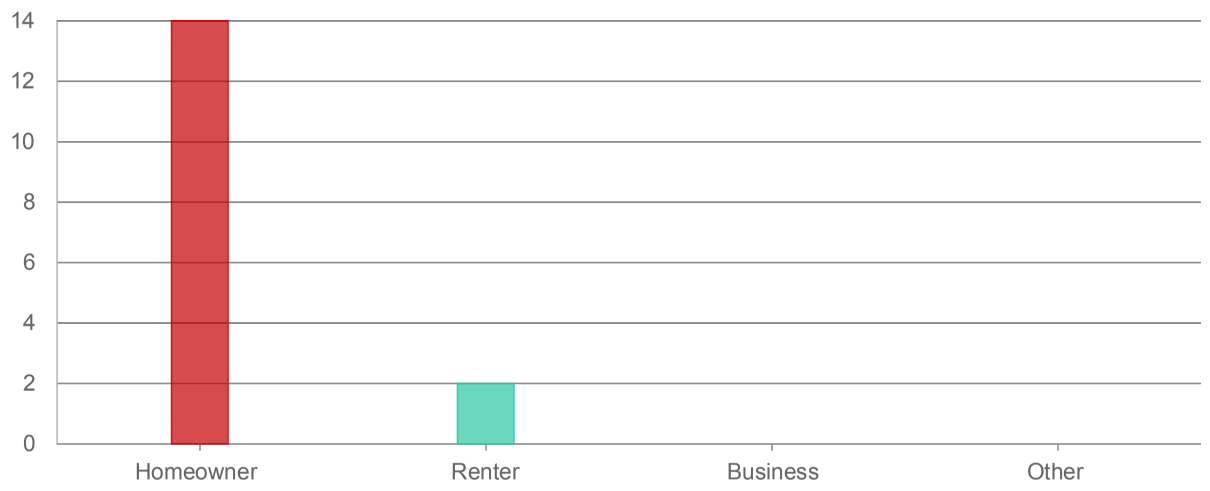
Noise Ordinance

Are you a resident of Suisun City?

Answers	Count	Percentage
Yes	15	93.75%
No	1	6.25%

Answered: 16 Skipped: 0

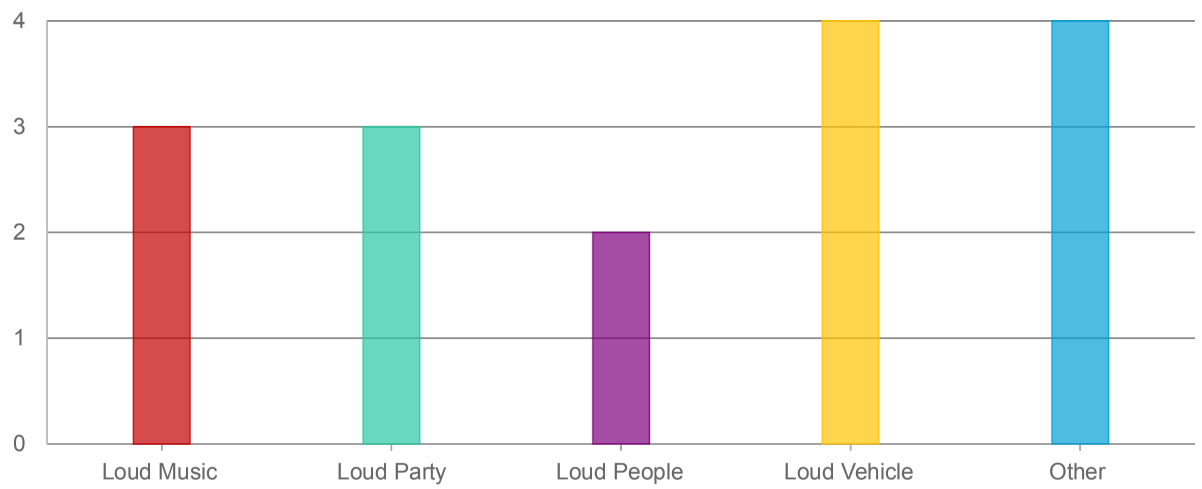
Please select all that apply.



