

CITY COUNCIL
Alma Hernandez, Mayor
Princess Washington, Mayor Pro Tem
Jenalee Dawson, Councilmember
Marlon L Osum, Councilmember
Amit Pal, Councilmember



CITY COUNCIL MEETING

A G E N D A
REGULAR MEETING OF THE SUISUN CITY COUNCIL,
SUISUN CITY COUNCIL ACTING AS SUCCESSOR AGENCY TO THE
REDEVELOPMENT AGENCY OF THE CITY OF SUISUN CITY,
AND SUISUN CITY HOUSING AUTHORITY
TUESDAY, MARCH 12, 2024
5:00 PM

Suisun City Council Chambers - 701 Civic Center Boulevard - Suisun City, California

REVISED AGENDA

5:00 P.M. CLOSED SESSION
6:30 P.M. REGULAR MEETING

MEETINGS ARE HELD IN-PERSON, PUBLIC PARTICIPATION IS ALSO AVAILABLE VIA ZOOM

ZOOM MEETING INFORMATION:

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

*MEETING ID: **831 0941 1350***

CALL IN PHONE NUMBER: (707) 438-1720

*REMOTE PUBLIC COMMENT IS AVAILABLE FOR THE CITY COUNCIL MEETING BY EMAILING
CLERK@SUISUN.COM (PRIOR TO 4 PM), VIA WEBSITE, OR ZOOM CALL IN PHONE NUMBER (707) 438-1720*

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

(Next Ord. No. – 809)
(Next City Council Res. No. 2024 – 16)
Next Suisun City Council Acting as Successor Agency Res. No. SA2024 - 01
(Next Housing Authority Res. No. HA2024 – 01)

5:00 P.M CLOSED SESSION

CALL TO ORDER

Mayor Hernandez

ROLL CALL

Council / Board Members

CONFLICT OF INTEREST NOTIFICATION

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

PUBLIC COMMENT CLOSED SESSION

(In accordance with Section 54956(a), public comments are limited to items on this closed session agenda, and 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 comment period.)

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 - ANTICIPATED LITIGATION
A Closed Session will be held, Pursuant to Government Code Section 54956.9(d)(2), to Confer with Legal Counsel because there is a Significant Exposure to Litigation: (one case).
2. PUBLIC EMPLOYEE APPOINTMENT
A Closed Session will be held, Pursuant to Government Code Section 54957(b), to Consider the Appointment of: City Manager.
3. CONFERENCE WITH LABOR NEGOTIATOR
A Closed Session will be held, Pursuant to Government Code Section 54957.6, to Conduct Labor Negotiations among:
Agency Negotiator: Interim City Manager, Aaron Roth
Employee Organizations:
Suisun City Employees' Association;
Suisun City Firefighters' Association

RECESS TO CLOSED SESSION (City Manager Conference Room, City Hall)

6:30 RECONVENE OPEN SESSION

CALL TO ORDER

Mayor Hernandez

ROLL CALL

Council / Board Members

PLEDGE OF ALLEGIANCE

INVOCATION

CLOSED SESSION REPORT

Announcement of Actions Taken, if any in Closed Session.

APPROVAL OF REORDERING OF AGENDA

CONFLICT OF INTEREST NOTIFICATION

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

REPORTS (Informational items only.)

- 4. Interim City Manager Update - (Roth: aroth@suisun.com).
- 5. City Attorney Report - (Taylor/Andrews).

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.)

PRESENTATIONS/APPOINTMENTS

(Presentations, Awards, Proclamations, Appointments).

- 6. Presentation of Proclamation Proclaiming the Month of March as "Red Cross Month" - (Hernandez: ahernandez@suisun.com).

COUNCIL COMMENTS

- 7. Council/Board Member Updates.

CONSENT CALENDAR

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

City Council

- 8. Council Adoption of Resolution No. 2024-___: A Resolution of the City Council of the City of Suisun City Amending the Citywide Classification Plan to Establish the New Classification of Administrative Technician; Create a Class Specification for the Existing Classification of Permit Technician I/II; and Amend the Class Specification for Public Safety Dispatcher I/II and Senior Public Safety Dispatcher - (Penland: cpenland@suisun.com).
- 9. Council Adoption of Resolution No. 2024-___: A Resolution of the City Council of the City of Suisun City Amending the Citywide Salary Schedule Adding the New Classification of Administrative Technician and Adjusting the Starting Salary for City Manager - (Penland: cpenland@suisun.com).

10. Council/Agency/Authority Approval of the Minutes of the Joint Meeting of the Suisun City Council and Planning Commission held on December 11, 2023; and the Minutes of the Meeting of the Suisun City Council, Suisun City Council Acting as Successor Agency, and Housing Authority held on January 16, 2024, and February 20, 2024 – (Skinner: clerk@suisun.com).

GENERAL BUSINESS

City Council

11. Consideration of Council Adoption of Resolution No. 2024 - ____: A Resolution of the City Council of the City of Suisun City Appointing Bret Prebula as City Manager of Suisun City with an Effective Start Date of April 15, 2024, and Approving the City Manager Employment Agreement – (City Attorney).

PUBLIC HEARING

City Council

12. PUBLIC HEARING: Appeal of the Planning Commission's January 30, 2024 Approval of Site Plan/Architectural Review Permit No. SP/AR 23/24-003 for the Almond Gardens Redevelopment Project Located at Assessor's Parcel Numbers 0032-101-420 and 0032-102-160 - (Bermudez: jbermudez@suisun.com):
 - a. Council Adoption of Resolution No. 2024-____: A Resolution of the City Council of the City of Suisun City Council After Conducting a 'de novo' Public Hearing; Denying the Appeal of the Appellant and Affirming the Planning Commission's January 30, 2024 Approval of Site Plan/Architectural Review SP/AR 23/24-003 and Making a Finding of Consistency with California Environmental Quality Act (CEQA) Section 15183 for the Almond Gardens Redevelopment Project Located at Assessor's Parcel Numbers 0032-101-420 and 0032-102-160; or
 - b. Council Adoption of Resolution No. 2024-____: A Resolution of the City Council of the City of Suisun City After Conducting a 'de novo' Public Hearing; Upholding the Appeal of the Appellant and Overturning the Planning Commission's January 30, 2024, Approval of Site Plan/Architectural Review SP/AR 23/24-003 for the Almond Gardens Redevelopment Project Located at Assessor's Parcel Numbers 0032-101-420 and 0032-102-160.

GENERAL BUSINESS

City Council

13. Discussion and Direction Regarding the Costs Associated with Sea Level Rise - (Bermudez: jbermudez@suisun.com).

REPORTS: (Informational items only)

14. Non-Discussion Items.

ADJOURNMENT

Public Access To Agenda Documents

A complete packet of information containing staff reports and exhibits related to each item for the open session of this meeting, and provided to the City Council, are available for public review at least 72 hours prior to a Council/Agency/Authority Meeting at Suisun City Hall 701 Civic Center Blvd., Suisun City. Agenda related writings or documents provided to a majority of the Council/Board/Commissioners less than 72 hours prior to a Council/Agency/Authority meeting related to an agenda item for the open session of this meeting will be made available for public inspection during normal business hours. An agenda packet is also located at the entrance to the Council Chambers during the meeting for public review. The city may charge photocopying charges for requested copies of such documents. To the extent feasible, the agenda packet is available for online public viewing on the City's website: <https://www.suisun.com/Government/City->

Council/Agendas The City Council/Agency/Authority hopes to conclude its public business by 10:00 p.m. No new items will be taken up after 10:00 p.m., unless so moved by a majority of the City Council, and any items remaining will be agendaized for the next meeting. The agendas have been prepared with the hope that all items scheduled will be discussed within the time allowed.

Accommodations

If you require an accommodation to participate in this meeting, please contact the City Clerk at (707) 421-7302 or clerk@suisun.com. The City's reasonable accommodation policy is available for review on the City's website at www.suisun.com/government/city-council/, you may request an electronic copy or have a copy mailed to you. Please note that for accommodations that are not readily available, you must make your request as soon as you can prior to the time of the meeting.

Decorum

All participants are expected to conduct themselves with mutual respect. Conduct that disrupts meetings will be addressed in accordance with Section 54957.95 of the Government Code.

Ordinances

Ordinances are city laws contained in the Suisun City Municipal Code. Enacting a new city law or changing an existing one is a two-step process. Government Code 36934 provides, except when, after reading the title, further reading is waived by regular motion adopted by majority vote all ordinances shall be read in full either at the time of introduction or passage; provided, however, that a reading of the title or ordinance shall not be required if the title is included on the published agenda and a copy of the full ordinance is made available to the public online and in print at the meeting prior to the introduction or passage.

Certification Of Posting

Agendas for regular and special meetings are posted in accordance with the Brown Act at Suisun City Hall, 701 Civic Center Boulevard, Suisun City, CA. Agendas may be posted at other Suisun City locations including:

- Suisun City Fire Station, 621 Pintail Drive, Suisun City, CA;
- 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 was posted and available for review, in compliance with the Brown Act.

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Office of the Mayor
Suisun City, California

Proclamation



WHEREAS, in times of crisis, people in Suisun City come together to care for one another. This humanitarian spirit is part of the foundation of our community and is exemplified by American Red Cross volunteers and donors. March is American Red Cross Month, so we recognize the compassion of people in Suisun City and honor the kindness of our volunteers and neighbors who aid families in need every day as they carry out the organization’s 143-year mission of preventing and alleviating suffering; and

WHEREAS; Today, kindhearted individuals in our community exemplify American Red Cross Founder Clara Barton’s commitment as they step up through the Red Cross in the Northern California Coastal Region to provide a beacon of hope for our neighbors in need. Through their voluntary and selfless contributions, they make a lifesaving difference in people’s darkest hours — whether it’s delivering shelter, food and comfort during disasters; providing critical blood donations for hospital patients; supporting military families, veterans and caregivers through the unique challenges of service; saving lives with first aid, CPR and other skills; or delivering aid and reconnecting loved ones separated by global crises; and

WHEREAS; last year in Solano County, 146 American Red Cross volunteers helped 118 families affected by home fires providing emotional support, addressing immediate needs and helping families recover with emergency financial assistance or community resources; 340 community members served through home fire preparedness campaign, collected 447 units of lifesaving blood; hosted 24 blood drives; taught skills that save lives to 5,178 community members; provided international humanitarian aid; and supported 304 military members and their families; and

WHEREAS; we hereby recognize this month of March in honor of all those who lead with their hearts to serve people in need, and we ask everyone to join in this commitment to strengthen our community.

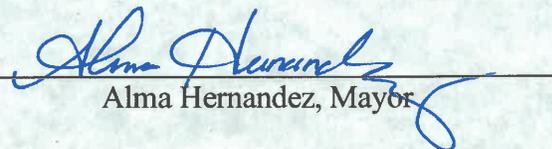
NOW, THEREFORE, I, Alma Hernandez, Mayor of the City of Suisun City, hereby proclaim the month of March 2024 as:

“Red Cross Month”

in the City of Suisun City and encourage all residents to reach out and support this organization and its noble humanitarian mission.



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


Alma Hernandez, Mayor

ATTEST: _____

DATE: March 12, 2024

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AGENDA TRANSMITTAL

MEETING DATE: March 12, 2024

AGENDA ITEM: Council Adoption of Resolution No. 2024-___: A Resolution of the City Council of the City of Suisun City Amending the Citywide Classification Plan to Establish the New Classification of Administrative Technician; Create a Class Specification for the Existing Classification of Permit Technician I/II; and Amend the Class Specification for Public Safety Dispatcher I/II and Senior Public Safety Dispatcher.

FISCAL IMPACT: The actions of this staff to reclassify two employees to Administrative Technician will reflect an increase of approximately \$2,200 in the current fiscal year budget.

STRATEGIC PLAN: Provide Good Governance.

BACKGROUND: During negotiations with the Suisun City Employees’ Association (SCEA) to establish the 2023-25 MOU, the City agreed to conduct a classification study of the two incumbent Administrative Assistant II employees, and to convert the Permit Technician classification as a flexibly staffed Permit Technician I/II classification requiring an updated class specification. Under the Direction of the City Manager, the City engaged the services of Janice Koch Consulting to conduct these classification studies and to develop appropriate class specifications.

Additionally, to assist with recruitment efforts of Public Safety Dispatchers, the City is recommending an update to the minimum qualifications and special requirements for these positions.

STAFF REPORT:

Janice Koch HR Consulting (JKHR) conducted requested classification studies, resulting in new class specifications. JKHR relied primarily upon the information provided in the Position Description Questionnaire (PDQ) completed and signed by the incumbents. Desk audits and individual interviews were then held with incumbents and additionally, JKHR met with the immediate supervisors and Department Heads in order to discuss the nature and scope of the essential functions and qualifications, as well as the department’s organization structure and needs. Additionally, JKHR reviewed data from comparable agencies for comparative duties, responsibilities, knowledge, skills, and abilities (KSAs), and qualifications. Key observations, findings and recommendations for each study conducted are as follows:

Administrative Technician

An Administrative Assistant classification is primarily clerical and secretarial in nature and the study revealed that while many of the tasks performed by the incumbents were covered in the existing Administrative Assistant class specification, there were some significant outliers, and neither position is primarily clerical or secretarial. For example, the position assigned to Public Works coordinates the financial, contractual and compliance functions of a variety of Public Works projects; and the Public Safety position assigned to the Fire and Police Departments participates and assists with budget administration, and the coordination of sensitive records and processes. Therefore, a new Administrative Technician para-professional classification was designed to encompass the more

complex and technical duties performed by these incumbents and can be used in any department a bridge in the career path for promotion into a professional classification series, depending on the department to which assigned. The salary for this position was established consistent with the City's method for setting salaries based on internal alignment, placing it at 10% above the Administrative Assistant II. The City has met its obligation to meet and confer and the SCEA is in agreement with the proposed class specification and salary.

Permit Technician I/II

Suisun City does not currently have a classification specification for Permit Technician. For the benefit of the Department, a Permit Technician classification series with two levels was established: an entry, Permit Technician I, and a journey, experienced level Permit Technician II classification. The entry level can be useful in the future if the City needs the flexibility to recruit an employee who would learn the duties of the position on the job. A flexibly staffed Permit Technician I/II series will facilitate advancement from the entry level to the journey level once the incumbent achieves the necessary training and experience to perform the work independently. The Permit Technician I/II is represented by the SCEA. The City has met its obligation to meet and confer and the SCEA is in agreement with the proposed class specification.

Public Safety Dispatcher I/II and Senior Public Safety Dispatcher

The Police Department currently has five vacancies in the Public Safety Dispatcher classification. This position has historically been difficult to fill. In an effort to increase qualified applicants, the City recently completed a survey of the Public Safety Dispatcher I/II minimum qualifications which is attached to this report. Based on these findings, we identified that a typing speed of 50 WPM is much higher than what other comparable agencies require. Modifying the typing speed requirement to 40 WPM is reasonable to remain competitive with our allied agencies. Over the past couple of years, dispatching technology has changed, and, in many ways, the CAD/RMS system is more efficient and does not require as much redundant entry or querying so typing speed is not quite as critical on routine tasks. The Department believes 40 WPM is sufficient to maintain their standards of entering calls for service in a timely manner and does not feel this change would impact their ability to effectively serve the community. The typing certificate may be waived for lateral dispatcher candidates transferring from another public safety/enforcement dispatching agency.

Additionally, the City will allow a documented T-score of 50 or higher to substitute for the required experience at the Dispatcher I level. The POST Dispatcher examination measures verbal, reasoning, memory and perceptual abilities that are essential for successful performance as a dispatcher. POST recommends a T-score above 48 as passing and allows agencies to determine their own pass level. Historically, candidates with successful T-scores have been highly successful on the job. Therefore, this substitution is proposed as an additional effort to increase the applicant pool with viable candidates.

The final proposed edit impacts the Public Safety Dispatcher I/II and Senior Public Safety Dispatcher classifications, by adding a "Special Requirements" section to document the Department's current hiring standards and expectations for candidates and employees.

The Public Safety Dispatcher I/II and Senior Public Safety Dispatcher classifications are represented by the Suisun City Police Officers' Association (SCPOA) and the City has met its obligation to meet and confer over these changes. The SCPOA is in agreement with the proposed class specifications.

STAFF RECOMMENDATION: Council Adoption of Resolution No. 2024-__ : A Resolution of the City Council of the City of Suisun City Amending the Citywide Classification Plan to Establish the New Classification of Administrative Technician; Create a Class Specification for the Existing Classification of Permit Technician I/II; and Amend the Class Specification for Public Safety Dispatcher I/II and Senior Public Safety Dispatcher.

DOCUMENTS ATTACHED:

1. Council Adoption of Resolution No. 2024-__ : A Resolution of the City Council of the City of Suisun City Amending the Citywide Classification Plan to Establish the New Classification of Administrative Technician; Create a Class Specification for the Existing Classification of Permit Technician I/II; and Amend the Class Specification for Public Safety Dispatcher I/II and Senior Public Safety Dispatcher.
 - a. Administrative Technician Class Specification
 - b. Permit Technician I/II Class Specification
 - c. Public Safety Dispatcher I/II Class Specification (clean copy)
 - d. Senior Public Safety Dispatcher Class Specification (clean copy)
 2. Public Safety Dispatcher I/II Minimum Qualifications Survey
 3. Public Safety Dispatcher I/II Class Specification (redline copy)
 4. Senior Public Safety Dispatcher Class Specification (redline copy)
-

PREPARED BY:

Christina Penland, Human Resources Administrator

REVIEWED BY:

Aaron Roth, Interim City Manager

APPROVED BY:

Aaron Roth, Interim City Manager

ATTACHMENTS:

1. [Classification Resolutions](#)
- 1a. [Admin Technician Class Spec](#)
- 1b. [Permit Technician I-II Class Spec](#)
- 1c. [Public Safety Dispatcher I_II Class Spec \(clean copy\)](#)
- 1d. [Senior Public Safety Dispatcher Class Spec \(clean copy\)](#)
2. [PS Dispatcher I MQ Survey 2.5.2024](#)
3. [Public Safety Dispatcher I_II \(redline copy\)](#)
4. [Senior Public Safety Dispatcher \(redline copy\)](#)

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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 12th day of March 2024, by the following vote:

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

WITNESS my hand and the seal of said City this 12th day of March 2024.

Anita Skinner
City Clerk

ADMINISTRATIVE TECHNICIAN

*Class specifications are intended to present a descriptive list of the range of duties performed by employees in the class. Specifications are **not** intended to reflect all duties performed within the job.*

SUMMARY DESCRIPTION

Under the supervision of a Department Director, upper level management or professional staff, performs technical and paraprofessional duties related to area of assignment including interpreting, analyzing, and determining compliance or acceptance of information and materials; researches, collects and analyzes data and prepares reports; tracks and reports operational statistics; develops proposals and performs contract and/or grant administration including monitoring budgets and other financial data; researches and analyzes problems and makes recommendations on a variety of issues.

IDENTIFYING CHARACTERISTICS

Administrative Technician – This is an advance journey level class characterized by the responsibility to perform work that requires the application of technical knowledge, procedures and standard practices related to assigned departmental programs. Positions at this level perform the full range of duties as assigned, working independently, exercise judgment and initiative, and receive only occasional instruction or assistance as new or unusual situations arise. This class is distinguished from the Administrative Assistant, journey level class in that the Administrative Assistant focuses on office support and administrative, technical, programmatic, and secretarial duties whereas the Administrative Technician performs more complex, para-professional duties that may include project coordination, financial, contractual and compliance functions, grant administration, and/or permit issuance and tracking in addition to customer service and office management duties.

REPRESENTATIVE DUTIES

The following duties are typical for this classification. Incumbents may not perform all of the listed duties and/or may be required to perform additional or different duties from those set forth below to address business needs and changing business practices.

