

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



CITY COUNCIL MEETING

First and Third Tuesday
Every Month

A G E N D A

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

AND HOUSING AUTHORITY

TUESDAY, SEPTEMBER 15, 2020

5:15 P.M.

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

NOTICE

Pursuant to Government Code Section 54953, Subdivision (b), and Executive Order released on March 12, 2020, the following Council/Successor Agency meeting includes teleconference participation by: Council/Board Members Anthony Adams, Jane Day, Michael A. Segala, and Mayor Pro Tem Wanda Williams. Teleconference locations are on file at City Hall, 701 Civic Center Blvd., Suisun City, CA 94585.

*PER GOVERNOR NEWSOM'S EXECUTIVE ORDER PUBLIC ACCESS TO THE CITY COUNCIL MEETING
WILL BE VIA THE APPLICATION, ZOOM*

ZOOM MEETING INFORMATION:

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

MEETING ID: 876 5981 8838

CALL IN PHONE NUMBER: (707) 438-1720

TO VIEW TONIGHT'S MEETING ON SUISUN WEBSITE, LIVESTREAM

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

REMOTE PUBLIC COMMENT IS AVAILABLE FOR THE CITY COUNCIL MEETING

BY EMAILING CLERK@SUISUN.COM (PRIOR TO 4:30pm) OR

VIA WEBSITE OR PHONE APPLICATION, ZOOM

ROLL CALL

Council Members

PUBLIC COMMENT

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

CONFLICT OF INTEREST NOTIFICATION

identified at this time.)

DEPARTMENTS: AREA CODE (707)

ADMINISTRATION 421-7300 ■ PLANNING 421-7335 ■ BUILDING 421-7310 ■ FINANCE 421-7320

FIRE 425-9133 ■ RECREATION & COMMUNITY SERVICES 421-7200 ■ POLICE 421-7373 ■ PUBLIC WORKS 421-7340

SUCCESSOR AGENCY 421-7309 FAX 421-7366

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 Legal Counsel - Significant Exposure to Litigation (1 potential case)
Pursuant to Government Code Section 54956.9(d)(2)

Successor Agency

2. Conference with Legal Counsel - Significant Exposure to Litigation (1 potential case)
Pursuant to Government Code Section 54956.9(d)(2)

Housing Authority

3. CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Pursuant to California Government Code Section 54956.8., the Suisun City Council will hold a Closed Session for the purpose of Conference with Real Property Negotiator.
Property Under Negotiation: Assessor's Parcel Numbers 0032-101-420 and 0032-102-160.
Negotiating Party: City Manager
Parties Negotiating With: Harbor Park, LLC
Under Negotiations: Terms and payment

City Council / Successor Agency

4. CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Pursuant to California Government Code Section 54956.8., the Suisun City Council will hold a Closed Session for the purpose of Conference with Real Property Negotiator.
Property Under Negotiation: Assessor's Parcel Numbers 0032-180-140, 0032-180-420, and 0032-180-610.
Negotiating Party: City Manager
Parties Negotiating With: Harbor Park, LLC
Under Negotiations: Terms and payment

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 Meeting at Suisun City Hall 701 Civic Center Blvd., Suisun City (24 hours prior to a Council /Agency/Authority Meeting). Agenda related writings or documents provided to a majority of the Council/Board/Commissioners less than 72 hours prior to a Council/Agency/Authority meeting related to an agenda item for the open session of this meeting will be made available for public inspection during normal business hours. An agenda packet is also located at the entrance to the Council Chambers during the meeting for public review. The City may charge photocopying charges for requested copies of such documents. Assistive listening devices may be obtained at the meeting

PLEASE NOTE:

1. The City Council/Agency/Authority hopes to conclude its public business by 11:00 P.M. Ordinarily, no new items will be taken up after the 11:00 P.M. cutoff and any items remaining will be agendized for the next meeting. The agendas have been prepared with the hope that all items scheduled will be discussed within the time allowed.
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 September 15, 2020 was posted and available for review, in compliance with the Brown Act.

CITY COUNCIL
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AND HOUSING AUTHORITY
TUESDAY, SEPTEMBER 15, 2020
6:30 P.M.**

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

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

ZOOM MEETING INFORMATION:

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

MEETING ID: 857 8957 3354

CALL IN PHONE NUMBER: (707) 438-1720

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BY EMAILING CLERK@SUISUN.COM (PRIOR TO 6pm) OR
VIA WEBSITE OR PHONE APPLICATION, ZOOM*

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

(Next Ord. No. – 775)
(Next City Council Res. No. 2020 – 117)
Next Suisun City Council Acting as Successor Agency Res. No. SA2020 - 02)
(Next Housing Authority Res. No. HA2020 – 01)

DEPARTMENTS: AREA CODE (707)

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ROLL CALL

Council / Board Members

Pledge of Allegiance

Invocation

PUBLIC COMMENT

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CONFLICT OF INTEREST NOTIFICATION

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

REPORTS: (Informational items only.)

1. COVID-19 Update – (Folsom: gfolson@suisun.com).

PRESENTATIONS/APPOINTMENTS

(Presentations, Awards, Proclamations, Appointments).

2. Presentation of Proclamation to Super Fur-iends, a Suisun City Non-Profit Specializing in Pet Rescue, Proclaiming September 14-21, 2020 as Adopt-a-Less-Adoptable-Pet Week - (Wilson: lwilson@suisun.com).
3. Presentation by Elena Karoulina, Executive Director, Sustainable Solano: Suisun City: Adapting to Rising Tides – (Adams: aadams@suisun.com).
4. Distance Learning Support Update – (Lofthus: klofthus@suisun.com).

CONSENT CALENDAR

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

City Council

5. Council Adoption of Resolution No. 2020 - ____: A Resolution of Intention to Annex Territory to Community Facilities District and to Authorize the Levy of Special Taxes Therein – (Medill: mmedill@suisun.com).
6. Council Adoption of Resolution No. 2020 - ____: Authorizing the City Manager to Execute a Contract Services Agreement with RotoRooter and Ratifying Purchase Order #9520 for Sewer Cleaning and Related Services – (Medill: mmedill@suisun.com).
7. Council Adoption of Resolution No. 2020 - ____: Authorizing the Second Amendment of the Lease Agreement Between the City of Suisun City and Suisun American Little League.– (Lofthus- klofthus@suisun.com).
8. Council Adoption of Resolution No. 2020 - ____: Authorizing the Application for Parks and Water Bond Act of 2018 (Proposition 68) Per Capita Funding – (Lofthus- klofthus@suisun.com).

9. Council Adoption of Resolution No. 2020 - ____: Authorizing the Application for Funding and the Execution of a Grant Agreement and any Amendments Thereto From the 2020 Community Development Block Grant Program – Coronavirus Response Round 1 (CDBG-CV1) NOFA Dated June 5, 2020; Acceptance of Funds should the City be successful; and Authorize the City Manager to Sign Memorandum of Understanding with Shelter Solano, Inc – (Roth / Lofthus: aroth@suisun.com / klofthus@suisun.com).

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

10. Council/Agency/Authority Accept the Investment Report for the Quarter Ending June 30, 2020 – (Lakhwinder: Ldeol@suisun.com).
11. 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 August 13, 2020 and September 1, 2020 – (Hobson: Clerk@suisun.com).

Joint City Council / Suisun City Council Acting as Successor Agency

12. Council/Agency Approval of August 2020 Payroll Warrants in the Amount of \$447,143.13; and Council/Agency Approval of the August 2020 Accounts Payable Warrants in the Amount of \$1,420,247.54 – (Finance).

PUBLIC HEARINGS

City Council

13. Council Adoption of Resolution No. 2020-__: Approving Vehicle Miles Traveled (VMT) Based California Environmental Quality Act (CEQA) Thresholds – (Kearns: jkearns@suisun.com).

GENERAL BUSINESS

City Council

14. Council Adoption of Resolution No. 2020 - ____: Accept the Deliverable Public Safety Annual Work Plan 2020 from the Public Safety and Emergency Management Citizen Advisory Committee – (Roth: aroth@suisun.com).
15. Council Discussion and Direction: Suisun Climate Environment Committee – (Adams: aadams@suisun.com).

REPORTS: (Informational items only.)

16. a. Council/Boardmembers
b. Mayor/Chair
17. 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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 - 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 September 15, 2020 was posted and available for review, in compliance with the Brown Act.

Office of the Mayor
Suisun City, California
Proclamation

WHEREAS, more than 6 million pets end up homeless every year in the United State; and

WHEREAS, often families visit shelters and bypass some adoptable pets simply because of the way they look, their age, their breed, or because they have disabilities such as blindness or deafness; and

WHEREAS, volunteers in our community work tirelessly to help support pet rescue efforts through fostering and the donations of time and funds; and

WHEREAS, in October 2017, Rachel Gardner, Executive Director, founded Super Fur-iends, a Suisun City non-profit organization specializing in pet rescue, and

WHEREAS, the mission of Super Fur-iends is to promote a culture geared around spaying and neutering tame and feral cats, with the primary goal to educate and provide low cost spay and neuter options, and re-homing intervention; and

WHEREAS, Rachel Gardner, Executive Director, founded the non-profit on love, compassion and inclusion and is dedicated to giving pets second chances and provide loving homes to pets that are often overlooked, such as feral kittens, senior pets, disabled pets, and those needing to be re-homed due to emergencies; and

WHEREAS, Super Fur-iends host the “Festival of the Forgotten” during the third week of the September to raise awareness about the benefits of adopting pets that tend to get overlooked or passed over and encourage potential adopters to consider pets they might not have previously.

NOW, THEREFORE, I, Lori D. Wilson, Mayor of the City of Suisun City hereby proclaim the week of September 14 – 21, 2020 as:

“ADOPT-A-LESS ADOPTABLE PET WEEK”

in the City of Suisun City and urge all residents to support Super Fur-iends, say “yes” to the less adoptable, or volunteer to be a foster parent.



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

Lori D. Wilson, Mayor

ATTEST:

DATE: September 15, 2020

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Sustainable Solano
NOURISHING INITIATIVES FOR THE GOOD OF THE WHOLE

Suisun City: Adapting to Rising Tides

Background: Two Studies from San Francisco Bay Conservation & Development Commission

SUISUN SLOUGH

*Operational Landscape Unit
Local Assessments Section D:*

SUISUN CITY FOCUS AREA
**EXAMPLE APPLICATION OF THE
ADAPTATION PLANNING PROCESS**

Increased flooding risk, both due to rain events and rising sea level. Both studies are done without community input. We need a public awareness campaign and a city-wide Flood Adaptation / Resilience Action Plan.

Sea-Level Rise Adaptation Planning: Potential Funding

Partners for Places Grant

- “To catalyze a partnership between a local government sustainability director and local foundation through impactful projects”
- Applicant: either local government or foundation
- 100% match required; secured \$25,000 matching funds from Solano Community Foundation; \$50,000 total grant
- Government-oriented; action plan / paperwork production.
- Application is complex: water department / sustainability director, racial equity / oppressed communities, policies.

PG&E Better Together Resilient Communities Grant

- “To build community capacity to reduce flood risk and support healthy and resilient coastlines and wetlands.”
- \$100,000, no matching funds required
- Community-oriented; allows for flexibility and on-the-ground projects, in addition to community outreach and “plans creation”
- Application is straight-forward: a sustainable local network (defined by the applicant!), collaborative, community-driven efforts to build local capacity and promote environmental stewardship; environmental justice (builds on SuSol current CalEPA work)
- Sustainable Solano is a current grantee of PG&E Foundation (Vallejo heat mitigation project)

The Urban Sustainability Directors Network

PG&E Foundation

Suisun City Community Resilience Grant

- **Wide community outreach** to key stakeholders; spark interest and bring the community together for **guided community meetings** resulting in the creation of the **Suisun City Flood Resiliency Action Plan**
- **Targeted outreach to at-risk community:** green infrastructure project(s) to bring community together and to demonstrate community-scale mitigation work
- **Youth Environmental Leadership internship**
- Outreach to other cities and **building coalition** / partnership (Fairfield & Benicia/Vallejo)
- Fundraising for infrastructure-related projects

Suisun City Community Resilience Partners:

- Sustainable Solano
- Suisun City
- San Francisco Bay Conservation & Development Commission
- (potential) Delta Stewardship Council
- The Nature Conservancy / Adam Welchel, PhD
- Solano Community Foundation
- Matt Garcia Foundation

Grant application results - November

Inaugural Bounty of the County is going on now!

- Celebration of Solano farms, wineries and chefs
- “Stronger Together” theme to help farmers affected by the fire
- Weekly online presentations by a trio of a farmer, a winemaker and a restaurant
- Specials from participating restaurants and wineries

HELP OUR FARMS BY BUYING LOCAL FOOD!



AGENDA TRANSMITTAL

MEETING DATE: September 15, 2020

CITY AGENDA ITEM: Adoption of Council Resolution 2020-___: A Resolution of Intention to Annex Territory to Community Facilities District and to Authorize the Levy of Special Taxes Therein.

FISCAL IMPACT: There would be no impact to the General Fund from this item. The cost of the annexation process is covered by Developer supplied funds. The Annexation of the Holiday Inn Express (HIX) into Community Facilities District No. 2 meets the fiscal criteria as established by Resolution No. 2005-69 Cost Recovery Policy for New Development, dated October 4, 2005. The revenue generated from this will be recorded under the Community Facilities District fund.

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

BACKGROUND: As part of the Holiday Inn Express (HIX) conditions of approval, the developer is required to mitigate the impact on City Services due to the new development. In accordance with the development conditions imposed on development project, the landowner is annexing to Community Facility District No. 2 to offset municipal service costs for police, fire, paramedics.

STAFF REPORT: The first step in the legislative process for annexation of the Holiday Inn Express (HIX) into Community Facility District No. 2 is for Council to pass a Resolution of Intention. The Resolution sets the Public Hearing date for October 20, 2020 at 6:30 p.m.

STAFF RECOMMENDATION: It is recommended that the City Council:

1. Adopt Resolution No. 2020-___: A Resolution of Intention to Annex Territory to Community Facilities District and to Authorize the Levy of Special Taxes Therein.

ATTACHMENTS:

1. Resolution No. 2020-___: A Resolution of Intention to Annex Territory to Community Facilities District and to Authorize the Levy of Special Taxes Therein.
2. Boundary Map.
3. Petition.

PREPARED BY:
REVIEWED BY:
APPROVED BY:

Amanda Dum, Management Analyst I
 Matthew Medill, Director Public Works
 Greg Folsom, City Manager

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RESOLUTION NO. 2020-_____

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A RESOLUTION OF INTENTION TO ANNEX TERRITORY TO COMMUNITY FACILITIES DISTRICT AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES THEREIN

**CITY OF SUISUN CITY
Community Facilities District No. 2
(Municipal Services)**

Annexation No. 11 (Holiday Inn Express)

RESOLVED by the City Council (the “Council”) of the City of Suisun City (the “City”), County of Solano, State of California, that:

WHEREAS, this Council has conducted proceedings to establish Community Facilities District No. 2 (Municipal Services) (the “CFD”) pursuant to the Mello-Roos Community Facilities Act of 1982, as amended (the "Act"), Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing at Section 53311, of the California Government Code; and

WHEREAS, under the Act, this Council, as the legislative body for the CFD, is empowered with the authority to annex territory to the CFD, and now desires to undertake proceedings to annex territory to the CFD.

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. Findings. This Council hereby finds and determines that public convenience and necessity require that territory be added to the CFD.

2. Territory Described. The name of the existing CFD is “City of Suisun City Community Facilities District No. 2 (Municipal Services).” The territory originally included in the existing CFD is set forth in the map of the CFD heretofore recorded in the Solano County Recorder’s Office on October 27, 2005, in Book 23 at Page 60 of Maps of Assessment and Community Facilities Districts, to which map reference is hereby made, as such map has been supplemented in connection with subsequent annexations.

The territory now proposed to be annexed to the CFD is as shown on the Annexation Map for the captioned Annexation No. 11 (Holiday Inn Express) to the CFD, on file with the Clerk, the boundaries of which territory are hereby preliminarily approved and to which map reference is hereby made for further particulars. The City Clerk is hereby directed to cause to be recorded such Annexation Map, showing the territory to be annexed, in the office of the County Recorder of the County of Solano within 15 days of the date of adoption of this resolution.

1 **PASSED AND ADOPTED** at a Regular Meeting of the City Council of the City of Suisun
2 City duly held on Tuesday, the 15th day of September 2020, by the following vote:

3 **AYES:** Councilmembers: _____
4 **NOES:** Councilmembers: _____
5 **ABSENT:** Councilmembers: _____
6 **ABSTAIN:** Councilmembers: _____

7 **WITNESS** my hand and the seal of the City of Suisun City this 15th day of
8 September 2020.

9 _____
10 Linda Hobson, CMC
11 City Clerk

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EXHIBIT A

**CITY OF SUISUN CITY
Community Facilities District No. 2
(Municipal Services)**

Annexation No. 11 (Holiday Inn Express)

**CITY OF SUISUN CITY
Community Facilities District No. 2
(Municipal Services)**

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

A Special Tax applicable to each Assessor's Parcel in Community Facilities District No. 2 (Municipal Services) (the "CFD") shall be levied and collected according to the tax liability determined by the City Council, through the application of the appropriate amount or rate for Taxable Property, as described below. All of the property in the CFD, unless exempted by law or by the provisions of Section E below, shall be taxed for the purposes, to the extent, and in the manner herein provided, including property subsequently annexed to the CFD unless a separate Rate and Method of Apportionment of Special Tax is adopted for the annexation area.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

"Acre or Acreage" means the land area of an Assessor's Parcel as shown on an Assessor's Parcel Map, or if the land area is not shown on an Assessor's Parcel Map, the land area shown on the applicable final subdivision map or other parcel map recorded at the Solano County Recorder's Office.

"Act" means the Mello-Roos Community Facilities Act of 1982, as amended, Chapter 2.5 of Part 1 of Division 2 of Title 5 commencing at Section 53311 of the California Government Code.

"Administrator" means the individual(s) designated by the City to administer the CFD in accordance with the authority and powers granted by the City Council.

"Assessor's Parcel" or "Parcel" means a lot or parcel shown on an Assessor's Parcel Map with an assigned Assessor's Parcel number.

"Assessor's Parcel Map" means an official map of the County Assessor of the County of Solano designating parcels by Assessor's Parcel number.

"Average Increase" means the annual average increase in the Indices that shall be applied to escalate the Maximum Special Tax each Fiscal Year. The Average Increase shall be calculated in January of each year by (1) referencing the Bureau of Labor Statistics Data to identify the annual percentage increase in each Index as of the end of the prior year, and (2) taking the average of these two percentages. If either Index decreases from one year to the next, the percentage change from the prior year shall be assumed to be zero for purposes of calculating the Average Increase.

"Building Square Footage" means the total gross square footage of the floor area of the buildings on any Parcel of Non-Residential Property determined by calculating the combined floor area contained within a building's exterior walls including the area of an addition where floor area is increased. Parking areas and exterior walkways shall not be included in the calculation of Building Square Footage. The determination of Building Square Footage shall be made by reference to appropriate records kept by the City's Building Department.

"CFD-Wide Special Tax" means the Maximum Special Tax identified in Section C.1 below that shall be levied on all Developed Property within the CFD.

"CFD-Wide Special Tax Requirement" means the amount necessary in any Fiscal Year to (i) pay the cost of authorized police, fire, paramedical, storm drain and City-wide landscaping services, (ii) pay administrative expenses of the CFD, and (iii) cure delinquencies in the payment of Special Taxes levied in prior Fiscal Years or (based on delinquencies in the payment of Special Taxes which have already taken place) are expected to occur in the Fiscal Year in which the tax will be collected.

"City" means the City of Suisun City.

"City Council" means the City Council of the City of Suisun City, acting as the legislative body of the CFD.

"Developed Property" means, in any Fiscal Year, all Taxable Property for which a building permit for new construction has been issued prior to July 1 of the preceding Fiscal Year.

"Fiscal Year" means the period starting July 1 and ending on the following June 30.

"Indices" means the Consumer Price Indexes for the San Francisco-Oakland-San Jose Urban Wage Earners and Clerical Workers Category and the U.S. City Average Urban Wage Earners and Clerical Workers Category.

"Live/Work Property" means a Parcel on which all or a portion of a Unit is deed-restricted for commercial use, as determined in the sole discretion of the City.

"Maximum CFD-Wide Special Tax" means the maximum CFD-Wide Special Tax, determined in accordance with Section C.1 below, that can be levied on Taxable Property in any Fiscal Year.

"Maximum Tax Zone Special Tax" means the maximum Tax Zone Special Tax, determined in accordance with Section C.2 below, that can be levied on Taxable Property in any Fiscal Year.

"Multi-Family Property" means, in any Fiscal Year, all Parcels of Developed Property for which a building permit was issued for construction of a residential structure with Units that are offered for rent to the general public.

"Non-Residential Property" means any Taxable Property within the boundaries of the CFD that is not Live/Work Property, Single Family Detached Property, Single Family Attached Property or Multi-Family Property, as defined herein.

"Public Agency" means the federal government, State of California or other local governments or public agencies.

“**RMA**” means this Rate and Method of Apportionment of Special Tax.

“**Single Family Attached Property**” means, in any Fiscal Year, all Parcels of Developed Property for which a building permit was issued for construction of a residential structure consisting of two or more Units that share common walls and are offered as for-sale units, including such residential structures that meet that statutory definition of a condominium contained in Civil Code Section 1351.

“**Single Family Detached Property**” means, in any Fiscal Year, all Parcels of Developed Property which meet both of the following criteria: (i) a building permit was issued for construction of a Unit that does not share a common wall with another Unit, and (ii) the Parcel has not been designated as Live/Work Property.

“**Special Tax**” means a special tax levied in any Fiscal Year to pay the CFD-Wide Special Tax Requirement or the Tax Zone Special Tax Requirement.

“**Taxable Property**” means all Assessor’s Parcels within the boundaries of the CFD which are not exempt from the Special Tax pursuant to law or Section E below.

“**Tax Zone**” means a mutually exclusive geographic area within which a particular Tax Zone Special Tax may be levied pursuant to this RMA. All of the property within the CFD at the time of the CFD formation is within Tax Zone #1; additional Tax Zones may be created when property is annexed into the CFD, and a separate Tax Zone Special Tax shall be identified for property within a new Tax Zone at the time of such annexation.

“**Tax Zone Special Tax**” means a Special Tax that shall be levied within a particular Tax Zone or Tax Zones but not necessarily levied at a consistent rate throughout the entire CFD.

“**Tax Zone Special Tax Requirement**” means the amount necessary in any Fiscal Year to pay the cost of authorized landscaping services within a particular Tax Zone. A separate Tax Zone Special Tax Requirement shall be determined each Fiscal Year for each Tax Zone within which a Tax Zone Special Tax is authorized to be levied.

“**Unit**” means a residential dwelling unit, including individual single-family detached, duplex, triplex, fourplex, townhome, condominium, or apartment units.

B. DATA FOR ANNUAL ADMINISTRATION OF SPECIAL TAX

After July 1 of each Fiscal Year, the Administrator shall categorize all Parcels of Taxable Property in the CFD as Single Family Detached Property, Single Family Attached Property, Multi-Family Property, Live/Work Property or Non-Residential Property. For each Parcel of Single Family Attached Property, Live/Work Property and Multi-Family Property, the Administrator shall determine the number of Units on the Parcel by referencing the building permit, site plan, condominium plan, apartment plan or other development plan for the Parcel. The Administrator shall determine the Building Square Footage for all Parcels of Non-Residential Property. The Administrator shall also determine the Tax Zone within which each Parcel of Taxable Property is located.

C. MAXIMUM SPECIAL TAX

1. *CFD-Wide Special Tax*

Table 1 below identifies the Maximum CFD-Wide Special Taxes.

**Table 1
City of Suisun City
Community Facilities District No. 2
(Municipal Services)
Maximum CFD-Wide Special Taxes**

Land Use Category	Maximum CFD-Wide Special Tax Fiscal Year 2005-06 *
Single Family Detached Property	\$629.90 per Unit
Single Family Attached Property	\$472.43 per Unit
Multi-Family Property	\$236.21 per Unit
Live/Work Property	\$629.90 per Unit plus \$629.90 per 1,000 square feet (or portion thereof) of non-residential building and ancillary improvements
Non-Residential Property	The greater of \$629.90 per parcel or \$629.90 per 1,000 Square Feet (or portion thereof) of Building Square Footage

* Beginning in January 2006 and each January thereafter, this Maximum Special Tax shall be adjusted by applying the Average Increase, if any, in the Indices. Each annual adjustment of the Maximum Special Tax shall become effective on the subsequent July 1.

2. *Tax Zone #1 Special Tax*

Table 2 below identifies the Maximum Tax Zone Special Tax for Tax Zone #1. A different Maximum Tax Zone Special Tax shall be identified for Tax Zones added to the CFD as a result of future annexations.

**Table 2
City of Suisun City
Community Facilities District No. 2
(Municipal Services)
Maximum Tax Zone Special Taxes for Tax Zone #1**

Land Use Category	Maximum CFD-Wide Special Tax Tax Zone #1 Fiscal Year 2005-06 *
Single Family Detached Property	\$386.04 per Unit
Single Family Attached Property	\$289.53 per Unit
Multi-Family Property	\$144.77 per Unit
Live/Work Property	\$386.04 per Unit plus \$386.04 per 1,000 square feet (or portion thereof) of non-residential space
Non-Residential Property	The greater of \$386.04 per Parcel or \$386.04 per 1,000 Square Feet (or portion thereof) of Building Square Footage

* Beginning in January 2006 and each January thereafter, this Maximum Special Tax shall be adjusted by applying the Average Increase, if any, in the Indices. Each annual adjustment of the Maximum Special Tax shall become effective on the subsequent July 1.

D. METHOD OF LEVY AND COLLECTION OF THE SPECIAL TAX

1. CFD-Wide Special Tax

Each Fiscal Year, the CFD-Wide Special Tax shall be levied on all Parcels of Developed Property within the CFD as follows:

- Step 1:*** Determine the CFD-Wide Special Tax Requirement for the Fiscal Year in which the CFD-Wide Special Tax will be collected;
- Step 2:*** Calculate the total CFD-Wide Special Tax revenues that could be collected from Developed Property within the CFD based on application of the Maximum CFD-Wide Special Tax rates determined pursuant to Section C.1 above;
- Step 3:*** If the amount determined in Step 1 is **greater than or equal to** the amount calculated in Step 2, levy the Maximum CFD-Wide Special Tax on all Parcels of Developed Property in the CFD.
- Step 4:*** If the amount determined in Step 1 is **less than** the amount calculated in Step 2, levy the CFD-Wide Special Tax against all Parcels of Developed Property in equal percentages up to 100% of the Maximum CFD-Wide Special Tax for each Parcel until the amount of the CFD-Wide Special Tax levy equals the CFD-Wide Special Tax Requirement for that Fiscal Year.