Answers	Count	Percentage
Homeowner	14	87.50%
Renter	2	12.50%
Business	0	0.00%
Other	0	0.00%

Answered: 16 Skipped: 0

What is your top noise complaint? *



Response	Count
Neighbors barking dogs. I can't even go in the backyard without them b arking the whole time.	1
Loud music, construction, barking dogs,	1
loud dogs after hours, stray dogs	1
Barking dogs that don't shut up.	1

Answered: 16 Skipped: 0

What would be your solution to this problem?

The word cloud requires at least 20 answers to show.

Response	Count
setting a curfew, fining owners (when applicable)	1

Response	Count
Set a curfew that no parties can go past 10PM on weekdays and 11PM on weekends. Fine offenders. 1st offense - warning. 2nd offense $500. 3rd- offense $1000. Keep doubling offense. Same to motorcycles that rev up their engine and speed by the neighborhood past curfew.	1
Possibly permit for regular backyard parties/bbqs.	1
Police or code enforcement should be able to contact owner, resident and fine after 2 complaints.	1
One of neighbors filed a complaint about this and they did nothing..!! They should have been fined and until the problem stopped. I have had dogs all my life, and dogs are easily trained. But the owners does not care..!! Because the City of Suisun will do nothing..??	1
Noise ordinances laws or penalties for loud music from vehicles and residential	1
If the city is going to require everyone to clean up our properties, then I'm asking the city to clean up the noise. —Set a week day curfew for noise to 10pm. People work, kids go to school. -Weekend curfew for noise to midnight. Thumping cars need to go. - No running of jackhammers, pressure washers, mowing the lawns AT 2am. (YES this happens on Maple St) - No puppy mills in tents in the front yard with excessive barking at 3am. - Construction start time can be 9am. , not at 5am. - Have an app made for people to complain.	1
I live on Pintail Dr it is very busy. A few weeks ago a hit and run side swiped a parked vehicle waking up the neighboorhood. A tighter security on busy streets or signs to inform drivers of the speed limit	1
I can deal with loud vehicle to a point. I think a curfew would be good but my biggest complaint is straight pipe motorcycles that are not just loud but hurt and maybe damage your ears they are so loud. Times have changed and it time to quite motorcycles, all, not just new ones. One of their excuses is it's safety…so drivers can hear them coming, that is bull, the noise is coming from the back and being able to hear them coming just is not a fact.	1
I am not sure if the city of Suisun could technically do anything about this, but the cars and motorcycles with their radio and or altered exhaust is my biggest noise concern. Motorcycles radios are normally easily heard over 200 feet away.	1
Have signs on the sidewalk saying Quiet Hours encouraged after midnight.	1
Have a time limit on the parties.	1
Enforce public nuisance laws already in place	1

Response	Count
Create sound limits for public events. Have a curfew, fine vehicles, make reporting a nuisance dog easier and anonymous to prevent neighbor retaliation	1
A permit is a good idea, along with criteria on sound levels for music etc.	1
	0

Answered: 15 Skipped: 1

Any other comments you would like to share?

The word cloud requires at least 20 answers to show.