1. Develops, coordinates, and implements program activities of a technical area assignment related to department activities and programs; assists in performing and conducting studies, special projects, administrative and technical functions.
2. Participates in development and reviews, verifies, and processes documents related to department activities including budgets, contracts, grants, permits, purchases, and invoices; tracks and maintains accurate records, calculates expenditures, reviews, and adjusts budgets, compiles budget requests; projects the next years proposed capital, operating and maintenance budgetary expenditures; prepares budget reports.
3. Participates in the development and implementation of goals, objectives, and priorities for assigned functions or programs; creates and modifies policy and procedural manuals and guidelines; participates in resolution of operational and administrative issues; conducts research to find alternative solutions.
4. Issues, coordinates, tracks and monitors permits, grants and/or contracts; manages and bids contracts and projects; coordinates and oversees work completion; works with contractors; oversees the work of contract staff.

CITY OF SUISUN CITY

Administrative Technician (Continued)

5. May be required to learn and utilize specific software needed by assigned department which may include project management, administering and manipulating digital data, producing and interpreting maps, and/or managing the information entered in a database.
6. May assist management staff in coordinating, scheduling, tracking, and reporting on a variety of personnel related responsibilities including hiring interviews and payroll related to employee hours worked, overtime, shift differentials, and leave time.
7. Researches, collects, organizes, and compiles data from a variety of sources; responds to requests for data from City departments, other agencies, and employers; maintains logs and reports data to outside agencies as necessary.
8. Performs general office duties; receives, compiles, and organizes information for the preparation of correspondence, documents, agendas, spreadsheets, and reports as assigned; prepares correspondence and memoranda; maintains confidentiality of sensitive information and documents.
9. Coordinates meetings, prepares agenda packets and keeps meeting minutes; prepares and coordinates publications, posting, and distribution of legal notices for public meetings and hearings; coordinates events and conferences including presentations and presenters and event/conference set up; schedules, calendars and coordinates meeting rooms.
10. Initiates, organizes, maintains, and controls access to records and filing systems, that may be of sensitive nature, including releasing records and information in accordance with department procedures, and purging and retaining files according to the retention schedule.
11. Provides support to upper-level management, scheduling, planning travel, and managing cost recovery and reimbursement in contract agreements.
12. Performs customer service duties, answering phones, and interacting with the public; answers questions, and directs customers to appropriate departments and personnel; receives and responds to Public Records Act Requests; receives, timestamps and distributes mail.
13. Types technical correspondence, memoranda, labels, contracts, legal documents, and reports; formats documents and checks drafts for punctuation, spelling, and grammar; makes or suggests corrections to drafts; distributes copies of materials.
14. Stays abreast of related trends, laws, and regulations.
15. Maintains inventory and stock of office supplies for the assigned area and orders supplies; researches new supplies and vendors.

QUALIFICATIONS

The following generally describes the knowledge and ability required to enter the job and/or be learned within a short period of time in order to successfully perform the assigned duties.

Knowledge of:

Principles and practices of financial recordkeeping.

Principles and practices of basic budgetary methods and monitoring.

Principles and practices of intermediate analytical research and project coordination.

CITY OF SUISUN CITY
Administrative Technician (Continued)

Business mathematics and statistics and data collection.
Pertinent local, State and Federal laws, codes, ordinances, City functions, policies, rules and regulations.
Principles and practices for grant and contract development and administration.
Methods and techniques of data collection, research and report preparation.
Windows-based computer operating system at an intermediate or greater level including but not limited to Microsoft Word, Excel, Outlook.
Business letter writing and basic report preparation in a Windows-based computer office environment.
Principles and procedures of record keeping, tracking and maintenance.
Principles and techniques used in dealing with the public.

Ability to:

Interpret, apply, and explain local, Federal and State laws, city rules, policies and procedures.
Organize, prioritize, and effectively coordinate a wide variety of activities.
Operate a personal computer utilizing spreadsheet, word processing and database software at and intermediate level; learn to utilize specialized software related to area of assignment.
Perform complex clerical work accurately while handling multiple activities simultaneously; work effectively under pressure of deadlines and frequent interruption.
Operate office equipment including computers and supporting applications.
Exercise independent judgment and initiative in the performance of general technical and clerical work while recognizing the limits of authority in referring complex matters to higher level staff.
Perform contract, project, and grant management and administration.
Prioritize work and coordinate multiple activities. assess a situation and determine appropriate course of action; project a calm and reasoning demeanor while dealing with difficult situations and upset people; adapt quickly to a variety of personalities and situations.
Develop and implement various data collection and reporting systems; interpret, apply, and explain laws, rules, codes and City policies and procedures.
Coordinate and development and monitoring of an assigned program/project budget; project, track and reconcile expenses.
Understand and follow oral and written instructions.
Maintain confidentiality of sensitive information and documents.
Understand the organization and operation of the City and of outside agencies as necessary to assume assigned responsibilities.
Compile and maintain records; prepare records for release to authorized persons; maintain discretion of sensitive records and information.
Communicate clearly and concisely, both orally and in writing; effectively interact with the public to resolve complaints and process information requests.

CITY OF SUISUN CITY
Administrative Technician (Continued)

Education and Experience Guidelines - Any combination of education and experience that would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities would be:

Education/Training:

Equivalent to an Associate's degree with course work in business or public administration, office management, or a field related to the area of assignment.

Experience:

Three (3) years of work experience performing increasingly responsible duties requiring customer service and administrative support, preferably in a government agency.

License/Certificates

A current Class C California Driver's License.
May be required to obtain a Notary License.

PHYSICAL DEMANDS AND WORKING ENVIRONMENT

The conditions herein are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential job functions.

Ability to work in a standard office environment; exert a small amount of physical effort in sedentary to light work involving moving from one area of the office to another; ability to lift and move packages of moderate weight up to 20 lbs.; requires sufficient hand/eye coordination to perform semi-skilled repetitive movements, such as typing, filing, data entry or operation of other office equipment; may involve extensive VDT exposure.

SPECIAL REQUIREMENTS

Positions assigned to the police department will be required to pass a thorough background investigation, including polygraph testing and must be able to maintain the same level of security as when first hired, as a condition of continued employment. Assignments to the police department will require successful completion of a comprehensive pre-employment psychological and medical examination prior to employment.

FLSA	Non-Exempt
B.U.	SCEA
Established	March 12, 2024 – Reso: 2024-

PERMIT TECHNICIAN I/II

*Class specifications are intended to present a descriptive list of the range of duties performed by employees in the class. Specifications are **not** intended to reflect all duties performed within the job.*

SUMMARY DESCRIPTION

Under supervision, provides technical, administrative, and clerical support related to the processing and issuance of building permits; provides assistance to the general public at the front counter, on the phone and by email; receives and reviews building permit applications for completeness and accuracy; issues building permits with management approval and oversight; manages the permit tracking system; and provides technical and clerical support to Division staff.

IDENTIFYING CHARACTERISTICS

Permit Technician I - This is the entry-level class in the Permit Technician series. Positions at this level are not expected to function with the same amount of program knowledge or skill level as positions allocated to the Permit Technician II level and exercise less independent discretion and judgment in matters related to work procedures and methods. Work is usually supervised while in progress and fits an established structure or pattern. Exceptions or changes in procedures are explained in detail as they arise. As experience is acquired, the employee performs with increasing independence and responsibility and is expected to be performing at the “II” or journey level within the prescribed time frame. This class is flexibly staffed with the Permit Technician II. Advancement to the “II” level is based on demonstrated proficiency in performing the full range of assigned duties, the completion of the minimum experience and education requirements for the “II” level and is at the discretion of higher level supervisory or management staff.

Permit Technician II – This is the full journey level class in the Permit Technician series performing a full range of technical permitting functions requiring knowledge of building permit processes, including the legal aspects of building codes and regulations, and of basic zoning codes and regulations. Positions at this level are distinguished from the Permit Technician I level by the performance of the full range of duties as assigned, working independently, applying well developed building inspection knowledge, exercising judgment and initiative, and may require certification as a Permit Technician. Positions at this level receive only occasional instruction or assistance as new or unusual situations arise and are fully aware of the operating procedures and policies of the work unit. Positions in this class series are flexibly staffed and positions at the Permit Technician II level are normally filled by advancement from the Permit Technician I level, or when filled from outside, require prior experience. Advancement to the “II” level is based on management judgment and/or certification or testing that validates the performance of the full range of job duties.

REPRESENTATIVE DUTIES

The following duties are typical for this classification. Incumbents may not perform all of the listed duties and/or may be required to perform additional or different duties from those set forth below to address business needs and changing business practices.

1. Processes permit applications in a timely manner and in accordance with established policies, procedures, ordinances, and codes; ensures that permit applications are complete and include all required attachments and documents; applies applicable codes and procedures.
2. Responds to inquiries and complaints from customers and resolves appropriately, promoting good customer service.

CITY OF SUISUN CITY
Permit Technician I/II (Continued)

3. Calculates, adjusts, and updates a variety of fees including permit and impact fees for construction; presents and collects fees.
4. Assists the public at the front counter and on the phone; interviews customers and determine their needs and assess the scope of their project; answers questions and provides information within specific guidelines or directs complex issues or inquiries to appropriate City staff; provides forms, applications, and other materials.
5. Reviews application and construction documents for completeness and compliance with requirements; routes applications to appropriate staff for additional processing; monitors and assures performance of processing time goals; ensures that all necessary documentation and reviews are complete; issues permits after approval is secured.
6. Advises members of the general public, property owners, architects, engineers, developers, other City departments and others on permit process requirements; assists the public in completing applications for building permits.
7. Explains reasons for routine denial of applications, identifies additional requirements and explains the process for reapplying.
8. Assists contractors, engineers, architects, realtors, and homeowners in locating permit and parcel information; performs comprehensive reviews of file records for construction histories of residential and commercial properties; verifies parcel ownership and checks for violations and inspection history.
9. Tracks and coordinates the plan review process to obtain approvals and/or corrections in a timely fashion; reviews, creates and sends correction letters; compiles plans and documents for permit issuance, coordinates consultant plan review and inspection activities; processes necessary paperwork; calculates and assesses permit fees; issues permits; collects fees; records and files documents; enters inspection results, plan review and permit status records; prepares files for final inspections.
10. Participates in developing customer handouts and information packets related to construction, code, and ordinance compliance; participates in the development and maintenance of a comprehensive procedures manual for permit processing
11. Performs general office duties; receives, compiles, and organizes information for the preparation of correspondence, documents, agendas, spreadsheets, and reports as assigned; maintains confidentiality of sensitive information and documents.
12. Performs comprehensive reviews of file records for relevant construction histories for residential properties offered for sale; prepares and maintains records; enters and retrieves data; produces various documents, summaries and reports utilizing standard and advanced equipment and computer functions and programs, developing formats, and manipulating data to achieve desired results.
13. Maintains Division files; files copies of permits, letters, memoranda, reports, construction plans, and associated documents in accordance with City policies and procedures; ensure compliance with records retention system procedures.
14. Schedules inspections; assists in locating files and permit information and resolving discrepancies with construction projects; assists with the gathering of data for inspection reports and investigations.
15. Stays abreast of related trends, laws, and regulations.

CITY OF SUISUN CITY
Permit Technician I/II (Continued)

16. Gathers, compiles and summarizes information from a variety of sources to prepare data reports, budget reports and routing reports.
17. Maintains inventory and stock of office supplies for the assigned area.

QUALIFICATIONS

The following generally describes the knowledge and ability required to enter the job and/or be learned within a short period of time in order to successfully perform the assigned duties.

Knowledge of:

- Modern office methods, procedures and equipment including a computer terminal;
 - Windows-based computer operating system at an intermediate or greater level including but not limited to Microsoft Word, Excel, Outlook, and Internet Explorer.
- English usage, spelling, grammar and punctuation.
- Business letter writing and basic report preparation in a Windows-based computer office environment.
- Principles and procedures of record keeping, tracking and maintenance.
- Principles of basic mathematics.
- Principles and techniques used in dealing with the public.
- Procedures used in the building permit and planning processes.
- Basic plan checking principles to determine completeness of plan submittal applications for planning and building permits.
- Methods, practices, and materials used in building construction.
- State laws, codes and City ordinances related to construction and zoning.

Ability to:

- Retrieve pertinent data from Internet websites including Assessor's parcel information, aerial photos, and current applicable codes.
- Exercise independent judgment and initiative in the performance of general technical and clerical work while recognizing the limits of authority in referring complex matters to management; prioritize work and coordinate multiple activities.
- Understand and apply building codes, state and federal laws that apply to building processes and local ordinances and apply these to the building permit process.
- Use architectural and engineering scales to determine basic dimensions and calculate areas and percentages.
- Verify the content of plans for submittal.
- Read and interpret plans, applications, engineered construction drawings and specifications and determine compliance with various codes including identifying errors or omissions in applications, plans, records, and reports.
- Accurately interpret and apply codes and ordinances, policies, procedures, laws, and regulations; assimilate new codes as they evolve.
- Perform routine mathematical calculations.
- Understand and follow oral and written instructions.
- Maintain confidentiality of sensitive information and documents.
- Understand the organization and operation of the City and of outside agencies as necessary to assume assigned responsibilities.
- Learn and utilize Windows based building permit application software.
- Compile and maintain records.
- Exercise good judgment, flexibility, creativity, and sensitivity in response to changing situations and needs.
- Communicate clearly and concisely, both orally and in writing; effectively interact with the public to resolve complaints and process information requests.

Education and Experience Guidelines - Any combination of education and experience that would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities would be:

Permit Technician I

Education/Training:

Equivalent to completion of the twelfth grade with some coursework in trades is desirable.

Experience:

Three years of clerical, office support, and/or customer service experience preferably in a construction, building, engineering or similar office.

Permit Technician II

Education/Training:

Equivalent to completion of the twelfth grade; college coursework or other training in building construction, technical engineering, community development or a related field is desirable.

Experience:

Two years of responsible experience in the building construction trades or with a government building, planning or public works organization in addition to the experience requirements for the Permit Technician I level.

License/Certificates

Possession of a valid California class C driver's license is required.

Possession of, or ability to obtain, a current, valid I.C.C. certification as a Permit Technician within one year of appointment may be required. Employee is expected successfully complete continuing education units (CEU's) required for certificate renewals and for maintaining a current certification.

PHYSICAL DEMANDS AND WORKING ENVIRONMENT

The conditions herein are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential job functions.

Ability to work in a standard office environment; exert a small amount of physical effort in sedentary to light work involving moving from one area of the office to another; ability to lift and move packages of moderate weight up to 20 lbs.; requires sufficient hand/eye coordination to perform semi-skilled repetitive movements, such as typing, filing, data entry, and/or use of calculators, ten-key adding machine, or other office equipment or supplies; may involve extensive VDT exposure

FLSA	Non-Exempt
B.U.	SCEA
Established	March 12, 2024 – Reso: 2024-

**PUBLIC SAFETY DISPATCHER I
PUBLIC SAFETY DISPATCHER II**

*Class specifications are intended to present a descriptive list of the range of duties performed by employees in the class. Specifications are **not** intended to reflect all duties performed within the job.*

SUMMARY DESCRIPTION

Under supervision (Public Safety Dispatcher I) or general supervision (Public Safety Dispatcher II) performs a variety of duties involved in receiving, evaluating, prioritizing, and relaying calls for emergency and non-emergency public safety assistance; dispatches appropriate units and coordinates response of emergency personnel; maintains, processes, and distributes police records; operates a variety of telecommunications equipment including radio, telephone, and CAD systems; and performs a wide variety of specialized clerical duties involved in the preparation, maintenance, and release of materials related to law enforcement activities.

DISTINGUISHING CHARACTERISTICS

Public Safety Dispatcher I - This is the entry level class in the Public Safety Dispatcher series, which is typically used as a training class. Positions at this level are not expected to function with the same amount of program knowledge or skill level as positions allocated to the Public Safety Dispatcher II level and initially exercise less independent discretion and judgment in matters related to work procedures and methods. While in training, work is usually supervised while in progress and fits an established structure or pattern. After initial training period, only occasional instruction or assistance is provided as new or unusual situations arise, with exceptions or changes in procedures explained in detail as they arise. Advancement to the "II" level is based on demonstrated proficiency in performing the full range of assigned duties, the completion of the minimum experience and education requirements for the "II" level, and is at the discretion of higher level supervisory or management staff.

Public Safety Dispatcher II - This is the full journey level class in the Public Safety Dispatcher series performing the full range of dispatcher duties. Positions at this level are distinguished from the Public Safety Dispatcher I level by independent performance of the range of duties, applying well developed program area knowledge, training new employees, and implementing new procedures. Positions at this level are fully aware of the operating procedures and policies of the work unit. Work is normally reviewed only on completion and for overall results. Positions in this class series are flexibly staffed and positions at the Public Safety Dispatcher II level are normally filled by advancement from the Public Safety Dispatcher I level.

REPRESENTATIVE DUTIES

The following duties are typical for this classification. Incumbents may not perform all of the listed duties and/or may be required to perform additional or different duties from those set forth below to address business needs and changing business practices.

1. Receives, classifies, and prioritizes all incoming calls to the dispatch center including 911 calls and business line calls received from citizens requesting service or information; operates a variety of public safety communications equipment including 911 emergency telephone equipment, computer aided dispatch systems, and multi-channel radio systems; dispatches police and fire units and personnel.
2. Performs a variety of duties involved in police records operations including disseminating, maintaining confidentiality, evaluating, copying, and filing police records and reports; processes and distributes arrest reports to the District Attorney, juvenile probation offices, and courts in a timely manner; ensures that information is released in accordance with related laws and Police Department policies.
3. Evaluates response necessary as dictated by a given request for service; determines nature, location, and priority of calls; operates computer aided dispatch system to create calls for service within response criteria guidelines; assigns and dispatches appropriate police, fire, or other emergency vehicles, equipment, and personnel in accordance with policies and procedures; transfers calls to other

CITY OF SUISUN CITY
Public Safety Dispatcher I/II (Continued)

- appropriate agency in accordance with established procedures; obtains and dispatches other support services as necessary.
4. Maintains contacts with all units on assignment through computer aided dispatch; maintain status and location of police field units; maintains computer records of traffic stops and other officer initiated activity.
 5. Performs a wide variety of specialized clerical duties involved in the preparation, maintenance, and release of materials related to law enforcement activities including to organize, process, maintain, update, and route a variety of departmental reports, records, and files; operates and maintains the departmental centralized record keeping systems; makes inquiries; enters reports; updates individual files; updates codes.
 6. Retrieves and monitors information from local agency radio traffic, and local, state, and national computer networks regarding wanted persons, stolen property, vehicle registration, stolen vehicles, restraining orders, criminal histories, parolees, and other related information; relays information to officers in the field.
 7. Operates computer terminals and teletype machine to enter, modify, and retrieve data such as stolen and recovered property, towed and stolen vehicles, missing and unidentified persons, citations, field interviews, driver license and vehicle registration information, and warrants on wanted persons; composes and transmits messages to other agencies.
 8. Performs a variety of general and specialized clerical duties in support of the department; compiles, maintains, processes, and prepares a variety of records and reports; types transcripts from taped interviews; maintains various files; prepares supplemental reports as directed.
 9. As assigned, processes, evaluates, and distributes police reports and records ensuring that information is released in accordance with related laws and departmental policies.
 10. Responds to telephone and fax requests from citizens, business, and other agencies; provides assistance and answers questions in response to requests; provides other agencies with criminal history information and reports; transfers calls for service to dispatch as necessary.
 11. Performs related duties as required.

QUALIFICATIONS

The following generally describes the knowledge and ability required to enter the job and/or be learned within a short period of time in order to successfully perform the assigned duties.

Knowledge of:

- Operations, services, and activities of a public safety telecommunications and dispatch center.
- Operational characteristics of modern public safety telecommunications equipment including computer aided dispatch systems and multi-channel radio systems.
- Law enforcement and emergency service procedures for responding to and handling reported incidents.
- Techniques of questioning for both emergency and non-emergency calls.
- Methods and techniques of receiving, prioritizing, and dispatching emergency and non-emergency calls for service.
- Functions of the Police and Fire Departments and other City Departments.
- Geographic features and locations within the area served.
- English usage, spelling, grammar, and punctuation.
- Modern office procedures, methods, and computer equipment.
- Pertinent federal, state, and local laws, codes, and regulations.

CITY OF SUISUN CITY
Public Safety Dispatcher I/II (Continued)

Methods and techniques of telephone etiquette.
Methods and techniques of conflict resolution.
Principles and procedures of record keeping.