2. Tax Zone Special Tax

Each Fiscal Year, the Tax Zone Special Tax shall be levied on all Parcels of Developed Property within each Tax Zone as follows:

- Step 1:* Separately for each Tax Zone, determine the Tax Zone Special Tax Requirement for the Fiscal Year in which the Tax Zone Special Tax will be collected;
- Step 2:* Calculate separately for each Tax Zone the total Tax Zone Special Tax revenues that could be collected from Developed Property within the Tax Zone based on application of the Maximum Tax Zone Special Tax rates for that Tax Zone;
- Step 3:* If the amount determined in Step 1 is **greater than or equal to** the amount calculated in Step 2, levy the Maximum Tax Zone Special Tax on all Parcels of Developed Property in the Tax Zone.
- Step 4:* If the amount determined in Step 1 is **less than** the amount calculated in Step 2, levy the Tax Zone Special Tax against all Parcels of Developed Property within the Tax Zone in equal percentages up to 100% of the Maximum Tax Zone Special Tax for each Parcel until the amount of the Tax Zone Special Tax levy equals the Tax Zone Special Tax Requirement for that Fiscal Year.

The CFD-Wide Special Tax and the Tax Zone Special Tax within the CFD shall be collected in the same manner and at the same time as ordinary ad valorem property taxes, provided, however, that the CFD may (under the authority provided in the Act), in any particular case, bill the taxes directly to the property owner off the County tax roll, and the Special Taxes will be equally subject to penalties and foreclosure if delinquent.

E. LIMITATIONS

Notwithstanding any other provision of this Rate and Method of Apportionment of Special Tax, no Special Tax shall be levied on land that has been conveyed to a Public Agency, except as otherwise provided in Sections 53317.3 and 53317.5 of the Act.

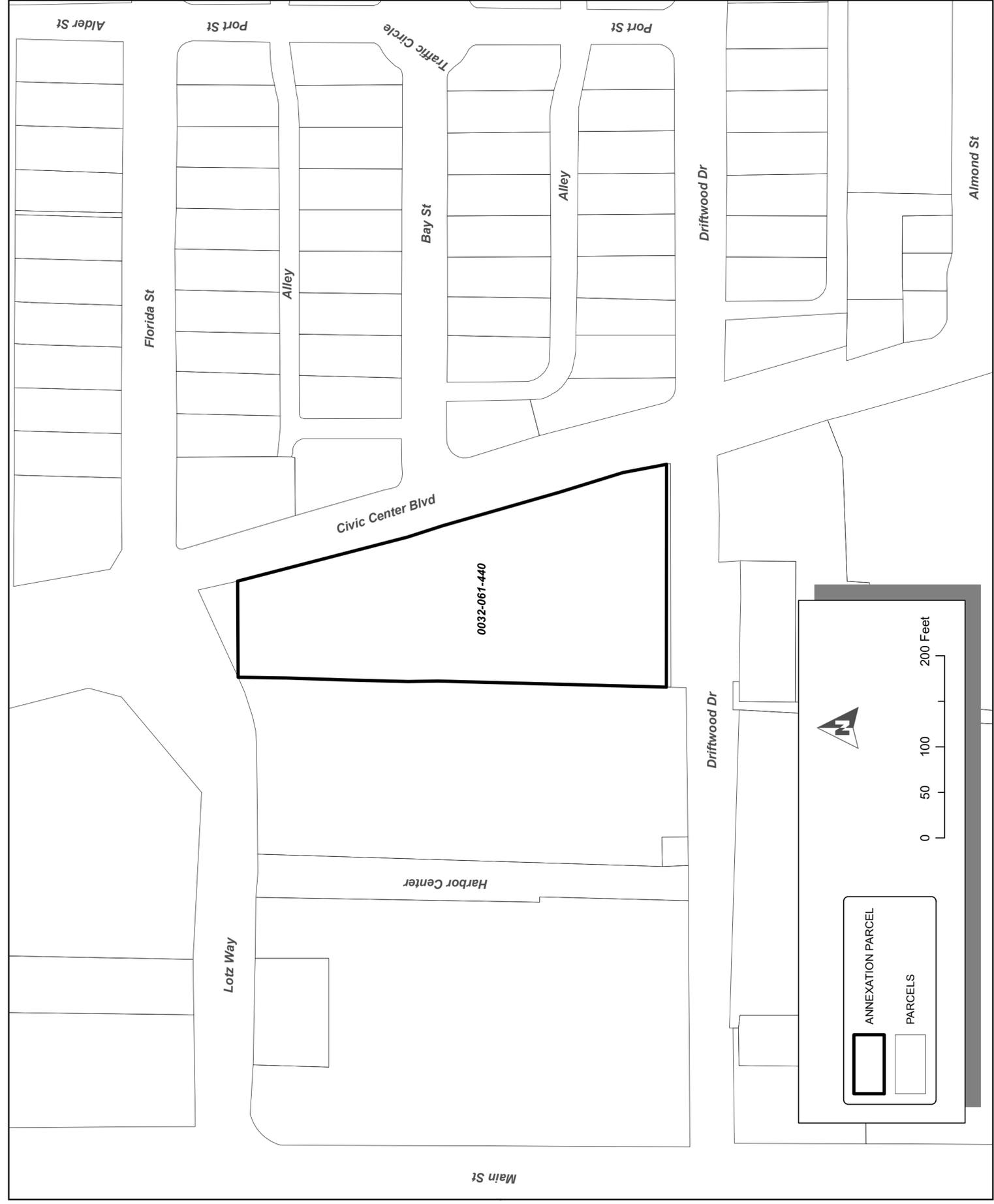
F. INTERPRETATION OF SPECIAL TAX FORMULA

The City reserves the right to make minor administrative and technical changes to this document that do not materially affect the rate and method of apportioning Special Taxes. In addition, the interpretation and application of any section of this document shall be left to the City's discretion. Interpretations may be made by the City by ordinance or resolution for purposes of clarifying any vagueness or ambiguity in this Rate and Method of Apportionment.

**Annexation Map No. 11 of City of Suisun City
Community Facilities District No. 2 (Municipal Services)**

ATTACHMENT NO. 2

COUNTY OF SOLANO
STATE OF CALIFORNIA



REFERENCE IS HEREBY MADE TO THAT CERTAIN MAP ENTITLED "PROPOSED BOUNDARIES OF CITY OF SUISUN CITY COMMUNITY FACILITIES DISTRICT NO. 2 (MUNICIPAL SERVICES), COUNTY OF SOLANO, STATE OF CALIFORNIA," FILED THE 27TH DAY OF OCTOBER, 2005, AT THE HOUR OF IN BOOK 23 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICT AT PAGE 60, IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SOLANO, STATE OF CALIFORNIA, WHICH THIS ANNEXATION MAP AFFECTS.

1. FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF SUISUN CITY THIS _____ DAY OF _____, 20____.

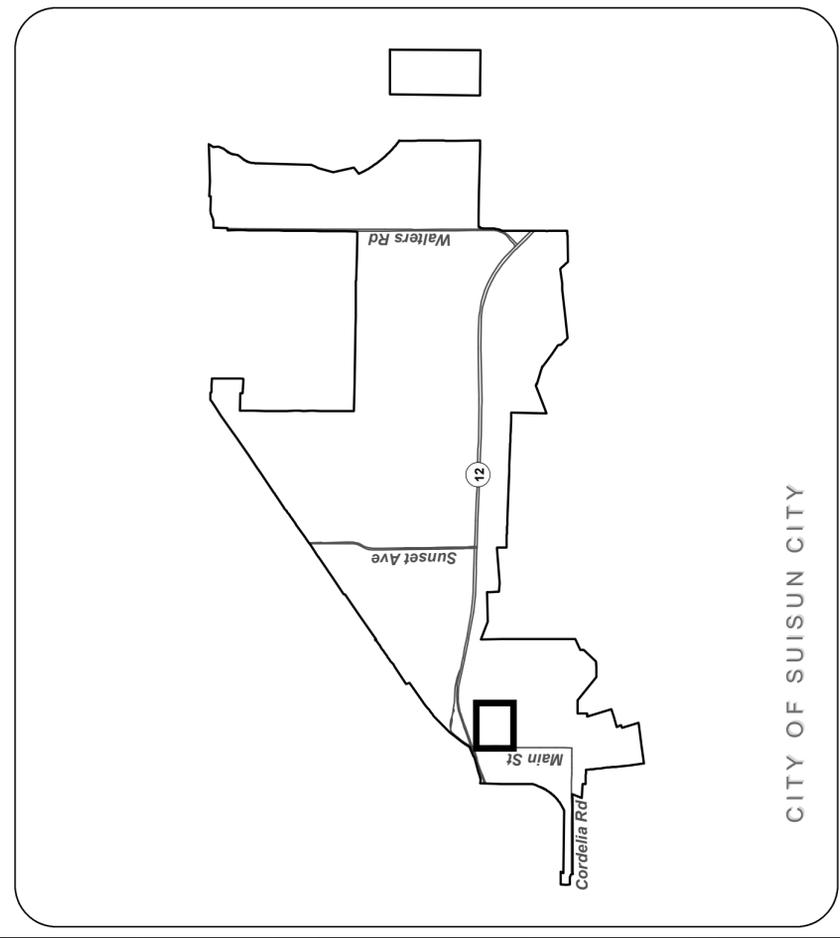
CITY CLERK

2. I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF ANNEXATION NO. 11 TO CITY OF SUISUN CITY COMMUNITY FACILITIES DISTRICT NO. 2 (MUNICIPAL SERVICES), COUNTY OF SOLANO, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF SUISUN CITY, AT A MEETING THEREOF, HELD ON THE _____ DAY OF _____, 20____, BY ITS RESOLUTION NO. _____.

CITY CLERK

3. FILED THIS _____ DAY OF _____, 20____, AT THE HOUR OF _____ O'CLOCK _____ M., IN BOOK _____ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, AT PAGE _____ IN THE OFFICE OF THE COUNTY RECORDER IN THE COUNTY OF SOLANO, STATE OF CALIFORNIA.

COUNTY RECORDER,
COUNTY OF SOLANO



CITY OF SUISUN CITY



Source: Solano County GIS
Geographic Coordinate Reference: GCS North American 1983
Projector: NAD 1983 StatePlane California II FIPS 0402 Feet

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**PETITION
(With Waivers)**

**For Annexation to a Community Facilities District
and Related Matters**

**CITY OF SUISUN CITY
Community Facilities District No. 2
(Municipal Services)**

Annexation No. 11 (Holiday Inn Express)

August 28, 2020

To the Honorable City Council,
City of Suisun City
701 Civic Center Boulevard
Suisun City, CA 94585

Members of the Council:

This is a petition to annex the land identified below (the "Property") to the City's Community Facilities District No. 2 (Municipal Services) (the "CFD") and related matters under the Mello-Roos Community Facilities Act of 1982, Sections 53311 and following of the California Government Code (the "Act"), and it states as follows:

1. Petitioner. This Petition is submitted by the person (the "Petitioner") (whether one or more) identified below as or for the record owner(s) of the Property. The undersigned warrants to the City that the Petitioner is such owner or is legally authorized to execute this Petition for and on behalf of such owner(s). The Petitioner has supplied to the City current title evidence.

2. Proceedings Requested. This Petition asks that the City Council undertake proceedings under the Act to annex the Property to the CFD.

3. Boundaries. This Petition asks that the territory to be annexed to the CFD consist of that shown on a map of the proposed boundaries of Annexation No. 11 (Holiday Inn Express) to CFD-Wide Special Taxes of the CFD, which map is filed with the City Clerk of the City and which map is hereby made a part hereof and which map includes the Property.

4. Purpose. This Petition asks that the Property be annexed to the CFD and that special taxes (the "Special Taxes") be levied on the Property to finance all or a part of the municipal services (the "Services") described in Exhibit A hereto and made a part hereof.

5. Special Taxes. The Petitioner agrees that it has reviewed and preliminarily approves the Rate and Method of Apportionment of Special Taxes for the CFD (the "Existing Rate and Method"). Petitioner acknowledges and preliminarily agrees that the Rate and Method will be

used by the City for the levy of Special Taxes on the Property to pay for the Services, subject to the completion of annexation proceedings for the Property by the City under the Act.

6. Election. The Petitioner asks that the special election be conducted under the Act by the City and its officials on the questions of (i) annexation of the Property to the CFD and (ii) levy of the Special Taxes, using a mailed or hand-delivered ballot and that such ballot be canvassed and the results certified at the same meeting of the City Council as the public hearing on such matters under the Act or as soon thereafter as possible.

7. Waivers. To expedite the annexation of the Property to the CFD, the Petitioner waives all notices of hearing and all published notices regarding the annexation of the Property to the CFD, notices of landowner election, applicable waiting periods under the Act for the holding of any public hearing and for election, and all ballot arguments and analysis for the election, it being acknowledged by the Petitioner that all such notices are for the benefit of the Petitioner and may be waived.

8. Authority Warranted. The Petitioner warrants to the City that the presentation of this Petition, any waivers contained herein, casting of ballots at the property owner election and other actions mandated by the City for the annexation of the Property to the CFD shall not constitute or be construed as events of default or delinquencies under any existing or proposed financing documents entered into or to be entered into by the Petitioner for the Property, including any “due-on-encumbrance” clauses under any existing security instruments secured by the Property.

9. Due Diligence and Disclosures. The Petitioner agrees to cooperate with the City and its attorneys and consultants and to provide all information and disclosures required by the City about the Special Taxes to purchasers of the Property or any part of it.

[remainder of page left intentionally blank]

10. Agreements. The Petitioner further agrees to execute such additional or supplemental agreements as may be required by the City to provide for any of the actions and conditions under this Petition, including any amount of cash deposit required to pay for the City's costs in annexing the Property to the CFD. By executing this Petition, the Petitioner agrees to all of the above.

The Property is in Solano County
Assessor Parcel No(s):

0032-061-440

and the Property contains a total of
1.97 acres

The Petitioner (record owner) is:

Ashria Hospitality LLC

By: 

Name: CAMRAN NOJOOMI

Its: PRESIDENT

Date: 8/27/2020

The address of the above for
receiving any notice and ballot is:

355 Civic Center Blvd
Suisun City, CA 94585

email: camran.nojoomi@ashriallc.com

EXHIBIT A

**CITY OF SUISUN CITY
Community Facilities District No. 2
(Municipal Services)**

Annexation No. 11 (Holiday Inn Express)

DESCRIPTION OF SERVICES

The captioned CFD will finance, in whole or in part, the following public services (the "Services") on the Property, including all related administrative costs, related reserves for replacement of vehicles and equipment, and expenses:

- *Police services*
- *Fire services*
- *Paramedical services*
- *Services for the maintenance of parks, parkways and open space (landscaping).*
- *Services for the maintenance of storm drains.*

EXHIBIT B

**CITY OF SUISUN CITY
Community Facilities District No. 2
(Municipal Services)**

Annexation No. 11 (Holiday Inn Express)

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

**CITY OF SUISUN CITY
Community Facilities District No. 2
(Municipal Services)**

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

A Special Tax applicable to each Assessor's Parcel in Community Facilities District No. 2 (Municipal Services) (the "CFD") shall be levied and collected according to the tax liability determined by the City Council, through the application of the appropriate amount or rate for Taxable Property, as described below. All of the property in the CFD, unless exempted by law or by the provisions of Section E below, shall be taxed for the purposes, to the extent, and in the manner herein provided, including property subsequently annexed to the CFD unless a separate Rate and Method of Apportionment of Special Tax is adopted for the annexation area.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

"Acre or Acreage" means the land area of an Assessor's Parcel as shown on an Assessor's Parcel Map, or if the land area is not shown on an Assessor's Parcel Map, the land area shown on the applicable final subdivision map or other parcel map recorded at the Solano County Recorder's Office.

"Act" means the Mello-Roos Community Facilities Act of 1982, as amended, Chapter 2.5 of Part 1 of Division 2 of Title 5 commencing at Section 53311 of the California Government Code.

"Administrator" means the individual(s) designated by the City to administer the CFD in accordance with the authority and powers granted by the City Council.

"Assessor's Parcel" or "Parcel" means a lot or parcel shown on an Assessor's Parcel Map with an assigned Assessor's Parcel number.

"Assessor's Parcel Map" means an official map of the County Assessor of the County of Solano designating parcels by Assessor's Parcel number.

“Average Increase” means the annual average increase in the Indices that shall be applied to escalate the Maximum Special Tax each Fiscal Year. The Average Increase shall be calculated in January of each year by (1) referencing the Bureau of Labor Statistics Data to identify the annual percentage increase in each Index as of the end of the prior year, and (2) taking the average of these two percentages. If either Index decreases from one year to the next, the percentage change from the prior year shall be assumed to be zero for purposes of calculating the Average Increase.

“Building Square Footage” means the total gross square footage of the floor area of the buildings on any Parcel of Non-Residential Property determined by calculating the combined floor area contained within a building's exterior walls including the area of an addition where floor area is increased. Parking areas and exterior walkways shall not be included in the calculation of Building Square Footage. The determination of Building Square Footage shall be made by reference to appropriate records kept by the City's Building Department.

“CFD-Wide Special Tax” means the Maximum Special Tax identified in Section C.1 below that shall be levied on all Developed Property within the CFD.

“CFD-Wide Special Tax Requirement” means the amount necessary in any Fiscal Year to (i) pay the cost of authorized police, fire, paramedical, storm drain and City-wide landscaping services, (ii) pay administrative expenses of the CFD, and (iii) cure delinquencies in the payment of Special Taxes levied in prior Fiscal Years or (based on delinquencies in the payment of Special Taxes which have already taken place) are expected to occur in the Fiscal Year in which the tax will be collected.

“City” means the City of Suisun City.

“City Council” means the City Council of the City of Suisun City, acting as the legislative body of the CFD.

“Developed Property” means, in any Fiscal Year, all Taxable Property for which a building permit for new construction has been issued prior to July 1 of the preceding Fiscal Year.

“Fiscal Year” means the period starting July 1 and ending on the following June 30.

“Indices” means the Consumer Price Indexes for the San Francisco-Oakland-San Jose Urban Wage Earners and Clerical Workers Category and the U.S. City Average Urban Wage Earners and Clerical Workers Category.

“Live/Work Property” means a Parcel on which all or a portion of a Unit is deed-restricted for commercial use, as determined in the sole discretion of the City.

“Maximum CFD-Wide Special Tax” means the maximum CFD-Wide Special Tax, determined in accordance with Section C.1 below, that can be levied on Taxable Property in any Fiscal Year.

“Maximum Tax Zone Special Tax” means the maximum Tax Zone Special Tax, determined in accordance with Section C.2 below, that can be levied on Taxable Property in any Fiscal Year.

“Multi-Family Property” means, in any Fiscal Year, all Parcels of Developed Property for which a building permit was issued for construction of a residential structure with Units that are offered for rent to the general public.

“Non-Residential Property” means any Taxable Property within the boundaries of the CFD that is not Live/Work Property, Single Family Detached Property, Single Family Attached Property or Multi-Family Property, as defined herein.

“Public Agency” means the federal government, State of California or other local governments or public agencies.

“RMA” means this Rate and Method of Apportionment of Special Tax.

“Single Family Attached Property” means, in any Fiscal Year, all Parcels of Developed Property for which a building permit was issued for construction of a residential structure consisting of two or more Units that share common walls and are offered as for-sale units, including such residential structures that meet that statutory definition of a condominium contained in Civil Code Section 1351.

“Single Family Detached Property” means, in any Fiscal Year, all Parcels of Developed Property which meet both of the following criteria: (i) a building permit was issued for construction of a Unit that does not share a common wall with another Unit, and (ii) the Parcel has not been designated as Live/Work Property.

“Special Tax” means a special tax levied in any Fiscal Year to pay the CFD-Wide Special Tax Requirement or the Tax Zone Special Tax Requirement.

“Taxable Property” means all Assessor’s Parcels within the boundaries of the CFD which are not exempt from the Special Tax pursuant to law or Section E below.

“Tax Zone” means a mutually exclusive geographic area within which a particular Tax Zone Special Tax may be levied pursuant to this RMA. All of the property within the CFD at the time of the CFD formation is within Tax Zone #1; additional Tax Zones may be created when property is annexed into the CFD, and a separate Tax Zone Special Tax shall be identified for property within a new Tax Zone at the time of such annexation.

“Tax Zone Special Tax” means a Special Tax that shall be levied within a particular Tax Zone or Tax Zones but not necessarily levied at a consistent rate throughout the entire CFD.

“Tax Zone Special Tax Requirement” means the amount necessary in any Fiscal Year to pay the cost of authorized landscaping services within a particular Tax Zone. A separate Tax Zone Special Tax Requirement shall be determined each Fiscal Year for each Tax Zone within which a Tax Zone Special Tax is authorized to be levied.

“Unit” means a residential dwelling unit, including individual single-family detached, duplex, triplex, fourplex, townhome, condominium, or apartment units.

B. DATA FOR ANNUAL ADMINISTRATION OF SPECIAL TAX

After July 1 of each Fiscal Year, the Administrator shall categorize all Parcels of Taxable Property in the CFD as Single Family Detached Property, Single Family Attached Property, Multi-

Family Property, Live/Work Property or Non-Residential Property. For each Parcel of Single Family Attached Property, Live/Work Property and Multi-Family Property, the Administrator shall determine the number of Units on the Parcel by referencing the building permit, site plan, condominium plan, apartment plan or other development plan for the Parcel. The Administrator shall determine the Building Square Footage for all Parcels of Non-Residential Property. The Administrator shall also determine the Tax Zone within which each Parcel of Taxable Property is located.

C. MAXIMUM SPECIAL TAX

1. *CFD-Wide Special Tax*

Table 1 below identifies the Maximum CFD-Wide Special Taxes.

**Table 1
City of Suisun City
Community Facilities District No. 2
(Municipal Services)
Maximum CFD-Wide Special Taxes**

Land Use Category	Maximum CFD-Wide Special Tax Fiscal Year 2005-06 *
Single Family Detached Property	\$629.90 per Unit
Single Family Attached Property	\$472.43 per Unit
Multi-Family Property	\$236.21 per Unit
Live/Work Property	\$629.90 per Unit plus \$629.90 per 1,000 square feet (or portion thereof) of non-residential building and ancillary improvements
Non-Residential Property	The greater of \$629.90 per parcel or \$629.90 per 1,000 Square Feet (or portion thereof) of Building Square Footage

* Beginning in January 2006 and each January thereafter, this Maximum Special Tax shall be adjusted by applying the Average Increase, if any, in the Indices. Each annual adjustment of the Maximum Special Tax shall become effective on the subsequent July 1.

2. *Tax Zone #1 Special Tax*

Table 2 below identifies the Maximum Tax Zone Special Tax for Tax Zone #1. A different Maximum Tax Zone Special Tax shall be identified for Tax Zones added to the CFD as a result of future annexations.

**Table 2
City of Suisun City
Community Facilities District No. 2
(Municipal Services)
Maximum Tax Zone Special Taxes for Tax Zone #1**

Land Use Category	Maximum CFD-Wide Special Tax Tax Zone #1 Fiscal Year 2005-06 *
Single Family Detached Property	\$386.04 per Unit
Single Family Attached Property	\$289.53 per Unit
Multi-Family Property	\$144.77 per Unit
Live/Work Property	\$386.04 per Unit plus \$386.04 per 1,000 square feet (or portion thereof) of non-residential space
Non-Residential Property	The greater of \$386.04 per Parcel or \$386.04 per 1,000 Square Feet (or portion thereof) of Building Square Footage

* Beginning in January 2006 and each January thereafter, this Maximum Special Tax shall be adjusted by applying the Average Increase, if any, in the Indices. Each annual adjustment of the Maximum Special Tax shall become effective on the subsequent July 1.

D. METHOD OF LEVY AND COLLECTION OF THE SPECIAL TAX

1. *CFD-Wide Special Tax*

Each Fiscal Year, the CFD-Wide Special Tax shall be levied on all Parcels of Developed Property within the CFD as follows:

- Step 1:** Determine the CFD-Wide Special Tax Requirement for the Fiscal Year in which the CFD-Wide Special Tax will be collected;
- Step 2:** Calculate the total CFD-Wide Special Tax revenues that could be collected from Developed Property within the CFD based on application of the Maximum CFD-Wide Special Tax rates determined pursuant to Section C.1 above;
- Step 3:** If the amount determined in Step 1 is **greater than or equal to** the amount calculated in Step 2, levy the Maximum CFD-Wide Special Tax on all Parcels of Developed Property in the CFD.
- Step 4:** If the amount determined in Step 1 is **less than** the amount calculated in Step 2, levy the CFD-Wide Special Tax against all Parcels of Developed Property in equal percentages up to 100% of the Maximum CFD-Wide Special Tax for each Parcel until the amount of the CFD-Wide Special Tax levy equals the CFD-Wide Special Tax Requirement for that Fiscal Year.

2. *Tax Zone Special Tax*

Each Fiscal Year, the Tax Zone Special Tax shall be levied on all Parcels of Developed Property within each Tax Zone as follows:

- Step 1:** Separately for each Tax Zone, determine the Tax Zone Special Tax Requirement for the Fiscal Year in which the Tax Zone Special Tax will be collected;

- Step 2:** Calculate separately for each Tax Zone the total Tax Zone Special Tax revenues that could be collected from Developed Property within the Tax Zone based on application of the Maximum Tax Zone Special Tax rates for that Tax Zone;
- Step 3:** If the amount determined in Step 1 is **greater than or equal to** the amount calculated in Step 2, levy the Maximum Tax Zone Special Tax on all Parcels of Developed Property in the Tax Zone.
- Step 4:** If the amount determined in Step 1 is **less than** the amount calculated in Step 2, levy the Tax Zone Special Tax against all Parcels of Developed Property within the Tax Zone in equal percentages up to 100% of the Maximum Tax Zone Special Tax for each Parcel until the amount of the Tax Zone Special Tax levy equals the Tax Zone Special Tax Requirement for that Fiscal Year.