Response	Count
You can't legislate respect for your neighbors. When people have refrigerators in the front of their driveway for over a month, or toilets on the side of their houses along with hot water heaters that are visible from the street, I think it's also a cultural issue.	1
YAAAAAAAAAAAAAAAAAASSS	1
While I can hear other neighbors music, party, etc. people should be able to enjoy their residence to include the back yard within reason. Early am or late pm is not reasonable. what is early? 7am. What is late? 11pm.	1
Some of the loud noise issues are because of the large number of people being allowed to live in single residence occupancies. It would be different if it was a larger family with kids but when you have 6-10 adults living in one home and they are bringing other people over constantly it makes it difficult to be able to enjoy your own living space	1
Passing an ordinance addressing un-kept yard would be helpful for making the neighborhoods look better and keep property values up.	1
Not noise but related and often the same people making the noise. Something needs to be done about people that park more than a few cars on the street so you don't have access to street parking in front of your own house. I am not talking about have friends over and the street is full I am talking about people that run businesses out of their home or their older kids build race cars and have 5 (or more) cars parked in front of their and your house all the time.	1
I love living in Suisun City and once my youngest child who was born March 28th, I plan on trying to join commissions or some other avenue to help support this great city.	1

Response	Count
Every year it gets worse, and neighbors get more rude and disrespectful. Neighbors have cars with loud music thumping, on week nights. They also break out illegal fireworks and bottle rockets land on houses. Also neighbor next door runs his big loud vehicle . It annoying and shakes our windows. We've discussed it and he won't let up. Neighbor down the block has teenagers that buzz a mini motorcycle up and down the block for hours and nearly hits children and pets. They don't wear a helmet and doesn't respect other neighbors who ask him not to ride recklessly. Parent does not control teens. Cops never show up, or show up after they put the bike away and deny their actions. The 4of July on Maple Street is where all the illegal fireworks happen. We've had our truck damaged by a drunk neighbor lighting off M-80's. Even with a permit, the parties always get out of whack. And permit holders do not clean up after themselves, sweeping trash into other yards, denying responsibility.	1
Clean up the waterfront: undesirable elements that hang out by the restrooms, obvious people living in their cars, sleeping on the grass, unleashed dogs, etc.	1
animal control presence	1
	0