Ability to:

Respond to and resolve difficult and sensitive citizen inquiries and complaints.
Effectively communicate and elicit information from upset and irate callers.
Make independent decisions that affect the safety of public safety personnel, citizens, and property, such as those involved in determining the urgency of requests received and the appropriate action to take.
Dispatch police and fire units quickly and effectively.
Think quickly, calmly, and clearly in emergency situations.
Perform multiple tasks simultaneously.
Operate a variety of telecommunications receiving and transmitting equipment including radio transmitting communication equipment, teletype equipment, and computer equipment.
Operate specialized public safety computer systems and applications including the Criminal Justice Information System (CJIS), the National Crime Information Center (NCIC) computer systems, and local CAD/RMS system.
Read and interpret maps and other navigational resources and give directions.
Type and enter data accurately at a speed of 50 wpm, necessary for successful job performance.
Work under pressure, exercise good judgment, and make sound decisions in emergency situations.
Understand and follow oral and written instructions.
Interpret, apply, and explain applicable federal, state and local policies, procedures, laws, codes and regulations including police records retention and dissemination policies and procedures.
Maintain composure, alertness and concentration while working for extended periods of time.
Compile, maintain, process, and prepare a variety of records and reports.
Deal tactfully and courteously with the public reporting emergencies and seeking information or filing a report.
Listen and comprehend radio transmissions and telephone calls.
Clearly project voice over radio and telephone.
Communicate clearly and concisely, both orally and in writing.
Establish and maintain effective working relationships with those contacted in the course of work.

Education and Experience Guidelines - *Any combination of education and experience that would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities would be:*

Public Safety Dispatcher I

Education/Training:

High School Diploma or equivalent.

Experience:

Two years of increasingly responsible clerical experience that includes customer service in an environment with frequent interruptions.

License or Certificate:

A typing certificate showing a minimum speed of 40 wpm from an accredited testing agency is required.

Incumbents will be required to successfully complete the basic dispatcher course and obtain a valid P.O.S.T. Dispatcher Certificate within one year of hire.

Substitution:

A documented T-score (50 or higher) from a dispatcher training program or certificate of completion may substitute for the required experience.

Public Safety Dispatcher II

Education/Training:

High School Diploma or equivalent.

Experience:

Two years of experience comparable to that of a Public Safety Dispatcher I with the City of Suisun City.

License or Certificate:

Possession of a valid P.O.S.T. Dispatcher Certificate.

A typing certificate showing a minimum speed of 40 wpm from an accredited testing agency is required. The typing certificate requirement may be waived for lateral dispatcher candidates transferring from another public safety/enforcement dispatching agency.

PHYSICAL DEMANDS AND WORKING ENVIRONMENT

The conditions herein are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential job functions.

Environment: Office and emergency services dispatch center setting with extensive public contact; incumbents are required to work evening, night, weekend and holiday shifts; incumbents may be called back or held over to maintain staffing levels.

Physical: Primary functions require sufficient physical ability to work in an office and emergency dispatch center setting; stand or sit for prolonged periods of time; occasionally stoop, bend, kneel, crouch, reach, and twist; push, pull, lift, and/or carry light to moderate weights; operate office equipment including use of computer keyboard; requires a sense of touch, finger dexterity, and gripping with hands and fingers; ability to speak and hear to exchange information.

Vision: See in the normal visual range with or without correction.

Hearing: Hear in the normal audio range with or without correction.

SPECIAL REQUIREMENTS

Positions assigned to the police department will be required to pass a thorough background investigation, including polygraph testing and must be able to maintain the same level of security as when first hired, as a condition of continued employment. Assignments to the police department will require successful completion of a comprehensive pre-employment psychological and medical examination prior to employment.

FLSA	Non-Exempt
B.U.	SCPOA
Established	October 2006 – Johnson & Associates
Amended	March 2016 – Human Resources Staff
Amended	9/20/2022 – Reso: 2022-132
Amended	3/12/2024 – Reso: 2023-

SENIOR PUBLIC SAFETY DISPATCHER

*Class specifications are intended to present a descriptive list of the range of duties performed by employees in the class. Specifications are **not** intended to reflect all duties performed within the job.*

SUMMARY DESCRIPTION

Under general supervision, performs a variety of duties involved in receiving, evaluating, prioritizing, and relaying calls for emergency and non-emergency public safety assistance; provides training, scheduling, and quality control responsibilities; dispatches appropriate units and coordinates response of emergency personnel; operates a variety of telecommunications equipment including radio, telephone, and CAD systems; manages, processes, and distributes police records; and performs a wide variety of specialized clerical duties involved in the preparation, maintenance, and release of materials related to law enforcement activities.

DISTINGUISHING CHARACTERISTICS

This is the advanced journey level class in the Public Safety Dispatcher series. The Senior Public Safety Dispatcher is distinguished from the Public Safety Dispatcher II level by its responsibility for leading and providing direction to other Public Safety Dispatch employees. Positions at this level are fully aware of the operating procedures and policies of the work unit and act with considerable independent judgment. Employees in this class perform the most complex dispatch and records duties including specialized areas of assignment.

REPRESENTATIVE DUTIES

The following duties are typical for this classification. Incumbents may not perform all of the listed duties and/or may be required to perform additional or different duties from those set forth below to address business needs and changing business practices.

1. Lead, plan, train, and review the work of staff responsible for performing duties related to the operation of the dispatch center; participate in performing the work of the unit and perform the most complex work of the unit including addressing technical issues and making operational decisions in coordination with supervisory and management staff; audit data input from dispatch center activities.
2. Receives, classifies, and prioritizes incoming calls to the dispatch center including 911 calls and business line calls received from citizens requesting service or information; operates a variety of public safety communications equipment including 911 emergency telephone equipment, computer aided dispatch systems, and multi-channel radio systems; dispatches police and fire units and personnel.
3. Performs duties and training in police records operations including disseminating, maintaining confidentiality, evaluating, copying, and filing police records and reports; processes and distributes arrest reports to the District Attorney, juvenile probation offices, and courts in a timely manner; ensures that information is released in accordance with related laws and Police Department policies.
4. Evaluates response necessary as dictated by a given request for service; determines nature, location, and priority of calls; operates computer aided dispatch system to create calls for service within response criteria guidelines; assigns and dispatches appropriate police, fire, or other emergency vehicles, equipment, and personnel in accordance with policies and procedures; transfers calls to other appropriate agency in accordance with established procedures; obtains and dispatches other support services as necessary.
5. Assists in coordinating the hiring of new Public Safety Dispatchers; participates in the interviewing of applicants.
6. Receives specialized assignments; calculates and presents a variety of statistics, as requested.

CITY OF SUISUN CITY

Senior Public Safety Dispatcher (Continued)

7. Creates schedules for dispatch personnel; coordinates time off requests, standby assignments and scheduling of overtime; implements shift selections, rotations and vacation roster requests.
8. Observes the performance of Public Safety Dispatchers across shifts; provides input into the formal employee performance evaluation process.
9. Acts as system administrator for CAD and the records management system; provides call quality control by accessing and evaluating recorded calls.
10. Maintains contacts with all units on assignment through computer aided dispatch; maintain status and location of police field units; maintains computer records of traffic stops and other officer-initiated activity.
11. Performs a wide variety of general and specialized clerical duties involved in the preparation, maintenance, and release of materials related to law enforcement activities including to organize, process, maintain, update, and route a variety of departmental reports, records, and files; operates and maintains the departmental centralized record keeping systems; makes inquiries; enters reports; updates individual files; updates codes.
12. Ensure compliance with all local, state and federal regulations for dispatch and records management to include retention and destruction, accuracy and safe storage of records, report requirements and retrieval.
13. Retrieves and monitors information from local agency radio traffic, and local, state, and national computer networks regarding wanted persons, stolen property, vehicle registration, stolen vehicles, restraining orders, criminal histories, parolees, and other related information; relays information to officers in the field.
14. Operates computer terminals and teletype machine to enter, modify, and retrieve data such as stolen and recovered property, towed and stolen vehicles, missing and unidentified persons, citations, field interviews, driver license and vehicle registration information, and warrants on wanted persons; composes and transmits messages to other agencies.
15. Processes, evaluates, and distributes police reports and records ensuring that information is released in accordance with related laws and departmental policies; maintains training records for sworn police staff.
16. Responds to telephone and fax requests from citizens, business, and other agencies; provides assistance and answers questions in response to requests; provides other agencies with criminal history information and reports; transfers calls for service to dispatch as necessary.
17. Performs related duties as required.

QUALIFICATIONS

The following generally describes the knowledge and ability required to enter the job and/or be learned within a short period of time in order to successfully perform the assigned duties.

Knowledge of:

Principles of lead supervision and training.

Operations, services, and activities of a public safety telecommunications and dispatch center.

Operational characteristics of modern public safety telecommunications equipment including computer aided dispatch systems and multi-channel radio systems.

Law enforcement and emergency service procedures for responding to and handling reported incidents.

CITY OF SUISUN CITY

Senior Public Safety Dispatcher (Continued)

Techniques of questioning for both emergency and non-emergency calls.
Methods and techniques of receiving, prioritizing, and dispatching emergency and non-emergency calls for service.
Functions of the Police and Fire Departments and other City Departments.
Geographic features and locations within the area served.
English usage, spelling, grammar, and punctuation.
Modern office procedures, methods, and computer equipment.
Pertinent federal, state, and local laws, codes, and regulations.
Methods and techniques of telephone etiquette.
Methods and techniques of conflict resolution.
Principles and procedures of record keeping.

Ability to:

Lead, organize, and view the work of dispatch center staff.
Independently perform the most difficult work related to the area of work assigned including technical and administrative duties.
Respond to and resolve difficult and sensitive citizen inquiries and complaints.
Effectively communicate and elicit information from upset and irate callers.
Make independent decisions that affect the safety of public safety personnel, citizens, and property, such as those involved in determining the urgency of requests received and the appropriate action to take.
Provide one-on-one training of new dispatchers.
Interpret, explain, and enforce department policies and procedures.
Dispatch police and fire units quickly and effectively.
Think quickly, calmly, and clearly in emergency situations.
Perform multiple tasks simultaneously.
Operate a variety of telecommunications receiving and transmitting equipment including radio transmitting communication equipment, teletype equipment, and computer equipment.
Operate specialized public safety computer systems and applications including the Criminal Justice Information System (CJIS), the National Crime Information Center (NCIC) computer systems, and local CAD/RMS system.
Read and interpret maps and other navigational resources and give directions.
Type and enter data accurately at a speed necessary for successful job performance.
Work under pressure, exercise good judgment, and make sound decisions in emergency situations.
Understand and follow oral and written instructions.
Interpret, apply, and explain applicable federal, state and local policies, procedures, laws, codes and regulations including police records retention and dissemination policies and procedures.
Maintain composure, alertness and concentration while working for extended periods of time.
Compile, maintain, process, and prepare a variety of records and reports.
Deal tactfully and courteously with the public reporting emergencies and seeking information or filing a report.
Listen and comprehend radio transmissions and telephone calls.
Clearly project voice over radio and telephone.
Communicate clearly and concisely, both orally and in writing.
Establish and maintain effective working relationships with those contacted in the course of work.

Education and Experience Guidelines - Any combination of education and experience that would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities would be:

Education/Training:

High School diploma or equivalent.

CITY OF SUISUN CITY
Senior Public Safety Dispatcher (Continued)

Experience:

Two years of increasingly responsible dispatch/records experience comparable to that of a Public Safety Dispatcher II with the City of Suisun City.

License or Certificate:

Possession of, or ability to obtain, an appropriate, valid P.O.S.T. Dispatcher Certificate.

Possession of a P.O.S.T Communications Training Officer Certificate is desirable.

PHYSICAL DEMANDS AND WORKING ENVIRONMENT

The conditions herein are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential job functions.

Environment: Office and emergency services dispatch center setting with extensive public contact; incumbents are required to work evening, night, weekend and holiday shifts; incumbents may be called back or held over to maintain staffing levels.

Physical: Primary functions require sufficient physical ability to work in an office and emergency dispatch center setting; stand or sit for prolonged periods of time; occasionally stoop, bend, kneel, crouch, reach, and twist; push, pull, lift, and/or carry light to moderate weights; operate office equipment including use of computer keyboard; requires a sense of touch, finger dexterity, and gripping with hands and fingers; ability to speak and hear to exchange information.

Vision: See in the normal visual range with or without correction.

Hearing: Hear in the normal audio range with or without correction.

SPECIAL REQUIREMENTS

Positions assigned to the police department will be required to pass a thorough background investigation, including polygraph testing and must be able to maintain the same level of security as when first hired, as a condition of continued employment. Assignments to the police department will require successful completion of a comprehensive pre-employment psychological and medical examination prior to employment.

FLSA	Non-Exempt
B.U.	SCEA
Established	October 2006 – Johnson & Associates
Amended	March 2016 – Human Resources Staff
Amended	9/20/2022 – Reso: 2022-132
Amended	3/12/2024 – Reso: 2024-_____

Surveyed Job Class
SCPOA

Public Safety Dispatcher I

		Minimum Qualifications			
Survey Agency	Class Title	Education	Experience	Typing	Other
Benicia	PS Dispatcher	HS	1 year clerical experience, preferably including exp w/public contact	35	na
Davis	PS Dispatcher I	HS	1 yr PS dispatch experience desirable. (No experience required)	na	na
Fairfield	Dispatcher I	HS	1 year CS incl significant contact w/public or performing work tha tincludes multi-line telephone systems is preferred.	40	na
Vacaville	PS Dispatch Trainee	HS	1 yr clerical exp involving public contact. Some work exp in a public safety agency is highly desirable.	40	
Vallejo	Communications Operator II	HS	Some experience operating radio, teletypewriter or other communication equipment his highly desirable.	35	na
Suisun City	PS Dispatcher I	HS	2 yrs clerical exp that includes CS in an environment w/frequent interruptions	50	T-Score 50 is desirable.

**PUBLIC SAFETY DISPATCHER I
PUBLIC SAFETY DISPATCHER II**

*Class specifications are intended to present a descriptive list of the range of duties performed by employees in the class. Specifications are **not** intended to reflect all duties performed within the job.*

SUMMARY DESCRIPTION

Under supervision (Public Safety Dispatcher I) or general supervision (Public Safety Dispatcher II) performs a variety of duties involved in receiving, evaluating, prioritizing, and relaying calls for emergency and non-emergency public safety assistance; dispatches appropriate units and coordinates response of emergency personnel; maintains, processes, and distributes police records; operates a variety of telecommunications equipment including radio, telephone, and CAD systems; and performs a wide variety of specialized clerical duties involved in the preparation, maintenance, and release of materials related to law enforcement activities.

DISTINGUISHING CHARACTERISTICS

Public Safety Dispatcher I - This is the entry level class in the Public Safety Dispatcher series, which is typically used as a training class. Positions at this level are not expected to function with the same amount of program knowledge or skill level as positions allocated to the Public Safety Dispatcher II level and initially exercise less independent discretion and judgment in matters related to work procedures and methods. While in training, work is usually supervised while in progress and fits an established structure or pattern. After initial training period, only occasional instruction or assistance is provided as new or unusual situations arise, with exceptions or changes in procedures explained in detail as they arise. Advancement to the "II" level is based on demonstrated proficiency in performing the full range of assigned duties, the completion of the minimum experience and education requirements for the "II" level, and is at the discretion of higher level supervisory or management staff.

Public Safety Dispatcher II - This is the full journey level class in the Public Safety Dispatcher series performing the full range of dispatcher duties. Positions at this level are distinguished from the Public Safety Dispatcher I level by independent performance of the range of duties, applying well developed program area knowledge, training new employees, and implementing new procedures. Positions at this level are fully aware of the operating procedures and policies of the work unit. Work is normally reviewed only on completion and for overall results. Positions in this class series are flexibly staffed and positions at the Public Safety Dispatcher II level are normally filled by advancement from the Public Safety Dispatcher I level.

REPRESENTATIVE DUTIES

The following duties are typical for this classification. Incumbents may not perform all of the listed duties and/or may be required to perform additional or different duties from those set forth below to address business needs and changing business practices.

1. Receives, classifies, and prioritizes all incoming calls to the dispatch center including 911 calls and business line calls received from citizens requesting service or information; operates a variety of public safety communications equipment including 911 emergency telephone equipment, computer aided dispatch systems, and multi-channel radio systems; dispatches police and fire units and personnel.
2. Performs a variety of duties involved in police records operations including disseminating, maintaining confidentiality, evaluating, copying, and filing police records and reports; processes and distributes arrest reports to the District Attorney, juvenile probation offices, and courts in a timely manner; ensures that information is released in accordance with related laws and Police Department policies.
3. Evaluates response necessary as dictated by a given request for service; determines nature, location, and priority of calls; operates computer aided dispatch system to create calls for service within response criteria guidelines; assigns and dispatches appropriate police, fire, or other emergency vehicles, equipment, and personnel in accordance with policies and procedures; transfers calls to other

CITY OF SUISUN CITY
Public Safety Dispatcher I/II (Continued)

- appropriate agency in accordance with established procedures; obtains and dispatches other support services as necessary.
4. Maintains contacts with all units on assignment through computer aided dispatch; maintain status and location of police field units; maintains computer records of traffic stops and other officer initiated activity.
 5. Performs a wide variety of specialized clerical duties involved in the preparation, maintenance, and release of materials related to law enforcement activities including to organize, process, maintain, update, and route a variety of departmental reports, records, and files; operates and maintains the departmental centralized record keeping systems; makes inquiries; enters reports; updates individual files; updates codes.
 6. Retrieves and monitors information from local agency radio traffic, and local, state, and national computer networks regarding wanted persons, stolen property, vehicle registration, stolen vehicles, restraining orders, criminal histories, parolees, and other related information; relays information to officers in the field.
 7. Operates computer terminals and teletype machine to enter, modify, and retrieve data such as stolen and recovered property, towed and stolen vehicles, missing and unidentified persons, citations, field interviews, driver license and vehicle registration information, and warrants on wanted persons; composes and transmits messages to other agencies.
 8. Performs a variety of general and specialized clerical duties in support of the department; compiles, maintains, processes, and prepares a variety of records and reports; types transcripts from taped interviews; maintains various files; prepares supplemental reports as directed.
 9. As assigned, processes, evaluates, and distributes police reports and records ensuring that information is released in accordance with related laws and departmental policies.
 10. Responds to telephone and fax requests from citizens, business, and other agencies; provides assistance and answers questions in response to requests; provides other agencies with criminal history information and reports; transfers calls for service to dispatch as necessary.
 11. Performs related duties as required.

QUALIFICATIONS

The following generally describes the knowledge and ability required to enter the job and/or be learned within a short period of time in order to successfully perform the assigned duties.

Knowledge of:

- Operations, services, and activities of a public safety telecommunications and dispatch center.
- Operational characteristics of modern public safety telecommunications equipment including computer aided dispatch systems and multi-channel radio systems.
- Law enforcement and emergency service procedures for responding to and handling reported incidents.
- Techniques of questioning for both emergency and non-emergency calls.
- Methods and techniques of receiving, prioritizing, and dispatching emergency and non-emergency calls for service.
- Functions of the Police and Fire Departments and other City Departments.
- Geographic features and locations within the area served.
- English usage, spelling, grammar, and punctuation.
- Modern office procedures, methods, and computer equipment.
- Pertinent federal, state, and local laws, codes, and regulations.

CITY OF SUISUN CITY
Public Safety Dispatcher I/II (Continued)

Methods and techniques of telephone etiquette.
Methods and techniques of conflict resolution.
Principles and procedures of record keeping.