The CFD-Wide Special Tax and the Tax Zone Special Tax within the CFD shall be collected in the same manner and at the same time as ordinary ad valorem property taxes, provided, however, that the CFD may (under the authority provided in the Act), in any particular case, bill the taxes directly to the property owner off the County tax roll, and the Special Taxes will be equally subject to penalties and foreclosure if delinquent.

E. LIMITATIONS

Notwithstanding any other provision of this Rate and Method of Apportionment of Special Tax, no Special Tax shall be levied on land that has been conveyed to a Public Agency, except as otherwise provided in Sections 53317.3 and 53317.5 of the Act.

F. INTERPRETATION OF SPECIAL TAX FORMULA

The City reserves the right to make minor administrative and technical changes to this document that do not materially affect the rate and method of apportioning Special Taxes. In addition, the interpretation and application of any section of this document shall be left to the City's discretion. Interpretations may be made by the City by ordinance or resolution for purposes of clarifying any vagueness or ambiguity in this Rate and Method of Apportionment.

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AGENDA TRANSMITTAL

MEETING DATE: September 15, 2020

CITY AGENDA ITEM: Resolution No. 2020___: Authorizing the City Manager to Execute a Contract Services Agreement with RotoRooter and Ratifying Purchase Order #9520 for Sewer Cleaning and Related Services.

FISCAL IMPACT: There is no impact to the General Fund. Sufficient funding is available under the Sewer Maintenance Fund for the fiscal year 2020-21 to cover the cost of these services.

STRATEGIC PLAN IMPACT: Ensure Public Safety.

BACKGROUND: The Fairfield Suisun Sewer District (FSSD) provides video inspection of all of the City's 6-inch to 10-inch sewer pipelines in the City's sewer collection system, performing video inspection of approximately 20% of the system each year such that the entire system is inspected every five years. See Attachment No. 2 for the 2019-2023 FSSD CCTV Rotation Map. This process does not include the 4-inch lower laterals and it does not include the sewer district 12-inch and larger sewer pipelines. Each year prior to the scheduled video inspection, the City contracts to clean the sewer lines within the zone identified in the FSSD sewer pipeline video inspection five-year rotation map. The City contracts for the cleaning service as the required equipment is very expensive, requires significant maintenance, and is only used a few weeks per year. Following the video inspection FSSD provides the City with hard drive copies of the video inspections which include a description of findings each year at no cost to the City. The City then uses sewer inspection videos to plan repairs, as necessary.

STAFF REPORT: The State Water Resources Control Board Statewide General Waste Discharge Requirements for Sanitary Sewer Systems includes the requirement to eliminate avoidable sewer system overflows (SSOs). Under these regulations all sewer system agencies are required to develop and implement a Sewer System Management Plan (SSMP). The City's adopted SSMP is based on Best Practice guidelines released by the State via the Waste Discharge Requirement for all California systems. The City SSMP states that any debris dislodged during line cleaning should be vacuumed out, rather than being pushed down line. Without vacuum removal, a build-up of debris would lead to sewer back-ups and overflows ultimately increasing the City exposure to risk related claims due to sewer issues.

After searching for additional service providers, staff found that RotoRooter is the only local company that performs these services in this area. Additional factors such as the long standing working relationship and institutional knowledge from the fourteen years of service they have provided the City, a dependable and quick local response time to service calls, a large fleet and staff, and scheduling priority during the sewer video inspection cleaning program have

PREPARED BY:
APPROVED BY:

Amanda Dum, Management Analyst I
Matthew Medill, Public Works Director
Greg Folsom, City Manager

encouraged the City to continue its working relationship with RotoRooter. Only a large-scale plumbing company of this size with a large fleet and large staff can provide the services, equipment, and scheduling necessary to meet the wide variety of sewer services required by the City. To formalize this working relationship, it is recommended to implement a Contract Services Agreement (CSA) with RotoRooter. See Attachment No. 3 RotoRooter Proposal which will be an attachment to the standard City CCA as approved as to form by the City Attorney.

RotoRooter has already performed and invoiced for cleaning services this year for our 2020 CCTV sewer inspection program and the services were originally procured with Purchase Order #9520, but these invoices have not been authorized for payment. See Attachment No. 4 for Purchase Order #9520 and RotoRooter invoices dated 7/7/2020 and 7/9/2020 totaling \$35,840. The City Manager identified this invoices exceeded the City Manager's purchasing authority and directed staff to draft a staff report and resolution to request City Council authorization and direction to enter into a CCA with RotoRooter prior to payment of the outstanding invoices and for future requests for service. Staff recommends that Purchase Order #9520 be replaced with a CCA with RotoRooter. Staff recommends that the City Manager be authorized to execute a one-year CSA for an amount not to exceed \$65,000 with RotoRooter for sewer line cleaning services as well as on-call services, and to authorize the City Manager to execute Contract Change Orders of up to 20% of the contract value annually for any services if deemed necessary by the City Manager for a maximum one-year contract cost of \$78,000. Staff further recommends that the City Manager be authorized to extend this CSA for up to three (3) additional one-year extensions. The total sum of the contract cost for up to four (4) one-year contracts is three-hundred and twelve thousand dollars (\$312,000). The cost for this effort is funded by the Sewer Maintenance Fund and there is no impact to the General Fund.

RECOMMENDATION: Resolution No. 2020___: Authorizing the City Manager to Execute a Contract Services Agreement with RotoRooter and Ratifying Purchase Order #9520 for Sewer Cleaning and Related Services.

ATTACHMENTS:

1. Resolution No. 2020___: Authorizing the City Manager to Execute a Contract Services Agreement with RotoRooter and Ratifying Purchase Order #9520 for Sewer Cleaning and Related Services.
2. 2019-2023 Fairfield-Suisun Sewer District CCTV Rotation Map
3. RotoRooter Proposal (Attachment to Contract Services Agreement)
4. Purchase Order #9520 and RotoRooter Invoices dated 7/7/2020 and 7/9/2020

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RESOLUTION NO. 2020 - _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY
AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT SERVICES
AGREEMENT WITH ROTOROOTER AND RATIFYING PURCHASE ORDER #9520
FOR SEWER CLEANING AND RELATED SERVICES**

WHEREAS, The State Water Resources Control Board Statewide General Waste Discharge Requirements for Sanitary Sewer Systems includes the requirement to eliminate avoidable sewer system overflows; and

WHEREAS, the City’s adopted Sanitary Sewer Management Plan (SSMP) states that any debris dislodged during line cleaning should be vacuumed out, rather than being pushed down line or into the main line; and

WHEREAS, each year the City contracts to clean sewer lines within the prescribed zone of the City ahead of the Fairfield-Suisun Sewer District video inspection of all of the City’s 6-inch to 10-inch sewer pipelines in the City’s sewer collection system; and

WHEREAS, the City does not own equipment that can adequately accomplish the task of removing debris dislodged through the process of jetting/cleaning of the City’s sewer lines; and

WHEREAS, RotoRooter has provided the City with required sewer cleaning and related services to remove any dislodged debris for over fourteen years; and

WHEREAS, after searching for additional service providers, staff found that RotoRooter is the only local company that performs the required sewer cleaning and related services in this area. Additional factors such as the long standing working relationship and institutional knowledge from the fourteen years of service they have provided the City, a dependable and quick local response time to service calls, a large fleet and staff, and scheduling priority during the sewer video inspection cleaning program have encouraged the City to continue its working relationship with RotoRooter; and

WHEREAS, Staff has concluded that a contract services agreement for sewer cleaning and related services for FY20-21 is required and has an annual contract value of \$65,000 which exceeds the City Manager’s purchasing authority; and

WHEREAS, Staff recommends that the City Council ratify Purchase Order #9520 at this time; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Suisun City does hereby

- Authorize the City Manager to execute a one-year contract services agreement with RotoRooter for \$65,000 to perform sewer cleaning and related services and authorize the City Manager to annually execute Contract Change Orders for up to

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20% of the contract value for any additional sewer services if deemed necessary by the City Manager.

- Authorize the City Manager to extend this contract services agreement for up to three (3) one-year extensions for up to total of four (4) one-year contracts for a total cost not to exceed three-hundred and twelve thousand dollars (\$312,000).
- Ratify Purchase Order #9520 issued to RotoRooter for the sewer cleaning and related services provided to the City to date within the 2020 zone of the Fairfield-Suisun Sewer District 2019-2023 Closed Circuit Television Rotation Map.

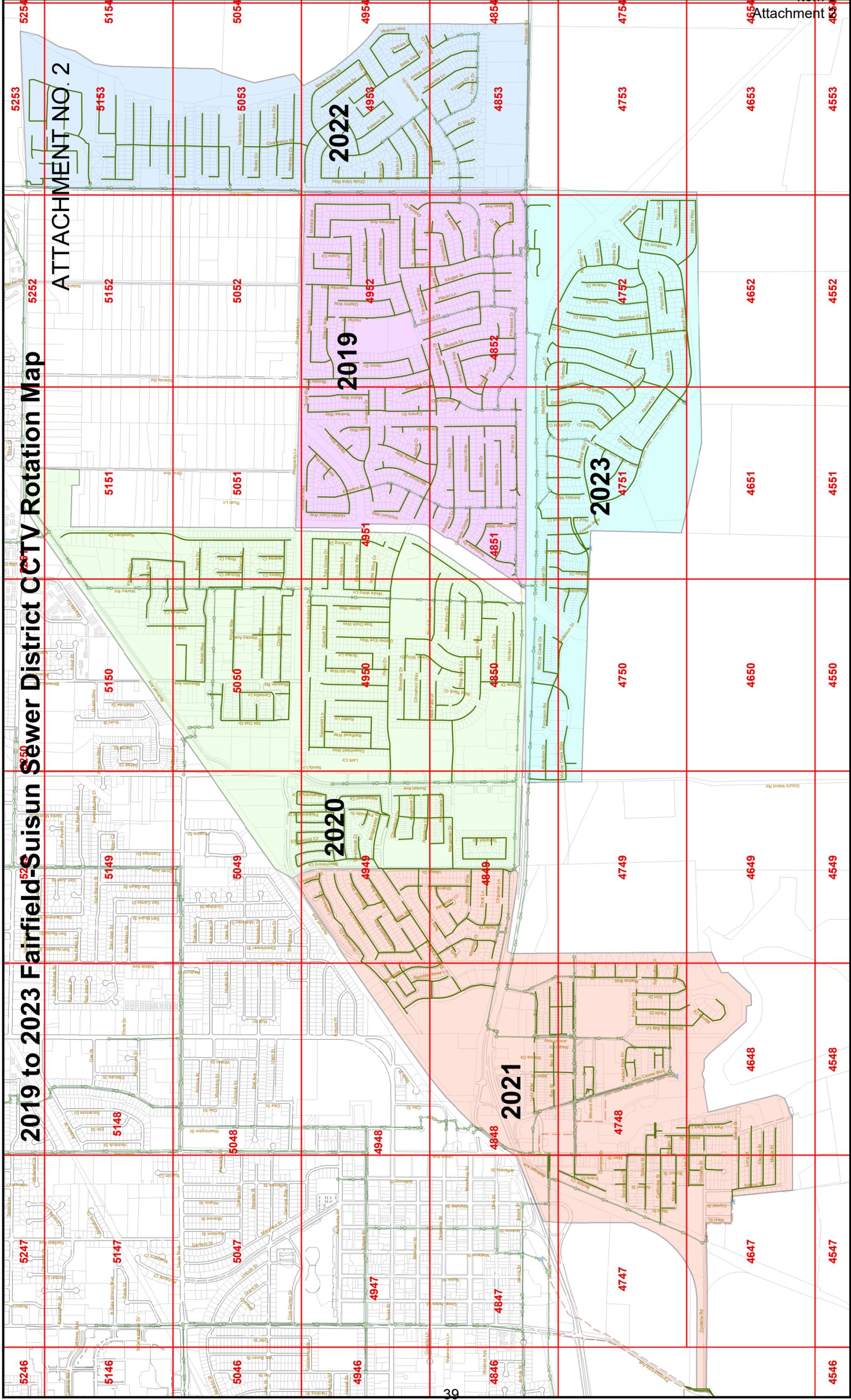
PASSED AND ADOPTED at a Regular Meeting of the City Council of the City of Suisun City duly held on Tuesday, the 15th day of September 2020, by the following vote:

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

WITNESS my hand and the seal of the City of Suisun City this 15th day of September 2020.

Linda Hobson, CMC
City Clerk

2019 to 2023 Fairfield-Suisun Sewer District CCTV Rotation Map



ATTACHMENT NO. 2

2019 - 2023 SEWER TV & CLEANING SCHEDULE SUISUN CITY LINES

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Roto-Rooter
Operated as an Independent Contractor
Terms and Conditions

The following terms apply to all work performed by Roto-Rooter or its affiliates ("us") for the customer indicated on first page of this proposal ("you").

1. **Your Responsibilities.** You agree to (a) remove any hazards, obstructions or dangerous conditions around the job site not caused by our work, (b) limit access to the job site so that people not working on our job are not exposed to dangerous conditions relating to our job, (c) place appropriate warnings to warn of dangerous conditions when we are not on the job site, and (d) provide us with adequate access.
2. **Exceptions to Our Responsibilities.** We are not responsible for (a) personal injury, property damage or other damage or loss to you or others arising out of our work, except to the extent caused by our negligence or failure to perform the work in accordance with the contract between us; (b) defective, damaged, or deteriorated lines, mold, lead piping, or other unexpected or undisclosed conditions, and the consequences of such conditions, including delays, broken fixtures or lines, and lodged equipment (if we encounter such a condition, we may stop work, and you will pay us a reasonable charge for the work performed); (c) the time required to complete our work with reasonable diligence; (d) unless explicitly stated in writing, any damage necessary to complete our work, including damage to landscaping, walls, painting, tile or concrete or similar items; (e) damage caused by the removal of any clean out, drain cover or cap; or (f) tasks we perform in accordance with your specific instructions.
3. **Release and Hold Harmless.** You release us from (and if you are a commercial customer, you will defend and indemnify us and hold us harmless against) all damages, claims, demands, settlements, judgments, liabilities, costs and expenses, including reasonable attorneys' fees, allegedly arising out of (a) breach of your responsibilities under paragraph 1, or (b) matters for which we disclaim responsibility under paragraph 2.
4. **Our Guarantee.** If we provide a parts or equipment guarantee, as your exclusive remedy, we will give you the benefit we receive, if any, under the manufacturer's warranty. If we provide a service guarantee, it covers only drainage failure in the line serviced, and defective plumbing workmanship, during the guarantee term. As your exclusive remedy under our service guarantee, we will, at our option, either do the work again at no labor cost or refund your payment. Guarantees do not apply to problems arising out of main sewer line backup or improper, abnormal or unanticipated use or conditions. Except as explicitly stated in writing, we are not giving any guarantees or making any warranties. **WE DISCLAIM ANY IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.** For problems or inquiries, you should contact our General Manager at the phone number listed on the front of our proposal.
5. **Limitation of Damages.** Our liability to you for any claim arising out of our work on any job (other than a claim permitted by these terms for personal or bodily injury) will in no event exceed three times the amount you actually pay us for the work on that job. **EXCEPT FOR A CLAIM PERMITTED BY THESE TERMS FOR PERSONAL OR BODILY INJURY OR PROPERTY DAMAGE, YOU WAIVE ANY RIGHT TO RECOVER INCIDENTAL DAMAGES, CONSEQUENTIAL DAMAGES, OR DELAY DAMAGES.**
6. **Overdue Amounts.** If you fail to pay us any amount when due, we will charge you interest on the amount due at the rate of 1.5% per month (but not exceeding the highest rate legally permissible). You will reimburse us for the reasonable attorneys' fees we incur in all stages of collection.
7. **General.** These terms are part of our contractual agreement and will prevail over any inconsistent terms in any other agreement between us, including the terms of any purchase order, and may be modified only in a written instrument signed by both of us which specifically refers to the provisions to be modified. If any of these terms is held invalid or unenforceable, the remaining provisions will not be affected and will continue to apply.

NOTICE OF CANCELLATION

You may cancel this transaction, without any penalty or obligation, within three business days from the date on this proposal.

If you cancel, any property traded in, any payments made by you under the contract or sale, and any negotiable instrument executed by you will be returned within 10 business days following receipt by Roto-Rooter of your cancellation notice, and any security interest arising out of the transaction will be canceled.

If you cancel, you must make available to Roto-Rooter at your residence in substantially as good condition as when you received, any goods delivered to you under this contract or sale; or you may, if you wish, comply with the instructions of Roto-Rooter regarding the return shipment of the goods at Roto-Rooter's expense and risk.

If you do make the goods available to Roto-Rooter and Roto-Rooter does not pick them up within twenty days of the date of your notice of cancellation, you may retain or dispose of the goods without any further obligation. If you fail to make the goods available to Roto-Rooter or if you agree to return the goods to Roto-Rooter and fail to do so, then you remain liable for the performance of all obligations under the contract.

To cancel this transaction, mail certified, return receipt requested, or deliver a signed and dated copy of this cancellation notice or any other written notice to Roto-Rooter, no later than midnight of the third day following the date on this proposal.

I HEREBY CANCEL THIS TRANSACTION

Date _____

Customer Signature _____



Remit To: (707) 429-5151 Office
Roto-Rooter (707) 426-4761 Fax
PO Box 2827
Fairfield CA 94533

License - 1045843

Billed to: City Of Suisun
701 Civic Center Blvd
Suisun City CA 94585
Attn:Gema Deluthe

Job Site: New Corporation Yard/City
Of Suisun
4555 Peterson Rd
Suisun City CA 94585
(707)580-4874

Invoice Number: 19427	Service Tech: DAVE #634
Date: 7/7/20	

6/29/2020: MAP 4849, 6/30/2020: MAPS 4849, 4850

7/1/2020: MAP 4850

7/2/2020: MAP 4850,4851

7/3/2020: MAP 4950

7/6/2020: 4950

7/7/2020: MAP 4950

Hydro-VAC various steets according to maps supplied by customer-per bid. 7 days, 8 hrs/day@448.00/hr: \$25,088.00

Invoice Total \$25,088.00

**Invoice Terms: Net 30 Days
Due On 8/6/2020**



Remit To: (707) 429-5151 Office
Roto-Rooter (707) 426-4761 Fax
PO Box 2827
Fairfield CA 94533
License - 1045843

Billed to: City Of Suisun
701 Civic Center Blvd
Suisun City CA 94585
Attn:Gema Deluthe

Job Site: New Corporation Yard/City
Of Suisun
4555 Peterson Rd
Suisun City CA 94585
(707)580-4874

Invoice Number: 19432	Service Tech: DAVE #634
Date: 7/9/20	

Hydro-jet for City of Suisun. Map# 4949 (50% done). 3 days. 448/hr@24hrs.

Invoice Total \$10,752.00

**Invoice Terms: Net 30 Days
Due On 8/13/2020**

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AGENDA TRANSMITTAL

MEETING DATE: September 15, 2020

CITY AGENDA ITEM: Council Adoption of Resolution No. 2020-__: Authorizing the Second Amendment of the Lease Agreement Between the City of Suisun City and Suisun American Little League.

FISCAL IMPACT: Approval would extend and amortize, interest free, the Suisun American Little League (SALL) loan for one (1) additional year beginning September 2020. Two payments would be paid, \$3,232.10 due September 1, 2021 and the final loan payment of \$3,232.17 due September 1, 2022. The city will receive no payment in 2020.

STRATEGIC PLAN IMPACT: Provide Good Governance

BACKGROUND: The City of Suisun City entered into an 18-year lease agreement of 6.82 acres in Lambrecht Sports Complex with the Suisun American Little League (SALL) to coordinate and maintain year round all aspects of the leased property to conduct "Little League Baseball" activities and activities in support of SALL. In 1997 SALL borrowed \$60,572 to complete field renovations and at that time the City assessed a 4.5% interest rate on those borrowed funds for a term of 15 years. After 10 years, SALL requested and was granted an extension on the loan of 5 (five) years and the removal of interest from the remaining payments.

STAFF REPORT: SALL had to cancel their 2020 baseball season due to COVID 19 and all fundraising activities associated with their operation. At this time they currently have \$3,505.37 in their account and have ongoing costs to maintain the little league fields. SALL is requesting an extension on their loan with the City of Suisun City. They currently have 2 (two) annual payments remaining on their loan and would like to extend their loan payment schedule out one additional year. Payments would be as follows;

Payment #	Payment Date	Beginning Balance	Payment	Balance
24	9/1/20	\$6,464.27	Deferred	\$6,464.27
25	9/1/21	\$6,464.27	\$3,232.10	\$3,232.17
26	9/1/22	\$3,232.17	\$3,232.17	\$0

RECOMMENDATION: It is recommended that the City Council Adopt Resolution No. 2020-__: Authorizing the Second Amendment of the Lease Agreement Between the City of Suisun City and Suisun American Little League.

ATTACHMENTS:

1. Resolution No. 2020-__: Authorizing the Second Amendment of the Lease Agreement Between the City of Suisun City and Suisun American Little League.
2. Promissory Note

PREPARED BY:

Kris Lofthus, Recreation, Parks, and Marina Director

REVIEWED/APPROVED By:

Greg Folsom, City Manager

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RESOLUTION NO. 2020-__

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY
AUTHORIZING THE SECOND AMENDMENT OF THE LEASE AGREEMENT
BETWEEN THE CITY OF SUISUN CITY AND SUISUN AMERICAN LITTLE
LEAGUE**

WHEREAS, Suisun American Little League has provided, maintained, and operated Little League baseball in Suisun for over twenty years and desires to continue operations at the Lambrecht Sports Complex; and

WHEREAS, Suisun American Little League built and is fully maintaining four youth baseball fields; and

WHEREAS, Suisun American Little League has had a loan administered by the City of Suisun City and is in good standing with their loan; and

WHEREAS, Suisun American Little League had to cancel their 2020 baseball season leaving them in a financial hardship; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council further authorizes the Second Amendment of the Lease Agreement Between the City of Suisun City and Suisun American Little League.

PASSED AND ADOPTED at a Regular Meeting of said City Council of the City of Suisun City duly held on Tuesday, the 15th day of September 2020, by the following vote:

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

WITNESS my hand and the seal of said City this 15th day of September 2020.

Donna Pock, CMC
Deputy City Clerk

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PROMISSORY NOTE

Principal Sum: \$6,464.27

Commencement Date: September 15, 2020

Due Date: September 1, 2022

Lender Name
City of Suisun City

Borrower Name
Suisun American Little League

Lender Address
711 Civic Center Blvd
Suisun City, California 94585

Borrower Address
4677 Petersen Rd
Suisun City, California 94585

FOR VALUE RECEIVED in the amount of \$6,464.27 (Six Thousand Sixty-Four Dollars & Twenty-Seven Cents), the undersigned Borrower promises to pay as set out in this Promissory Note to the Lender or its successors and assigns, at such place as the Lender hereof may designate from time to time in writing, in lawful money of the United States of America, the Principal Sum of \$6,464.27, as provided for herein.

PAYMENTS. Borrower will pay to Lender the sum of \$6,464.27, including the principal amount of the Note plus any relevant interest, lending or processing fee (if any), all late charges or returned payment charges, as well as all other amounts that may become due under this Note by no later than September 1, 2022.

- **Terms.** Payments shall be made on an annually basis, in the amount of \$3,232.10 beginning on the first day of September 2021. Final Payment of \$3,232.17 due on the first day of September 2022.

- **Delivery.** Payments shall be delivered to the Lender at the address shown above or any other such address as Lender may later designate with proper notice to the Borrower.

- **Prepayments.** The Borrower shall have the right to prepay this Promissory Note, in whole or in part, prior to the final installment date without incurring any penalty. If the Borrower prepays the Note in part, the Borrower agrees to continue to make the regularly scheduled payments until all amounts due under this Note are paid.

FAILURE TO PAY. If the Lender has not received the full amount of any monthly payments after the due date, the Borrower shall owe a late payment fee to the Lender of 0, due immediately, in addition to the previously owed balance. If the owed balance and the late fee are not paid promptly, the Lender may, at his/her option, declare the Note in default.

COLLECTION COSTS. If any payment obligation under this Note is late, the Borrower promises

to pay all costs of collection, including attorney's fees and costs.

DEFAULT. The occurrence of any one or more of the following events constitutes an "Event of Default" under this Note:

- The failure of the Borrower to pay the Principal Amount and the Interest Amount and any other sums owed hereunder when due;
- The Borrower files bankruptcy, becomes insolvent, or is otherwise unable to pay its debts as they come due;
- An application for the appointment of a receiver for the Borrower;
- Borrower fails to comply with any other obligations under the terms of this Note.

If an Event of Default occurs, Lender shall be permitted to pursue all rights and remedies allowed by this Note or available at law.

REMEDIES. At the election of the Lender, and upon notice to the Borrower, the Principal Amount and Interest Amount remaining unpaid under this Note, and any other amounts due hereunder, shall be and become immediately due and payable in full upon the occurrence of any Event of Default. Failure to exercise this option shall not constitute a waiver of the right to exercise same in the event of any subsequent Event of Default. No holder hereof shall, by any act of omission or commission, be deemed to waive any of its rights, remedies or powers hereunder or otherwise unless such waiver is in writing and signed by the holder hereof, and then only to the extent specifically set forth therein. The rights, remedies and powers of the holder hereof, as provided in this Note, are cumulative and concurrent, and may be pursued singly, successively or together against the Borrower, any Guarantor hereof, the Security Interest, and any other security given at any time to secure the repayment hereof, all at the sole discretion of Lender. In the event the default is cured prior to notice to the Borrower from the Lender demanding immediate payment, then the default shall be dismissed and there shall be no Event of Default for that occurrence. Any controversy or claim arising out of or relating to this Note, or the breach thereof, shall be settled by arbitration administered by the American Arbitration Association and judgment on the award rendered by said arbitration may be entered in any court of competent jurisdiction.

NOTICES. Any notice that must be given to Borrower under this Note shall be given by delivering it or by mailing it by certified mail addressed to Borrower at the Borrower's address above. If Borrower provides a different address than the address listed above, Lender must give notice to Borrower at the most current address provided. Any notice that must be given to the Lender under this Note will be given by mailing by certified mail to the Lender at the Lender's address above. If Lender provides a different address than the address listed above, Borrower must give notice to Lender at the most current address provided.