Answered: 10 Skipped: 6

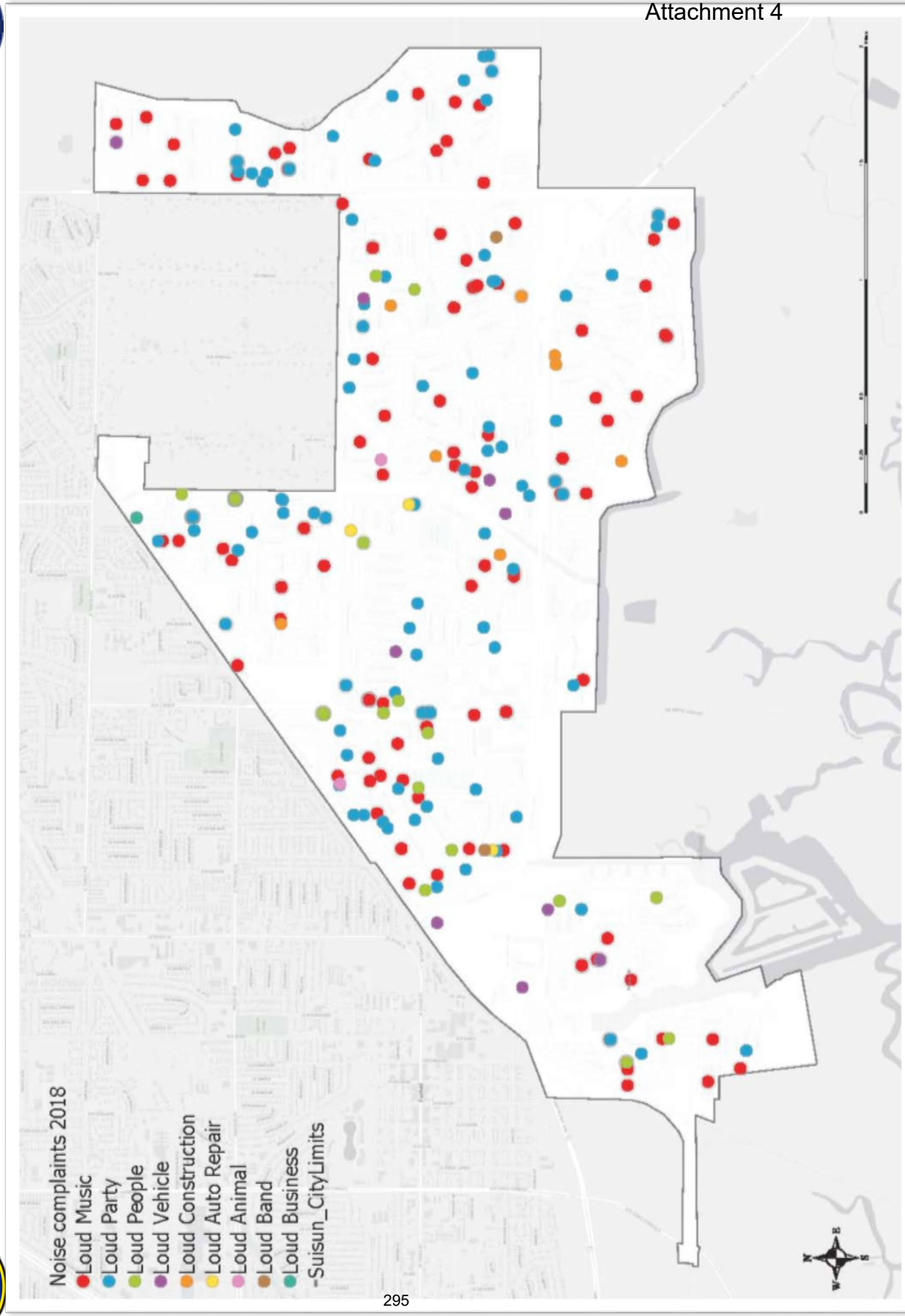
Noise Ordinance

City Council Meeting

January 14, 2020

Background

- Suisun City currently does not have a Noise Ordinance.
- Staff held (2) Workshops with Residents
  - May 1st, 2019, 12 residents attended
  - June 8th, 2019, 5 residents attended
- Staff set up the option to participate online, by taking an online survey. https://arcg.is/0P44aT
- Top Citizens Concerns:
  1. **Loud Animals**
  2. **Loud Vehicles**


Noise complaints 2018
Loud Music
Loud Party
Loud People
Loud Vehicle
Loud Construction
Loud Auto Repair
Loud Animal
Loud Band
Loud Business
-Suisun_CityLimits

Online Survey

Sixteen surveys were received in total. The survey asked what their number one noise complaint was in the city and the top complaints were: loud vehicles and barking dogs.

Noise Ordinance

This survey is for those of you who want to participate in the the making of the noise ordinance. Survey answers are 100% anonymous in order to gain the most insight.

Are you a resident of Suisun City?
Please select one.

- Yes
- No

Please select all that apply.
"I am a..."

- Homeowner
- Renter
- Business
- Other

What is your top noise complaint? *
Based on data the Suisun City Police Department provided the top complaints of 2018 are:
1. Loud Music
2. Loud Party
3. Loud People
4. Loud Vehicle

- Loud Music
- Loud Party
- Loud People
- Loud Vehicle
- Other

What would be your solution to this problem?
Ex. Create a permit for loud parties, set a curfew, make running a too-loud exhaust a fine-worthy offense, etc.

1000

Any other comments you would like to share?
Thank you for participating, we will share our findings with the City Council and on the City website expeditiously.

Ordinance Highlights

- Twenty-two (22) definitions are proposed to be added to clarify terms used and applicability of the ordinance;
- Addition of "General Noise Regulations";
- Addition of "Specific Prohibitions"; and
- Addition of "Exemptions."

Staff Recommendation

- Open the Public Hearing; and
- Take Public Comment; and
- Close the Public Hearing; and
- Introduce and waive the reading of Ordinance No. ___: Amending Sections 8.12.070 and 8.12.080 of Chapter 8.12 of Title 8 (Health and Safety) of the Suisun City Municipal Code to Implement Noise Regulations.