Ability to:

Respond to and resolve difficult and sensitive citizen inquiries and complaints.
Effectively communicate and elicit information from upset and irate callers.
Make independent decisions that affect the safety of public safety personnel, citizens, and property, such as those involved in determining the urgency of requests received and the appropriate action to take.
Dispatch police and fire units quickly and effectively.
Think quickly, calmly, and clearly in emergency situations.
Perform multiple tasks simultaneously.
Operate a variety of telecommunications receiving and transmitting equipment including radio transmitting communication equipment, teletype equipment, and computer equipment.
Operate specialized public safety computer systems and applications including the Criminal Justice Information System (CJIS), the National Crime Information Center (NCIC) computer systems, and local CAD/RMS system.
Read and interpret maps and other navigational resources and give directions.
Type and enter data accurately at a speed of 50 wpm, necessary for successful job performance.
Work under pressure, exercise good judgment, and make sound decisions in emergency situations.
Understand and follow oral and written instructions.
Interpret, apply, and explain applicable federal, state and local policies, procedures, laws, codes and regulations including police records retention and dissemination policies and procedures.
Maintain composure, alertness and concentration while working for extended periods of time.
Compile, maintain, process, and prepare a variety of records and reports.
Deal tactfully and courteously with the public reporting emergencies and seeking information or filing a report.
Listen and comprehend radio transmissions and telephone calls.
Clearly project voice over radio and telephone.
Communicate clearly and concisely, both orally and in writing.
Establish and maintain effective working relationships with those contacted in the course of work.

Education and Experience Guidelines - *Any combination of education and experience that would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities would be:*

Public Safety Dispatcher I

Education/Training:

High School Diploma or equivalent.

Experience:

Two years of increasingly responsible clerical experience that includes customer service in an environment with frequent interruptions.

License or Certificate:

A typing certificate showing a minimum speed of 5040 wpm from an accredited testing agency is required.
~~A documented T score (50 or higher) from a dispatcher training program or certificate of completion is desirable.~~

Incumbents will be required to successfully complete the basic dispatcher course and obtain a valid P.O.S.T. Dispatcher Certificate within one year of hire.

Substitution:

A documented T-score (50 or higher) from a dispatcher training program or certificate of completion may substitute for the required experience.

Public Safety Dispatcher II

Education/Training:

High School Diploma or equivalent.

Experience:

Two years of experience comparable to that of a Public Safety Dispatcher I with the City of Suisun City.

License or Certificate:

Possession of a valid P.O.S.T. Dispatcher Certificate.

A typing certificate showing a minimum speed of 5040 wpm from an accredited testing agency is required. The typing certificate requirement may be waived for lateral dispatcher candidates transferring from another public safety/enforcement dispatching agency.

PHYSICAL DEMANDS AND WORKING ENVIRONMENT

The conditions herein are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential job functions.

Environment: Office and emergency services dispatch center setting with extensive public contact; incumbents are required to work evening, night, weekend and holiday shifts; incumbents may be called back or held over to maintain staffing levels.

Physical: Primary functions require sufficient physical ability to work in an office and emergency dispatch center setting; stand or sit for prolonged periods of time; occasionally stoop, bend, kneel, crouch, reach, and twist; push, pull, lift, and/or carry light to moderate weights; operate office equipment including use of computer keyboard; requires a sense of touch, finger dexterity, and gripping with hands and fingers; ability to speak and hear to exchange information.

Vision: See in the normal visual range with or without correction.

Hearing: Hear in the normal audio range with or without correction.

SPECIAL REQUIREMENTS

Positions assigned to the police department will be required to pass a thorough background investigation, including polygraph testing and must be able to maintain the same level of security as when first hired, as a condition of continued employment. Assignments to the police department will require successful completion of a comprehensive pre-employment psychological and medical examination prior to employment.

FLSA	Non-Exempt
B.U.	SCPOA
Established	October 2006 – Johnson & Associates
Amended	March 2016 – Human Resources Staff
Amended	9/20/2022 – Reso: 2022-132
Amended	3/12/2024 – Reso: 2023-

SENIOR PUBLIC SAFETY DISPATCHER

*Class specifications are intended to present a descriptive list of the range of duties performed by employees in the class. Specifications are **not** intended to reflect all duties performed within the job.*

SUMMARY DESCRIPTION

Under general supervision, performs a variety of duties involved in receiving, evaluating, prioritizing, and relaying calls for emergency and non-emergency public safety assistance; provides training, scheduling, and quality control responsibilities; dispatches appropriate units and coordinates response of emergency personnel; operates a variety of telecommunications equipment including radio, telephone, and CAD systems; manages, processes, and distributes police records; and performs a wide variety of specialized clerical duties involved in the preparation, maintenance, and release of materials related to law enforcement activities.

DISTINGUISHING CHARACTERISTICS

This is the advanced journey level class in the Public Safety Dispatcher series. The Senior Public Safety Dispatcher is distinguished from the Public Safety Dispatcher II level by its responsibility for leading and providing direction to other Public Safety Dispatch employees. Positions at this level are fully aware of the operating procedures and policies of the work unit and act with considerable independent judgment. Employees in this class perform the most complex dispatch and records duties including specialized areas of assignment.

REPRESENTATIVE DUTIES

The following duties are typical for this classification. Incumbents may not perform all of the listed duties and/or may be required to perform additional or different duties from those set forth below to address business needs and changing business practices.

1. Lead, plan, train, and review the work of staff responsible for performing duties related to the operation of the dispatch center; participate in performing the work of the unit and perform the most complex work of the unit including addressing technical issues and making operational decisions in coordination with supervisory and management staff; audit data input from dispatch center activities.
2. Receives, classifies, and prioritizes incoming calls to the dispatch center including 911 calls and business line calls received from citizens requesting service or information; operates a variety of public safety communications equipment including 911 emergency telephone equipment, computer aided dispatch systems, and multi-channel radio systems; dispatches police and fire units and personnel.
3. Performs duties and training in police records operations including disseminating, maintaining confidentiality, evaluating, copying, and filing police records and reports; processes and distributes arrest reports to the District Attorney, juvenile probation offices, and courts in a timely manner; ensures that information is released in accordance with related laws and Police Department policies.
4. Evaluates response necessary as dictated by a given request for service; determines nature, location, and priority of calls; operates computer aided dispatch system to create calls for service within response criteria guidelines; assigns and dispatches appropriate police, fire, or other emergency vehicles, equipment, and personnel in accordance with policies and procedures; transfers calls to other appropriate agency in accordance with established procedures; obtains and dispatches other support services as necessary.
5. Assists in coordinating the hiring of new Public Safety Dispatchers; participates in the interviewing of applicants.
6. Receives specialized assignments; calculates and presents a variety of statistics, as requested.

CITY OF SUISUN CITY

Senior Public Safety Dispatcher (Continued)

7. Creates schedules for dispatch personnel; coordinates time off requests, standby assignments and scheduling of overtime; implements shift selections, rotations and vacation roster requests.
8. Observes the performance of Public Safety Dispatchers across shifts; provides input into the formal employee performance evaluation process.
9. Acts as system administrator for CAD and the records management system; provides call quality control by accessing and evaluating recorded calls.
10. Maintains contacts with all units on assignment through computer aided dispatch; maintain status and location of police field units; maintains computer records of traffic stops and other officer-initiated activity.
11. Performs a wide variety of general and specialized clerical duties involved in the preparation, maintenance, and release of materials related to law enforcement activities including to organize, process, maintain, update, and route a variety of departmental reports, records, and files; operates and maintains the departmental centralized record keeping systems; makes inquiries; enters reports; updates individual files; updates codes.
12. Ensure compliance with all local, state and federal regulations for dispatch and records management to include retention and destruction, accuracy and safe storage of records, report requirements and retrieval.
13. Retrieves and monitors information from local agency radio traffic, and local, state, and national computer networks regarding wanted persons, stolen property, vehicle registration, stolen vehicles, restraining orders, criminal histories, parolees, and other related information; relays information to officers in the field.
14. Operates computer terminals and teletype machine to enter, modify, and retrieve data such as stolen and recovered property, towed and stolen vehicles, missing and unidentified persons, citations, field interviews, driver license and vehicle registration information, and warrants on wanted persons; composes and transmits messages to other agencies.
15. Processes, evaluates, and distributes police reports and records ensuring that information is released in accordance with related laws and departmental policies; maintains training records for sworn police staff.
16. Responds to telephone and fax requests from citizens, business, and other agencies; provides assistance and answers questions in response to requests; provides other agencies with criminal history information and reports; transfers calls for service to dispatch as necessary.
17. Performs related duties as required.

QUALIFICATIONS

The following generally describes the knowledge and ability required to enter the job and/or be learned within a short period of time in order to successfully perform the assigned duties.

Knowledge of:

Principles of lead supervision and training.

Operations, services, and activities of a public safety telecommunications and dispatch center.

Operational characteristics of modern public safety telecommunications equipment including computer aided dispatch systems and multi-channel radio systems.

Law enforcement and emergency service procedures for responding to and handling reported incidents.

CITY OF SUISUN CITY
Senior Public Safety Dispatcher (Continued)

Techniques of questioning for both emergency and non-emergency calls.
Methods and techniques of receiving, prioritizing, and dispatching emergency and non-emergency calls for service.
Functions of the Police and Fire Departments and other City Departments.
Geographic features and locations within the area served.
English usage, spelling, grammar, and punctuation.
Modern office procedures, methods, and computer equipment.
Pertinent federal, state, and local laws, codes, and regulations.
Methods and techniques of telephone etiquette.
Methods and techniques of conflict resolution.
Principles and procedures of record keeping.

Ability to:

Lead, organize, and view the work of dispatch center staff.
Independently perform the most difficult work related to the area of work assigned including technical and administrative duties.
Respond to and resolve difficult and sensitive citizen inquiries and complaints.
Effectively communicate and elicit information from upset and irate callers.
Make independent decisions that affect the safety of public safety personnel, citizens, and property, such as those involved in determining the urgency of requests received and the appropriate action to take.
Provide one-on-one training of new dispatchers.
Interpret, explain, and enforce department policies and procedures.
Dispatch police and fire units quickly and effectively.
Think quickly, calmly, and clearly in emergency situations.
Perform multiple tasks simultaneously.
Operate a variety of telecommunications receiving and transmitting equipment including radio transmitting communication equipment, teletype equipment, and computer equipment.
Operate specialized public safety computer systems and applications including the Criminal Justice Information System (CJIS), the National Crime Information Center (NCIC) computer systems, and local CAD/RMS system.
Read and interpret maps and other navigational resources and give directions.
Type and enter data accurately at a speed necessary for successful job performance.
Work under pressure, exercise good judgment, and make sound decisions in emergency situations.
Understand and follow oral and written instructions.
Interpret, apply, and explain applicable federal, state and local policies, procedures, laws, codes and regulations including police records retention and dissemination policies and procedures.
Maintain composure, alertness and concentration while working for extended periods of time.
Compile, maintain, process, and prepare a variety of records and reports.
Deal tactfully and courteously with the public reporting emergencies and seeking information or filing a report.
Listen and comprehend radio transmissions and telephone calls.
Clearly project voice over radio and telephone.
Communicate clearly and concisely, both orally and in writing.
Establish and maintain effective working relationships with those contacted in the course of work.

Education and Experience Guidelines - Any combination of education and experience that would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities would be:

Education/Training:

High School diploma or equivalent.

CITY OF SUISUN CITY
Senior Public Safety Dispatcher (Continued)

Experience:

Two years of increasingly responsible dispatch/records experience comparable to that of a Public Safety Dispatcher II with the City of Suisun City.

License or Certificate:

Possession of, or ability to obtain, an appropriate, valid P.O.S.T. Dispatcher Certificate.

Possession of a P.O.S.T Communications Training Officer Certificate is desirable.

PHYSICAL DEMANDS AND WORKING ENVIRONMENT

The conditions herein are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential job functions.

Environment: Office and emergency services dispatch center setting with extensive public contact; incumbents are required to work evening, night, weekend and holiday shifts; incumbents may be called back or held over to maintain staffing levels.

Physical: Primary functions require sufficient physical ability to work in an office and emergency dispatch center setting; stand or sit for prolonged periods of time; occasionally stoop, bend, kneel, crouch, reach, and twist; push, pull, lift, and/or carry light to moderate weights; operate office equipment including use of computer keyboard; requires a sense of touch, finger dexterity, and gripping with hands and fingers; ability to speak and hear to exchange information.

Vision: See in the normal visual range with or without correction.

Hearing: Hear in the normal audio range with or without correction.

SPECIAL REQUIREMENTS

Positions assigned to the police department will be required to pass a thorough background investigation, including polygraph testing and must be able to maintain the same level of security as when first hired, as a condition of continued employment. Assignments to the police department will require successful completion of a comprehensive pre-employment psychological and medical examination prior to employment.

FLSA	Non-Exempt
B.U.	SCEA
Established	October 2006 – Johnson & Associates
Amended	March 2016 – Human Resources Staff
Amended	9/20/2022 – Reso: 2022-132
Amended	3/12/2024 – Reso: 2024-_____

AGENDA TRANSMITTAL

MEETING DATE: March 12, 2024

AGENDA ITEM: Council Adoption of Resolution No. 2024-___: A Resolution of the City Council of the City of Suisun City Amending the Citywide Salary Schedule Adding the New Classification of Administrative Technician and Adjusting the Starting Salary for City Manager.

FISCAL IMPACT: The additional cost associated with implementing the proposed resolution will be absorbed in the current fiscal year budget.

STRATEGIC PLAN: Provide Good Governance and Fiscal Solvency.

BACKGROUND: The City conducted a classification study of two incumbent Administrative Assistant II employees resulting in the establishment of a new classification titled Administrative Technician. The salary schedule is being updated to reflect the recommended salary for this new classification, and to update the starting salary for the City Manager.

STAFF REPORT: The new Administrative Technician is the paraprofessional classification in the administrative classification series that includes Administrative Assistant I/II. Consistent with internal alignment when compared to other classification series in the City, it is recommended the salary for the Administrative Technician be placed at 10% above the Administrative Assistant II. Staff have met and conferred with the Suisun City Employees Association (SCEA) regarding the proposed salary. The SCEA is in agreement with the proposed salary.

The contract for the incoming City Manager provides an annual base salary of \$255,000.00. The salary schedule is being updated to reflect this new entry salary step, which is \$10,000.00 lower.

STAFF RECOMMENDATION: Council Adoption of Resolution No. 2024-___: Amending the Citywide Salary Schedule Adding the New Classification of Administrative Technician and Adjusting the Starting Salary for City Manager.

DOCUMENTS ATTACHED:

1. Council Adoption of Resolution No. 2024-___: Amending the Citywide Salary Schedule Adding the New Classification of Administrative Technician and Adjusting the Starting Salary for City Manager.
 - a. Citywide Salary Schedule
-

PREPARED BY:	Christina Penland, Human Resources Administrator
REVIEWED BY:	Aaron Roth, Interim City Manager
APPROVED BY:	Aaron Roth, Interim City Manager

ATTACHMENTS:

1. [Resolution Amending the Citywide Salary Schedule](#)

a. Citywide Salary Schedule 2024-3.12 (Final)

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THAT the City Council of the City of Suisun City hereby adopts Resolution No. 2024-____: Amending the Citywide Salary Schedule Adding the New Classification of Administrative Technician and Adjusting the Starting Salary for City Manager.

PASSED AND ADOPTED at a Regular Meeting of the City Council of the City of Suisun City duly held on Tuesday, the 12th day of March 2024, by the following vote:

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

WITNESS my hand and the seal of said City this 12th day of March 2024.

Anita Skinner
City Clerk

Attachments: A. Citywide Salary Schedule



City of Suisun City
 Salary Schedule
 Resolution Date: 3/12/2024

Job Class	Range	Hourly					Monthly Average		Effective Date	B.U.	FLSA
		A	B	C	D	E	Starting	Ending			
Account Clerk I (F)	268	\$23.74	\$24.93	\$26.18	\$27.49	\$28.86	\$4,116	\$5,003	07/07/23	SCEA	
Account Clerk II (F)	291	\$26.12	\$27.43	\$28.80	\$30.24	\$31.75	\$4,527	\$5,503	07/07/23	SCEA	
Account Clerk III	313	\$28.73	\$30.17	\$31.68	\$33.26	\$34.92	\$4,980	\$6,053	07/07/23	SCEA	
Accountant	362	\$35.68	\$37.46	\$39.33	\$41.30	\$43.37	\$6,184	\$7,517	07/07/23	SCMPEA	Exempt
Accounting Technician	332	\$31.34	\$32.91	\$34.56	\$36.28	\$38.10	\$5,433	\$6,604	07/07/23	SCEA	
Administrative Assistant I (F)	285	\$25.33	\$26.60	\$27.93	\$29.33	\$30.79	\$4,391	\$5,337	07/07/23	SCEA	
Administrative Assistant II (F)	307	\$27.87	\$29.26	\$30.72	\$32.26	\$33.87	\$4,830	\$5,871	07/07/23	SCEA	
Administrative Technician	327	\$30.65	\$32.18	\$33.79	\$35.48	\$37.26	\$5,313	\$6,458	03/15/24	SCEA	
Assistant Engineer (F)	389	\$40.76	\$42.80	\$44.94	\$47.19	\$49.54	\$7,065	\$8,588	07/07/23	SCMPEA	Exempt
Assistant Planner (F)	361	\$35.53	\$37.31	\$39.18	\$41.13	\$43.19	\$6,159	\$7,486	07/07/23	SCMPEA	Exempt
Associate Engineer (F)	409	\$44.84	\$47.08	\$49.43	\$51.90	\$54.50	\$7,772	\$9,447	07/07/23	SCMPEA	Exempt
Associate Planner (F)	380	\$39.09	\$41.04	\$43.09	\$45.25	\$47.51	\$6,775	\$8,235	07/07/23	SCMPEA	Exempt
Background Investigator	391	-	-	-	-	\$49.92	-	-	12/24/21	Temp/PT	
Battalion Chief (2912 annual hours)	375	\$37.97	\$39.87	\$41.87	\$43.96	\$46.16	\$9,462	\$11,501	07/21/23	Unrep	
Building Inspection Services Manager	407	\$44.46	\$46.68	\$49.02	\$51.47	\$54.04	\$7,707	\$9,367	07/07/23	SCMPEA	Exempt
Building Inspector I (F)	320	\$29.63	\$31.11	\$32.66	\$34.30	\$36.01	\$5,135	\$6,242	07/07/23	SCEA	
Building Inspector II (F)	341	\$32.59	\$34.22	\$35.93	\$37.73	\$39.61	\$5,649	\$6,866	07/07/23	SCEA	
Building Maintenance Worker I (F)	272	\$24.21	\$25.42	\$26.69	\$28.02	\$29.42	\$4,196	\$5,100	07/07/23	SCEA	
Building Maintenance Worker II (F)	296	\$26.63	\$27.96	\$29.36	\$30.83	\$32.37	\$4,616	\$5,610	07/07/23	SCEA	
Chief Building Official	469	\$61.33	\$64.39	\$67.61	\$70.99	\$74.54	\$10,630	\$12,921	07/21/23	Unrep EM	Exempt
City Engineer	467	\$60.67	\$63.70	\$66.89	\$70.23	\$73.75	\$10,516	\$12,783	07/07/23	SCMPEA	Exempt
City Manager	595	\$122.60	-	-	-	\$134.62	\$255,000	\$23,333	03/15/24	Unrep EM	Exempt
Code Enforcement Officer I (F)	310	\$28.28	\$29.69	\$31.17	\$32.73	\$34.37	\$4,901	\$5,958	07/07/23	SCEA	
Code Enforcement Officer II (F)	330	\$31.10	\$32.66	\$34.29	\$36.01	\$37.81	\$5,391	\$6,553	07/07/23	SCEA	
Community Services Officer I (F)	284	\$25.21	\$26.47	\$27.79	\$29.18	\$30.64	\$4,370	\$5,311	07/07/23	SCEA	
Community Services Officer II (F)	305	\$27.73	\$29.12	\$30.57	\$32.10	\$33.71	\$4,807	\$5,843	07/07/23	SCEA	
Computer Systems Specialist	222	\$20.02	\$21.02	\$22.08	\$23.18	\$24.34	-	-	07/21/23	Temp/PT	
Computer Technician	358	\$35.09	\$36.84	\$38.68	\$40.62	\$42.65	\$6,082	\$7,392	07/07/23	SCEA	
Deputy City Clerk (C)	363	\$35.89	\$37.69	\$39.57	\$41.55	\$43.63	\$6,221	\$7,562	07/07/23	SCMPEA	Exempt
Deputy Fire Chief	470	\$61.67	\$64.76	\$67.99	\$71.39	\$74.96	\$10,690	\$12,994	07/07/23	SCMPEA	Exempt
Development Services Director	498	\$70.53	\$74.05	\$77.76	\$81.64	\$85.73	\$12,225	\$14,859	07/21/23	Unrep EM	Exempt
Dispatch/Records Supervisor	377	\$38.36	\$40.27	\$42.29	\$44.40	\$46.62	\$6,648	\$8,081	07/07/23	SCMPEA	Exempt
Division Fire Chief	445	\$54.59	\$57.32	\$60.18	\$63.19	\$66.35	\$9,462	\$11,501	07/07/23	SCMPEA	Exempt
Economic Development Consultant	441	-	-	-	-	\$65.00	-	-	12/24/21	Temp/PT	
Finance Director	505	\$73.34	\$77.01	\$80.86	\$84.90	\$89.15	\$12,713	\$15,453	02/06/24	Unrep EM	Exempt
Finance Manager	436	\$52.26	\$54.87	\$57.62	\$60.50	\$63.52	\$9,058	\$11,011	07/07/23	SCMPEA	Exempt
Financial Services Specialist	222	\$20.02	\$21.02	\$22.08	\$23.18	\$24.34	-	-	07/21/23	Temp/PT	
Fire Captain (2,912 annual hours)	350	\$34.52	\$36.25	\$38.06	\$39.96	\$41.96	\$8,602	\$10,455	07/07/23	SCPFA	
Fire Chief	514	\$76.03	\$79.84	\$83.83	\$88.02	\$92.42	\$13,179	\$16,019	07/21/23	Unrep EM	Exempt