ASSIGNMENT. As per the terms of this Note and by agreement between the Parties hereto: Borrower may not assign, sell or otherwise transfer the Borrower's rights under this Note to anyone else.

Lender may not assign, sell or otherwise transfer the Lender's rights under this Note to anyone else.

INTEREST LIMITATIONS. If the interest provisions herein shall result, at any time during the loan, in an effective rate of interest which, for any month, exceeds the limit of usury or other laws

applicable to the loan, all sums in excess of those lawfully collectible as interest of the period in question shall, without further agreement or notice between or by any party hereto, be applied towards the principal immediately upon receipt of such monies by the Lender, with the same force and effect as though the Borrower has specifically designated such extra sums to be so applied to principal and the Lender had agreed to accept such extra payment(s) as a premium-free prepayment.

SUCCESSORS. The terms and conditions of this Promissory Note shall inure to the benefit of and shall be binding and severally upon the successors, assigns, heirs, survivors and personal representatives of the Borrower and Lender and shall inure to the benefit of any of Lender's legal representatives, successors and assigns.

SEVERABILITY. In the event that any provision, clause, sentence, section or other part of this Promissory Note is held to be invalid, illegal, inapplicable, unconstitutional, contrary to public policy, void or unenforceable in law to any person or circumstance, Borrower and Lender intend that the balance of this Promissory Note shall nevertheless remain in full force and effect.

GOVERNING LAW. This Note is governed and controlled as to validity, enforcement, interpretation, construction, effect and in all other respects by the statutes, laws and decisions of the State of California, without regard to its conflict of law's provisions. The Borrower and Lender acknowledge and agree that any arbitration brought under this Note shall be venue in California.

WAIVER OF DEFENSES. OTHER THAN CLAIMS BASED UPON THE FAILURE OF THE LENDER TO ACT IN A COMMERCIALY REASONABLE MANNER, THE BORROWER WAIVES EVERY PRESENT AND FUTURE DEFENSE (OTHER THAN THE DEFENSE OF PAYMENT IN FULL), CAUSE OF ACTION, COUNTERCLAIM OR SETOFF WHICH THE BORROWER MAY NOW HAVE OR HEREAFTER MAY HAVE TO ANY ACTION BY THE LENDER IN ENFORCING THIS NOTE. THIS PROVISION IS A MATERIAL INDUCEMENT FOR THE LENDER GRANTING ANY FINANCIAL ACCOMMODATION TO THE BORROWER.

BORROWER REPRESENTS AND WARRANTS THAT PRIOR TO SIGNING THIS PROMISSORY NOTE, S/HE HAS READ AND UNDERSTANDS ALL THE PROVISIONS OF THIS PROMISSORY NOTE AND AGREES TO BE BOUND HEREBY.

BORROWER AND LENDER AGREE THAT THEY HAVE HAD OPPORTUNITY TO SEEK ADVICE OF COUNSEL PRIOR TO SIGNING THIS NOTE.

SIGNATURES:

(Signature of Lender)
City of Suisun City

Date

(Signature of Lender)
Suisun American Little League

Date

NOTARY ACKNOWLEDGMENT

On _____ the aforementioned Borrower and Lender did personally appear before me, and being personally known to me (or proven to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacity, and that by their signatures on the instrument above, or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

(Signature of Notary)

(Printed Notary Name)

My Commission expires: _____

AGENDA TRANSMITTAL

MEETING DATE: September 15, 2020

COMMISSION AGENDA ITEM: Council Adoption of Resolution No. 2020-____: Authorizing the Application for Parks and Water Bond Act of 2018 (Proposition 68) Per Capita Funding.

FISCAL IMPACT: There is no fiscal impact to the General Fund. To complete the proposed project, \$36,548 from the Park Development Fund would be utilized. Currently the Park Development Fund has a balance of approximately \$160,000.

STRATEGIC PLAN IMPACT: Provide Good Governance and Enhance Environment

BACKGROUND: Heritage Park is the central park complex for Suisun City and is the home of the Joseph Nelson Community Center. The current park has a variety of amenities that includes a play space for all play structure, a challenge course, 1 full-court basketball court, an exterior restroom facility, 1 general field of play, and 1 softball field with no outfield fence, but does have lighting. The Recreation, Parks, and Marina Department is always searching for new ways of creating more opportunities for recreation and sports programming, as well as revenue generating programming. With upgrades, Heritage Park has the potential to become a minor sports complex.

STAFF REPORT: Proposition 68 Per Capita Funds are available for local park rehabilitation, creation, and improvement grants to local governments on a per capita basis. Grant recipients are encouraged to utilize awards to rehabilitate existing infrastructure and to address deficiencies in neighborhoods lacking access to the outdoors. The City of Suisun City has been awarded \$177,952 in per capita funding. It is the intent of the City of Suisun City Recreation, Parks, and Marina Department to apply for grant funds to renovate Heritage Park and add much needed amenities for the community to enjoy. This item was presented to the Recreation, Parks, Marina, and Arts Commission on September 2, 2020 and was unanimously supported,

Staff has relocated the center field light pole 75 feet to the north to open the grass play area and provide a larger open space for field sports. By moving the light pole, we will be able to accommodate 2 full size soccer fields. This project was completed as part of the Engie Light Upgrade Project. It is recommended that the infield dirt area be improved to a grass surface. In order to do this, additional irrigation would need to be added. The current softball field gets minimal use and we have 4 fields at the Lambrecht Sports Complex to accommodate play. The outside restrooms are in desperate need of a remodel and with proper restrooms use of the fields would increase.

To the north east of the Joe Nelson Community Center there is a large grass area that is the proposed location for a splash pad. Splash pads or spray parks are prominent throughout the country as alternatives to aquatics facilities. This would be a spray and drain system, not a

PREPARED BY:
APPROVED BY:

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

recirculating system, due to the lack of funds plus additional requirements that go along with a recirculating system. Preliminary studies show that the water usage would be increased slightly over what the current usage is for irrigating the same square footage of turf.

Installation of a static fitness zone for full body workouts will also be installed as part of this project. This piece of equipment will offer those in the community the opportunity to exercise while enjoying the outdoor environment. Parents will be able to exercise while their children play on the challenge course or the play space for all play structure.

Estimated revenue generation is as follows:

- Heritage Park Sports Fields - \$40,000 annually
- Park Rental Increase Due to Restroom Upgrade - \$5,000 annually
- Splash Pad Operations Based on \$2 per time period - \$20,000 annually
- Concessions for Field Play and Splash Pad - \$10,000 annually

Total Estimated Revenue - \$75,000/year

STAFF RECOMMENDATION: It is recommended that the City Council Adopt Resolution No. 2020-__: Authorizing the Application for Parks and Water Bond Act of 2018 (Proposition 68) Per Capita Funding.

ATTACHMENTS:

1. Resolution No. 2020-__: Authorizing the Application for Parks and Water Bond Act of 2018 (Proposition 68) Per Capita Funding.
2. Budget Estimates
3. Map of Proposed Site Improvements to Heritage Park

RESOLUTION NO. 2020-__

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY
AUTHORIZING THE APPLICATION FOR PARKS AND WATER BOND ACT OF
2018 (PROPOSITION 68) PER CAPITA FUNDING**

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility by the Legislature of the State of California for the administration of the Per Capita Grant Program, setting up necessary procedures governing application(s); and

WHEREAS, said procedures established by the State Department of Parks and Recreation require the grantee’s Governing Body to certify by resolution the approval of project application(s) before submission of said applications to the State; and

WHEREAS, the grantee will enter into a contract with the State of California to complete projects; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby:

1. Approves the filing of project application(s) for Per Capita program grant project(s); and
2. Certifies that said grantee has or will have available, prior to commencement of project work utilizing Per Capita funding, sufficient funds to complete the project(s); and
3. Certifies that the grantee has or will have sufficient funds to operate and maintain the project(s); and
4. Certifies that all projects proposed will be consistent with the park and recreation element of the city’s general or recreation plan (PRC §80063(a)); and
5. Certifies that these funds will be used to supplement, not supplant, local revenues in existence as of June 5, 2018 (PRC §80062(d)); and
6. Certifies that it will comply with the provisions of §1771.5 of the State Labor Code, and
7. (PRC §80001(b)(8)(A-G)) To the extent practicable, as identified in the “Presidential Memorandum--Promoting Diversity and Inclusion in Our National Parks, National Forests, and Other Public Lands and Waters,” dated January 12, 2017, the city will consider a range of actions that include, but are not limited to, the following:

(A) Conducting active outreach to diverse populations, particularly minority, low income, and disabled populations and tribal communities, to increase awareness within those communities and the public generally about specific programs and opportunities.

(B) Mentoring new environmental, outdoor recreation, and conservation leaders to increase diverse representation across these areas.

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(C) Creating new partnerships with state, local, tribal, private, and nonprofit organizations to expand access for diverse populations.

(D) Identifying and implementing improvements to existing programs to increase visitation and access by diverse populations, particularly minority, low-income, and disabled populations and tribal communities.

(E) Expanding the use of multilingual and culturally appropriate materials in public communications and educational strategies, including through social media strategies, as appropriate, that target diverse populations.

(F) Developing or expanding coordinated efforts to promote youth engagement and empowerment, including fostering new partnerships with diversity-serving and youth-serving organizations, urban areas, and programs.

(G) Identifying possible staff liaisons to diverse populations.

8. Agrees that to the extent practicable, the project(s) will provide workforce education and training, contractor and job opportunities for disadvantaged communities (PRC §80001(b)(5)).

9. Certifies that the grantee shall not reduce the amount of funding otherwise available to be spent on parks or other projects eligible for funds under this division in its jurisdiction. A one-time allocation of other funding that has been expended for parks or other projects, but which is not available on an ongoing basis, shall not be considered when calculating a recipient's annual expenditures. (PRC §80062(d)).

10. Certifies that the grantee has reviewed, understands, and agrees to the General Provisions contained in the contract shown in the Procedural Guide; and

11. Delegates the authority to the City Manager , or designee to conduct all negotiations, sign and submit all documents, including, but not limited to applications, agreements, amendments, and payment requests, which may be necessary for the completion of the grant scope(s); and

12. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.

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PASSED AND ADOPTED at a Regular Meeting of said City Council of the City of Suisun City duly held on Tuesday, the 15th day of September 2020, by the following vote:

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

WITNESS my hand and the seal of said City this 15th day of September 2020.

Donna Pock, CMC
Deputy City Clerk

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PROPOSITION 68 PER CAPITA PROJECT BUDGET

HERITAGE PARK

Turf Rehabilitation -

Rental Fencing	\$3,000	
Turf Aeration	\$2,000	Rental Aerator + Staff Time
Soil Analysis	\$1,000	Field Sample and Lab Work
Soil Amendment	\$5,000	Fertilizer + Rental + Staff Time
Rototill and Grade Infield	\$3,000	Soil + Rental + Staff Time
Top Dress Soil in Low Areas	\$7,000	Soil + Rental + Staff Time
Irrigation Modifications to Infield	\$3,000	Irrigation Materials + Staff Time
Irrigation System Repairs	\$3,000	Irrigation Materials + Staff Time
Over seed Turf	\$10,000	Seed all 3.5 acres
Demolish Backstop and Fencing	\$3,000	Staff Time
25% Contingency	\$10,000	
Total	\$50,000	

Park Bathroom Remodel

Partition Replacement	\$4,000	
Fixtures	\$2,000	
Floor Sealant	\$500	
Upgraded Lighting	\$500	
Pass Key Locks	\$1,500	
Total	\$8,500	

Outdoor Fitness Zone

Equipment	\$18,000	
Ground Prep / Install	\$5,000	
Total	\$23,000	

Splash Pad

Spray Equipment	\$105,000	
Installation	\$25,000	
Brushed Concrete	\$25,000	
Rod Iron Fencing	\$5,000	
Total	\$160,000	

Total Estimated Project Cost- \$241,500

Proposition 68 Per Capita Funds- \$177,952

Park Development Funds- \$63,548

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Heritage Park—Prop 68 per capita project

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AGENDA TRANSMITTAL

MEETING DATE: September 15, 2020

CITY AGENDA ITEM: Council Adoption of Resolution No. 2020-____: Authorizing the Application for Funding and the Execution of a Grant Agreement and any Amendments Thereto From the 2020 Community Development Block Grant Program – Coronavirus Response Round 1 (CDBG-CV1) NOFA Dated June 5, 2020; Acceptance of Funds should the City be successful; and Authorize the City Manager to Sign Memorandum of Understanding with Shelter Solano, Inc.

FISCAL IMPACT: If awarded the grant, the City will receive up to \$129,689 to deliver the services outlined below and purchase the necessary equipment associated with the outlined program. The grant does not require any contribution from the City.

STRATEGIC PLAN:

- Provide Good Governance, Section 4.7 – Improve productivity, efficiency, effectiveness, customer service and citizen satisfaction in all areas of municipal organization.

BACKGROUND: The City has an opportunity to apply for a Community Development Block Grant – Coronavirus Round 1 (CDBG-CV1) for up to the amount of \$129,689 to provide COVID related assistance. Grant applications must address one of three national objectives:

- Benefit to low and moderate-income persons
- Aid in the prevention or elimination of slums and blight, or
- To meet an urgent need

This funding is streaming through the State of California via the Department of US Housing and Urban Development. There are two areas of interest the City would like to submit a grant application for. These areas are the sponsorship of two homeless shelter beds and the enhancement of the Community Center and Youth Activities in Suisun City through the opening of a Learning Hub. Staff believes both activities will directly provide COVID related assistance.

STAFF REPORT: On 8/27/2020, the City held a public hearing via Zoom to educate the public on the CDBG-CV1 grant parameters and allow input from the community on potential grant activities. During this hearing, there were no community members in attendance. Since the hearing, staff have not received any input from the public regarding potential grant activities. Considering this, city staff is solely exploring the idea of applying for the grant to sponsor two homeless shelter beds and also enhance the Community Center and Youth Activities for the City.

Currently, the City does not have a funding stream to sponsor a homeless shelter bed, but the City does have a population of homeless individuals residing within the city limits who are often in need of shelter and associated services. The situation of homelessness as it relates to public health is also exacerbated by the current COVID-19 pandemic. The city has had public meetings to gain community input on ways to increase services to the homeless population and the city is also

PREPARED BY:

Aaron Roth, Police Chief
Kris Lofthus, Recreation, Parks, and Marina Director
Greg Folsom, City Manager

REVIEWED/APPROVED By:

interested in ways it can assist in protecting the entire community from communicable diseases, including COVID-19.

A portion of this sought-after grant funding will be used to sponsor two shelter beds at Shelter Solano, Inc. located on Beck Avenue in the City of Fairfield. These beds will be exclusively used by Suisun City staff to temporarily house individuals experiencing homelessness and assist in connecting those individuals to resources to assist them in seeking long term housing solutions while also protecting them from potential COVID-19 exposure. The cost of these two sponsored shelter beds will be \$68,400 for a year. The City Manager will need to be authorized to sign an MOU with Shelter Solano, Inc.

The CDBG-CV1 Grant will also cover costs associated to the below areas:

- **Community Facilities** (Includes day care centers, domestic violence shelters, food banks, community centers, medical and dental facilities, and fire stations.)
- **Public Services** (Includes staff and operating costs associated with the community facilities.)

The Recreation, Parks, and Marina Department (RPM) is dedicated to assisting the community during the COVID-19 pandemic as well as assisting during recovery. As students continue to participate in distance learning, it is critical that the RPM department offer support to those families that need childcare support. RPM is currently offering all day learning hubs that can accommodate up to 14 youth in learning hub cohorts that provide a safe educational environment where students will attend their on-line and live instruction, completion of homework, and participate in enrichment and physical activities. The facility in which the program is being held is also in need of replacement equipment. Said equipment is used to support the operation of the Joseph Nelson Community Center that operates as a shelter in times of catastrophic events, as a cooling or warming shelter during inclement weather, and as an alternative meeting location for local government meetings when the number of people attending necessitates a large space for social distancing requirements for those attendees. Equipment replacement costs are estimated to be \$18,000.

In addition to the equipment costs, RPM is looking to be reimbursed up to \$43,289 in salary and operations costs for the expenses associated with the learning center hub.

The total amount for the outlined RPM services and sponsorship of shelter beds is \$129,689.

RECOMMENDATION: It is recommended that the City Council Adopt Resolution No. 2020-___: Authorizing the Application for Funding and the Execution of a Grant Agreement and any Amendments Thereto From the 2020 Community Development Block Grant Program – Coronavirus Response Round 1 (CDBG-CV1) NOFA Dated June 5, 2020, acceptance of funds should the City be successful, and Authorize the City Manager to sign Memorandum of Understanding with Shelter Solano, Inc.

ATTACHMENTS:

1. Resolution No. 2020-___: Authorizing the Application for Funding and the Execution of a Grant Agreement and any Amendments Thereto From the 2020 Community Development Block Grant Program – Coronavirus Response Round 1 (CDBG-CV1) NOFA Dated June 5, 2020, acceptance of funds should the City be successful, and Authorize the City Manager to sign Memorandum of Understanding with Shelter Solano, Inc.
2. MOU with Shelter Solano, Inc.
3. Scope of Work for Suisun City Police Department from Shelter Solano, Inc.

RESOLUTION NO. 2020-__

A RESOLUTION APPROVING AN APPLICATION FOR FUNDING AND THE EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENTS THERETO FROM THE 2020 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM-CORONAVIRUS RESPONSE ROUND 1 (CDBG-CV1) NOFA DATED JUNE 5, 2020

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

SECTION 1:

The City Council has reviewed and hereby approves the submission to the State of California of one or more application(s) in the aggregate amount, not to exceed, of \$129,689 CDBG-CV1 activities, pursuant to the June 2020 CDBG-CV1 NOFA:

Public Service- Sponsored Shelter Beds	\$ <u>68,400</u>
Public Service – Operating Costs for Youth Learning Hub	\$ <u>43,289</u>
Community Facilities – Equipment Replacement for Hub	\$ <u>18,000</u>

SECTION 2:

The City hereby approves the use of Program Income in an amount not to exceed \$129,689 for the CDBG-CV1 activities described in Section 1.

SECTION 3:

The City acknowledges compliance with all state and federal public participation requirements in the development of its application(s).

SECTION 4:

The City hereby authorizes and directs the City Manager, or designee, to execute and deliver all applications and act on the City's behalf in all matters pertaining to all such applications.

SECTION 5:

If an application is approved, the City Manager, or designee, is authorized to enter into, execute and deliver the grant agreement (i.e., Standard Agreement) and any and all subsequent amendments thereto with the State of California for the purposes of the grant.

SECTION 6:

If an application is approved, the City Manager, or designee, is authorized to sign and submit Funds Requests and all required reporting forms and other documentation as may be required by the State of California from time to time in connection with the grant.

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PASSED AND ADOPTED at a regular meeting of the City Council of the City of Suisun City held on September 15, 2020 by the following vote:

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

Lori D. Wilson, Mayor
City of Suisun City

STATE OF CALIFORNIA
City of Suisun City

I, Donna Pock, Deputy City Clerk of the City of Suisun City, State of California, hereby certify the above and foregoing to be a full, true and correct copy of a resolution adopted by said City Council on this 15th day of September, 2020.

Donna Pock, Deputy City Clerk of the City of Suisun City
State of California

By: _____
Donna Pock, CMC
Deputy City Clerk



MEMORANDUM OF UNDERSTANDING

Suisun City Police Department (hereinafter "SCPD") and SHELTER Solano, Inc. (hereinafter "CONTRACTOR") hereby enter into this MOU for the provision of CONTRACTOR providing shelter care for the participants referred by SCPD.

DEFINITIONS

In this MOU, the following words and expression shall have the meanings hereby assigned to them except where the context otherwise requires:

Agreement shall mean this MOU, including Exhibits and fully executed amendments hereto.

Scope of Work shall mean a list and description of the services to be performed, including all responsibilities of the CONTRACTOR and any policies and procedures to be followed during the course of the Work, fees/rates/payment schedules of described Work, as listed in Exhibit A.

Change Order shall mean an order, issued pursuant to Item 2 of this agreement, for changes in the scope, nature, quantity, timing, and/or price of the Work.

Work Order shall mean an order, issued pursuant to Item 2, where SCPD requests CONTRACTOR to supply or perform services and Contactor agrees to perform such services as listed within the Scope of Work as listed in Exhibit A.

RESPONSIBILITIES OF THE PARTIES

Parties understand that each should be able to fulfill its responsibilities under this Memorandum of Understanding (MOU) in accordance with the provisions of law and regulation that govern their individual activities. Nothing in this MOU is intended to negate or otherwise render ineffective any such provisions or operating procedures. If at any time any parties are unable to perform their functions under this MOU consistent with such parties statutory and regulatory mandates, the affected parties shall immediately provide written notice to the others seeking a mutually agreed upon resolution.



MEMORANDUM OF UNDERSTANDING

AGREEMENT

NOW, THEREFORE, in consideration of the mutual promises and covenants hereinafter stated, the Parties agree as follows:

1. SERVICES

1.1 During the term of this agreement, the CONTRACTOR shall furnish the services set forth in Exhibit A, Scope of Work, attached hereto and included by this reference. CONTRACTOR will provide the services as an independent contractor and not as an employee of SCPD.

2. WORK ORDERS, CHANGE ORDERS

2.1 If at any time during the term of this Agreement, SCPD through one or more written work orders, delivery tickets, or other instruments, requests CONTRACTOR to supply or perform services, and CONTRACTOR agrees to perform those services, each such request regardless of form shall be deemed a "Work Order" governed by and subject to the terms and conditions of this agreement. Agreements or stipulations on any Work Order that are contrary to any term of this agreement shall be void, unless CONTRACTOR and SCPD have expressly agreed in writing that such agreement or stipulation shall supersede the terms of this agreement.

2.2 In the event that SCPD requests CONTRACTOR to perform services that are outside the scope of work as listed in Exhibit A, such services and a compensation schedule therefore must be mutually agreed upon by both parties in a written "Change Order" prior to the provision of said services. The Change Order constitutes an amendment to the applicable Work Order, and the services set forth therein shall be deemed to be part of such Work Order.

3. LABOR, EQUIPMENT, MATERIALS, SUPPLIES, AND SERVICES

3.1 Upon receipt of a mutually agreeable Work Order, CONTRACTOR shall begin furnishing the services according to the specifications and requirements of this agreement and the Work Order.

3.2 All services rendered by CONTRACTOR hereunder shall be performed in accordance with industry standards as applicable to the region or area where the work is to be performed. All materials and equipment furnished by CONTRACTOR in the performance of services hereunder shall be free from material defects. Any of the materials, equipment, or services found to be materially defective shall be at CONTRACTOR's



MEMORANDUM OF UNDERSTANDING

sole discretion, either removed, replaced or corrected by CONTRACTOR without additional cost to SCPD.

- 3.3 CONTRACTOR shall maintain its equipment in operating condition at all times and shall use commercially reasonable means to control and prevent fires and blowouts, protect the hole, and prevent damage to PHC's equipment.

4. INDEPENDENT CONTRACTOR

- 4.1 During the term of this agreement, the CONTRACTOR shall furnish the services set forth in Exhibit A. CONTRACTOR also agrees that he/she is not and will not become an employee, agent or principal of SCPD while this agreement is in effect. CONTRACTOR agrees that they are not entitled to the rights or benefits afforded to SCPD employees, including disability or unemployment insurance, workers' compensation, medical insurance, sick leave, or any other employment benefit. CONTRACTOR is responsible for providing, at their own expense, disability, unemployment and other insurance, workers' compensation, training, permits and licenses.

5. INDEMNIFICATION and INSURANCE

- 5.1 CONTRACTOR agrees to hold harmless and indemnify SCPD for any and all claims arising out of any injury, disability or death.
- 5.2 The term of this agreement shall extend from month to month.

6. DURATION and COMPENSATION

- 6.1 SCPD will pay CONTRACTOR \$2,850.00 per month, per bed directly referred to CONTRACTOR.
- 6.2 CONTRACTOR retains the right to accept or refuse referral based on eligibility and gender bed availability.
- 6.3 Payment for services rendered shall be made by SCPD upon submission by CONTRACTOR invoices. The invoices will be allotted as agreed to by contract.

7. CONFIDENTIALITY

- 7.1 CONTRACTOR shall not use for personal gain and shall preserve as confidential all privileged information acquired from SCPD in the performance of this Agreement. The term "privileged information" shall include without limitation unpublished information and data related to operations of SCPD, any and all beneficiary information and plans, methods, processes, internal specifications and reports



MEMORANDUM OF UNDERSTANDING

The parties have executed this Memorandum of Understanding on the date first written above.

SHELTER Solano, Inc.

Suisun City Police Department

Signature

John Eckstrom

Printed Name

Chief Executive Officer

Title

Date

PO Box 2589

Fairfield, CA 94533

Address

Signature

Printed Name

Title

Date

Address



MEMORANDUM OF UNDERSTANDING

Exhibit A – Scope of Work

Facilities:

SHELTER Solano, Inc. will provide shelter care to SCPD clients for persons experiencing homelessness. SHELTER Solano, Inc. shall ensure that the facility provides safe accommodations, 24/7 on site non-medical supervision, and case management services that meet the minimum requirements set by the State of California Health and Safety Code for Emergency Housing and Assistance Programs.

Services Provided by SHELTER Solano, Inc.:

SHELTER Solano, Inc. shall provide the following services to SCPD referrals:

- Enrollment in the county's Homeless Management Information System (HMIS) for all NHBC members.
- Safe and secure housing
- Limited Secured storage for personal belongings and medications
- Three (3) meals a day that meet basic nutrition standards
- At least one wellness check every 24 hours
- Individualized service plan and focused case management services to promote overall well-being.
- Assistance in planning and implementing goals pertaining to health, wellness and permanent housing.
- Onsite life skills classes including, Money Management, Conflict Resolution, Parenting, and Employment Skills Facilitation of member's access to available public benefits (e.g. Veteran's, SNAP and medical)
- Employment and education services
- Referrals to legal aid to assist in resolving barriers to housing and employment
- Referrals to partnering social services agencies (e.g., alcohol and substance abuse treatment, housing)

Collaboration with Suisun City Police Department Healthcare and its Contracted Providers:

SHELTER Solano, Inc. shall accept referrals of SCPD upon approval of designated SCPD staff.



MEMORANDUM OF UNDERSTANDING

SHELTER Solano, Inc. shall collaborate with SCPD staff to gather necessary information on the homeless individual, including confidentiality releases for the sharing of information and information to determine eligibility.