(C) Denotes Confidential Class
 (F) Denotes a Flexibly Staffed Classification
 ** City Manager's Salary is set by Contract

Job Class	Range	Hourly					Monthly Average		Effective Date	B.U.	FLSA
		A	B	C	D	E	Starting	Ending			
Fire Engineer (2912 annual hours)	A333	\$32.45	\$33.77	\$35.16	\$36.62	\$38.15	\$8,085	\$9,505	05/12/23	SCPFA	
Fire Engineer (2912 annual hours)	333	\$31.38	\$32.95	\$34.60	\$36.33	\$38.15	\$7,820	\$9,505	05/12/23	SCPFA	
Fire Marshal	445	\$54.59	\$57.32	\$60.18	\$63.19	\$66.35	\$9,462	\$11,501	07/07/23	SCMPEA	Exempt
Firefighter	292	\$26.15	\$27.46	\$28.83	\$30.27	\$31.79	-	-	07/21/23	Temp/PT	
Fleet Mechanic	288	\$25.76	\$27.05	\$28.40	\$29.82	\$31.32	\$4,466	\$5,428	07/07/23	SCEA	
Housing Programs Manager	412	\$46.28	\$48.59	\$51.02	\$53.57	\$56.25	\$8,021	\$9,750	07/07/23	SCMPEA	Exempt
Housing Specialist I (F)	306	\$27.78	\$29.17	\$30.63	\$32.16	\$33.77	\$4,815	\$5,853	07/07/23	SCEA	
Housing Specialist II (F)	326	\$30.56	\$32.08	\$33.69	\$35.37	\$37.14	\$5,297	\$6,438	07/07/23	SCEA	
Human Resources Administrator	478	\$64.11	\$67.32	\$70.69	\$74.22	\$77.93	\$11,113	\$13,508	07/21/23	Unrep EM	Exempt
Human Resources Technician (C)	332	\$31.34	\$32.91	\$34.56	\$36.28	\$38.10	\$5,433	\$6,604	07/07/23	SCEA	
IT Services Manager	443	\$53.99	\$56.69	\$59.52	\$62.50	\$65.62	\$9,358	\$11,374	07/07/23	SCMPEA	Exempt
Maintenance Worker I (F)	300	\$27.16	\$28.52	\$29.95	\$31.45	\$33.02	\$4,708	\$5,723	07/07/23	SCEA	
Maintenance Worker II (F)	322	\$29.88	\$31.37	\$32.94	\$34.59	\$36.32	\$5,179	\$6,295	07/07/23	SCEA	
Management Analyst I (F)	361	\$35.53	\$37.31	\$39.18	\$41.13	\$43.19	\$6,159	\$7,486	07/07/23	SCMPEA	Exempt
Management Analyst II (F)	380	\$39.09	\$41.04	\$43.09	\$45.25	\$47.51	\$6,775	\$8,235	07/07/23	SCMPEA	Exempt
Marketing Manager	379	\$38.82	\$40.76	\$42.80	\$44.94	\$47.18	\$6,728	\$8,178	07/07/23	SCMPEA	Exempt
Office Assistant	263	\$23.22	\$24.38	\$25.60	\$26.88	\$28.23	\$4,025	\$4,892	07/07/23	SCEA	
Permit Technician I (F)	303	\$27.48	\$28.86	\$30.30	\$31.82	\$33.41	\$4,764	\$5,791	07/07/23	SCEA	
Permit Technician II (F)	324	\$30.23	\$31.74	\$33.33	\$35.00	\$36.75	\$5,240	\$6,370	07/07/23	SCEA	
Planning Specialist	222	\$20.02	\$21.02	\$22.08	\$23.18	\$24.34	-	-	07/21/23	Temp/PT	
Police Chief	547	\$88.56	\$92.99	\$97.64	\$102.52	\$107.64	\$15,350	\$18,658	07/21/23	Unrep EM	Exempt
Police Commander	498	\$70.53	\$74.05	\$77.76	\$81.64	\$85.73	\$12,225	\$14,859	07/07/23	SCMPEA	Exempt
Police Evidence and Property Technician I (F)	284	\$25.21	\$26.47	\$27.79	\$29.18	\$30.64	\$4,370	\$5,311	07/07/23	SCEA	
Police Evidence and Property Technician II (F)	305	\$27.73	\$29.12	\$30.57	\$32.10	\$33.71	\$4,807	\$5,843	07/07/23	SCEA	
Police Officer (F)	411	\$45.21	\$47.47	\$49.84	\$52.34	\$54.95	\$7,836	\$9,525	07/07/23	SCPOA	
Police Officer Trainee (F)	276	-	-	-	\$28.63	\$30.06	-	-	12/24/21	Temp/PT	
Police Sergeant	460	\$56.96	\$59.81	\$62.80	\$65.94	\$69.24	\$9,874	\$12,002	12/08/23	SCPOA	
Police Support Services Manager	413	\$46.48	\$48.81	\$51.25	\$53.81	\$56.50	\$8,057	\$9,793	07/07/23	SCMPEA	Exempt
Principal Planner	433	\$51.59	\$54.17	\$56.88	\$59.73	\$62.71	\$8,943	\$10,870	07/07/23	SCMPEA	Exempt
Project Manager	408	\$44.64	\$46.87	\$49.22	\$51.68	\$54.26	\$7,738	\$9,405	07/07/23	SCMPEA	Exempt
Public Safety Dispatcher I (F)	314	\$28.82	\$30.26	\$31.77	\$33.36	\$35.03	\$4,995	\$6,071	07/07/23	SCPOA	
Public Safety Dispatcher II (F)	335	\$31.70	\$33.28	\$34.95	\$36.70	\$38.53	\$5,494	\$6,679	07/07/23	SCPOA	
Public Works Director/City Engineer	514	\$76.03	\$79.84	\$83.83	\$88.02	\$92.42	\$13,179	\$16,019	07/21/23	Unrep EM	Exempt
Public Works Inspector	351	\$33.89	\$35.59	\$37.37	\$39.24	\$41.20	\$5,875	\$7,141	07/07/23	SCEA	
Public Works Specialist	222	\$20.02	\$21.02	\$22.08	\$23.18	\$24.34	-	-	07/21/23	Temp/PT	
Public Works Superintendent	432	\$51.08	\$53.63	\$56.31	\$59.13	\$62.08	\$8,853	\$10,761	07/07/23	SCMPEA	Exempt
Public Works Supervisor	370	\$37.07	\$38.93	\$40.87	\$42.92	\$45.06	\$6,426	\$7,811	07/07/23	SCMPEA	Exempt
Recreation Coordinator	302	\$27.38	\$28.75	\$30.19	\$31.70	\$33.28	\$4,746	\$5,769	07/07/23	SCEA	
Recreation Manager	399	\$42.69	\$44.83	\$47.07	\$49.42	\$51.89	\$7,400	\$8,995	07/07/23	SCMPEA	Exempt
Recreation Specialist I (F)	200	\$18.00	\$18.54	\$19.10	\$19.67	\$20.26	-	-	07/21/23	Temp/PT	
Recreation Specialist II (F)	220	\$19.80	\$20.39	\$21.01	\$21.64	\$22.29	-	-	07/21/23	Temp/PT	
Recreation Specialist III (F)	250	\$21.78	\$22.43	\$23.11	\$23.80	\$24.51	-	-	07/21/23	Temp/PT	
Recreation Supervisor	343	\$32.86	\$34.50	\$36.23	\$38.04	\$39.94	\$5,696	\$6,923	07/07/23	SCMPEA	Exempt

(C) Denotes Confidential Class

(F) Denotes a Flexibly Staffed Classification

** City Manager's Salary is set by Contract

Job Class	Range	Hourly					Monthly Average		Effective Date	B.U.	FLSA
		A	B	C	D	E	Starting	Ending			
Recreation, Parks & Marina Director	498	\$70.53	\$74.05	\$77.76	\$81.64	\$85.73	\$12,225	\$14,859	07/21/23	Unrep EM	Exempt
Senior Accountant	390	\$41.03	\$43.08	\$45.24	\$47.50	\$49.87	\$7,112	\$8,644	07/07/23	SCMPEA	Exempt
Senior Associate Engineer (F)	425	\$49.32	\$51.79	\$54.38	\$57.09	\$59.95	\$8,549	\$10,391	07/07/23	SCMPEA	Exempt
Senior Building Inspector	381	\$39.11	\$41.07	\$43.12	\$45.27	\$47.54	\$6,779	\$8,240	07/07/23	SCMPEA	Exempt
Senior Maintenance Worker	344	\$32.87	\$34.51	\$36.24	\$38.05	\$39.95	\$5,697	\$6,925	07/07/23	SCEA	
Senior Management Analyst	400	\$42.99	\$45.14	\$47.40	\$49.77	\$52.26	\$7,452	\$9,059	07/07/23	SCMPEA	Exempt
Senior Planner	400	\$42.99	\$45.14	\$47.40	\$49.77	\$52.26	\$7,452	\$9,059	07/07/23	SCMPEA	Exempt
Senior Public Safety Dispatcher	357	\$34.87	\$36.61	\$38.44	\$40.37	\$42.38	\$6,044	\$7,346	07/07/23	SCPOA	
Youth Services Specialist	356	\$34.66	\$36.40	\$38.22	\$40.13	\$42.13	\$6,008	\$7,303	07/07/23	SCEA	

(C) Denotes Confidential Class

(F) Denotes a Flexibly Staffed Classification

** City Manager's Salary is set by Contract

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AGENDA TRANSMITTAL

MEETING DATE: March 12, 2024

AGENDA ITEM: Council/Agency/Authority Approval of the Minutes of the Joint Meeting of the Suisun City Council and Planning Commission held on December 11, 2023; and the Minutes of the Meeting of the Suisun City Council, Suisun City Council Acting as Successor Agency, and Housing Authority held on January 16, 2024, and February 20, 2024.

FISCAL IMPACT: None

STRATEGIC PLAN: Provide Good Governance.

BACKGROUND: Pursuant to Government Code 40801, the City Clerk shall keep an accurate record of the proceedings of the City Council meetings. City Council minutes are prepared in a manner consistent with the intent of the Government Code. Minutes provide a record of when and where the meeting took place, type of meeting, and report any action taken, including the vote of each member of the City Council.

STAFF REPORT: The minutes of the Regular and/or Special Meetings of the Joint Meeting of the Suisun City Council and Planning Commission held on December 11, 2023; and the City Council, Suisun City Council Acting as Successor Agency, and Housing Authority held on January 16, 2024, and February 20, 2024, are submitted for review and approval.

STAFF RECOMMENDATION: Council/Agency/Authority Approval of the Minutes of the Regular and/or Special Meetings of the Joint Meeting of the Suisun City Council and Planning Commission held on December 11, 2023; and the Minutes of the Meeting of the Suisun City Council, Suisun City Council Acting as Successor Agency, and Housing Authority held on January 16, 2024, and February 20, 2024.

DOCUMENTS ATTACHED:

1. Minutes - December 11, 2023, Joint Meeting of the Suisun City Council and Planning Commission
 2. Minutes - January 16, 2024, Regular City Council-Successor Agency-Housing Authority Meeting
 3. Minutes - February 20, 2024, Regular City Council-Successor Agency-Housing Authority Meeting
-

PREPARED BY:	Anita Skinner, City Clerk
REVIEWED BY:	Anita Skinner, City Clerk
APPROVED BY:	Aaron Roth, Interim City Manager

ATTACHMENTS:

1. [Minutes - December 11, 2023, Joint Meeting of the Suisun City Council and Planning Commission.pdf](#)
2. [Minutes - January 16, 2024, Regular City Council-Successor Agency-Housing Authority Meeting.pdf](#)

3. Minutes - February 20, 2024, Regular City Council-Succesor Agency-Housing Authority Meeting.pdf

CITY COUNCIL AND PLANNING
COMMISSION
Alma Hernandez, Mayor
Princess Washington, Mayor Pro Tem
Jenalee Dawson, Councilmember
Marlon L Osum, Councilmember
Amit Pal, Councilmember



CITY COUNCIL AND PLANNING
COMMISSION MEETING

MINUTES
SPECIAL JOINT MEETING OF THE
SUISUN CITY COUNCIL AND PLANNING COMMISSION
MONDAY, DECEMBER 11, 2023
6:30 PM

Suisun City Council Chambers - 701 Civic Center Boulevard - Suisun City, California

6:30 P.M.
(OR IMMEDIATELY FOLLOWING THE SUISUN SOLANO WATER AUTHORITY BOARD MEETING)

MEETINGS ARE HELD IN-PERSON, PUBLIC PARTICIPATION IS ALSO AVAILABLE VIA ZOOM

ZOOM MEETING INFORMATION:

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

Webinar ID: 898 4787 8977

CALL IN PHONE NUMBER: (707) 438-1720

*REMOTE PUBLIC COMMENT IS AVAILABLE FOR THE JOINT CITY COUNCIL/PLANNING COMMISSION
MEETING BY EMAILING CLERK@SUISUN.COM (PRIOR TO 5 PM), VIA WEBSITE, OR ZOOM CALL IN PHONE
NUMBER (707) 438-1720*

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

(Next Ord. No. – 803)

(Next City Council Resolution No. 2023 – 160)

(Next Planning Commission Resolution No. PC 23-05)

CALL TO ORDER

Mayor Hernandez called the meeting to order at 7:02pm following the conclusion of the Suisun Solano Water Authority Board meeting.

ROLL CALL

PRESENT: City Councilmembers

Alma Hernandez, Mayor
Princess Washington, Mayor Pro Tem
Jenalee Dawson, Councilmember
Marlon L. Osum, Councilmember
Amit Pal, Councilmember

Planning Commissioners

Albert Enault, Chairperson
Kristina Elder, Vice Chair
Herbert Dardon, Commissioner
Vinay Tewari, Commissioner
Terrance West, Commissioner

PLEDGE OF ALLEGIANCE

Chairperson Enault led the pledge.

INVOCATION

Clerk Skinner gave the Invocation.

CONFLICT OF INTEREST NOTIFICATION

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

Council Member Pal has a conflict with Item #3.

REPORTS (Informational items only.)

1. Interim City Manager Update - (Roth: aroeth@suisun.com).

Interim City Manager Roth gave report on upcoming events.

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 spoke on the city manager recruitment process and ROPS.

George Guynn spoke on 718 Main Street property.

Paul Hayer and Charariit Singh spoke on proposed tobacco ordinance regulating pricing. There were 14 residents in attendance that were present but did not speak on the ordinance.

PRESENTATIONS/APPOINTMENTS

(Presentations, Awards, Proclamations, Appointments)

COUNCIL/PLANNING COMMISSION COMMENTS

2. City Council / Planning Commissioner Updates

Both Council and Commissioners were thankful for everyone being in attendance.

CONSENT CALENDAR NONE

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

GENERAL BUSINESS

3. Waterfront District Specific Plan Amendments: Joint Meeting with the City Council and Planning Commission to Discuss Comprehensive Amendments - (Bermudez: jbermudez@suisun.com).

Council Member Pal left dais at 7:28pm due to conflict.

Development Services Direct Bermudez presented report.

Vice Mayor Washington left dais at 7:31pm returned at 7:34pm.

Michael Gerken, AECOM consultant, gave the overview, vision, and goals.

The Commissioners and Council asked clarifying questions.

Public Comments

George Guynn spoke on city continuing to spend money and nothing about revenue; more roads and nothing on how to maintain.

Steve Olry spoke on the Flannery group housing; tax exempt projects; suggested city speak with current developers working in the city.

Mike Zeiss spoke on potential goals, listening to report has more questions than answers, Main and Railroad Avenue connection, has city reached out to developers as to what connections is needed.

Claude Pellarin, owner Marina center plus 5 acres next to it; shopping center/downtown mixed use; not time to make those changes now; as developer, look for clarity, pleased with plan but wants land use to be consistent.

Commission and Council Discussion

Chapter 3

Chapter 4 Traffic and Circulation

Commissioner Tewari left meeting at 8:59pm due to personal family commitment.

Commissioner Dardon left dais at 9:08pm due to conflict of owning property.

City Attorney Gerli was checking legal as several commissioners/councilmember may have to be recused. It was determined the meeting could not continue due to conflicts.

PUBLIC HEARING NONE

REPORTS: (Informational items only)

ADJOURNMENT

There being no further business the meeting was adjourned at 9:15pm.

Anita Skinner, City Clerk

CITY COUNCIL
MEETING

Alma Hernandez, Mayor
Princess Washington, Mayor Pro Tem
Jenalee Dawson, Councilmember
Marlon L Osum, Councilmember
Amit Pal, Councilmember



CITY COUNCIL

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 SUISUN CITY HOUSING AUTHORITY**

TUESDAY, JANUARY 16, 2024

5:00 PM

Suisun City Council Chambers - 701 Civic Center Boulevard - Suisun City, California

MINUTES

**5:00 P.M. CLOSED SESSION
7:00 P.M. REGULAR MEETING**

MEETINGS ARE HELD IN-PERSON, PUBLIC PARTICIPATION IS ALSO AVAILABLE VIA ZOOM

ZOOM MEETING INFORMATION:

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

MEETING ID: 893 1711 2171

CALL IN PHONE NUMBER: (707) 438-1720

*REMOTE PUBLIC COMMENT IS AVAILABLE FOR THE CITY COUNCIL MEETING BY EMAILING
CLERK@SUISUN.COM (PRIOR TO 4 PM), VIA WEBSITE, OR ZOOM CALL IN PHONE NUMBER (707) 438-1720*

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

(Next Ord. No. – 809)

(Next City Council Res. No. 2024 – 01)

Next Suisun City Council Acting as Successor Agency Res. No. SA2024 - 01)

(Next Housing Authority Res. No. HA2024 – 01)

5:00 P.M CLOSED SESSION

CALL TO ORDER

Mayor Hernandez called the meeting to order at 5:01pm.

ROLL CALL

PRESENT: Dawson, Hernandez, Osum, Pal, Washington

ABSENT: None

CONFLICT OF INTEREST NOTIFICATION NONE

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

PUBLIC COMMENT CLOSED SESSION

(In accordance with Section 54956(a), public comments are limited to items on this closed session agenda, and 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 comment period.)

In-person:

Steve Olry spoke on the City Manager candidate process, the goals and direction; supports James Berg for the position.

George Guynn agreed with Mr. Olry’s comments; spending too much money and not enough coming in; city does not need more low-income housing; shouldn’t continue to tax residents.

CLOSED SESSION 5:08 pm

- 1. A closed session will be held, pursuant to Government Code §54957, to conduct an employee evaluation for the position of City Manager.

RECESS TO CLOSED SESSION (City Manager Conference Room, City Hall) at 5:08pm.

7:00 RECONVENE OPEN SESSION

CALL TO ORDER

Mayor Hernandez called the meeting to order at 7:06pm

ROLL CALL

PRESENT: Dawson, Hernandez, Osum, Pal, Washington

ABSENT: None

PLEDGE OF ALLEGIANCE

Pledge of Allegiance was led by Hassan Sabbagh, Director Nature of Sound, Solano County Human Trafficking Committee.

INVOCATION

Clerk Skinner gave the Invocation.

CLOSED SESSION REPORT

Mayor Hernandez reported the Closed Session ended 6:56pm. There were no other report outs.

APPROVAL / REORDERING OF AGENDA

Motion by Council Member Dawson moved to have Consent Calendar Item 7 moved before Item 5 and seconded by Mayor Hernandez. Motion passed by the following vote:

AYES: Dawson, Hernandez, Osum, Pal, Washington

NOES: None

ABSENT: None

CONFLICT OF INTEREST NOTIFICATION None

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

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.)

Barbara Kamin shared concerns from herself and surrounding neighbors about the unsafe conditions at 418 Sarah Way. Mayor Hernandez asked the Interim City Manager follow up.

Steve Olry commented on the high gas prices in Suisun and the effect they will have on Measure S.

George Guynn commented he was surprised by the first speakers comments and hopes the issue is resolved soon.

James Berg commented on the Vice Mayor appointment and the division it created among council members; homeless at Heritage Shopping Center, gas tax, is there a backup plan for an increase in electric vehicles; voiced concern and asked why masks were being worn by council and staff.

On line

Donna LeBlanc reported RPMA 6pm at city hall tomorrow regarding future development and amenities in our parks; Adopt a Neighborhood is in the process of planning for 2024 projects; Sustainable Solano upcoming events; still waiting for info from the city on putting up Neighborhood Watch signs.

Barbara Kraig commented on the Homeless situation, would like to see a city ordinance that there can't be any camping but ordinance must be enforceable, van parked for two months at boat launch area.

REPORTS (Informational items only.)

2. Interim City Manager Update - (Roth: aroth@suisun.com).
- Public Works took possession of the new vacuum truck; received Traffic Safety Committee and they submitted 5 work orders to Public Works; update is placement of reflective markers at bulb outs on Whispering Bay Lane in front of Crystal Middle School; completed installation of Narrow Road signs in old town and finished installing stop signs on Chyrl Way.
3. City Attorney Report - (Taylor/Andrews).
City Attorney Floy Andrews reported on US Supreme Court Case regarding the unhoused; gave update on SB602.
4. Suisun Micro transit Year-End Update - (Solano Transportation Authority).
Brandon Thompson presented the report and power point presentation

PRESENTATIONS/APPOINTMENTS

(Presentations, Awards, Proclamations, Appointments).

5. Presentation of Proclamation Proclaiming the Month of January 2024 as "Human Trafficking Awareness and Prevention Month" to Hassan Sabbagh, Executive Director of Nature of Sound and President of the Solano Anti-Human Trafficking Coalition - (Hernandez: ahernandez@suisun.com).

Council Member Dawson specifically requested this proclamation and presented the proclamation which was read by Mayor Hernandez. To Hassan Sabbagh.

Mr. Sabbagh spoke and introduced Melissa Nickson, Sexual Assault Nurse Examiner/Sexual Assault Response Team.

PUBLIC COMMENT

Michelle Chavez, Joe Joyce, James Berg spoke on the program.

Council thanked Mr. Sabbagh and Ms. Nickson for their work.

Mayor Hernandez asked Mr. Roth to have this placed on a future agenda for a letter of support for advocacy.

6. Mayoral Appointments of Commissions and Committees - (Hernandez: ahernandez@suisun.com).

Mayor Hernandez appointed the following:

Beautification Advisory Committee – Osum
Environmental and Climate Committee – reappoint Hernandez
FSUSD Joint Committee– Pal, Dawson
Homeless Regional Board – reappoint Dawson, Hernandez

Ad Hoc Committees

30 – acre Parcel– Pal, Hernandez
Parcel 13 – Osum, Hernandez
Homeless Housing Project – duplicates Regional Committee - Mayor close this ad hoc

Motion by Mayor Hernandez to approve the appointments and seconded by Council Member Dawson. Motion passed by the following vote:

AYES: Dawson, Hernandez, Osum, Pal, Washington

NOES: None

ABSENT: None

Council Harbor Theater – Mayor to close at the Council level and reopen at a later date if needed

Motion by Mayor Hernandez to close Harbor Theater ad hoc and reopen if needed and seconded by Council Member Dawson. Motion passed by the following vote:

AYES: Dawson, Hernandez, Osum, Pal, Washington

NOES: None

ABSENT: None

RPMA theater ad hoc – Washington, Osum – Consensus
Legislative advocacy policy ad hoc – Osum, Hernandez – Consensus

Economic vitality ad hoc– formally close

Motion by Vice Mayor Washington to close the Economic Vitality ad hoc and seconded by Council Member Dawson. Motion passed by the following vote:

AYES: Dawson, Hernandez, Osum, Pal, Washington

NOES: None

ABSENT: None

Sidewalk ad hoc– new ad hoc with current members and will stand – Pal, Osum
City Manager evaluation process – Hernandez, Dawson - Consensus

Mayor asked City Manager to place on future agenda for code enforcement and senior center

Mayor Hernandez read the list of appointments for clarification and motioned for approval and seconded by Council Member Dawson. Motion passed by the following vote:

AYES: Dawson, Hernandez, Osum, Pal, Washington

NOES: None

ABSENT: None

7. Mayoral and Councilmember Appointments to the Public Safety & Emergency Management Community Advisory Committee.

Vice Mayor Washington moved to appoint Thomas Kamin and seconded by Council Member Pal. Motion passed by the following vote:

AYES: Dawson, Hernandez, Osum, Pal, Washington

NOES: None

ABSENT: None

Mayor Hernandez moved to appoint Cecilia Estrada and seconded by Council Member Dawson. Motion passed by the following vote:

AYES: Dawson, Hernandez, Osum, Pal, Washington

NOES: None

ABSENT: None

COUNCIL COMMENTS

8. Council/Board Member Updates.

Council Member Dawson

- Reported on the Heritage Park Shopping Center clean up and addition of security and lighting.
- Point in Time training to be held on January 23rd, 24th, and 29th.

Council Member Pal

- Tractor Supply security light shining into backyards, asked to see if that could be turned off
- Thanked both Chief Roth and Acting Chief Healy for their handling of a resident's dog being mauled

Vice Mayor Washington

- Thanked Public Works for a tour of "hot spots" and found a number of them are not the city's responsibility; asked that item be placed on future agenda to discuss a JPA with other jurisdictions for accountability
- Excited about new equipment; have an Adopt a Street Program and can adopt a street, two-year commitment
- Received \$350K grant from MTC for Park n Ride
- 1/20, 11am-2pm at 601 Texas Street, Fairfield, panel to discuss disparities, infant health, it is free but encourage registration
- Celebrated MLK Day and if he was alive today, he would not be loved, this is a call to action to do things for the greater good

Mayor Hernandez

- Clarified again her decision on the Vice Mayor appointment
- Working with Heritage Park Shopping Center on how to recruit new businesses
- Congrats to Public Works for new equipment
- Attending the US Conference of Mayors in DC
- Recipient of fellowship for Water Education for Latino Leaders
- Spoke on personal background working with school districts and superintendents
- Transparency on decision making and when it comes to fruition

CONSENT CALENDAR

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

City Council

9. Council Adoption of Resolution 2024 - 01; Authorizing the City Manager to Execute an Amendment to the Professional Services Agreement on the City's Behalf with Rincon Consultants, Inc. to Complete the Necessary Environmental Review and Document for a Residential Project South of Railroad Avenue Between Olive Avenue and Humphrey Drive - (Kearns: jkearns@suisun.com).

PUBLIC COMMENT

George Guynn

- Lot of housing projects, but not projects that will bring in revenue; consider revenue based projects in the future

Donna LeBlanc

- CEQA review is going to be revised, how will the Humphrey Canal cleaning be affected?

Motion by Council Member Dawson to approve Consent Calendar and seconded by Vice Mayor Washington. Motion passed by the following vote:

AYES: Dawson, Hernandez, Osum, Pal, Washington

NOES: None

ABSENT: None

PUBLIC HEARING - NONE

GENERAL BUSINESS

City Council

10. Discussion and Direction on Youth Advisory or Youth Commission - (Lofthus: klofthus@suisun.com)

Deputy City Manager Lofthus presenting report and power point.

Council asked clarifying questions.

PUBLIC COMMENTS

Clerk read emails of support for the continuation of the Youth Commission from Kevine Kaway, Marva Robinson, ManpreetKang, Celise, Saul Alvarez, Meredyth Knott.

Gustavor Carlos, President of the Chess Club, spoke in favor of the Youth Commission and all of its accomplishments.

David Knott spoke on the educational initiatives and programs of the commission.

On line

Donna LeBlanc spoke in favor of the commission and suggested Mr. Knott and Mr. Lofthus have a discussion and create policies and how they can help each other.

Essex Cook spoke in favor of the commission and its support to the city with no one asking, grass root programs, fully supports Mr. Knott.

Further Council discussion with recommendations that Mr. Knott and Mr. Lofthus meet, bring back partnership policy, collaborate and what it would look like for the city; participation with all city schools and not just Crystal Middle School, what is available for the youth to vote on i.e. Community Garden.

Council Member Dawson had made recommendations. Mayor Hernandez stated there was a motion by Council Member Dawson and seconded by Vice Mayor Washington.

Further discussion and language clarification to the original motion.

Motion by Vice Mayor Washington that the City of Suisun City, represented by Kris Lofthus, meets and confers with Suisun City Youth Commission to discuss joint partnership creating a Youth Advisory Committee and a caveat is that we do have the right to use the name Suisun City Youth Commission. Motion seconded by Council Member Dawson. Motion passed by the following vote:

AYES: Dawson, Hernandez, Osum, Pal, Washington

NOES: None

ABSEN: None

Continued discussion.

Motion by Mayor Hernandez that our staff member reach out the Fairfield-Suisun School District what that partnership and especially a funding arm what a youth governing body could look like and also add Solano County Department of Education and seconded by Vice Mayor Washington. Motion passed by the following vote:

AYES: Dawson, Hernandez, Osum, Pal, Washington

NOES: None

ABSENT: None

Motion by Mayor Hernandez for the opportunity as the mayor to appoint to other regional organizations our youth voice to be represented and seconded by Council Member Pal. Motion passed by the following vote:

AYES: Dawson, Hernandez, Osum, Pal, Washington

NOES: None

ABSENT: None

Motion by Council Member Dawson to continue with Item 11 and table Items 12 and 13. Substitute Motion by Vice Mayor Washington to do Items 11 and 12 and table Item 13 and seconded by Council Member Dawson. Motion passed by the following vote:

AYES: Dawson, Hernandez, Osum, Washington

NOES: None

ABSENT: Pal

Pal left dais at 10:04pm and returned at 10:07pm.

11. Discussion and Direction – Humphrey Drive Open Channel Clean-Up - (Vue: nvue@suisun.com).

Vue presented report and power point

Jim Herrod available to answer questions

Council discussion on how to mitigate the problem, future presentation and funding source, Fish and Wildlife jurisdiction, maintenance time frame May-Oct, mitigation in place for dumping, consider advocating funding at the federal level.

PUBLIC COMMENT

George Guynn commented the director knows what he is doing but limited on his funds; should be doing everything possible to get funding for him to do his job.

James Berg commented on the water line and the fact that we are tidal so that fluctuates; create studies and prevent future issues.

On-line

Donna LeBlanc commented about biological monitoring costs and doesn't understand why Fish and Wildlife are not responsible.

Michelle Chavez commented she cleans up canal herself, trash comes thru pipes from Fairfield, is this a climate change issue.

Council Member Dawson left dais at 10:32pm and returned at 10:36pm.

Director Vue responded to questions.

Motion by Mayor Hernandez for JPA that would associate the agencies that overlap with us that has to do with canals or environmental issues here and direction to staff; mitigation efforts for trash and illegal dumping particularly to this site and associated costs; identifying a way for the Climate and Environment Committee and the legislative policy ad hoc to look at what steps they can take for funding for addressing the issues and seconded by Council Member Pal. Motion passed by the following vote:

AYES: Dawson, Hernandez, Osum, Pal, Washington

NOES: None

ABSENT: None

12. Discussion of Legal and Practical Constraints on Addressing Homelessness, and possible direction to staff and the City Attorney relating, but not limited to, the drafting of policies or ordinances, and further issues to analyze - (City Attorney Gerli).

Mayor Hernandez clarified motions – 1) to table the item with no second; 2) substitute motion to open the item and receive questions for clarity and provide direction and then continue the item to future agenda. Substitute motion seconded by Council Member Pal.

AYES: Dawson, Hernandez, Osum, Pal, Washington

NOES: None

ABSENT: None

Vice Mayor Washington clarifying questions were changing the zone for Harbor Plaza, system in place to bill other parties for cleanup; write citations, 30-acre site, if accident occurs are we liable; can we just use signage for no trespassing; or do we need fencing; flood mitigation, do our canals act as flood mitigation.

Council Member Dawson asked can the city require the brick/mortal businesses post signage at time or license renewal.

Council Member Pal commented signage is great but need enforcement; wouldn't put that on businesses right now as they are upset already.

Council Member Osum asked if anything can be done which could circumnavigate the 9th District court to get ruling.

PUBLIC COMMENT

George Guynn commented need to do what you can, will always have issues with court.

Steve Olry commented on countless clean ups in Fairfield, lots of talk but nothing happens; why is Suisun always finding excuses.

James Berg commented that the law firm is to help with code enforcement; had RFP last week and should solidify lawyers first.

Lito Santos commented on his frustration that the item is last on the agenda again.

Michelle Chavez commented on remedies needed for issues on Sarah, Humphrey, Heritage Park, unhouse greatly impact our residents.

Donna LeBlanc commented that it is ridiculous to put intense items at the bottom of the agenda, how can you think you are making good judgement decisions when you are tired; end the meetings at 10pm.

Moved to next agenda

13. Discussion and Direction regarding the costs associated with Sea Level Rise - (Bermudez: jbermudez@suisun.com).

REPORTS: (Informational items only)

14. Mayoral Update - (Hernandez: ahernandez@suisun.com).

15. Non-Discussion Items.

ADJOURNMENT

There being no further business the meeting was adjourned at 11:15pm.

Anita Skinner, City Clerk

CITY COUNCIL
Alma Hernandez, Mayor
Princess Washington, Mayor Pro Tem
Jenalee Dawson, Councilmember
Marlon L Osum, Councilmember
Amit Pal, Councilmember



CITY COUNCIL MEETING

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 SUISUN CITY HOUSING AUTHORITY

TUESDAY, FEBRUARY 20, 2024

5:30 PM

Suisun City Council Chambers - 701 Civic Center Boulevard - Suisun City, California

5:30 P.M. CLOSED SESSION
6:30 P.M. REGULAR MEETING

MEETINGS ARE HELD IN-PERSON, PUBLIC PARTICIPATION IS ALSO AVAILABLE VIA ZOOM

ZOOM MEETING INFORMATION:

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

*MEETING ID: **814 0447 9420***

CALL IN PHONE NUMBER: (707) 438-1720

*REMOTE PUBLIC COMMENT IS AVAILABLE FOR THE CITY COUNCIL MEETING BY EMAILING
CLERK@SUISUN.COM (PRIOR TO 4 PM), VIA WEBSITE, OR ZOOM CALL IN PHONE NUMBER (707) 438-1720*

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

(Next Ord. No. – 809)

(Next City Council Res. No. 2024 – 14)

Next Suisun City Council Acting as Successor Agency Res. No. SA2024 - 01)

(Next Housing Authority Res. No. HA2024 – 01)

5:30 P.M CLOSED SESSION

CALL TO ORDER

Mayor Hernandez called the meeting to order at 5:31pm.

ROLL CALL

PRESENT: Dawson, Hernandez, Osum, Pal, Washington

ABSENT: None

CONFLICT OF INTEREST NOTIFICATION None

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

PUBLIC COMMENT CLOSED SESSION

(In accordance with Section 54956(a), public comments are limited to items on this closed session agenda, and 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 comment period.)

In Person:

Steve Olry and George Guynn commented on City Manager selection.

CLOSED SESSION

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

1 PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT PERFORMANCE EVALUATION

A closed session will be held, pursuant to Government Code §54957, to conduct potential employee evaluations for the position of City Manager.

RECESS TO CLOSED SESSION (City Manager Conference Room, City Hall)

Council recessed to closed session at 5:41pm.

6:30 RECONVENE OPEN SESSION

CALL TO ORDER

Mayor Hernandez called the meeting to order at 6:48pm.

ROLL CALL

PRESENT: Dawson, Hernandez, Osum, Pal, Washington

ABSENT: None

PLEDGE OF ALLEGIANCE

Caroline Villanueva, President of the Chinese-American Association of Solano County.

INVOCATION

Invocation led by Deputy Clerk Donna Pock.

CLOSED SESSION REPORT

Adjourned at 6:36 pm with no report out.

APPROVAL OF REORDERING OF AGENDA

Motion by Council Member Dawson to move presentations to be heard before Public Comments and seconded by Council Member Pal. Motion passed by the following vote:

AYES: Dawson, Hernandez, Osum, Pal, Washington

NOES: None

ABSENT: None

CONFLICT OF INTEREST NOTIFICATION

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

Council Member Pal has conflict with Item #9.

REPORTS (Informational items only.)

- 2 Interim City Manager Update - (Roth: aroth@suisun.com).
Reported the State approved the amendment to the PAL grant which will allow one of the recently added CSO positions will be paid for through the grant.
- 3 City Attorney Report - (Taylor/Andrews).
Reported out on a conflict of interested brought forward by James Berg regarding a former City Council Member and his employment with STA at the time of the 2019 meeting in question and after reviewing finds there was no conflict.
- 4 Report on the Suisun City Police Department and Lights On! Program Launch - (Healy: dhealy@suisun.com).
Acting Police Chief Healy reported on the program.

PRESENTATION OF PROCLAMATION

- 5 Presentation of Proclamation Proclaiming the Month of February as "Lunar New Year" - (Hernandez: ahernandez@suisun.com).

Mayor Hernandez read the proclamation which was presented by Council Member Dawson to members of the Chinese-American Association of Solano County.

Mr. CC Yin thanked the Council for recognizing them and spoke on the Chinese farmers and railroad workers that helped establish this area and country. President Villanueva spoke about the work and scholarships that the Association does in the County.

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.)

Email:

Barbara Kraig concerned about the zoning for the waterfront area.

Lorna Fox for Simone Smith asked what is being done about the homeless for the residents that live on Canvasback Drive.

Lorna Fox asked how much funding has been received from the government for the homeless and how have they been allocated, is there a count for the homeless and who performs that task.

In-Person:

Steve Olry complimented Mr. CC Yin and how he gives back to the community; commented on the condition of the creek west of Sunset Avenue and asked why that hasn't been reported to the agency responsible; disappointed in the interpretation of the conflict of interest report by the city attorney.

Michelle Chavez thanked public works and code enforcement for their help on Humphrey Drive; appreciates the coffees with the mayor and town hall meetings with council members; encouraged citizens to use the city app to report concerns; asked for an update on whether the garbage tote ordinance is active or not;

George Guynn complimented CC Yen and encouraged the city to look for more businesses like his to bring in revenue.

James Berg commented on the SB2 conflict of interest finding; RFP comments on the SB2 grant; commented on the meetings starting late.

Online:

Donna LeBlanc reminder that the Suisun City Library has events this week for Black History Month; David Knott, founder of Suisun Youth Commission has been selected by the NCAA as a Bay Area Black History Month History Maker.

PRESENTATIONS/APPOINTMENTS

(Presentations, Awards, Proclamations, Appointments).

COUNCIL COMMENTS

6 Council/Board Member Updates.

Council Member Pal thanked first responders and how the new public works equipment worked during the recent storms.

Council Member Osum attended a webinar on cyber security concerns for local governments and will be working with City of Fairfield IT and will be reporting back to the council on security protocols.