All referrals to SHELTER Solano, Inc. must include information to determine eligibility of the participant. This ensures a successful experience for SCPD and for the individual being referred. Failure to do so may result in a denial of services based on being un-eligible to stay within the facility.

Rate Structure:

Suisun City Police Department shall pay SHELTER Solano, Inc. \$2,850.00 per month, per bed directly referred to CONTRACTOR. CONTRACTOR will retain the right to accept or decline referral, depending upon eligibility and gender availability of beds. SCPD shall have 30 days from the date of the invoice to pay the amount due thereon, or notify CONTRACTOR in writing of a *bona fide* dispute asserted in good faith as to one or more of the invoice items.

Term:

The term for this contract is July 1, 2020 – June 31, 2021.



Scope of Work for Suisun City Police Department

Scope of Work Statement

To provide Emergency Shelter services to clients referred from Suisun City Police Department who meet the criteria of being homeless or near homeless.

Deliverables

- 1) Provide, maintain and operate housing facilities (including meals) in a safe, secure location that will allow for agreed contracted beds at SHELTER Solano.
- 2) Work with clients to establish an individualized service plan to assist them in setting their goals in order to maintain their own housing. Promote client self-sufficiency and independence.
- 3) Facilitate and monitor assessments and referrals into programs that help client achieve their goals.
- 4) Comply with all protective services reporting procedures.
- 5) Maintain accurate and up-to date records and files on all clients receiving services including any documentation regarding the requirements for eligibility and compliance with services.
- 6) Qualify client for ongoing funding to stay at the shelter through the various programs SHELTER Solano has in place. Thus, opening back up a reserved bed to Suisun City Police Department. If client cannot qualify for an alternative funding program, the client remains funded through the Suisun City Police Department funded bed.

Estimated Cost of Project

1 Bed	\$2,850.00 per month with a one year agreement
*Additional Beds	*\$2,850 each per month, month to month. (No Daily Rate)
TOTAL Annual Expense	\$34,200

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AGENDA TRANSMITTAL

MEETING DATE: September 15, 2020

JOINT AGENDA ITEM: Accept the Investment Report for the Quarter Ending June 30, 2020.

FISCAL IMPACT: No fiscal impact; informational only.

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

BACKGROUND: Each quarter it is necessary to produce an Investment Report showing how all City, Housing Authority, and Suisun-Solano Water Authority's available cash is invested, in terms of the type of investment, what institution it is invested in, and current value and interest earnings.

STAFF REPORT: The total cash and investments (par amount) equaled to \$42,893,706 for the period ending June 30, 2020. In summary, the investment portfolio consists of the following governmental funds:

Suisun-Solano 2016 & 2019 Series Bond Proceeds	\$ 6,779,601
Energy Conservation Project-ENGIE	\$ 690,680
Debt Service Reserves	\$ 2,328,301
General Fund	\$ 6,521,430
Trust/Fiduciary Funds	\$ 9,964,641
All Other Funds	\$ 16,609,054
Total	\$ 42,893,706

In terms of return on our investment managed by PFM Asset Management LLC, the current yield to maturity at cost 1.63% with an average life of 847 days. The average Local Agency Investment Fund return for the current quarter is 1.41%.

According to PFM's Quarterly Performance Report, following the plunge in the U.S. Treasury yield curve during the first quarter, yields were relatively stable over the second quarter, leading to muted returns for Treasury indexes.

- Yield spreads on all other asset classes retraced from March's wide levels as unprecedented fiscal and monetary stimulus helped support the economy and financial markets.
- In contrast to the first quarter, allocations to federal agencies, agency mortgage-backed securities (MBS), and commercial paper helped the portfolio outperform the benchmark in the second quarter and longer periods as well.

PFM's strategy for the second quarter remained proactive in response to the market effects and uncertainty created by the pandemic. PFM continued to apply strong credit process, reassessing every issuer for the short and intermediate-term impact of the disrupted economy. As financial markets began to normalize during second quarter, investment-grade issuers on PFM's approved issuer list were carefully vetted, with many issuers gradually reapproved.

PREPARED BY:
REVIEWED BY:
APPROVED BY:

Elizabeth N. Luna, Accounting Services Manager
 Lakhwinder Deol, Finance Director
 Greg Folsom, City Manager

The portfolio duration was maintained in line with the benchmark—a strategy consistent with high levels of market uncertainty as well as expectations that rates will remain low for a prolonged period. Our neutral duration strategy over the past 18 months has been an important element in sustaining performance as yields draw close to all-time lows

PFM’s outlook for major investment grade sectors include a plan to focus the majority of new federal agency purchases in maturities beyond three years as yield spreads on shorter maturities are now back near pre-pandemic levels.

As can be seen in the Pie Chart on the last page of the attached Investment Report, nearly 73% of the cash (other than cash in checking accounts) is invested in federally insured CD’s, US Treasuries or Agency Notes, all of which generate higher yields.

RECOMMENDATION: It is recommended that the Council/Authority accept the Quarter Ending June 30, 2020 Financial Officer’s Investment Report.

ATTACHMENTS:

1. Financial Officer’s Investment Report, for the Quarter Ending June 30, 2020.

City of Suisun City,
Successor Agency, Housing Authority and Suisun-Solano Water Authority
FINANCIAL OFFICER'S INVESTMENT REPORT
June 30, 2020

Category of Investment	Name of Institution	Maturity Date	Par Amount	Market Value*	Amortized Cost	Curr Yield At Market	Est Annual Income
Checking Account	West America Bank	Demand Deposit	\$ 11,576,231	\$ 11,576,231	\$ 11,576,231	0.000%	-
State Investment-CITY	LAIF*	Demand Deposit	\$ 4,451,190	\$ 4,473,057	\$ 4,451,190	1.217%	54,171
Total Cash Equivalents			\$ 16,027,421	\$ 16,049,288	\$ 16,027,421	0.338%	\$ 54,171
2016 SSWA Bond Proceeds	US Bank	8AMMFO728	\$ 28	\$ 28	\$ 28	0.000%	0
2019 SSWA Bond Proceeds	US Bank	8AMMFO728	\$ 6,779,449	\$ 6,779,449	\$ 6,779,449	1.610%	109,169
First American Treasury Oblig	Treasury Oblig	#31846V302	\$ 124	\$ 124	\$ 124	1.609%	2
Lease Equipment Purchase Proceeds-Engie	Sterling National Bank	Money Market	\$ 690,680	\$ 690,680	\$ 690,680	0.535%	3,693
Total Bond/Loan Proceeds			\$ 7,470,282	\$ 7,470,282	\$ 7,470,282	1.511%	\$ 112,864
BNP Paribas NY Branch Commercial Paper	09659BG20	7/2/2020	\$ 400,000	\$ 399,996	\$ 399,979	1.910%	7,640
Sumitono Mitsui Trust NY Commercial Paper	86563GL67	11/6/2020	\$ 250,000	\$ 249,701	\$ 249,627	0.427%	1,065
Sumitono Mitsui Trust NY Commercial Paper	86563GL67	11/6/2020	\$ 60,660	\$ 60,660	\$ 60,660	1.001%	607
US Treasury Bill	9127964K2	10/27/2020	\$ 278,000	\$ 277,859	\$ 277,858	0.160%	445
Total Commercial Paper			\$ 988,660	\$ 988,216	\$ 988,124	0.987%	\$ 9,757
Federal Agency Collateralized Mortgage Obligation	FNA #31398SKA0	09/01/20	\$ 17,913	\$ 17,913	\$ 17,944	3.316%	594
Federal Agency Collateralized Mortgage Obligation	FNA #3136B1XP4	09/01/21	\$ 79,381	\$ 80,352	\$ 79,934	3.517%	2,826
Federal Agency Collateralized Mortgage Obligation	FHLMC #3137BHX58	01/01/22	\$ 210,000	\$ 213,716	\$ 210,754	2.742%	5,861
Federal Agency Collateralized Mortgage Obligation	FHLMC #3137BM6P6	08/01/22	\$ 160,000	\$ 164,494	\$ 160,658	3.006%	4,944
Federal Agency Collateralized Mortgage Obligation	FNMA #3136AEGQ4	12/01/22	\$ 73,329	\$ 75,212	\$ 74,049	2.223%	1,672
Federal Agency Collateralized Mortgage Obligation	FHLMC #3137B4GX8	02/01/23	\$ 49,897	\$ 51,075	\$ 49,964	2.947%	1,505
Federal Agency Collateralized Mortgage Obligation	FNA #3137B5JL8	02/01/23	\$ 56,013	\$ 57,069	\$ 55,852	2.620%	1,495
Federal Agency Collateralized Mortgage Obligation	FNA #3137FKK39	07/01/23	\$ 52,509	\$ 54,187	\$ 52,509	3.104%	1,682
Federal Agency Collateralized Mortgage Obligation	FHMS #3137BGK24	12/25/24	\$ 390,000	\$ 428,260	\$ 408,227	2.788%	11,942
Total Federal Agency Collateralized Mortgage Obl.			\$ 1,089,042	\$ 1,142,278	\$ 1,109,890	2.847%	\$ 32,521
Federal Agency/Bond Note	FFCBN #3133EJJD2	04/05/21	\$ 300,000	\$ 305,369	\$ 299,912	2.495%	7,620
Federal Agency/Bond Note	FHL #313378CR0	03/11/22	\$ 245,000	\$ 253,380	\$ 252,417	2.176%	5,513
Federal Agency/Bond Note	FM# 3135GOT45	04/05/22	\$ 100,000	\$ 102,896	\$ 99,841	1.822%	1,875
Federal Agency/Bond Note	FFCBN #3133ELVV3	04/08/22	\$ 170,000	\$ 170,301	\$ 170,000	0.948%	1,615
Federal Agency/Bond Note	FFCBN #3133ELYR9	05/06/22	\$ 220,000	\$ 220,096	\$ 219,742	0.250%	550
Federal Agency/Bond Note	FHLBN #3130AJPU7	06/03/22	\$ 160,000	\$ 160,042	\$ 159,978	0.250%	400
Federal Agency/Bond Note	FMN #3134GVJ66	06/08/22	\$ 100,000	\$ 100,026	\$ 99,954	0.250%	250
Federal Agency/Bond Note	FHLBN #3130A5P45	06/10/22	\$ 365,000	\$ 380,113	\$ 368,796	2.281%	8,669
Federal Agency/Bond Note	FMN #3135GOW33	09/06/22	\$ 290,000	\$ 297,177	\$ 289,266	1.342%	3,988
Federal Agency/Bond Note	FHL #3130AJ7E3	02/17/23	\$ 170,000	\$ 174,934	\$ 169,725	1.337%	2,338
Federal Agency/Bond Note	FMN #3134GVJW9	04/13/23	\$ 300,000	\$ 300,076	\$ 300,000	1.100%	3,300
Federal Agency/Bond Note	FMN #3137EAEO8	04/20/23	\$ 170,000	\$ 170,471	\$ 169,603	0.374%	638
Federal Agency/Bond Note	FMN #3137EAER6	05/05/23	\$ 190,000	\$ 190,480	\$ 189,924	0.374%	713
Federal Agency/Bond Note	FMN #3135G04Q3	05/22/23	\$ 255,000	\$ 254,737	\$ 254,260	0.250%	638
Federal Agency/Bond Note	FHLB #313383QR5	06/09/23	\$ 250,000	\$ 271,672	\$ 260,039	2.991%	8,125
Federal Agency/Bond Note	FMN #3134GVR67	06/16/23	\$ 200,000	\$ 200,140	\$ 200,000	0.500%	1,000
Federal Agency/Bond Note	FMN #3137EAES4	06/26/23	\$ 225,000	\$ 224,761	\$ 224,346	0.250%	563
Federal Agency/Bond Note	FHLB #313383YJ4	09/08/23	\$ 150,000	\$ 164,636	\$ 151,749	3.075%	5,063
Federal Agency/Bond Note	FM #3135G0U43	09/12/23	\$ 200,000	\$ 216,402	\$ 199,475	2.657%	5,750
Federal Agency/Bond Note	FMN #3135G0V34	02/05/24	\$ 325,000	\$ 349,988	\$ 324,129	2.322%	8,125
Federal Agency/Bond Note	FHLB #3130AFW94	02/13/24	\$ 250,000	\$ 269,339	\$ 249,359	2.320%	6,250
Federal Agency/Bond Note	FMN# #3135G0X24	01/07/25	\$ 290,000	\$ 305,381	\$ 289,163	1.543%	4,713
Federal Agency/Bond Note	FMN #3137EAEP0	02/12/25	\$ 150,000	\$ 157,269	\$ 156,849	1.431%	2,250
Federal Agency/Bond Note	FMN #3137EAEP0	02/12/25	\$ 250,000	\$ 262,116	\$ 249,822	1.431%	3,750
Federal Agency/Bond Note	FHLBN #3130AJHU6	04/14/25	\$ 120,000	\$ 120,296	\$ 119,430	0.499%	600
Federal Agency/Bond Note	FMN #3135G03U5	04/22/25	\$ 130,000	\$ 131,094	\$ 129,742	0.620%	813
Federal Agency/Bond Note	FMN #3135G04Z3	6/17/25	\$ 170,000	\$ 170,268	\$ 169,650	0.499%	850
Total Federal Agency Bond/Note			\$ 5,745,000	\$ 5,923,459	\$ 5,767,171	1.451%	\$ 85,959
US Treasury Notes	#912828L32	08/31/20	\$ 400,000	\$ 400,812	\$ 400,186	1.372%	5,500
US Treasury Notes	#912828L32	08/31/20	\$ 485,000	\$ 485,985	\$ 485,388	1.372%	6,669
US Treasury Notes	#912828N48	04/31/20	\$ 250,000	\$ 251,953	\$ 250,894	1.736%	4,375
US Treasury Notes	#912828Q78	04/30/21	\$ 145,000	\$ 146,450	\$ 144,445	1.362%	1,994
US Treasury Notes	#912828Q78	04/30/21	\$ 390,000	\$ 393,900	\$ 388,490	1.362%	5,363
US Treasury Notes	#912828S76	07/31/21	\$ 330,000	\$ 333,403	\$ 327,631	1.114%	3,713
US Treasury Notes	#9128284W7	08/15/21	\$ 505,000	\$ 519,519	\$ 512,466	2.673%	13,888
US Treasury Notes	#912828D72	08/31/21	\$ 475,000	\$ 485,094	\$ 476,731	1.958%	9,500
US Treasury Notes	#912828F96	10/31/21	\$ 450,000	\$ 460,969	\$ 450,805	1.952%	9,000
US Treasury Notes	#912828T67	10/31/21	\$ 500,000	\$ 507,188	\$ 497,488	1.232%	6,250
US Treasury Notes	#912828H86	01/31/22	\$ 350,000	\$ 357,328	\$ 348,003	1.469%	5,250
US Treasury Notes	#9128286M7	04/15/22	\$ 390,000	\$ 404,503	\$ 393,893	2.169%	8,775

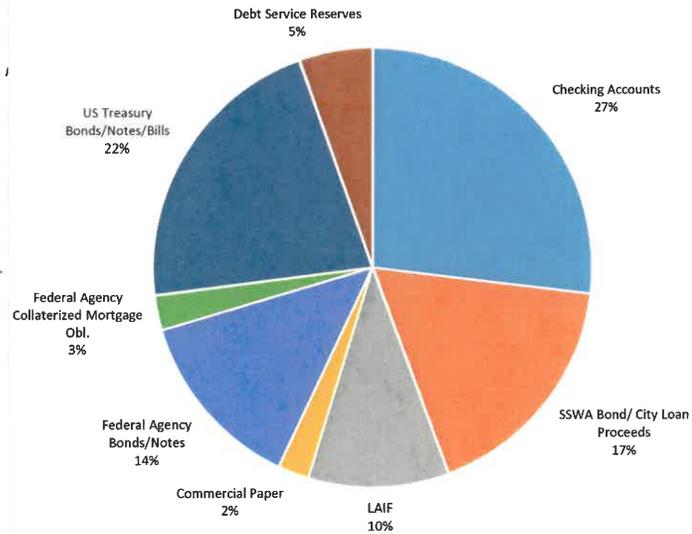
City of Suisun City,
Successor Agency, Housing Authority and Suisun-Solano Water Authority
FINANCIAL OFFICER'S INVESTMENT REPORT
June 30, 2020

Category of Investment	Name of Institution	Maturity Date	Par Amount		Market Value*		Amortized Cost	Curr Yield	Est Annual Income
							At Market		
US Treasury Notes	#9128282P4	07/31/22	\$ 35,000	\$ 36,247	\$ 34,895	1.810%	656		
US Treasury Notes	#9128282P4	07/31/22	\$ 400,000	\$ 414,250	\$ 397,296	1.811%	7,500		
US Treasury Notes	#912828XQ8	07/31/22	\$ 225,000	\$ 233,578	\$ 225,845	1.927%	4,500		
US Treasury Notes	#912828L57	09/30/22	\$ 300,000	\$ 310,641	\$ 293,765	1.690%	5,250		
US Treasury Notes	#912828YK0	10/15/27	\$ 125,000	\$ 128,438	\$ 128,421	1.338%	1,719		
US Treasury Notes	#912828N30	12/31/22	\$ 575,000	\$ 603,031	\$ 569,178	2.026%	12,219		
US Treasury Notes	#912828Z29	01/15/23	\$ 150,000	\$ 155,063	\$ 150,607	1.451%	2,250		
US Treasury Notes	#912828P38	01/31/23	\$ 255,000	\$ 265,320	\$ 247,578	1.682%	4,463		
US Treasury Notes	#912828Q29	03/31/23	\$ 100,000	\$ 103,641	\$ 96,645	1.447%	1,500		
US Treasury Notes	#9128284L1	04/30/23	\$ 145,000	\$ 155,535	\$ 149,500	2.564%	3,988		
US Treasury Notes	#912828T26	09/30/23	\$ 500,000	\$ 519,297	\$ 491,912	1.324%	6,875		
US Treasury Notes	#912828W71	03/31/24	\$ 195,000	\$ 208,894	\$ 197,110	1.984%	4,144		
US Treasury Notes	#912828X70	04/30/24	\$ 250,000	\$ 266,953	\$ 246,796	1.873%	5,000		
US Treasury Notes	#912828WJ5	05/15/24	\$ 430,000	\$ 467,759	\$ 444,273	2.298%	10,750		
US Treasury Notes	#912828XX3	06/30/24	\$ 230,000	\$ 246,172	\$ 231,978	1.869%	4,600		
US Treasury Notes	#912828D56	08/15/24	\$ 290,000	\$ 315,420	\$ 300,884	2.184%	6,888		
US Treasury Notes	#912828Y5	09/30/24	\$ 205,000	\$ 221,272	\$ 208,710	1.969%	4,356		
US Treasury Notes	#9128283J7	11/30/24	\$ 135,000	\$ 146,074	\$ 137,637	1.964%	2,869		
US Treasury Notes	#9128283V0	01/31/25	\$ 30,000	\$ 33,047	\$ 31,507	2.270%	750		
Total US Treasury Bond/Note			\$ 9,245,000	\$ 9,577,734	\$ 9,260,958	1.781%	\$ 170,554		
TOTAL POOLED INVESTMENTS			\$ 40,565,405	\$ 41,151,258	\$ 40,623,845	1.132%	\$ 465,826		
Reserved for Bond/Debt Service									
Govt Sec Money Market-RDA/SA	First Amer Treas Oblig Fd	#31846V302	\$ 934,133	\$ 934,133	\$ 934,133	0.589%	5,503		
Savings Acct-RDA Marina	West America Bank	Demand Deposit	\$ 398,883	\$ 398,883	\$ 398,883	0.072%	285		
Marina Debt Service	LAIF*	LAIF	\$ 995,285	\$ 995,285	\$ 995,285	1.720%	17,122		
Total Debt Service Reserve Funds			\$ 2,328,301	\$ 2,328,301	\$ 2,328,301	0.984%	\$ 22,910		
Grand Total			\$ 42,893,706	\$ 43,479,559	\$ 42,952,147	1.124%	\$ 488,736		

Summary of Pooled Investments

Summary of Pooled Investments

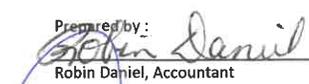
	Amortized Cost Amount
Checking Accounts	\$ 11,576,231
SSWA Bond/ City Loan Proceeds	\$ 7,470,282
LAIF	\$ 4,451,190
Commercial Paper	\$ 988,124
Federal Agency Bonds/Notes	\$ 5,767,171
Federal Agency Collateralized Mortgage Obl.	\$ 1,109,890
US Treasury Bonds/Notes/Bills	\$ 9,260,958
Debt Service Reserves	\$ 2,328,301
Total	\$ 42,952,147



* Market Valuation for Federal Agency Bonds/Notes and US Treasury Bonds/Notes is from City's Investment Advisor, PFM. Valuation for Debt Service Reserve funds is from the City's Trustee, US Bank.

City Treasurer's Statement:
I hereby certify that I have examined the records and find this report to be correct, that all investments are made in accordance with the investment policy, and the City will be able to meet its obligations for the next six months.

Attest by:  9/9/2020
Michael J. McMurry, City Treasurer Date

Prepared by:  9-9-20
Robin Daniel, Accountant Date

Reviewed & Submitted by:  9-9-20
Elizabeth Luna, Accounting Services Mgr. Date

MINUTES

SPECIAL MEETING OF THE SUISUN CITY COUNCIL

THURSDAY, AUGUST 13, 2020

6:00 P.M.

JOSEPH A. NELSON COMMUNITY CENTER—611 VILLAGE DR. -- SUISUN CITY, CALIFORNIA 94585

NOTICE

Pursuant to Government Code Section 54953, Subdivision (b), and Executive Order released on March 12, 2020, the following Council/Successor Agency/Housing Authority meeting includes teleconference participation by: Council/Board Members Anthony Adams, Jane Day, Michael A. Segala, and Mayor Pro Tem Wanda Williams. Teleconference locations are on file at City Hall, 701 Civic Center Blvd., Suisun City, CA 94585.

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

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

WEBSITE: <https://zoom.us/join>
MEETING ID: 897 2822 6494
CALL IN PHONE NUMBER: (707) 438-1720

*TO VIEW TONIGHT'S MEETING ON SUISUN WEBSITE, LIVESTREAM
(URL: <https://www.suisun.com/government/meeting-video/>)*

*REMOTE PUBLIC COMMENT IS AVAILABLE FOR THE CITY COUNCIL MEETING
BY EMAILING CLERK@SUISUN.COM (PRIOR TO 6pm) OR
VIA WEBSITE OR PHONE APPLICATION, ZOOM.*

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

ROLL CALL

Mayor Wilson called the meeting to order at 6:08 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, Tom Alder, Rosanna Fibeck, and Robert Hawkins

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.)

1. Ground Rules
2. Overview of Homelessness in Suisun City
 - a. Solano County Point In Time Count
 - b. Homelessness is not a crime
3. Online Survey Results
4. Local Initiatives to Reduce Homelessness
 - a. CAP Solano
 - b. Housing Authority/Affordable Housing
 - i. HUD Section 8 Voucher Program
 - ii. Affordable Housing Projects in Suisun City
 - iii. Home Loan Program
 - c. SCPD Efforts
 - d. Solano County efforts

GENERAL BUSINESS

5. Reducing Open Homeless Encampments
 - a. Legal Analysis
6. Options for Creating Sanctioned Encampments
7. Options for Increasing Supply of Affordable Housing
8. Discussion of “Built for Zero” Movement
9. Open discussion of Ideas from Council
 - o Opportunity for any council member to share their thoughts on homelessness not previously discussed and look for consensus from the council to bring items back for review.

Mike Hudson, Kevin Golson, Steve Olry, Michelle Chavez, George Guynn, Dawn Lebar, Duane Kromm, David Spellman, Deborah Lott, Becky Carroll, Joshua Russo.

Discussion regarding sanctioned encampment, inclusionary housing, homeless work program, and establishment of homeless ad hoc committee.

ADJOURNMENT

There being no further business, Mayor Wilson adjourned the meeting at 9:50 PM.

Linda Hobson, CMC
City Clerk

MINUTES

**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, SEPTEMBER 1, 2020

6:30 P.M.

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

NOTICE

Pursuant to Government Code Section 54953, Subdivision (b), and Executive Order released on March 12, 2020, the following Council/Successor Agency/Housing Authority meeting includes teleconference participation by: Council/Board Members Anthony Adams, Jane Day, Michael A. Segala, and Mayor Pro Tem Wanda Williams. Teleconference locations are on file at City Hall, 701 Civic Center Blvd., Suisun City, CA 94585.

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

ZOOM MEETING INFORMATION:

WEBSITE: <https://us02web.zoom.us/j/85954114842>

MEETING ID: 859 5411 4842

CALL IN PHONE NUMBER: (707) 438-1720

TO VIEW TONIGHT'S MEETING ON SUISUN WEBSITE, LIVESTREAM

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

REMOTE PUBLIC COMMENT IS AVAILABLE FOR THE CITY COUNCIL MEETING BY EMAILING CLERK@SUISUN.COM (PRIOR TO 6pm) OR VIA WEBSITE OR PHONE APPLICATION, ZOOM

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

(Next Ord. No. – 775)

(Next City Council Res. No. 2020 – 111)

Next Suisun City Council Acting as Successor Agency Res. No. SA2020 - 02)

(Next Housing Authority Res. No. HA2020 – 01)

ROLL CALL

Mayor Wilson called the meeting to order at 6:37 PM with the following Council / Board Members present: Adams, Segala, Williams, Wilson. Council Member Day was absent (in hospital)

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.)

Steve Olry complained about no enforcement of social distancing at playgrounds, squandering money, and Senior Center closure.

CONFLICT OF INTEREST NOTIFICATION

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

REPORTS: (Informational items only.)

1. COVID-19 Update – (Folsom: gfolsom@suisun.com).

PRESENTATIONS/APPOINTMENTS

(Presentations, Awards, Proclamations, Appointments).

2. LNU Lightning Complex Fire Update – (Vincent: jvincent@suisun.com).
3. Appointment of Voting Delegate and Alternate(s) for the League of California Cities Annual Conference – (Wilson: lwilson@suisun.com).

Motioned by Mayor Wilson and seconded by Council Member Segala to appoint Council Member Williams as voting delegate and Mayor Wilson as alternate. Motion carried unanimously by the members present.

AYES: Council Members Segala, Adams Williams, Wilson

ABSENT: Council Member Day

CONSENT CALENDAR

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

City Council

4. Council Adoption of Resolution No. 2020 - 111: Ratifying the Director of Emergency Services' Local Emergency Directive to Allow Limited Encroachment on Public Property for Outdoor Dining – (Kearns: jkearns@suisun.com).
5. Council Adoption of Resolution No. 2020 - 112: Authorizing the City Manager to Execute the Lease Agreement Between the City of Suisun City and Bulldog Baseball & Softball Club For Field Use at the Lambrecht Sports Complex – (Lofthus: klofthus@suisun.com).
6. Council Adoption of Resolution No. 2020-113: Authorizing the Application for Proposition 64 Youth Community Access Grant - (Lofthus: klofthus@suisun.com).
7. Council Adoption of Resolution No. 2020-114: Authorizing the City Manager to Enter into an Agreement with C&J Painting for the Lawler Ranch Masonry Wall and Monument Sign Painting Project - (Lofthus: klofthus@suisun.com).
8. Council Adoption of Resolution No. 2020 - 115: Adopting the Emergency Operations Center Plan for the City of Suisun City – (Vincent: jvincent@suisun.com).

9. Council Adoption of Resolution No. 2020 - 116: Authorizing the City Manager, acting as the Director of Emergency Services, to continue a short term lease agreement for the Suisun City Senior Center with Optum/LHI, to be utilized as a COVID-19 testing site – (Vincent: jvincent@suisun.com).

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

10. 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 July 14, 2020, July 21, 2020, August 4, 2020, August 10, 2020 and August 18, 2020 – (Hobson: Clerk@suisun.com).

Council Member Segala pulled Items 4 and 9. Council Member Williams pulled Item 8.

Motioned by Council Member ___ and seconded by Council Member ___ to approve Consent Calendar Items 5, 6, 7 and 10. Motion carried unanimously by the members present by the following roll call vote:

AYES: Council Members: Adams, Segala, Williams, Wilson

ABSENT: Council Member Day (in hospital)

Item 4

Motioned by Council Member Williams and seconded by Council Member Adams to adopt Resolution No. 2020-111. Motion carried by the following roll call vote:

AYES: Council Members: Adams, Williams, Wilson

NOES: Council Member Segala

ABSENT: Council Member Day (in hospital)

Item 8

Motioned by Council Member Williams and seconded by Council Member Adams to adopt Resolution No. 2020-115. Motion carried by the following roll call vote:

AYES: Council Members: Adams, Segala, Williams, Wilson

ABSENT: Council Member Day (in hospital)

Item 9

Mike Hudson, George Guynn, and Tom Alder expressed concern about expenses to maintain the building and location being near senior housing.

Alma Hernandez encouraged the council to have more sites so testing could be expedited.

Motioned by Council Member Williams and seconded by Council Member Adams to adopt Resolution No. 2020-116. Motion carried by the following roll call vote:

AYES: Council Members: Adams, Williams, Wilson

NOES: Council Member Segala

ABSENT: Council Member Day (in hospital)

PUBLIC HEARINGS: None

GENERAL BUSINESS: None

REPORTS: (Informational items only.)

11. a. Council/Boardmembers

Council Member Adams asked for prayers for his great aunt and uncle who were in the hospital with covid-19 and commended Clean Team for a good job.

Council Member Williams reported attending Tri-County NAACP meeting, thanked all the volunteers on the Clean Team and encouraged people to complete their census.

b. Mayor/Chair

Mayor Wilson thanked all the participants on the Clean Team and advised next Clean Team would be September 26, and stated the BID was moving forward and would be brought to council in the near future.

12. 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 7:59 PM.

Linda Hobson, CMC
City Clerk

AGENDA TRANSMITTAL

MEETING DATE: September 15, 2020

CITY AGENDA ITEM: PUBLIC HEARING - Council Adoption of Council Resolution No. 2020-__: A Resolution of the City Council of the City of Suisun City Approving Vehicle Miles Traveled (VMT) Based California Environmental Quality Act (CEQA) Thresholds.

FISCAL IMPACT: The City of Suisun City's VMT thresholds were prepared by the consulting group Fehr and Peer's. sufficient funds of \$24,980 are budgeted to cover these services under fiscal year 2020-21 budget.

STRATEGIC PLAN IMPACT: Provide good governance and Enhance Environment.

BACKGROUND: Senate Bill (SB) 743 (Steinberg, 2013) and subsequent amendments to the California Environmental Quality Act ("CEQA") CEQA Guidelines (§15064.3, amended December 2018) require the use of vehicle-miles traveled (VMT) as the metric for the assessment of impacts in the CEQA Transportation section. SB 743 also removes congestion-based metrics, such as Level of Service (LOS), from CEQA consideration for land use projects as "a project's effect on automobile delay shall not constitute a significant environmental impact" (§15064.3(a)). The provisions of SB 743 and CEQA guidelines §15064.3 apply statewide as of July 1, 2020.

It is noted that SB 743 does not change laws and regulations related to the General Plan and the City may still require that a land use project's effects on the circulation system be analyzed for consistency with General Plan goals and policies (as part of a non-CEQA, informational analysis); similarly, SB 743 does not change the City's AB 1600 traffic impact fee program, whereby fees are charged to land use projects to fund circulation system improvements.

CEQA analysis typically requires the use of thresholds of significance to determine if a project's effect in a given environmental topic area rises to the level of requiring mitigation. As the City has not performed VMT analysis for the purposes of CEQA Transportation analysis, the City has not yet developed generally-applicable thresholds of significance using VMT as the metric. CEQA Guidelines §15064.7 govern several principles behind thresholds of significance, including the following provisions:

- §15064.7(b): Each public agency is encouraged to develop and publish thresholds of significance that the agency uses in the determination of the significance of environmental effects. Thresholds of significance to be adopted for general use as part of the lead agency's environmental review process must be adopted by ordinance, resolution, rule, or regulation, and developed through a public review process and be supported by substantial evidence. Lead agencies may also use thresholds on a case-by-case basis as provided in Section 15064(b)(2).
- §15064.7(c): When adopting or using thresholds of significance, a lead agency may consider thresholds of significance previously adopted or recommended by other public

PREPARED BY:

John Kearns, Senior Planner

REVIEWD/APPROVED BY:

Greg Folsom, City Manager

agencies or recommended by experts, provided the decision of the lead agency to adopt such thresholds is supported by substantial evidence.

The shift from LOS to VMT focuses on regional traffic patterns and reducing greenhouse gas (GHG) emissions, rather than vehicle delays on local roadway networks. Reliance upon a VMT metric for evaluating environmental impacts is intended to:

- Streamline CEQA review for projects that improve pedestrian, bicycle and transit facilities.
- Facilitate residential, commercial and mixed-use infill projects close to transit.
- Shift the focus of mitigation measures from improvements that benefit vehicles to improvements that enhance access, safety and usability for pedestrians, bicyclists and transit users.
- Promote policies that:
 - Minimize Green House Gas (GHG) emissions from transportation by shifting travel modes away from single occupancy vehicles.
 - Encourage development of safe walkable and pedestrian scale communities.
 - Enhance sustainability and resilience by reducing vehicle trips and length.
 - Discourage urban/suburban sprawl.

Pursuant to SB 743, lead agencies in California are expected to use VMT in CEQA Transportation section analyses by July 1, 2020. CEQA Guidelines Section 15064.7(c) notes that “When adopting or using thresholds of significance, a lead agency may consider thresholds of significance previously adopted or recommended by other public agencies or recommended by experts, provided the decision of the lead agency to adopt such thresholds is supported by substantial evidence.” Although adoption of general-use VMT thresholds in Suisun City has not occurred prior to July 1, 2020, the City is actively working to adopt local VMT thresholds and establish Suisun City’s VMT program as soon as possible.

In the interim, while a Suisun City-specific VMT program is being developed, the City of Suisun City will apply the recommended screening methodology and thresholds set forth in Office of Planning and Research (OPR) *Technical Advisory on Evaluating Transportation Impacts in CEQA* (dated December 2018).

The City is under contract with traffic consulting firm Fehr & Peers to assist the City with the transition from LOS to VMT. Fehr & Peers has suggested the use of the Fairfield Traffic Demand Model in conducting VMT implementation work for the city. It is OPR’s strong recommendation that a travel demand model be used in the calculation of VMT as a model captures the interactions between land uses in the City and region as a whole.

*At their regular meeting of August 25, 2020, the Suisun City Planning Commission (by a vote of 5-0 with two absences) adopted Resolution PC20-06 which recommended City Council adoption of the draft VMT thresholds.

General Plan and Zoning

General Plan

The implementation of VMT for CEQA transportation analysis relates to Chapter 4, Transportation including *Goal T-3: Manage travel demand in order to reduce up-front and ongoing cost of transportation infrastructure, enhance local mobility, improve air quality, and improve the local quality of life*. In support of this goal is Objective T-3, several policies, and Program T-3.1. All of these items are contained on Page 4-24 of the Suisun City General Plan. Further, many other goals/objectives/policies/ and programs support VMT throughout the General Plan.

Zoning

SB 743 implementation will not require any zoning changes, nor will its implementation create any inconsistencies within the Zoning Ordinance.

STAFF REPORT:

Metrics and Methods

The VMT metrics used under SB 743 typically consist of a partial accounting of VMT which is focused on promoting a more efficient land use pattern in terms of reducing driving by residents, reducing commuting by automobile, and the efficient placement of retail and commercial establishments. These metrics include the following:

1. **Residential Projects – All Home-Based VMT per Resident:** This metric evaluates the VMT for all trips with a start or end at a dwelling unit made by residents. As the Fairfield model is a trip-based model, it is not possible to associate non-home-based (NHB) trips back to an individual household (though NHB trips are included in the model). Thus, all residential VMT is associated with trip productions at the home (e.g., to work, to shop, to school, to recreate, etc.). Additionally, the small proportion of home-based trips that are “attractions” (e.g., pizza delivery, UPS delivery, etc.) are excluded due to complexity of tracking this particular type of trip. Since the exclusion is applied for all residential uses and is linear in nature, it does not affect residential VMT efficiency.
2. **Office/Industrial (Employment-Focus) Projects – All Home-Based Work Trip (“Commute”) VMT per Employee:** This metric evaluates the VMT for all employee trips that travel between home and work. Trips related to non-commute economic activity (i.e. goods deliveries, customer visits, etc.) would not be captured in this metric. The focus of this metric is on commute trips as being the primary component of VMT for most employment-focused land uses.
3. **Retail Projects –Total Citywide VMT:** This metric evaluates all VMT (for all trip purposes by all users) that occurs within a geographic boundary. This metric is used for retail developments because they have a tendency to cause shoppers to shift their existing travel patterns, and in some cases (e.g. a new supermarket in a food desert) could actually cause trips to shorten and thereby result in a net decrease in area-wide VMT.

These metrics have been selected by most agencies throughout California that have completed their SB 743 implementation process.

Model VMT Metric Estimates

The City of Fairfield model provides estimates of VMT metrics for land uses in the City of Suisun City. The model VMT metric estimates are key in setting baseline values to be used in CEQA thresholds going forward. It is noted, however, that the “base year” thresholds (described in the next section) rely on a rolling baseline – that is, the base year baseline metric value should be re-considered on a project-by-project basis when each project’s Notice of Preparation is released.

Proposed VMT Thresholds

This section presents the thresholds of significance pertaining to VMT that Suisun City will apply when analyzing the transportation impacts of land use projects under CEQA. While VMT is one of the metrics required to be included in the CEQA transportation section per SB 743, analyses of a land use project’s impacts on bicycle/pedestrian facilities, transit, construction, emergency access, nonstandard design features, etc. are still expected. It is noted that the VMT-based CEQA transportation thresholds below rely on a partial VMT metric (consistent with guidance from OPR), while other CEQA topics (e.g. Air Quality, Greenhouse Gases, etc.) will require a more complete accounting of VMT.

Page 10 of the *Technical Advisory* states that OPR recommends that a per capita or per employee VMT that is 15 percent below that of existing development may be a reasonable threshold. Lacking any other information that would suggest a different threshold should be applied, the City of Suisun City has concluded that this threshold should be applied for land use projects in the City.

Proposed VMT Thresholds of Significance – Residential Land Uses

For projects that do not qualify for any of the screening opportunities presented in the *Technical Advisory*, the City of Suisun City will apply the following thresholds of significance when analyzing the VMT transportation impacts of residential land use projects under CEQA.

1. The project would cause a significant transportation impact if it would generate an average home-based VMT per resident that is greater than 85 percent of the City-wide average.
2. If the above threshold is exceeded, the project’s VMT impact could still be found to be less-than-significant if it did not cause the total City-wide VMT to increase.

The above calculations will be performed using the City of Fairfield travel demand model for both base year and cumulative conditions.

Proposed VMT Thresholds of Significance – Office and Industrial Land Uses

For projects that do not qualify for any of the screening opportunities presented in the *Technical Advisory*, the City of Suisun City will apply the following thresholds of significance when analyzing the VMT transportation impacts of office and industrial land use projects under CEQA.

1. The project would cause a significant transportation impact if it would generate an average home-based work VMT per employee that is greater than 85 percent of the city-wide average.
2. If the above threshold is exceeded, the project's VMT impact could still be found to be less-than-significant if it did not cause the total City-wide VMT to increase.

The above calculations will be performed using the City of Fairfield's travel demand model for both base year and cumulative conditions.

Proposed VMT Thresholds of Significance – Retail Land Uses

For projects that do not qualify for any of the screening opportunities presented in the *Technical Advisory*, the City of Suisun City will apply the following thresholds of significance when analyzing the VMT transportation impacts of retail land use projects under CEQA.

1. The project would cause a significant transportation impact if it would cause the total City-wide VMT to increase.

The above calculations will be performed using the City of Fairfield travel demand model for both base year and cumulative conditions.

Proposed VMT Thresholds of Significance – Atypical and Mixed-Use Projects

Special consideration will be necessary to analyze VMT impacts for land uses that do not fit into the categories noted previously. Common examples include hotels, medical centers, churches, schools/colleges, specialty retail uses, etc. These uses should be analyzed on a case-by-case basis using available information and applying the general intent of the *Technical Advisory* and the residential, office/industrial and retail thresholds described previously.

Additionally, projects that feature a mix of complementary land uses on-site should be analyzed using a technical approach geared toward the specifics of the project. The *Technical Advisory* describes two possible approaches: (1) analyze (considering internalized trips) and determine significant impacts of each project component separately, or (2) consider significant impacts based on the project's dominant land use.

Proposed VMT Thresholds of Significance for Transportation Projects

This section provides an introductory discussion of how transportation projects should be evaluated under CEQA. Since this is a complex and evolving topic, only a high-level overview is provided.

Technical Advisory Guidance on VMT Impacts from Transportation Projects Pages 19-28 of the *Technical Advisory* discuss a number of aspects of this topic. The following summary outlines the key recommendations of this portion of the *Technical Advisory*:

1. The "induced vehicle travel" caused by certain transportation projects must be quantified. Projects that would likely lead to a "measurable and substantial" increase in vehicle travel (i.e., VMT) generally include: addition of through lanes on existing or new highways, including general purposes lanes, carpool lanes, auxiliary lanes, or lanes through grade-separated interchanges.

2. A variety of transportation projects would not be expected to induce more vehicle travel. The following page lists these project types, though it is noted that evidence is not provided to support that conclusion of no net VMT.
3. A generally accepted interpretation of the Technical Advisory is that a transportation project that causes a net increase in VMT would be considered to have a significant impact. Although a specific significance threshold is not provided in the *Technical Advisory*, it states on multiple occasions that transportation projects that do not generate additional VMT are presumed to have less-than-significant impacts. Part 2b of Section 15064.3 of the CEQA Guidelines (Determining the Significance of Transportation Impacts) states that “Transportation projects that reduce, or have no impact on, VMT should be presumed to cause a less than significant transportation impact.”
4. VMT attributable to a project should represent the difference in VMT with and without the project across the full area in which driving patterns are expected to change. VMT should not be truncated at model or jurisdictional boundaries.
5. Mitigation for VMT impacts caused by transportation projects may include tolling new lanes, converting general purpose lanes to carpool/express lanes, funding/implementing travel demand management strategies, and implementing Intelligent Transportation Systems (ITS) strategies.

Proposed VMT Threshold of Significance – Transportation Projects

For projects that do not qualify for any of the screening opportunities presented in the *Technical Advisory*, the City of Suisun City will apply the following threshold of significance when analyzing the VMT transportation impacts of transportation projects under CEQA.

1. A transportation project would cause a significant transportation impact if it would lead to induced travel and increased VMT.

The above calculation will be performed using the City of Fairfield travel demand model for both base year and cumulative conditions. Induced VMT calculations will be performed in accordance with Caltrans guidance and consider elasticity values in addition to data from the City of Fairfield travel demand model.

NEXT STEPS

Next steps after adoption of thresholds may be considered to provide more a more complete implementation process that reflects local conditions. These steps include, but are not limited to, the following:

- **Review and revision of the screening criteria in the *Technical Advisory*:** The screening criteria in the *Technical Advisory* may be too broad for the types of projects that ultimately would be proposed going forward. Many agencies are considering modifying the screening criteria to better fit community views on the types of development that should be streamlined (e.g. reducing the size of the local-serving retail screening criteria or prohibiting projects with drive-throughs from qualifying for screening).
- **Review and revision of the City of Fairfield travel demand model:** The metrics have been derived from the “off-the-shelf” version of the City of Fairfield model, and reflect global inputs that may or may not precisely reflect travel behavior for land uses in the City of Suisun City. Updating the model for more Suisun City-specific data may improve the performance of the model relative to actual VMT generated.

- **Considering City-wide mitigation and funding strategies:** Mitigation for VMT impacts is very different than mitigation for LOS impacts. Mitigation measures designed to reduce VMT focus on shortening trip lengths or reducing the number of trips. The effectiveness of these measures is difficult to quantify (to the standard expected under CEQA) when applied on a project-by-project basis, which could potentially lead to some projects having significant and unavoidable VMT impacts because of a lack of information to prove that the feasible mitigation measures would actually reduce the impact to a less-than-significant level. Additionally, these mitigation measures would need to be monitored for effectiveness over time, thus adding to the cost and complexity of mitigation measures. Many agencies are considering adopting agency-wide VMT mitigation strategies and funding those strategies through VMT-based mitigation fees, similar to the City's current traffic impact fee that funds congestion-related improvements.

CEQA ANALYSIS: No environmental review is required.

RECOMMENDATION: It is recommended that the City Council adopt Resolution No. 2020-__: A Resolution of the City Council of the City of Suisun City Approving Vehicle Miles Traveled (VMT) Based California Environmental Quality Act (CEQA) Thresholds.

ATTACHMENTS:

1. Resolution 2020-__: A Resolution of the City Council of the City of Suisun City Approving Vehicle Miles Traveled (VMT) Based California Environmental Quality Act (CEQA) Thresholds.
 - EXHBIIT A: Draft Thresholds of Significance
2. Suisun City SB 743 Implementation: Summary of Findings and Recommendations for VMT-Based CEQA Thresholds.
3. Resolution PC20-06.
4. PowerPoint Presentation.

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RESOLUTION NO. 2020-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY
APPROVING VEHICLE MILES TRAVELED (VMT) BASED CALIFORNIA
ENVIRONMENTAL QUALITY ACT (CEQA) THRESHOLDS.**

WHEREAS, On September 27, 2013, Governor Jerry Brown signed SB 743 into law and started a process intended to fundamentally change transportation impact analysis as part of CEQA compliance. These changes include elimination of automobile delay, level of service (LOS), and other similar measures of vehicular capacity or traffic congestion as a basis for determining significant impacts. The law directed the Governor’s Office of Planning and Research (OPR) to update the CEQA Guidelines to include new criteria (e.g., metrics) for determining the significance of transportation impacts; and

WHEREAS, the 2035 Suisun City General Plan recognized the need to transition from Level of Service (LOS) to Vehicle Miles Traveled (VMT) by including relevant goals, objectives, policies and programs; and

WHEREAS, the City has determined the Fairfield Travel Demand Model was the model appropriate model in undertaking VMT analysis in the City of Suisun City; and

WHEREAS, the City of Suisun City secured the services of Fehr and Peers to begin implementing SB 743 as it relates to California Environmental Quality Act (CEQA) thresholds; and

WHEREAS, the Suisun City Planning Commission did discuss the thresholds at their regular meeting of August 25, 2020 and recommended the City Council adopt the thresholds by a vote of 5-0; and

WHEREAS, a report by the City Staff was presented and made a part of the recommendations of said meeting; and

WHEREAS, the City Council did take a presentation from Staff and Fehr and Peers, and considered all written and verbal testimony presented at the meeting.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Suisun City finds the above recitals to be true and correct, and hereby approves the VMT thresholds as shown 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 15th day of September 2020, by the following vote:

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

WITNESS my hand and the seal of said City this 15th day of September 2020.

Donna Pock, CMC
Deputy City Clerk

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VMT Thresholds of Significance

These thresholds of significance pertain to VMT that Suisun City will apply when analyzing the transportation impacts of land use projects under CEQA. While VMT is one of the metrics required to be included in the CEQA transportation section per SB 743, analyses of a land use project's impacts on bicycle/pedestrian facilities, transit, construction, emergency access, nonstandard design features, etc. are still expected. It is noted that the VMT-based CEQA transportation thresholds below rely on a partial VMT metric (consistent with guidance from OPR), while other CEQA topics (e.g. Air Quality, Greenhouse Gases, etc.) will require a more complete accounting of VMT.

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For projects that do not qualify for any of the screening opportunities presented in the *Technical Advisory*, the City of Suisun City will apply the following thresholds of significance when analyzing the VMT transportation impacts of residential land use projects under CEQA.

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Proposed VMT Thresholds of Significance – Atypical and Mixed-Use Projects

Special consideration will be necessary to analyze VMT impacts for land uses that do not fit into the categories noted previously. Common examples include hotels, medical centers, churches, schools/colleges, specialty retail uses, etc. These uses should be analyzed on a case-by-case basis using available information and applying the general intent of the *Technical Advisory* and the residential, office/industrial and retail thresholds described previously.

Additionally, projects that feature a mix of complementary land uses on-site should be analyzed using a technical approach geared toward the specifics of the project. The *Technical Advisory* describes two possible approaches: (1) analyze (considering internalized trips) and determine significant impacts of each project component separately, or (2) consider significant impacts based on the project's dominant land use.

Proposed VMT Thresholds of Significance for Transportation Projects

This section provides an introductory discussion of how transportation projects should be evaluated under CEQA. Since this is a complex and evolving topic, only a high-level overview is provided.

***Technical Advisory* Guidance on VMT Impacts from Transportation Projects**

Pages 19-28 of the *Technical Advisory* discuss a number of aspects of this topic. The following summary outlines the key recommendations of this portion of the *Technical Advisory*:

1. The “induced vehicle travel” caused by certain transportation projects must be quantified. Projects that would likely lead to a “measurable and substantial“ increase in vehicle travel (i.e., VMT) generally include: addition of through lanes on existing or new highways, including general purposes lanes, carpool lanes, auxiliary lanes, or lanes through grade-separated interchanges.
2. A variety of transportation projects would not be expected to induce more vehicle travel. The following page lists these project types, though it is noted that evidence is not provided to support that conclusion of no net VMT.
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the CEQA Guidelines (Determining the Significance of Transportation Impacts) states that “Transportation projects that reduce, or have no impact on, VMT should be presumed to cause a less than significant transportation impact.”

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5. Mitigation for VMT impacts caused by transportation projects may include tolling new lanes, converting general purpose lanes to carpool/express lanes, funding/implementing travel demand management strategies, and implementing Intelligent Transportation Systems (ITS) strategies.

Proposed VMT Threshold of Significance – Transportation Projects

For projects that do not qualify for any of the screening opportunities presented in the *Technical Advisory* (see **Exhibit 1**), the City of Suisun City will apply the following threshold of significance when analyzing the VMT transportation impacts of transportation projects under CEQA.

1. A transportation project would cause a significant transportation impact if it would lead to induced travel and increased VMT.

The above calculation will be performed using the City of Fairfield travel demand model for both base year and cumulative conditions. Induced VMT calculations will be performed in accordance with Caltrans guidance and consider elasticity values in addition to data from the City of Fairfield travel demand model.

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Draft Memorandum

Date: July 10, 2020
To: John Kearns, City of Suisun City
From: Ashlee Takushi and Ian Barnes, Fehr & Peers
Subject: **Suisun City SB 743 Implementation: Summary of Findings and Recommendations for VMT-Based CEQA Thresholds**

WC20-3730

Introduction

This memorandum presents recommendations for implementing Senate Bill (SB) 743 in the City of Suisun City. This memorandum is organized into the following sections:

- *Section I (Background)* – describes background information on SB 743, relevant CEQA Guidelines, and a simple definition of Vehicle-Miles of Travel (VMT).
- *Section II (VMT Metrics and Methods)* – presents information about available travel demand models and VMT estimate calculations using the City of Fairfield travel demand model.
- *Section III (Proposed VMT Thresholds of Significance for Land Use Projects)* – presents specific thresholds of significance the City may consider using when evaluating land use projects under CEQA.
- *Section IV (Proposed VMT Thresholds of Significance for Roadway Projects)* – presents specific thresholds of significance the City may consider using when evaluating roadway projects under CEQA, including project types that are presumed to be less-than-significant.
- *Section V (Next Steps)* – discusses further opportunities in the implementation process that can be used to streamline development review and develop meaningful mitigation strategies.

I. Background

On September 27, 2013, Governor Jerry Brown signed SB 743 into law and started a process intended to fundamentally change transportation impact analysis as part of CEQA compliance. These changes include elimination of automobile delay, level of service (LOS), and other similar



measures of vehicular capacity or traffic congestion as a basis for determining significant impacts. The law directed the Governor's Office of Planning and Research (OPR) to update the CEQA Guidelines to include new criteria (e.g., metrics) for determining the significance of transportation impacts.

OPR selected VMT as the transportation impact metric, recommended its application statewide, and submitted updates to the CEQA Guidelines that were certified by the Natural Resources Agency in December 2018. The requirements of SB 743 became effective statewide on July 1, 2020 – all CEQA analyses performed after this date must use VMT for the evaluation of motorized transportation impacts (unless a project can be screened out of this analysis requirement).