Vice Mayor Washington stated there will not be office hours this Tuesday as she will be attending a conference for the Sewer District.

Mayor Hernandez reminded residents her report is attached in the agenda packet; Solano County Water Agency Board met and reapproved Solano Project Contract renewals and adopted a resolution for water agreement between the United States and Solano County Water Agency; thank you to Superintendent Corey, Gina Vasquez and Principal Doud, Crystal Middle School received the fund raising for the Soroptimist Club event.

CONSENT CALENDAR

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

City Council

- 7 Council Adoption of Resolution No. 2024-14: Authorizing the Interim City Manager to Execute a Master Services Agreement with OpenGov for Cartegraph Asset Management System Software - (Vue: yue@suisun.com).

Joint City Council / Suisun City Council Acting as Successor Agency

- 8 Council/Agency Approval of January 2024 Accounts Payable and Payroll Warrants - (Deol: Ideol@suisun.com).

Public Comment

Item 8:

Steve Olry spoke on accounts payable and payroll.

George Guynn spoke on other professional services which does not give details on what it is actually for.

Mayor Hernandez pulled Item 8 to allow Finance Director Deol an opportunity to respond to public concerns.

Motion by Council Member Pal to approve Item 7 and seconded by Mayor Hernandez. Motion passed by the following vote:

AYES: Dawson, Hernandez, Osum, Pal, Washington

NOES: None

ABSENT: None

Finance Director Doel responded to questions.

Motion by Mayor Hernandez to approve Item 8 and seconded by Council Member Dawson. Motion passed by the following vote:

AYES: Dawson, Hernandez, Osum, Pal, Washington

NOES: None

ABSENT: None

PUBLIC HEARING NONE

GENERAL BUSINESS

City Council

- 9 **HEARING:** Council Adoption of Resolution No. 2024-15: Placing Liens for Unpaid Waste Collection Service Charges on Certain Lands Situated in the City of Suisun City, County of Solano, State of California - (Deol: ldeol@suisun.com).

Conflict of Interest: Councilmember Pal.

Director Deol gave the report.

Public Comment on Item 9:

Steve Olry questioned a possible conflict of interest for Mayor Hernandez because of an address on the list.

Mayor Hernandez stated she was neither the property owner nor the holder of the account. City Attorney Andrews stated there was no conflict.

George Guynn questioned the fact that at a previous meeting the mayor stated she paid the mortgage at that property and her relationship to the owner.

Mayor Hernandez stated that the bill has been paid and she is not the account holder but will recuse herself on this item and turned the meeting over to Vice Mayor Washington.

Council asked clarifying questions and Vice Mayor Washington asked that in the future a representative from Republic Services be present to answer concerns along with a copy of the contract given to council for review.

**Motion by Council Member Dawson to approve Item 9 and seconded by Council Member Osum.
Motion passed by the following vote:**

AYES: Dawson, Osum, Washington

NOES: None

ABSENT: Hernandez, Pal (conflict of interest)

Both Pal and Hernandez returned to dais at 8:13pm.

- 10 Discussion of Legal and Practical Constraints on Addressing Homelessness, and Possible Direction to Staff Relating, but Not Limited to, the Drafting of Policies or Ordinances, and Further Issues to Analyze - (City Attorney).

City Attorney Andrews gave the presentation.

Public Comment:

In-Person:

George Guynn spoke on the homeless not having a say in legal matters, not contributing to society or paying taxes, issues with private property.

Steve Olry commented there are churches that offer help, presentation was not solution oriented, homeless will continue to refuse help.

Simone Smith appreciated the presentation, asked about the task force that was supposedly created back in August, 2023, what happened to the money received from the government to help the homeless situation, concerned that if the city is not taking action that the homeowners will, asked to have homeowners be part of the task force.

James Berg spoke on the conservatorship not being in place until 2026, second opinion from a law firm on what can and can't be done, concerned about a pushback from residents.

Online:

Lorna Fox appreciated the presentation, solutions to make it more humane and safer for the community like porta potties, garbage bins, more police patrol, get information to the homeless for those that really want help.

Donna LeBlanc appreciated the work done on this document and would be helpful to get the information to the general public so they know what can and can't be done, go to the Board of Supervisors for funding, can a partnership be formed with Fairfield, look into a plan to set up a shelter system on the 30-acre site to stay temporarily.

Michelle Chavez appreciated the presentation and the clean up efforts done at Heritage Park Shopping Center, concerned that if something isn't done that there will be more interaction with residents and the unhoused.

After continued Council discussion the following items are to be brought back for discussion or action:

- Policy/ordinance/resources
- Camping (24-hr) ordinance
- Overnight ordinance regarding private property
- Adopt Fairfield's stay overnight ordinance
- Legal to look into fire training
- Trained staff to identify and mitigate hazardous waste
- Environmental mitigation on our waterways

- Outreach teams and cost for outsourcing clean up
- Legislative committee review
- Crime prevention through environmental design (CPTED)
- Third party cleanup for encampments
- Can the city contract directly with a provider for once a week to do a direct outreach

REPORTS: (Informational items only)

11 Mayoral Update - (Hernandez: ahernandez@suisun.com).

12 Non-Discussion Items.

ADJOURNMENT

There being no further business the meeting was adjourned at 9:57 pm.

Anita Skinner, City Clerk

AGENDA TRANSMITTAL

MEETING DATE: March 12, 2024

AGENDA ITEM: Consideration of Council Adoption of Resolution No. 2024 - ____: A Resolution of the City Council of the City of Suisun City Appointing Bret Prebula as City Manager of Suisun City with an Effective Start Date of April 15, 2024, and Approving the City Manager Employment Agreement.

FISCAL IMPACT: The City Manager compensation and benefits will be somewhat lower in total than those provided to the previous City Manager.

STRATEGIC PLAN: Ensure Good Governance.

BACKGROUND: On September 28, 2023, Suisun City’s City Manager, Greg Folsom, executed an Agreement of Separation, Settlement and General Release from his position as City Manager of Suisun City. Subsequently, the City Council began its recruitment efforts to fill the City Manager position. The City engaged Bob Hall & Associates to conduct a statewide candidate search. After reviewing numerous applications and interviewing numerous candidates in person, the City Council chose to proceed in negotiations with Bret Prebula.

Mr. Prebula brings over 15 years of local government experience. He presently serves as City Manager of Clayton. Prior to joining Clayton, he served as Assistant City Manager for Benicia, Finance Director for the City of Napa, and Assistant Treasurer-Tax Collector for Napa County.

Mr. Prebula has a Master’s in Business Administration and a Bachelor’s Degree in Business from the University of Phoenix.

STAFF REPORT: The City Council will now consider whether to appoint Bret Prebula as City Manager and approve the proposed employment agreement. Mr. Prebula has successfully completed all pre-screening processes. If approved, his first day as City Manager would be April 15, 2024 (despite the reference in the City Manager Employment Agreement referencing an effective date of April 29, 2024, which will be updated on March 12, 2024, or shortly thereafter).

Current Interim City Manager, Aaron Roth, who stepped into the position from his role as Chief of Police for Suisun City after Mr. Folsom left the City, will conclude his role as Interim City Manager and retake his position as Chief of Police of the City of Suisun City, if and when Mr. Prebula becomes Suisun City’s City Manager.

California Government Code section 54953(c)(3) requires an oral report in an open meeting summarizing the proposed action on salaries, salary schedules, or compensation paid in the form of benefits of a City Manager. The following terms of Mr. Prebula’s proposed employment agreement will be stated verbally as part of the staff report on this agenda item:

1. Annual salary of \$255,000, plus \$10,000 yearend performance bonus.
2. Three (3) year contract term.

3. Annual Consumer Price Index increase of between 3% and 5%.
4. Vehicle allowance of \$400.00 per month, additional mileage when trip exceeds 50 miles.
5. Cell phone, tablet, lap-top, personal computer, printer and remote access will be provided by City for business use.
6. Sick leave accrual at 3.69 hours per pay period, with an opening sick leave balance of 96 hours per year; no cash value upon separation.
7. Vacation leave of 120 hours per year for the first five years of service, with a cap of 400 hours and an opening balance of 80 hours, accruals increase to 160 hours per year in the sixth year of service.
8. Administrative leave of 120 hours per year, with a cap of 160 hours.
9. Retirement benefits are expected to be City's CalPERS classic plan for miscellaneous employees, which is the 2% at 55 formula.
10. Health, dental, and vision insurance subject to the same terms and conditions as provided to all City executive employees per the then-current Resolution Setting Forth the Compensation and Personnel Policies for the City's Unrepresented Executive Employees (currently Resolution 24-09).
11. If terminated without cause, 4 months' severance, increasing by one month per year of service to a maximum of eight 8 months' severance, contingent on signing release.
12. Relocation assistance of \$10,000 if employee transfers residence to Suisun City.
13. Additional 3% in base salary upon the completion of 5 years of continuous City service and an additional 3% upon the completion of 10 years continuous City service.

STAFF RECOMMENDATION: Options for Consideration to Council:

1. Adopt Resolution 2024-____: Appointing Bret Prebula as City Manager of Suisun City with an Effective Start Date of April 15, 2024, and Approving the City Manager Employment Agreement;
or
2. Provide alternative direction to City Staff.

DOCUMENTS ATTACHED:

1. Resolution 2024-____: Appointing Bret Prebula as City Manager of Suisun City with an Effective Start Date of April 15, 2024, and Approving the City Manager Employment Agreement
 - a. City Manager Employment Agreement

PREPARED BY:

Floy Andrews, Assistant City Attorney

REVIEWED BY:

Aaron Roth, Interim City Manager

APPROVED BY:

Aaron Roth, Interim City Manager

ATTACHMENTS:

1. [Resolution Appointing Bret Prebula as City Manager of Suisun City.docx](#)
2. [City Manager Employment Agreement.pdf](#)

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RESOLUTION NO. 2024-____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY
APPOINTING BRET PREBULA AS CITY MANAGER OF SUISUN CITY WITH AN
EFFECTIVE START DATE OF APRIL 15, 2024, AND APPROVING THE CITY
MANAGER EMPLOYMENT AGREEMENT**

WHEREAS, the City Council of Suisun City (“City), following the resignation of Greg Folsom, retained Bob Hall & Associates to conduct a recruitment for Suisun City to find a replacement for Mr. Folsom as City Manager; and

WHEREAS, Bob Hall & Associates conducted a statewide search for talent that the City Council could interview in considering the appointment of a new City Manager; and

WHEREAS, at the completion of an exhaustive search, interviews were conducted in Closed Session on Friday, February 2, 2024, during which numerous candidates, including Mr. Bret Prebula, were interviewed in person in the City Council Chambers; and

WHEREAS, following the interviews of candidates presented by Bob Hall & Associates on February 2, 2024, the City Council deliberated and decided to proceed in negotiations with Mr. Bret Prebula to be Suisun City’s next City Manager;

WHEREAS, Mr. Prebula has successfully completed the required pre-employment screening processes and has agreed to commence his services at 12:01 a.m. PST on April 15, 2024, despite the reference in the City Manager Employment Agreement of an April 29, 2024 effective date;

NOW THEREFORE BE IT RESOLVED, the City Council of Suisun City hereby appoints Bret Prebula as City Manager of Suisun City under the terms and conditions of his City Manager Employment Agreement, which Employment Agreement is attached hereto and made part of this Resolution.

PASSED AND ADOPTED by the following vote at a regular meeting of the City Council of the City of Suisun City duly held on the 12th day of March 2024:

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

WITNESS my hand and the seal of said City this 12th day of March 2024.

Anita Skinner
City Clerk

CITY OF SUISUN CITY
CITY MANAGER
EMPLOYMENT AGREEMENT

This CITY MANAGER EMPLOYMENT AGREEMENT (“Agreement”) is entered into and made effective the 29th day of April 2024, by and between the CITY OF SUISUN CITY, a general law city and municipal corporation (“City”) and Bret Prebula, an individual (“Employee”).

RECITALS

WHEREAS, it is the desire of the City Council of the City of Suisun City (hereinafter the “City Council”) to employ an individual to serve in the position of City Manager, which position is prescribed by state law and the City’s Municipal Code; and

WHEREAS, California Government Code Section 34852 provides that an ordinance establishing a city manager form of government shall define the powers and duties of the city manager; and

WHEREAS, the duties of the city manager of the City are set forth in Suisun City Municipal Code (“SCMC”) Sections 2.08.080 and 2.08.230; and

WHEREAS, pursuant to SCMC Section 2.08.020, “[t]he city manager shall be appointed by the city council solely on the basis of his executive and administrative qualifications and ability. He shall hold office at and during the pleasure of the city council . . . [;]” and

WHEREAS, the City requires the services of a city manager; and

WHEREAS, based on Employee’s executive and administrative qualifications and ability, the City Council desires to employ Employee to serve as the city manager for the City; and

WHEREAS, Employee has the required level of education, experience, skills and expertise to serve as the city manager of the City; and

WHEREAS, Employee desires to perform and assume responsibility for the provision of city manager services to the City and its related agencies; and

WHEREAS, the parties wish to establish the terms and conditions of Employee’s provision of city manager professional services to the City and its related agencies through this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the City and Employee hereby agree as follows:

A G R E E M E N T

1.0 EMPLOYMENT & DUTIES

1.1 Duties. City hereby employs Employee as city manager for the City to perform the functions and duties of the city manager, as specified in the City's Municipal Code, the Government Code of the State of California, and the job description attached hereto as Exhibit "A", and to perform such other legally permissible and proper duties and functions as the City Council shall, from time-to-time, direct or assign. City reserves the right to amend the job description for City Manager attached hereto as Exhibit "A", which defines City Manager functions and duties, as it deems necessary and appropriate, without requiring Employee's acquiescence or an amendment of this Agreement. Employee shall perform these functions and duties in an efficient, competent, and ethical manner and shall devote his best efforts and full-time attention thereto.

1.2 Work Schedule. It is recognized that Employee is expected to engage in the hours of work that are necessary to fulfill the obligations of the position, must be available at all times, and must devote a great deal of time outside the normal office hours to the business of the City. Employee acknowledges that proper performance of the duties of city manager will require Employee to generally observe normal business hours, as set by the City and may be duly revised from time-to-time (currently 8:00 a.m. to 6:00 p.m. Monday through Friday, with alternating Fridays off), and will also often require the performance of necessary services outside of normal business hours. Notwithstanding the foregoing, the City will permit Employee such reasonable "time off" as is customary for exempt employees of the City, so long as the time off does not interfere with normal business. Employee's compensation (whether salary or benefits or other allowances) is not based on hours worked, and Employee shall not be entitled to any compensation for overtime.

1.3 Other Activities. Employee shall focus his professional time, ability, and attention to City business during the term of this Agreement. Employee shall not engage, without the express prior written consent of the City Council, in any other business duties or pursuits whatsoever, or directly or indirectly render any services of a business, commercial, or professional nature to any other person or organization, whether for compensation or otherwise, that is or may be competitive with the City, that might cause a conflict-of-interest with the City, or that otherwise might interfere with the business or operation of the City or the satisfactory performance of the functions and duties of city manager. The foregoing shall not preclude occasional teaching, writing, or consulting performed during Employee's time off.

1.4 Employment Status. Upon appointment to the city manager position, Employee shall serve at the will and pleasure of the City Council and understands that he shall be an "at-will" employee without recourse to bumping or other demotion rights and shall be subject to summary dismissal without any right of notice or hearing except as expressly provided in this Agreement, including any so-called due process pre-disciplinary "Skelly" meeting. The City may terminate Employee at any time in accordance with Section 3.4 below.

1.5 City Documents. All data, studies, reports and other documents prepared by Employee while performing his duties during the term of this Agreement shall be furnished to and become the property of the City, without restriction or limitation on their use. All ideas,

memoranda, specifications, plans, procedures, drawings, descriptions, computer program data, input record data, written information, and other materials either created by or provided to Employee in connection with the performance of this Agreement shall be held confidential by Employee to the extent permitted by applicable law, except as may be required by any governmental agency or court of competent jurisdiction. Such materials shall not be used by Employee, without the prior written consent of the City Council, for any purposes other than the performance of his duties. Additionally, no such materials may be disclosed to any person or entity not connected with the performance of services under this Agreement, except as required by (a) law, (b) any governmental agency, (c) subpoena, or (d) an order issued by a court of competent jurisdiction.

1.6 Exclusion from Competitive Service. Employee understands, acknowledges and agrees that he is exempt from the City's personnel system pursuant to Suisun City Municipal Code §2.40.040 and the City's Personnel Rules (Administrative Directive – AD 7) pursuant to Personnel Rule §1.4.9.

1.7 FLSA Exempt Status. Employee agrees that his position is that of an exempt employee for the purposes of the Fair Labor Standards Act ("FLSA").

1.8 Appointment Contingent Upon Successful Completion of Pre-Employment Screening. Employee's appointment to the position of City Manager and the effectiveness of this Agreement shall be contingent upon Employee successfully passing the City's pre-employment screening process, including a background examination, Livescan, reference check, and drug screen. Whether Employee has successfully passed the City's pre-employment screening process may be determined by the City in its sole discretion, subject to applicable law. In the event that Employee does not successfully complete any of the pre-employment screening measures, then this Agreement shall be null and void in its entirety with no severance payment owing, and all obligations of the parties hereunder shall be terminated.

2.0 COMPENSATION AND REIMBURSEMENT

2.1 Compensation. For the services rendered pursuant to this Agreement, Employee's base annual compensation shall be Two Hundred and Fifty Five Thousand Dollars and No Cents (\$255,000.00) annually ("Salary"), which shall be paid on a pro-rated basis bi-weekly at the same time as other employees of the City are paid. Such Salary shall be adjusted for payroll taxes, workers' compensation, and other payroll-related liability costs.

In the event Employee has achieved the first year performance goals established for him by the City Council as determined by the City Council in its sole discretion during the annual performance review to occur following Employee's first full year of employment, then Employee will be paid a one-time performance bonus in the amount of \$10,000. The bonus payment shall not be "compensation earnable" under CalPERS laws and regulations for purposes of calculating Employee's CalPERS service retirement benefits.

2.2 Annual Salary Review. The City Council and Employee agree to conduct an annual salary review concurrently with the annual performance evaluation set forth in Section 5.2. Following the annual performance review, the City may increase the Employee's salary. Any

action to approve an increase must be approved by a majority vote of the Council at a public meeting.

2.3 CPI Increase. During the term of this Agreement, effective the first full pay period following July 1st of each year beginning July 1, 2025, the base Salary shall be increased by at least 3% and no more than 5% as follows: In the event the All Urban Consumer Price Index for the San Francisco-Oakland-Hayward Area (“CPI”) is less than 3%, then Employee shall be provided a 3% base Salary increase. In the event the CPI is between 3% and 5%, then Employee shall be provided a base Salary increase in an equivalent percentage to the CPI. In the event the CPI is greater than 5%, then Employee shall be provided a 5% base Salary increase. The CPI calculation shall be based on the April year-to-year change. Any increase in the base Salary as a result of an increase to the CPI will be rounded up to the nearest dollar calculated based on percentage of annual salary.

2.4 Highest Paid Employee. Notwithstanding Employee’s annual base Salary as set forth herein, the annual salary of Employee shall never be less than the annual base Salary (excluding overtime, other pay, or any incentive compensation) of the City’s next highest paid employee.

2.5 Written Amendment Required To Effectuate Base Salary Adjustment. Except for the automatic CPI increase provided to Employee pursuant to Section 2.3 of this Agreement, any change in base Salary shall only be by written amendment to this Agreement.

3.0 TERM

3.1 Commencement & Effective Date. Employee shall commence his services hereunder at 12:01 a.m. Pacific Standard Time on April 29, 2024 or such earlier date upon which the City Council and Employee may mutually agree, in either event such date will also be deemed the effective date of this Agreement (“Effective Date”).

3.2 Term. The term of this Agreement will be for three (3) years following the Effective Date (“Term”) (i.e. until 11:59 p.m. on April 28, 2027) and, thereafter, the term of this Agreement may be extended for such an additional term(s) as Employee and City Council mutually deem appropriate, as evidenced by a written amendment signed by both parties.