To help aid lead agencies with SB 743 implementation, OPR produced the [Technical Advisory on Evaluating Transportation Impacts in CEQA](#) (December 2018). The *Technical Advisory* helps lead agencies think about the variety of implementation questions they face with respect to shifting to a VMT metric. The guidance is not a recipe for SB 743 implementation since lead agencies must still make their own specific decisions about methodology, thresholds, and mitigation.

OPR hosted a series of webinars in Spring 2020, in which they provided verbal interpretations and clarifications of the *Technical Advisory*. Fehr & Peers regularly attends these webinars and notes these staff interpretations such that their latest guidance is reflected in memoranda such as this.

Intent of SB 743

The following two legislative intent statements are contained in the SB 743 statute:

- 1) Ensure that the environmental impacts of traffic, such as noise, air pollution, and safety concerns, continue to be properly addressed and mitigated through the CEQA.
- 2) More appropriately balance the needs of congestion management with statewide goals related to infill development, promotion of public health through active transportation, and reduction of greenhouse gas emissions.

These statements are important because they provide direction to OPR, lead agencies and CEQA judges. For OPR, the direction is largely about what the new metrics should achieve. For lead agencies, the direction is about expected changes in transportation analysis plus what factors to consider for significance thresholds.

SB 743 does not prevent a city or county from continuing to analyze delay or LOS as part of other plans (i.e. the General Plan), fee programs, or on-going network operational monitoring, but these metrics will not form a determination of significant impacts under CEQA. Cities or counties can still use vehicle LOS outside of the CEQA process if they determine it is an important part of their transportation analysis process. The most common applications will likely occur for jurisdictions wanting to use vehicle LOS to size roadways in their General Plan or determine nexus



relationships for their impact fee programs. Jurisdictions can also continue to condition projects to build transportation improvements through the entitlement process (i.e., conditions of approval) in a variety of ways, such as using General Plan policy consistency findings.

Relevant CEQA Guidelines

This section presents the precise language contained in the most recent CEQA guidelines pertaining to this topic.

CEQA Section 15064.3 (Determining the Significance of Transportation Impacts)

This section defines VMT as “the amount and distance of automobile travel attributable to a project”. It describes certain conditions (e.g., proximity to a transit stop) for land use projects that should be presumed to cause a less than significant transportation impact. It concludes that projects that decrease VMT compared to existing conditions should be presumed to have a less than significant transportation impact.

New Section 15064.3. Determining the Significance of Transportation Impacts.

(a) Purpose.

This section describes specific considerations for evaluating a project’s transportation impacts. Generally, vehicle miles traveled is the most appropriate measure of transportation impacts. For the purposes of this section, “vehicle miles traveled” refers to the amount and distance of automobile travel attributable to a project. Other relevant considerations may include the effects of the project on transit and non-motorized travel. Except as provided in subdivision (b)(2) below (regarding roadway capacity), a project’s effect on automobile delay shall not constitute a significant environmental impact.

(b) Criteria for Analyzing Transportation Impacts.

(1) Land Use Projects. Vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact. Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high quality transit corridor should be presumed to cause a less than significant transportation impact. Projects that decrease vehicle miles traveled in the project area compared to existing conditions should be presumed to have a less than significant transportation impact.



CEQA SECTION 15064.3, PART 4

This section states that the lead agency has the discretion to choose the most appropriate methodology for evaluating a project's VMT.

(4) Methodology. A lead agency has discretion to choose the most appropriate methodology to evaluate a project's vehicle miles traveled, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may use models to estimate a project's vehicle miles traveled, and may revise those estimates to reflect professional judgment based on substantial evidence. Any assumptions used to estimate vehicle miles traveled and any revisions to model outputs should be documented and explained in the environmental document prepared for the project. The standard of adequacy in Section 15151 shall apply to the analysis described in this section.

(c) Applicability.

The provisions of this section shall apply prospectively as described in section 15007. A lead agency may elect to be governed by the provisions of this section immediately. Beginning on July 1, 2020, the provisions of this section shall apply statewide.

CEQA Guidelines Section 15064.7 (Thresholds of Significance)

This section encourages public agencies to develop and publish thresholds of significance to be used in determining the significance of environmental effects.

§ 15064.7. Thresholds of Significance.

(a) ~~Each public agency is encouraged to develop and publish thresholds of significance that the agency uses in the determination of the significance of environmental effects.~~ A threshold of significance is an identifiable quantitative, qualitative or performance level of a particular environmental effect, non-compliance with which means the effect will normally be determined to be significant by the agency and compliance with which means the effect normally will be determined to be less than significant.

(b) **Each public agency is encouraged to develop and publish thresholds of significance that the agency uses in the determination of the significance of environmental effects.** Thresholds of significance to be adopted for general use as part of the lead agency's environmental review process must be adopted by ordinance, resolution, rule, or regulation, and developed through a public review process and be supported by substantial evidence. **Lead agencies may also use thresholds on a case-by-case basis as provided in Section 15064(b)(2).**

Technical Advisory on Evaluating Transportation Impacts in CEQA

The 26-page *Technical Advisory* provides guidance for how professional planners and CEQA practitioners should approach SB 743 implementation including recommendations regarding assessment of VMT, thresholds of significance, and mitigation measures.



Page 1 of the document states the following:

- The *Technical Advisory* does not alter lead agency discretion in preparing environmental documents subject to CEQA.
- The *Technical Advisory* should not be construed as legal advice.
- OPR is not enforcing or attempting to enforce any part of the recommendations.

Given the length, technical depth, and wide range of topics addressed in the *Technical Advisory*, it is not summarized here. However, it is cited frequently in the following chapters.

VMT 101

This subsection presents a high-level overview of what VMT is and what it is not.

1. By definition, one (1) VMT is defined as one mile driven by a vehicle (regardless of the number of occupants).
2. VMT is commonly expressed as a daily value (in miles) for a typical weekday when schools are in session.
3. All VMT metrics presented in this report comprise those which are recommended by OPR for use in CEQA transportation analysis.. Chapter III discusses the VMT calculations in more detail.

While VMT is a useful metric for quantifying the efficiency of a given mix of land uses and roadway network enhancements, it is not a direct measure of congestion or delay nor does it help to answer questions about operational characteristics of a road system (such as deciding whether an intersection should be controlled by a traffic signal, a roundabout, or another method). For these reasons, many cities choose to continue to use LOS analysis to address operational issues, while using VMT analysis for environmental impact purposes.

The following link provides a brief instructional video further defining VMT:

<http://www.fehrandpeers.com/sb743/>



II. VMT Metrics and Methods

This section presents the evaluation of the candidate travel demand models for use in estimating VMT in Suisun City, a recommendation for the VMT metrics to be considered in CEQA transportation analysis, and the VMT values for the base year and cumulative (General Plan buildout) scenarios.

Review of Candidate Travel Demand Models

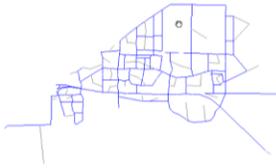
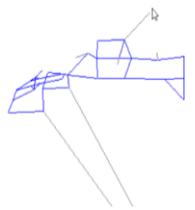
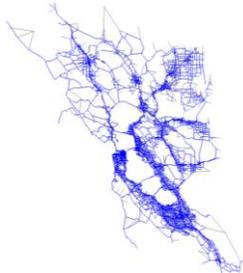
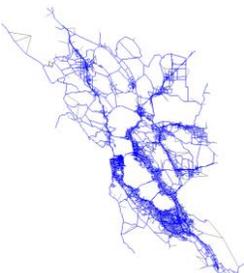
A number of travel demand models could provide estimates of VMT for land uses in the City of Suisun City. Three of these models include the City of Fairfield travel demand model, the Solano-Napa Activity-Based Model (SNABM), and the Metropolitan Transportation Commission's (MTC) Travel Model One. While the City of Fairfield model is primarily developed to estimate travel patterns in the City of Fairfield itself, the model covers the City of Suisun City, and has historically been used to estimate traffic volumes and VMT for projects in Suisun City (including use in the General Plan update). These models were evaluated based on the following characteristics:

- Model structure
- Calibration year
- Model detail within Suisun City
- Model boundaries
- Level of trip truncation at model boundaries
- Model run time
- Key limitations requiring action

The results of the comparison are summarized on the next page in **Table 1**.



Table 1: Travel Demand Forecasting Model Comparison

Evaluation Criteria	City of Fairfield Model	Solano-Napa ABM	MTC Model
Model Structure	Trip-Based Model	Activity-Based Model	Activity-Based Model
Calibration Year ¹	2020	2015	2015
Model Detail within Suisun City	High: 72 TAZs and 604 Links 	Medium: 38 TAZs and 508 Links 	Low: 5 TAZs and 87 Links 
Model Boundaries	Fairfield and Suisun City 	Nine-County Bay Area 	Nine-County Bay Area 
Level of Suisun City Trips Truncated at Model Boundaries	High: All trips leaving Suisun City and Fairfield are truncated at the city limits.	Low: Only trips leaving Nine-County Bay Area are truncated	Low: Only trips leaving Nine-County Bay Area are truncated
Model Run Time	~15 mins	~30-40 hours	~24-32 hours
Key Limitations Requiring Action	The Fairfield TDF Model might not be accurate in forecasting future traffic as the development outside of the city generate complex travel patterns within the city.	Model requires specialized computing resources and high level of technical expertise to run. Editing Model Inputs for land use projects requires substantial time and cost.	Model sensitivity to local project land use changes is untested. Changing model inputs for land use projects requires substantial time and cost.
Recommendation	<p>Recommended:</p> <ul style="list-style-type: none"> - Finer model TAZ and network details. - Fairfield TDF model accounts for planned development growth and is sensitive to small scale development projects within the model - Short run time 	<p>Not Recommended:</p> <ul style="list-style-type: none"> - Model is very sensitive to small changes to residential land uses and is only recommended if a project is adding more than 100 households. - Time consuming to make land use changes - Extremely long run time 	<p>Not Recommended:</p> <ul style="list-style-type: none"> - Coarse model detail in off-the-shelf version - Time consuming to make land use changes - Long run time

Source: Fehr & Peers, 2020.



As noted in **Table 1**, it is recommended that the City of Fairfield model be used to estimate VMT for projects in Suisun City. This recommendation is made on the basis that the Fairfield model has very detailed roadway network and TAZ detail in the City, the model is relatively quick to run (15 minutes versus over 24 hours for the other models), and the model provides good sensitivity to changes in local land use inputs.

The City of Fairfield model does truncate trips at the city limits of Suisun City and Fairfield, which should be addressed moving forward. Methods are available to analysts that allow for the estimation of the lengths of trips outside the model boundary for appending to the VMT calculation. These methods include, but are not limited to, reviewing trip lengths from the SNABM or California Statewide Model, and using Big Data trip length information.

VMT Metrics

The *Technical Advisory* notes that the VMT to be considered as part of the CEQA transportation analysis would generally take the form of an efficiency metric (i.e. VMT per capita or per employee) and be focused on VMT generated by automobiles and light duty trucks (i.e. pickup trips). This differs from the VMT estimates historically analyzed in the Air Quality, Greenhouse Gas, and Energy analysis CEQA sections, which require a full accounting of all VMT generated (including VMT generated by heavy trucks).

Additionally, the VMT metrics used under SB 743 typically consist of a partial accounting of VMT which is focused on promoting a more efficient land use pattern in terms of reducing driving by residents, reducing commuting by automobile, and the efficient placement of retail and commercial establishments. These metrics include the following:

1. **Residential Projects – All Home-Based VMT per Resident:** This metric evaluates the VMT for all trips with a start or end at a dwelling unit made by residents. As the Fairfield model is a trip-based model, it is not possible to associate non-home-based (NHB) trips back to an individual household (though NHB trips are included in the model). Thus, all residential VMT is associated with trip productions at the home (e.g., to work, to shop, to school, to recreate, etc.). Additionally, the small proportion of home-based trips that are “attractions” (e.g., pizza delivery, UPS delivery, etc.) are excluded due to complexity of tracking this particular type of trip. Since the exclusion is applied for all residential uses and is linear in nature, it does not affect residential VMT efficiency.
2. **Office/Industrial (Employment-Focus) Projects – All Home-Based Work Trip (“Commute”) VMT per Employee:** This metric evaluates the VMT for all employee trips that travel between home and work. Trips related to non-commute economic activity (i.e. goods deliveries, customer visits, etc.) would not be captured in this metric. The focus of this metric is on commute trips as being the primary component of VMT for most



employment-focused land uses.

3. **Retail Projects –Total Citywide VMT:** This metric evaluates all VMT (for all trip purposes by all users) that occurs within a geographic boundary. This metric is used for retail developments because they have a tendency to cause shoppers to shift their existing travel patterns, and in some cases (e.g. a new supermarket in a food desert) could actually cause trips to shorten and thereby result in a net decrease in area-wide VMT.

These metrics have been selected by most agencies throughout California that have completed their SB 743 implementation process.

Model VMT Metric Estimates

The City of Fairfield model provides estimates of VMT metrics for land uses in the City of Suisun City. The model VMT metric estimates are key in setting baseline values to be used in CEQA thresholds going forward. It is noted, however, that the “base year” thresholds (described in the next section) rely on a rolling baseline – that is, the base year baseline metric value should be re-considered on a project-by-project basis when each project’s Notice of Preparation is released. The estimates of base year (2020) and cumulative year (2035) VMT metrics are presented below in **Table 2**. Maps showing the geographic distribution of VMT metric estimates are presented in **Attachment A**.

Table 2: Suisun City VMT Metric Estimates (from City of Fairfield Model)

VMT Metric	Typical Land Use for Metric	Base Year (2020) City of Fairfield Model Value	Cumulative (2035) City of Fairfield Model Value
Home-Based VMT per Resident	Residential	13.8	12.4
Home-Based Work “Commute” VMT per Employee	Office/Industrial (i.e. non-retail employment)	14.8	14.1
Total City-wide VMT	Retail	470,414	874,491

Source: Fehr & Peers, 2020.

The estimates in **Table 2** suggest that, while total City-wide VMT increases in aggregate, the home-based VMT per resident and home-based work VMT per employee metrics decrease over time; this trend is generally consistent with most agencies throughout California.



III. Proposed VMT Thresholds of Significance for Land Use Projects

This section presents the thresholds of significance pertaining to VMT that Suisun City will apply when analyzing the transportation impacts of land use projects under CEQA. While VMT is one of the metrics required to be included in the CEQA transportation section per SB 743, analyses of a land use project's impacts on bicycle/pedestrian facilities, transit, construction, emergency access, nonstandard design features, etc. are still expected. It is noted that the VMT-based CEQA transportation thresholds below rely on a partial VMT metric (consistent with guidance from OPR), while other CEQA topics (e.g. Air Quality, Greenhouse Gases, etc.) will require a more complete accounting of VMT.

Page 10 of the *Technical Advisory* states that OPR recommends that a per capita or per employee VMT that is 15 percent below that of existing development may be a reasonable threshold. Lacking any other information that would suggest a different threshold should be applied, the City of Suisun City has concluded that this threshold should be applied for land use projects in the City.

Proposed VMT Thresholds of Significance – Residential Land Uses

For projects that do not qualify for any of the screening opportunities presented in the *Technical Advisory*, the City of Suisun City will apply the following thresholds of significance when analyzing the VMT transportation impacts of residential land use projects under CEQA.

1. The project would cause a significant transportation impact if it would generate an average home-based VMT per resident that is greater than 85 percent of the City-wide average.
2. If the above threshold is exceeded, the project's VMT impact could still be found to be less-than-significant if it did not cause the total City-wide VMT to increase.

The above calculations will be performed using the City of Fairfield travel demand model for both base year and cumulative conditions.

Proposed VMT Thresholds of Significance – Office and Industrial Land Uses

For projects that do not qualify for any of the screening opportunities presented in the *Technical Advisory*, the City of Suisun City will apply the following thresholds of significance when analyzing the VMT transportation impacts of office and industrial land use projects under CEQA.

1. The project would cause a significant transportation impact if it would generate an average home-based work VMT per employee that is greater than 85 percent of the city-wide average.



2. If the above threshold is exceeded, the project's VMT impact could still be found to be less-than-significant if it did not cause the total City-wide VMT to increase.

The above calculations will be performed using the City of Fairfield's travel demand model for both base year and cumulative conditions.

Proposed VMT Thresholds of Significance – Retail Land Uses

For projects that do not qualify for any of the screening opportunities presented in the *Technical Advisory*, the City of Suisun City will apply the following thresholds of significance when analyzing the VMT transportation impacts of retail land use projects under CEQA.

1. The project would cause a significant transportation impact if it would cause the total City-wide VMT to increase.

The above calculations will be performed using the City of Fairfield travel demand model for both base year and cumulative conditions.

Proposed VMT Thresholds of Significance – Atypical and Mixed-Use Projects

Special consideration will be necessary to analyze VMT impacts for land uses that do not fit into the categories noted previously. Common examples include hotels, medical centers, churches, schools/colleges, specialty retail uses, etc. These uses should be analyzed on a case-by-case basis using available information and applying the general intent of the *Technical Advisory* and the residential, office/industrial and retail thresholds described previously.

Additionally, projects that feature a mix of complementary land uses on-site should be analyzed using a technical approach geared toward the specifics of the project. The *Technical Advisory* describes two possible approaches: (1) analyze (considering internalized trips) and determine significant impacts of each project component separately, or (2) consider significant impacts based on the project's dominant land use.

IV. Proposed VMT Thresholds of Significance for Transportation Projects

This section provides an introductory discussion of how transportation projects should be evaluated under CEQA. Since this is a complex and evolving topic, only a high-level overview is provided.

***Technical Advisory* Guidance on VMT Impacts from Transportation Projects**

Pages 19-28 of the *Technical Advisory* discuss a number of aspects of this topic. The following summary outlines the key recommendations of this portion of the *Technical Advisory*:

1. The "induced vehicle travel" caused by certain transportation projects must be quantified. Projects that would likely lead to a "measurable and substantial" increase in vehicle travel



- (i.e., VMT) generally include: addition of through lanes on existing or new highways, including general purposes lanes, carpool lanes, auxiliary lanes, or lanes through grade-separated interchanges.
2. A variety of transportation projects would not be expected to induce more vehicle travel. The following page lists these project types, though it is noted that evidence is not provided to support that conclusion of no net VMT.
 3. A generally accepted interpretation of the Technical Advisory is that a transportation project that causes a net increase in VMT would be considered to have a significant impact. Although a specific significance threshold is not provided in the *Technical Advisory*, it states on multiple occasions that transportation projects that do not generate additional VMT are presumed to have less-than-significant impacts. Part 2b of Section 15064.3 of the CEQA Guidelines (Determining the Significance of Transportation Impacts) states that "Transportation projects that reduce, or have no impact on, VMT should be presumed to cause a less than significant transportation impact."
 4. VMT attributable to a project should represent the difference in VMT with and without the project across the full area in which driving patterns are expected to change. VMT should not be truncated at model or jurisdictional boundaries.
 5. Mitigation for VMT impacts caused by transportation projects may include tolling new lanes, converting general purpose lanes to carpool/express lanes, funding/implementing travel demand management strategies, and implementing Intelligent Transportation Systems (ITS) strategies.

Proposed VMT Threshold of Significance – Transportation Projects

For projects that do not qualify for any of the screening opportunities presented in the *Technical Advisory* (see **Exhibit 1**), the City of Suisun City will apply the following threshold of significance when analyzing the VMT transportation impacts of transportation projects under CEQA.

1. A transportation project would cause a significant transportation impact if it would lead to induced travel and increased VMT.

The above calculation will be performed using the City of Fairfield travel demand model for both base year and cumulative conditions. Induced VMT calculations will be performed in accordance with Caltrans guidance and consider elasticity values in addition to data from the City of Fairfield travel demand model.



Exhibit 1. Projects on Page 21 of the *Technical Advisory* that are presumed to not cause a significant transportation impact

- Roadway shoulder enhancements to provide “breakdown space,” dedicated space for use only by transit vehicles, to provide bicycle access, or to otherwise improve safety, but which will not be used as automobile vehicle travel lanes
- Addition of an auxiliary lane of less than one mile in length designed to improve roadway safety
- Installation, removal, or reconfiguration of traffic lanes that are not for through traffic, such as left, right, and U-turn pockets, two-way left turn lanes, or emergency breakdown lanes that are not utilized as through lanes
- Addition of roadway capacity on local or collector streets provided the project also substantially improves conditions for pedestrians, cyclists, and, if applicable, transit
- Conversion of existing general purpose lanes (including ramps) to managed lanes or transit lanes, or changing lane management in a manner that would not substantially increase vehicle travel
- Addition of a new lane that is permanently restricted to use only by transit vehicles
- Reduction in number of through lanes
- Grade separation to separate vehicles from rail, transit, pedestrians or bicycles, or to replace a lane in order to separate preferential vehicles (e.g., HOV, HOT, or trucks) from general vehicles
- Installation, removal, or reconfiguration of traffic control devices, including Transit Signal Priority (TSP) features
- Installation of traffic metering systems, detection systems, cameras, changeable message signs and other electronics designed to optimize vehicle, bicycle, or pedestrian flow
- Timing of signals to optimize vehicle, bicycle, or pedestrian flow
- Installation of roundabouts or traffic circles
- Installation or reconfiguration of traffic calming devices
- Adoption of or increase in tolls
- Addition of tolled lanes, where tolls are sufficient to mitigate VMT increase
- Initiation of new transit service
- Conversion of streets from one-way to two-way operation with no net increase in number of traffic lanes
- Removal or relocation of off-street or on-street parking spaces
- Adoption or modification of on-street parking or loading restrictions (including meters, time limits, accessible spaces, and preferential/reserved parking permit programs)
- Addition of traffic wayfinding signage
- Rehabilitation and maintenance projects that do not add motor vehicle capacity
- Addition of new or enhanced bike or pedestrian facilities on existing streets/highways or within existing public rights-of-way
- Addition of Class I bike paths, trails, multi-use paths, or other off-road facilities that serve non-motorized travel
- Installation of publicly available alternative fuel/charging infrastructure
- Addition of passing lanes, truck climbing lanes, or truck brake-check lanes in rural areas that do not increase overall vehicle capacity along the corridor



V. Next Steps

Per CEQA Guidelines §15064.7, general use thresholds such as those presented in **Section III and Section IV** of this memorandum should be adopted by City Council by ordinance, resolution, rule, or regulation. In addition to this step, several next steps after adoption of thresholds may be considered to provide more a more complete implementation process that reflects local conditions. These steps include, but are not limited to, the following:

- **Review and revision of the screening criteria in the *Technical Advisory*:** The screening criteria in the *Technical Advisory* may be too broad for the types of projects that ultimately would be proposed going forward. Many agencies are considering modifying the screening criteria to better fit community views on the types of development that should be streamlined (e.g. reducing the size of the local-serving retail screening criteria or prohibiting projects with drive-throughs from qualifying for screening).
- **Review and revision of the City of Fairfield travel demand model:** The metrics presented in this memorandum have been derived from the “off-the-shelf” version of the City of Fairfield model, and reflect global inputs that may or may not precisely reflect travel behavior for land uses in the City of Suisun City. Updating the model for more Suisun City-specific data may improve the performance of the model relative to actual VMT generated.
- **Considering City-wide mitigation and funding strategies:** Mitigation for VMT impacts is very different than mitigation for LOS impacts. Mitigation measures designed to reduce VMT focus on shortening trip lengths or reducing the number of trips. The effectiveness of these measures is difficult to quantify (to the standard expected under CEQA) when applied on a project-by-project basis, which could potentially lead to some projects having significant and unavoidable VMT impacts because of a lack of information to prove that the feasible mitigation measures would actually reduce the impact to a less-than-significant level. Additionally, these mitigation measures would need to be monitored for effectiveness over time, thus adding to the cost and complexity of mitigation measures. Many agencies are considering adopting agency-wide VMT mitigation strategies and funding those strategies through VMT-based mitigation fees, similar to the City’s current traffic impact fee that funds congestion-related improvements.

RESOLUTION NO. PC 20-06

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SUISUN CITY
RECOMMENDING CITY COUNCIL APPROVAL OF VEHICLE MILES TRAVELED
(VMT) BASED CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)
THRESHOLDS.**

WHEREAS, On September 27, 2013, Governor Jerry Brown signed SB 743 into law and started a process intended to fundamentally change transportation impact analysis as part of CEQA compliance. These changes include elimination of automobile delay, level of service (LOS), and other similar measures of vehicular capacity or traffic congestion as a basis for determining significant impacts. The law directed the Governor's Office of Planning and Research (OPR) to update the CEQA Guidelines to include new criteria (e.g., metrics) for determining the significance of transportation impacts; and

WHEREAS, the 2035 Suisun City General Plan recognized the need to transition from Level of Service (LOS) to Vehicle Miles Traveled (VMT) by including relevant goals, objectives, policies and programs; and

WHEREAS, the City has determined the Fairfield Travel Demand Model was the model appropriate model in undertaking VMT analysis in the City of Suisun City; and

WHEREAS, the City of Suisun City secured the services of Fehr and Peers to begin implementing SB 743 as it relates to California Environmental Quality Act (CEQA) thresholds; and

WHEREAS, a report by the City Staff was presented and made a part of the recommendations of said meeting; and

WHEREAS, the Planning Commission did take a presentation from Staff and Fehr and Peers, and considered all written and verbal testimony presented at the meeting;

NOW, THEREFORE, BE IT RESOLVED THAT the Planning Commission of the City of Suisun City does hereby recommend City Council approval of Vehicle Miles Traveled (VMT) Based California Environmental Quality Act (CEQA) Thresholds as contained as Exhibit A of this resolution.

The forgoing motion was made by Commissioner Borja and seconded by Commissioner Clemente and carried by the following vote:

AYES:	Commissioners:	Borja, Clemente, Holzwarth, Rowe, Thomas
NOES:	Commissioners:	None
ABSENT:	Commissioners:	Pal, Ramos
ABSTAIN:	Commissioners:	None

WITNESS my hand and the seal of said City this 25th day of August 2020.



Commission Secretary

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VMT Thresholds of Significance

These thresholds of significance pertain to VMT that Suisun City will apply when analyzing the transportation impacts of land use projects under CEQA. While VMT is one of the metrics required to be included in the CEQA transportation section per SB 743, analyses of a land use project's impacts on bicycle/pedestrian facilities, transit, construction, emergency access, nonstandard design features, etc. are still expected. It is noted that the VMT-based CEQA transportation thresholds below rely on a partial VMT metric (consistent with guidance from OPR), while other CEQA topics (e.g. Air Quality, Greenhouse Gases, etc.) will require a more complete accounting of VMT.

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the CEQA Guidelines (Determining the Significance of Transportation Impacts) states that “Transportation projects that reduce, or have no impact on, VMT should be presumed to cause a less than significant transportation impact.”

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Implementing SB 743 in Suisun City

Presented by Ian Barnes, PE
Fehr & Peers

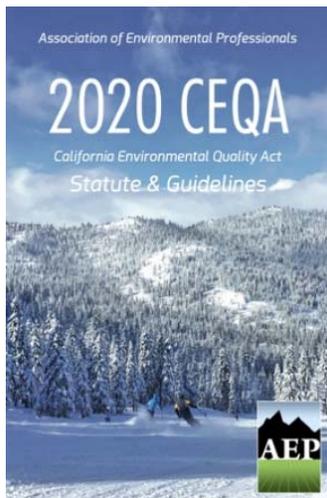
City of Suisun City
City Council

September 15, 2020

FEHR & PEERS

1

CEQA



CEQA Requires...

- Analyzing a project's environmental effects, including those related to transportation
- "Good faith effort" (§15151)
- "Not use scientifically outdated information"
- "Analysis should improve as more and better data becomes available"

2

FEHR & PEERS

2

SB 743

Balance desire for local congestion management with state's goals for:

- **Encouraging infill development**
- **Improving public health through active transportation**
- **Reducing greenhouse gas emissions**

3

FEHR PEERS

3

SB 743

SB 743 changes how Transportation Impacts are Measured in CEQA

- Must use Vehicle Miles of Travel (VMT) in CEQA analysis
- Must not use LOS as CEQA standard
- Can still use LOS to define physical improvements

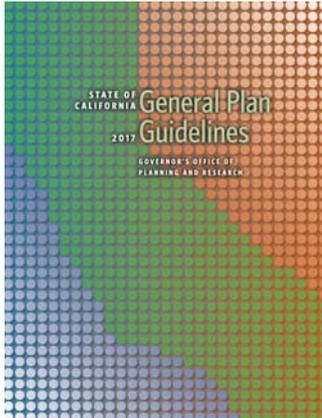
Shift focus: Impacts to drivers → Impacts from driving

4

FEHR PEERS

4

SB 743



SB 743 Does Not Change...

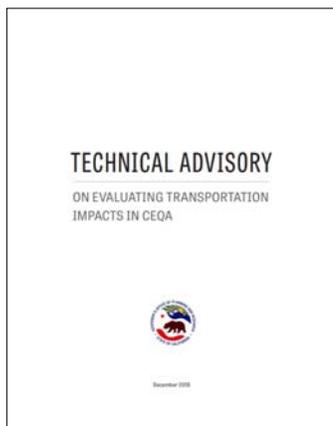
- General Plans
- Traffic Impact Fee Programs
- State Constitution
- Subdivision Map Act

5

FEHR PEERS

5

Implementation



OPR *Technical Advisory*

- Advisory = Not Binding
- Gives general guidance:
 - Metrics
 - Methods
 - Thresholds (15% below baseline, or 85% of the baseline)
 - Screening Criteria

6

FEHR PEERS

6

Metrics



7

Methods

- OPR highly recommends the use of a travel demand model to calculate VMT
- City of Fairfield travel demand model



City of Fairfield Travel Demand Model

8

FEHR PEERS

8

Draft Thresholds

RESIDENTIAL PROJECTS



Baseline project-generated home-based VMT per resident exceeds

85%



of Existing City-wide average

EMPLOYMENT PROJECTS



Baseline project-generated home-work VMT per worker exceeds

85%



of Existing City-wide average

Note: If above thresholds are exceeded, a project's VMT impact could still be found to be less-than significant if total City-wide VMT does not increase.

9

9

Draft Thresholds

RETAIL PROJECTS



Project results in a net increase in total City-wide VMT



10

10

Other Project Types

MIXED-USE PROJECTS



Analyze each part of project separately

OR

Analyze dominant land use

HOTELS, HOSPITALS, ETC.



Analyze different VMT generating parts of the project using relevant criteria

Patients/Guests: Regional Serving
Employees: Employment

11

FEHR PEERS

11

Transportation Projects

TRANSPORTATION PROJECTS



Project leads to induced travel and increased VMT.



12

FEHR PEERS

12

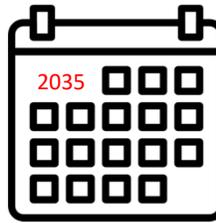
Analysis Horizon

All Non-Screened
Projects:



Near-Term Analysis
Existing plus Project

All Non-Screened
Projects:

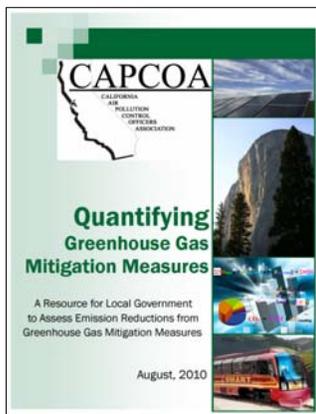


Cumulative Analysis
Year 2035

13

13

Mitigation Strategy



Reduce number of vehicle trips

- Change size or characteristics of project
- Improve transit access
- Subsidize transit passes
- Encourage walking and biking (more ped/bike facilities, worksite amenities, bike parking)
- Unbundle parking

Reduce length of vehicle trips

- Increase access to common goods & services
- Locate project close to nearby population

Critical Step: Demonstrating effectiveness

14

14

Questions?

Staff Contact: John Kearns, Senior Planner
jkearns@suisun.com, (707) 421-7337

Consultant Contact: Ian Barnes, Fehr & Peers
i.barnes@fehrandpeers.com, (925) 930-7100

AGENDA TRANSMITTAL

MEETING DATE: September 15, 2020

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

FISCAL IMPACT: There is no fiscal impact.

STRATEGIC PLAN:

- Provide Good Governance
- Ensure Public Safety

BACKGROUND: On June 13th, 2020, the City Council of Suisun City held a special meeting to publicly address a letter received from the African American Organizations of Solano County requesting that Suisun City develop and post on its website “Actions to Address the Needs of African-Americans,” no later than the close of business on September 30, 2020.

On July 7th, 2020, the City Council approved a resolution to update the annual work plan for the Public Safety & Emergency Management Citizen Advisory Committee and directed the Committee to review and report back to the Council on the following items:

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

These items were to be reported on to the Council at the September 15th, 2020, meeting.

STAFF REPORT: After receiving direction from Council, the Public Safety & Emergency Management Citizen Advisory Committee held a public meeting on Thursday, July 30th, 2020, and received a presentation from the Chief of Police on all the topics outlined above. After the presentation, the Committee discussed these issues and requested a deliverable report be prepared by the Police Chief for presentation to the council. During the September 10, 2020, Public Safety & Emergency Management Citizen Advisory Committee meeting, the committee approved the final report and requested it be provided to the City Council at the September 15th City Council meeting.

PREPARED BY:
REVIWED BY:

Aaron Roth, Police Chief
Greg Folsom, City Manager

STAFF RECOMMENDATION: Review and accept the written Public Safety Work Plan 2020 presented to the City Council by the Public Safety & Emergency Management Citizen Advisory Committee.

ATTACHMENTS:

1. Resolution No. 2020-___: Accept the Deliverable Public Safety Annual Work Plan 2020 from the Public Safety & Emergency Management Citizen Advisory Committee.
 2. Public Safety & Emergency Management Citizen Advisory Committee Annual Public Safety Work Plan 2020 report.
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RESOLUTION NO. 2020-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY
ACCEPTING THE DELIVERABLE PUBLIC SAFETY ANNUAL WORK PLAN 2020
FROM THE PUBLIC SAFETY & EMERGENCY MANAGEMENT CITIZEN
ADVISORY COMMITTEE**

WHEREAS, On July 7th, 2020, the City Council approved a resolution to update the annual work plan for the Public Safety & Emergency Management Citizen Advisory Committee; and

WHEREAS, The City Council directed the Committee to provide a report back to the Council on this Annual Work Plan no later than September 15th, 2020; and

WHEREAS, the Committee received a presentation from the Police Chief on work plan items and held a robust discussion on that presentation; and

WHEREAS, the Public Safety & Emergency Management Citizen Advisory Committee requested a written report from the Police Chief on the Annual Work Plan discussion; and

WHEREAS, the Public Safety & Emergency Management Citizen Advisory Committee approved the written Annual Work Plan Report 2020 on September 10, 2020 and requested it be presented to the City Council; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Suisun City hereby accepts the Public Safety & Emergency Management Citizen Advisory Committee Annual Work Plan 2020 Report.

PASSED AND ADOPTED at a Regular Meeting of the City Council of the City of Suisun City held on Tuesday the 15th day of September 2020 by the following vote:

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

WITNESS my hand and the seal of said City this 15th day of September 2020.

Donna Pock, CMC
Deputy City Clerk

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Deliverable Annual Public Safety Work Plan 2020

On June 13th, the City Council of Suisun City held a special meeting to publicly address a letter from the African American Organizations of Solano County requesting that Suisun City develop and post on its website “Actions to Address the Needs of African-Americans,” no later than the close of business on September 30, 2020. The action plan submitted in the letter included the following as it relates to the police department:

4. Implement a restructuring of the California Officers Bill of Rights to include the following: require police officers to wear body cameras, develop de-escalation training for law enforcement officers, require implicit bias training for all police officers, sheriff deputies, correctional officers and probation officers.

5. Review of each jurisdiction's use of force policy and review of its alignment with AB 932: Peace Officers Deadly Force. Each City within Solano County should establish a Citizens Review Board that is funded and professionally staffed to remove Officers who have been found to use excessive and deadly force.

6. Require all cities in Solano County, including the Solano County Sheriff's Department to establish a Human Relations Commission that meets monthly, requiring the collection of statistical information on excessive use of force complaints.

While the Suisun City, City Council does not have the ability to implement a restructuring of the Peace Officers Bill of Rights in CA as listed in item 4, the council did address the Suisun City Police Department's policies as they relate to the wearing of body cameras, de-escalation training, and frequency of implicit bias training during this June 13th, 2020, meeting. Additionally, a review of the SCPD's use of force policy was also completed and found to be in line with AB932 as requested in item 5.

Lastly, as it relates to item 6, the City determined there is already a citizen committee established in Suisun City charged, in part, to review, recommend and receive reports on items involving public safety, on which the Police Chief currently sits as a member of staff. This committee is made up of several citizens appointed by the City Council and it is officially referred to as the Public Safety & Emergency Management Citizen Advisory Committee.

In addition to the letter from the African American Organizations of Solano County, the council received letters from the community supporting the Campaign Zero initiatives. Of these 10 initiatives, body cameras, training, use of force, and community oversight were items of concern also brought up by the letter from the African American Organizations of Solano County. Of additional concern was ending the use of Broken Windows Policing, demilitarizing the police and community representation within the police department.

Although some of these items of concern were evaluated by the City Council during the June 13th, 2020, meeting, the Council requested additional review be conducted by the Advisory Committee

and approved an annual workplan for the Public Safety & Emergency Management Citizen Advisory Committee to evaluate the following items, bringing back a deliverable report to the Council during the month of September, 2020:

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

After the direction from Council, the Public Safety & Emergency Management Citizen Advisory Committee held a public meeting on Thursday, July 30th, 2020, and received a presentation from the Chief of Police on all of the topics outlined above. An outline of that presentation as it was disseminated to the Public Safety & Emergency Management Citizen Advisory Committee is attached to this report in order for the council to review what was covered during the meeting.

In short, this Committee came to a consensus on all of these items as follows:

- **Review policy and procedures related to providing training on implicit bias**
Discussion was held on Police Department Policy 401.7 outlining the State of CA Peace Officers Standards and Training (POST) guidelines to provide personnel Implicit Bias training every 5 years. An update that this POST training was completed by the Department in July, 2020 was provided. Additional information was given that training on *Implicit Bias: Facts and Myths* provided by Target Solutions is forthcoming.
- **Review policies in recruiting for diversity reflective of community**
Discussion was held regarding Police Department Policy 1000 which emphasizes diversity as an important value when hiring for the Suisun City Police Department. It was noted that a SCPD black officer left for another police agency in Solano county during the month of July 2020. This individual also works for a local police academy and had been assisting in recruiting people of color for the Suisun City Police Department.

Even though the Department has lost this direct pipeline to recruit diverse individuals, the Police Department intends to continue placing an emphasis on hiring people that are reflective of the diversity of the Suisun City community and intentionally seek out individuals reflective of the Suisun City community when recruiting. Information was provided that of

the last 8 officers hired in the past year the Police Department hired 4 women, 2 Asian officers, 1 Hispanic officer and 1 officer of Middle Eastern decent.

- **Review of “Broken Window” type policing policies.**

The Committee held a robust discussion on Broken Window Policing. This discussion included evaluating the types of crimes associated with broken windows policing, specifically relating to quality of life crimes such as loitering, public drinking and graffiti. Discussion on how addressing Broken Windows Policing affects the public, or how pulling people over for relatively minor violations might impact people of color.

A question was asked by a committee member on whether Broken Windows Policing was specifically used in Suisun City. The police chief stated the Police Department does not refer to enforcement activities as Broken Windows Policing. When police staff act on open containers it is due to the association that public drinking leads to public intoxication, which is a community caretaking issue. Information was provided by the police chief that warnings are given regarding public drinking prior to issuing citations in almost all cases. Loitering is also not enforced to a great degree due to the various published case law, and graffiti is enforced because most often there is a victim who needs to pay to correct the graffiti. SCPD enforces all laws when they have the ability based on pride in the community and the desire to provide a safe area that people will want to live in and visit.

More discussion was had regarding the time officers have to address lower level criminal offenses. Officers are most often responding to calls rather than proactively addressing lower level offenses. However, officers will sometimes target areas of concern after several complaints from the community are received or after a substantial warning campaign has been engaged in.

The Committee also acknowledged there is no scientific study that shows the Broken Windows Policing model is effective. However, the Committee also voiced concern that an officers’ ability to address crime should not be hindered by a policy veering away from enforcing lower level crimes. The police chief emphasized the goal of the Police Department is to gain trust from the community even in times of making an arrest or issuing a citation. Treating the community with respect during times of any offense level arrest or citation is key.

The Committee also acknowledged that the community asked for this issue to be investigated and evaluated against the possible issue related to racial discrimination. There was consensus that the community must feel that the right thing is being done by the Committee during this evaluation of policy.

A request was made by the Committee as to whether the PD had data regarding the Broken Windows Policing theory specifically in Suisun City. At the time of the meeting, data was not available with regard to enforcement of Broken Windows Policing crimes. After the meeting, the police chief researched the last year of data with regard to the three main crimes referred to when speaking about Broken Windows Policing: Loitering, graffiti and public drinking.

Out of 807 misdemeanor arrests in the past year, the police department issued misdemeanor or administrative citations for the following: 1 citation for loitering (white female); 2 administrative citations for drinking in public (1 white male and 1 black male); and 1 administrative citation for an open container in public (1 black male who received a warning the week prior).

In addition to the misdemeanor crimes, 1 felony arrest for graffiti was made, but no misdemeanor citations for graffiti were issued. The individual arrested for the felony was a black male adult who spray painted a private property wall several times causing over a \$1,000 worth of damage.

- **Review of policies related to purchasing or using military weaponry, craft a policy for council review regarding annual notification of the purchase and inventory of military weaponry.**

The Police Chief reported the department does have department purchased AR-15 style rifles for patrol. The purpose of these rifles is for deployment in an active shooter or high-level felony situation. The department does not, nor does it intend to, procure military weaponry or armored vehicles. Discussion was held with regard to publicly listing on its website the style of military weaponry the police department has. Since the department has no military weaponry, this discussion was closed.

- **Review community complaint policy and process for complaint review.**

The department complaint policy, Police Department Policy 1012, was reviewed by the committee and an explanation was provided that this policy falls in line with state law and best practices. Discussion was held with regard to possibly including in its policy the utilization of outside investigate bodies in conducting complaint investigations.

- **Review content of Annual Police Report to include diversity of police department, number of citizen complaints, breakout of crimes by self-reported race, and any additional statistics that will require transparency.**

Information was provided to the committee with regard to the above requested issue. This information was added into the Annual Police Report for 2019 during the month of June, 2020, and will continue to be part of future reports. A question was posed to the committee

as to the meaning of “breakout of crimes by self-reported race” and what it means. No consensus on the meaning of this phrase was determined, but there was a brief discussion regarding the forthcoming “RIPA” stop data (Racial and Identity Profiling Act, Assembly Bill 953) that will be required of Suisun City by the State on April 1, 2023. This bill will require the Suisun City Police Department to report the perceived race, ethnicity, gender, age, disability or LGBT status on individuals contacted by Suisun City police officers to the State of California.

The Public Safety & Emergency Management Citizen Advisory Committee would like to thank the Mayor and the members of the Suisun City, City Council for their trust in the committee to evaluate these areas of concern for the community. While the committee did suggest some changes affecting certain policies, the Committee believes the Suisun City Police Department is operating with the community’s best interests in mind, interacting with the community in a respectful manner, intending to be representative of the community in its hiring practices, and overall working towards making Suisun City a more desirable place for people to live and visit. We, as Committee members, respectfully submit this report for review of the information we received and the consensus we came to during our discussion.

INFORMATION PROVIDED TO COMMITTEE IN JULY 2020

- **Review policy and procedures related to providing training on implicit bias.**

Policy 401.7 POST requires every 5 years. PC13519.4(i). POST training assigned in July, 2020.

Recently pursued on-line Implicit Bias training through our city on-line training vendor. Will assign training when LE Module is active. Training is below and is already being incorporated in our two-year training cycle:

Implicit Bias: Facts & Myths

With law enforcement professionals today under increasing amounts of scrutiny and many of their actions caught on camera, charges of bias have become more frequent. In these instances, many officers are depicted as having a racial bias or prejudice against various segments of the population, but often they don't show the entirety of the situation. However, this does not mean that implicit bias doesn't exist in law enforcement; it merely emphasizes that not all biases are illicit or racial. This course focuses on understanding the four types of bias and how preconceived opinions can have a negative impact on your job performance and public trust.

Numerous case studies, scientific research, statistics, and an array of videos of real-life situations are utilized to offer training scenarios that assist with identifying the inherent issues with explicit, implicit, illicit and racial biases and how they can be applied unconsciously to a potential suspect.

This course provides an overview of implicit bias and the differences between bias and prejudice. It aims to provide a better understanding of the four types of biases and how bias influences situations in law enforcement. It also explores the rise of implicit bias and how both confirmation and observational biases can affect job performance.

During the first week of July, our policy provider, Lexipol, introduced a *Duty to Intercede; Conceptual, Cultural and Legal Aspects* training through their law enforcement policy division. This training was roughly 90 minutes and covered a wide variety of topics to include fostering a culture where officers can recognize a situation in which they should intervene in an incident being inappropriately handled by a fellow officer and feel comfortable doing so.

- **Review policies in recruiting for diversity reflective of community.**

Policy 1000, CPD previously had an officer at local police academy in the position of Recruit Training Officer (RTO) who would provide information to us and recruit individuals. Officer was a diverse individual allowing for diverse population connection. Officer left the department to work at a higher paid agency in Solano County. We estimate hiring at least three officers from that academy through that RTO.

Current practice in hiring is very aggressive with policy 1000.3 placing diversity as an important quality. We are, however, constantly in a hiring mode – currently have 5 vacancies and have hired 8 officers in the year I have been here placing at least 12 candidates through the background process (4 women, 2 Asian, 1 Hispanic, 1 middle eastern).

Plan for a PAL program was introduced to develop our local youth and foster an interest in law enforcement. Currently on hold due to Parks and Rec. staffing capacity and Pandemic.

Cadet program for youth has produced one local and diverse individual who works as a CSO.

- **Review of “Broken Window” type policing policies.**

Committee to decide their definition of broken windows crimes, or accept the traditionally referred to offenses.

Key Takeaways: Broken Windows Theory

- The broken windows theory of criminology holds that visible signs of crime in densely-populated, lower-income urban areas will encourage additional criminal activity.
- Broken windows neighborhood policing tactics employ heightened enforcement of relatively minor “quality of life” crimes like loitering, public drinking, and graffiti.
- The theory has been criticized for encouraging discriminatory police practices, such as unequal enforcement based on racial profiling.

<https://www.thoughtco.com/broken-windows-theory-4685946#:~:text=Broken%20windows%20neighborhood%20policing%20tactics%20employ%20heightened%20enforcement,anti-social%20behavior%2C%20and%20civil%20unrest%20in%20densely%20>

- **Review of policies related to purchasing or using military weaponry, craft a policy for council review regarding annual notification of the purchase and inventory of military weaponry.**

Frist step is to define military weaponry.

The 1033/DRMO program allows for demilitarized equipment to be transferred to police agencies. This equipment includes anything from copiers, infra-red and heat signature cameras to vehicles such as Humvees and other up-armored type vehicles.

To obtain firearms from 1033/DRMO, an agency needs to submit a separate application for this tiered program. SCPD does participate in the general program but has not applied for the weaponry program (nor does it intend to). At this time, SCPD does not have any equipment in its inventory from this program.

- **Review community complaint policy and process for complaint review**

Policy 1012 – being revised to include outside investigations and use of software. IPro and Blue Team tracking software that tracks all use-of-force, field-level discipline, complaints, vehicle accidents and pursuits. This technology helps us identify performance issues in “real-time.”

- **Review content of Annual Police Report to include diversity of police department, number of citizen complaints, breakout of crimes by self-reported race, and any additional statistics that will require transparency.**

Demographic data included in report revision and referred to in attachment. Data was collected via a visual study by HR. Data has not been saved by HR previously. Information shows race was picked incorrectly by visual survey only in at least one instance.

Breakout of crimes: does this mean victim race, suspect race, etc.

Define self-reported – SCPD does not ask what race a victim is unless the crime is a hate crime and the definition makes an assumption the information would come from the individual.

RIMS mask to report that information does not exist. Information would have to be extracted by reviewing the race of every individual and would take hours of staff time.

RIPA Racial and Identity Profiling Act (RIPA) - Assembly Bill (AB) 953

<https://oag.ca.gov/sites/all/files/agweb/pdfs/ripa/stop-data-reg-final-text-110717.pdf>

What data do we need to collect?

1. ORI number
2. Date, time, and duration of the stop
3. Location of stop
4. Perceived race or ethnicity of person stopped
5. Perceived gender of person stopped
6. Person stopped perceived to be LGBT
7. Perceived age of person stopped
8. Person stopped has limited or no English fluency
9. Perceived or known disability or person stopped
10. Reason for stop
11. Stop made in response to a call for service
12. Actions taken by officer during stop
13. Results of stop
14. Officer's Identification (ID) Number
15. Officer's years of experience
16. Type of assignment of officer

*The bill requires an agency that employs one or more but less than 334 peace officers to issue its first annual report by April 1, 2023.

DEPARTMENT COMPLAINTS & USE OF FORCE 2019



Use of Force

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

Citizen Complaints

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

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

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

DEPARTMENT DEMOGRAPHICS 2019



SCPD STAFF

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

SCPD SWORN STAFF

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

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

1602.13 Records as to racial or ethnic identity of employees

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

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AGENDA TRANSMITTAL

MEETING DATE: September 15, 2020

CITY AGENDA ITEM: Suisun City Environment and Climate Citizen Advisory Committee Progress to Date and Council Recommendations

FISCAL IMPACT: The item before the City Council will only have a fiscal impact on staff time, it should not require any monetary investment on the part of the City.

STRATEGIC PLAN IMPACT: Enhance Environment, Provide Good Governance

BACKGROUND: In July 2019, the Suisun City Environment and Climate Citizen Advisory Committee was formed with the Committee's work centering on the environment and our changing climate. Examples of the Committee's duties includes 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

STAFF REPORT: The Suisun City Environment and Climate Citizen Advisory Committee first met on August 16, 2019. In the year since formed, the Committee has met a total of 8 times. For the first few meetings, the Committee invited a substantial number of environmental and regulatory agencies to present so we would educate ourselves about current issues and potential solutions. These groups include: Greenbelt Alliance, California State Coastal Conservancy, San Francisco Bay Restoration Authority, Suisun Resource Conservation District, SF Bay Conservation & Development Commission (BDCD), Solano Land Trust, Sustainable Solano, and Solano County Parks.

After Committee members were educated on current efforts, they were asked to what topics they felt were worth pursuing in the short, medium, and long-term. Based on this feedback, the Committee came up with a list of programs/policies that could be developed to improve the environmental quality and resiliency of Suisun City. These topics, the assigned member, and current status are included in the table below.

PREPARED BY:

Anthony Adams, Suisun City Council Member

REVIEWD/APPROVED BY:

Greg Folsom, City Manager

Suisun Environment and Climate Citizen Advisory Committee Progress

Item of Interest	Assigned Member	Status	Recommendation
Sea-Level Rise & Flood Resiliency Plan	Group	Suisun City Sea-Level Rise Adaptation Study Completed by BCDC	Seek Council support to seek funding to develop a Suisun City Flood & Sea-Level Rise Action Plan, based on previous BCDC study.
Tree Replacement Policy	Tristan Dubois	Research and recommendation complete, seek Council support	Seek Council support to implement Tree Replacement Policy for Suisun City based on best practices.
Downtown Pocket Parks	Dave Anderson	Implementation complete, downtown community garden active, further opportunities being considered	None at this time
Single Use-Waste Policy	Pat Matson & Alma Hernandez	Research on-going, partnership options being considered (BID)	None at this time
Gas Station Moratorium	Anthony Adams	Research on-going, partnership with Sierra Club being considered	None at this time
Vacant Lot Trash Policy	George Guynn	Research on-going, concerns of staff resources for implementation	None at this time
Chemical Use Policy	Elizabeth Ball	Research on-going, presentations from similar agencies being considered	None at this time
Delta Stewardship Council (DSC)	Josh Russo	Contact with DSC made, a presentation from them will be scheduled	None at this time

RECOMMENDATION: It is recommended that the City Council direct staff to develop a Tree Replacement Policy for Suisun City and coordinate seeking grant funding to develop a Sea-Level Rise Adaptation Plan for Suisun City.

ATTACHMENTS:

1. PowerPoint Presentation (To be Presented on Day of Council Meeting).