3.3 Termination by Employee. Employee may terminate this Agreement at any time, provided Employee provides the City Council with at least thirty (30) days’ advance written notice. In the event Employee terminates this Agreement, Employee expressly agrees that he shall not be entitled to any severance pay.

3.4 Termination by City. Upon the decision of a majority of the City Council, the City Council may terminate this Agreement at any time with or without cause, by providing written notice of the reason(s). The City Council’s right to terminate Employee pursuant to this Section 3.4 shall not be subject to or in any way limited by the City’s Personnel Rules or past City practices related to the employment, discipline or termination of the City’s employees. Nothing herein, however, shall be construed to create a property interest, where one does not exist by rule of law, in the position of city manager. Upon appointment to the city manager position, Employee remains an at-will employee serving at the pleasure of the City Council.

(a) Termination by City for Cause. The City may terminate this Agreement for cause at any time by providing Employee with five (5) business days' written notice of the termination for cause and the facts and grounds constituting such cause. The term "cause" shall be defined to include any misconduct materially related to performance of official duties, including but not be limited to any of the following: 1) Breach of this Agreement, 2) Willful or persistent material breach of duties, 3) Résumé fraud or other acts of material dishonesty, 4) Unauthorized absence or leave, 5) Conviction of a misdemeanor involving moral turpitude (i.e., offenses contrary to justice, honesty, or morality) or conviction of a felony under California law, 6) Violation of the City's anti-harassment policies and/or a finding that legally prohibited personal acts of harassment against a City official or employee or legally prohibited personal acts of discrimination against a City official or employee has occurred, 7) Violation of the City's Municipal Code, Ordinances, Rules, and Regulations, including but not limited to the City's Personnel Rules, 8) Use or possession of illegal drugs, 9) Any illegal or unethical act involving personal gain, 10) A pattern of repeated, willful and intentional failure to carry out materially significant and legally constituted direction or policy decisions of the City Council, and 11) "abuse of office or position" as defined in Government Code §53243.4 (i.e., waste, fraud, and violation of the law under color of authority and crimes against public justice, including crimes involving bribery and corruption). For any of the foregoing, the City may, in its discretion, place Employee on paid or unpaid administrative leave until resolution. If the City terminates for cause this Agreement and the services of Employee hereunder, the City shall have no obligation to pay severance.

(b) Termination by City Council Without Cause. By providing Employee at least thirty (30) days' prior written notice thereof, the City Council may terminate Employee without cause but rather based upon management reasons such as implementing the City's goals or policies, including but not limited to: (i) change of administration, or (ii) incompatibility of management styles. In the event Employee is terminated without cause, Employee expressly agrees that he shall not be entitled to any severance pay as the result of the termination of this Agreement except as provided in Section 4.1 below.

(c) Elections. In no event may Employee be terminated effective within ninety (90) days before or after any municipal election for the selection or recall of one or more of the members of the City Council.

4.0 SEVERANCE

4.1 Severance Pay. In the event Employee is terminated without cause then City shall pay to Employee severance in an amount equal to his monthly base salary (as defined in Section 2 above, calculated on a per diem basis) then in effect multiplied by four (4), less applicable deductions and excluding deferred compensation or the value of any other benefits (such as longevity pay, advanced education incentive, etc.). For each full year of service as City Manager for City, the amount of severance pay will be increased by one full month, capped at a maximum of eight (8) months.

Notwithstanding the foregoing, Government Code Section 53260 provides that all contracts of employment with a city must include a provision limiting the maximum cash settlement for the termination of the contract to the monthly salary (excluding benefits) multiplied by the number of

months left on the unexpired term, but not more than 18 months if the unexpired term exceeds 18 months. Accordingly, should such proposed severance payment exceed the amount authorized to be paid under Government Code Section 53260, then the amount paid to Employee shall be reduced in the amount necessary to comply with such statute. (For example, if termination occurs with two (2) months left in the term, severance would be equal to the monthly base salary multiplied by two (2) rather than the amounts provided for in this Section.)

4.2 No Severance Pay if Termination for Cause or Initiated by Employee. As provided in Section 3.4(a), should Employee be terminated for cause, the City shall have no obligation to pay the severance provided for in Section 4.1 above. As provided in Section 3.3, should Employee initiate termination of this Agreement, the City shall have no obligation to pay the severance provided for in Section 4.1 above.

4.3 Sole Rights. The severance rights provided in this Section 4.0 shall constitute the sole and only entitlement of Employee with respect to severance pay in the event of the termination, other than for cause. Employee expressly waives any and all other rights with respect to severance pay except as provided herein. Any and all severance rights are conditioned upon and in consideration for execution of the standard “Agreement of Separation, Severance, and General Release” attached hereto in form only as Exhibit “B.”

5.0 PERFORMANCE EVALUATIONS

5.1 Purpose. The performance review and evaluation process set forth herein is intended to provide review and feedback to Employee so as to facilitate a more effective management of the City. Except as specifically set forth below in this Article 5.0, the form of evaluation may be determined by the City Council in its sole discretion, provided that the City Council and Employee may mutually agree to use a 3rd party facilitator, such as a League of California Cities Senior Advisor, to undertake the facilitation. Nothing herein shall be deemed to alter or change the employment status of Employee (as set forth in Section 1.4 above), nor shall this Article 5.0 be construed as requiring “cause” to terminate this Agreement, or the services of Employee hereunder.

5.2 Annual Evaluation. The City Council shall endeavor to review and evaluate the performance of Employee annually in May or June of each year beginning in 2025. It shall be the obligation of Employee to notify the City Council no later than April 30 of each year of the need to conduct the evaluation pursuant to this Section. In addition, Employee shall submit for the City Council’s consideration, no later than April 30 of each year of the term of this Agreement, Employee’s proposed annual performance goals/objectives and plan of action for the upcoming fiscal year and incorporate the City Council’s suggestions. Such review and evaluation shall be conducted concurrently with an annual salary review, and in accordance with the purpose noted in Section 5.1 above.

5.3 Additional Evaluations During First Through Third Year. In addition to the annual evaluations provided for in Section 5.2 above, during the first year of Employee’s employment with the City, the City Council shall endeavor to conduct performance evaluations to occur 3 times at approximate ninety (90) day intervals, with the first such evaluation occurring approximately 90 days after Employee’s hire date. (The first annual performance evaluation is to occur in May or June of 2025 pursuant to Section 5.2 above.) During the second and third year of

Employee's employment with the City, approximately six months following the last annual performance evaluation, the City Council shall endeavor to hold a "retreat" style strategic planning and performance evaluation session with Employee. It shall be the obligation of Employee to timely notify the City Council of the schedule described in this Section.

5.4 Written Summary. The City Council may, at its sole discretion, elect to provide a written summary of each performance evaluation to Employee within two (2) weeks following the conclusion of the review and evaluation process, and may, at its discretion, schedule at least one (1) closed personnel session with Employee to deliver and discuss the evaluation.

6.0 BENEFITS

6.1 Miscellaneous Benefits. The City shall provide Employee fringe benefits at the same level as provided to all executive management employees of the City (and excluding any benefits provided specifically to Police Chief, Fire Chief or safety employees) pursuant to the City's Schedule of Salary and Benefits for Unrepresented and Executive Management Employees ("Executive Management Benefits Schedule") then in effect, except as noted below in this Article 6.0. The same rules, limitations, terms and conditions applicable to fringe benefits for executive management employees set forth in the Executive Management Benefits Schedule shall also apply to Employee. In the event all executive management are provided additional benefits under the Executive Management Benefits Schedule, Employee shall be provided the same benefit effective on the same date. Such benefits adjustment shall be memorialized by an amendment to this Agreement on the next agenda available for approval.

6.2 CalPERS Retirement. Employee is believed to be a "classic" member of CalPERS and accordingly he shall participate in the City's CalPERS plan for classic miscellaneous employees, which is the 2% at 55 formula. The City shall pay the full employer CalPERS contribution. The full employee contribution as determined by CalPERS shall be paid by Employee. Notwithstanding the foregoing, Employee acknowledges that his CalPERS member status and applicable retirement formula is determined by CalPERS based on the requirements of the City's CalPERS contract, the Public Employees Retirement Law and the Public Employees' Pension Reform Act, and that he will be enrolled in the appropriate retirement plan as determined by CalPERS.

6.3 Medical Insurance. The City shall provide to Employee medical, dental, and vision insurance benefits at the same level, and subject to the same terms and conditions, as provided to all executive management employees of the City pursuant to the Executive Management Benefits Schedule then in effect, and subject to the terms, conditions and limits specified therein.

6.4 Vacation Leave. Employee shall accrue vacation leave on a per pay period basis as follows: During the first five (5) years of employment, Employee shall accrue at the rate of 120 hours per year. Commencing with the sixth (6th) year of employment, Employee shall accrue at the rate of 160 hours per year. Commencing the eleventh (11th) year, Employee shall accrue an additional eight (8) hours per additional year of service until reaching a maximum of 200 hours per year after 15 years of service. Employee may accumulate up to 400 hours maximum vacation leave. Employee shall be entitled to an opening vacation leave balance of 80 hours. Employee shall be entitled to cash out up to 80 hours of vacation leave per fiscal year, subject to

the cash out conditions and requirements set forth in the Executive Management Benefits Schedule.

6.5 Executive Leave. Employee shall accrue 120 hours of executive leave annually, with sixty (60) hours allocated to Employee on January 1 of each year and sixty (60) hours allocated to Employee on July 1 of each year. Upon commencement of employment, Employee shall be provided with a pro-rata amount of executive leave for the six month period beginning January 1, 2024. Executive leave shall not exceed a total of 160 hours. Eligibility for cashout of executive leave, if any, shall be as set forth in the Executive Management Benefits Schedule then in effect.

6.6 Holidays. Employee shall be entitled to the holidays specified in the Executive Management Benefits Schedule then in effect. The City currently observes twelve (12) holidays and provides two (2) floating holidays. Utilization and cash out of floating holiday leave shall be subject to the terms and conditions of the Executive Management Benefits Schedule then in effect.

6.7 Sick Leave. Employee shall accrue sick leave at the rate of 3.69 hours per pay period (96 hours per year). Employee shall be entitled to an opening sick leave balance of 96 hours. No payment shall be made for accumulated sick leave at the time of termination of employment.

6.8 Automobile Allowance. Employee shall be paid an automobile allowance of \$400 per month for use of personal vehicle. Additional mileage reimbursement per City policy when travel exceeds 50 miles per round trip. Employee is not precluded from using City vehicle for City business during, before, and after the normal workday if needed. Employee shall be responsible for any personal income tax that may result from such allowance.

6.9 Technology/Cell Phone Allowance. Employee shall be provided a City purchased and maintained cell phone, tablet, laptop, personnel computer, printer, remote access from home computer and all other related technology needed to successfully undertake the job of the City Manager.

6.10 Deferred Compensation. The City currently provides a Deferred Compensation Plan as an optional benefit and shall provide to Employee deferred compensation matching contributions consistent with the amount provided for executive management employees in the Executive Management Benefits Schedule then in effect, subject to the terms, conditions and limits specified therein. Currently, the City will match any contributions made by Employee, up to 3.5% per pay period. The City's matching contribution, if any, will be contributed on a pay period basis.

6.11 Life Insurance. The City shall provide to Employee term life insurance and accidental death and dismemberment insurance coverage consistent with the Executive Management Benefits Schedule then in effect, subject to the terms, conditions and limits specified therein. The City currently provides for a term life insurance policy for Employee only with coverage in the amount of Two Hundred Thousand Dollars (\$200,000).

6.12 Temporary Housing and Relocation Assistance. The City shall provide temporary housing and relocation assistance to Employee in the amount of \$10,000 upon Employee relocating to Suisun City during the term of this Agreement. In the event Employee

thereafter moves out of Suisun City within 12 months, then Employee agrees to repay the \$10,000 relocation assistance to the City.

6.13 Tuition Reimbursement. Employee shall be eligible for tuition reimbursement at the same level as executive management employees as set forth in the Executive Management Benefits Schedule then in effect, subject to the terms, conditions and limits specified therein. The Executive Management Benefits Schedule currently provides that tuition reimbursement shall not exceed \$1,500.00 in a single fiscal year. Reimbursement for expenses occurred shall be subject to the Mayor's approval.

6.14 Advanced Education Compensation. If Employee has an advanced degree (master's degree, doctorate, etc.) that complements his job duties as city manager or provides a benefit to the City, and exceeds the city manager job description or classification specification requirement, then he shall receive an amount equal to three percent (3%) of then-current base salary. This incentive is limited to a maximum of three percent (3%) regardless of the number of degrees exceeding the job requirement. An advanced degree required for the position is not eligible for the incentive. Any advanced education compensation shall be paid on a pro-rated basis bi-weekly. Determination of eligibility for this compensation shall be by the City's Mayor.

6.15 Longevity Pay. Upon the completion of five (5) full years of continuous full-time City service, Employee shall receive an amount equal to three percent (3%) of his then-current base salary. Upon the completion of ten (10) full years of continuous full-time City service, Employee shall receive an additional three percent (3%) of his then-current base salary (for a total of six percent (6%)). Any longevity pay shall be paid on a pro-rated basis bi-weekly.

7.0 PROFESSIONAL DEVELOPMENT

7.1 Membership. The City encourages Employee's continued professional development and shall provide payment of appropriate related costs for such activities, including membership in relevant professional organizations, as approved by the City Council, including, but not limited to, International City/County Management Association (ICMA), California City Management Foundation (CCMF), California Association for Local Economic Development (CALED), and others as appropriate.

7.2 Out-of-Town Meetings & Seminars. The City agrees to pay for/reimburse Employee the actual cost for registration, travel, lodging, meals, and other expenses incurred by Employee while attending overnight, out-of-town meetings or seminars related to his employment with the City, in accordance with the City's policies for expense reimbursement. City agrees to pay for/reimburse Employee for registration, travel, lodging, meals and other expenses to League of California Cities annual conference and annual League of California Cities City Manager Department meeting. Moreover, to be eligible Employee must have budgeted funds available for same; provided, however, that the City Council may, in their sole discretion, approve such unbudgeted expenditures if they deem it in the best interests of the City.

7.3 Local Meetings & Seminars. The City agrees to reimburse Employee the actual cost of registration, meals, and other expenses necessarily incurred while in attendance at local meetings or seminars related to his employment with City in accordance with the City's policies for expense reimbursement.

7.4 Incidental Expenses. The City agrees to reimburse Employee the actual cost of those incidental expenses necessarily incurred by Employee while engaged in the business of the City upon the presentation of an appropriate receipt therefor, in accordance with the City's policies for expense reimbursement.

8.0 BONDS AND INDEMNIFICATION

8.1 Indemnification. To the extent mandated by the California Government Code, the City shall defend, hold harmless, and indemnify Employee against any tort, professional liability, claim or demand, or other legal action arising out of an alleged act or omission occurring in the performance of Employee's services under this Agreement. This section shall not apply to any intentional tort or crime committed by Employee, to any action outside the course and scope of the services provided by Employee under this Agreement, or any other intentional or malicious conduct or gross negligence of Employee.

8.2 Bonds. City shall bear the full cost of any fidelity or other bonds, which may be required in the performance of Employee's services under this Agreement.

9.0 GENERAL PROVISIONS

9.1 Entire Agreement. This Agreement represents the entire agreement between the parties and supersedes any and all other agreements, either oral or in writing, between the parties with respect to Employee's employment by the City and contains all of the covenants and agreements between the parties with respect to such employment. Each party to this Agreement acknowledges that no representations, inducements, promises or agreements, orally or otherwise, have been made by either party, or anyone acting on behalf of either party, which are not embodied herein, and that no other agreement, statement or promises not contained in this Agreement shall be valid or binding upon either party.

9.2 Amendment. This Agreement may be amended at any time by the mutual consent of the parties by an instrument in writing, which amendment shall require City Council approval.

9.3 Notices. Any notice required or permitted by this Agreement shall be in writing and shall be personally served or shall be sufficiently given when served upon the other party as sent by United States Postal Service, postage prepaid and addressed as follows:

To City:

Mayor
City of Suisun City
701 Civic Center Blvd.
Suisun City, California 94585

To Employee:

Bret Prebula

[On file with Human Resources Dept.]

Notices shall be deemed given as of the date of personal service or upon the date of deposit in the course of transmission with the United States Postal Service.

9.4 Conflicts Prohibited. During the term of this Agreement, Employee shall not engage in any business or transaction or maintain a financial interest which conflicts, or reasonably might be expected to conflict, with the proper discharge of Employee's duties under this Agreement. Employee shall comply with all requirements of law, including but not limited to, Sections 87100 et seq., Section 1090 and Section 1125 of the Government Code, and all other similar statutory and administrative rules.

9.5 Effect of Waiver. The failure of either party to insist on strict compliance with any of the terms, covenants, or conditions of this Agreement by the other party shall not be deemed a waiver of that term, covenant, or condition, nor shall any waiver or relinquishment of any right or power at any one time or times be deemed a waiver or relinquishment of that right or power for all or any other times.

9.6 Partial Invalidity. If any provision in this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions shall nevertheless continue in full force without being impaired or invalidated in any way.

9.7 Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of California, which are in full force and effect as of the date of execution and delivery by each party hereto.

9.8 AB 1344. Assembly Bill 1344, which was subsequently enacted as Government Code §§ 53243 - 53243.4, sought to provide greater transparency in local government and institute certain limitations on compensation paid to local government executives. These statutes also require that contracts between local agencies and its employees include provisions requiring an employee who is convicted of a crime involving an abuse of his office or position to provide reimbursement to the local agency. These statutes are incorporated herein by reference. Accordingly, the Parties agree that it is their mutual intent to fully comply with these Government Code sections and all other applicable law as it exists as of the date of execution of this Agreement and as such laws may be amended from time to time thereafter. Specifically, the following Government Code sections are called out and hereby incorporated by this Agreement:

§53243. Reimbursement of paid leave salary required upon conviction of crime involving office or position.

§53243.1. Reimbursement of legal criminal defense upon conviction of crime involving office or position.

§53243.2. Reimbursement of cash settlement upon conviction of crime involving office or position.

§53243.3. Reimbursement of noncontractual payments upon conviction or crime involving office or position.

§53243.4. "Abuse of office or position" defined.

Employee represents that Employee has reviewed, is familiar with, and agrees to comply fully with each of these provisions if any of these provisions are applicable to Employee, including

that Employee agrees that any cash settlement or severance related to a termination that Employee may receive from the City shall be fully reimbursed to the local agency if Employee is convicted of a crime involving an abuse of Employee's office or position.

9.9 Independent Legal Advice. The City and Employee represent and warrant to each other that each has received legal advice from independent and separate legal counsel with respect to the legal effect of this Agreement, or had the opportunity to do so, and the City and Employee further represent and warrant that each has carefully reviewed this entire Agreement and that each and every term thereof is understood and that the terms of this Agreement are contractual and not a mere recital. This Agreement shall not be construed against the party or its representatives who drafted it or who drafted any portion thereof.

IN WITNESS WHEREOF, the City of Suisun City has caused this Agreement to be signed and executed on its behalf by its Mayor, and duly attested by its officers thereunto duly authorized, and Employee has signed and executed this Agreement, all in triplicate.

CITY OF SUISUN CITY

Alma Hernandez, Mayor

ATTEST:

Anita Skinner, City Clerk

APPROVED AS TO FORM:

_____, City Attorney

EMPLOYEE



Bret Prebula

EXHIBIT “A”

CITY MANAGER JOB DESCRIPTION

*Class specifications are intended to present a descriptive list of the range of duties performed by employees in the class. Specifications are **not** intended to reflect all duties performed within the job.*

SUMMARY DESCRIPTION

Under policy direction of the City Council, serves as the Chief Administrative Officer of the City; assumes full responsibility for planning, administering, directing, overseeing, and evaluating the activities and operations of all City departments; provides policy guidance to and coordinates the activities of management staff; facilitates the development and implementation of long and short range plans, policies, goals, objectives, and programs to provide the City with technical and administrative direction in meeting and maintaining City services standards; ensures public services are delivered in an efficient and effective manner; and provides highly complex administrative support to the City Council.

IDENTIFYING CHARACTERISTICS

The City Manager is considered the Chief Administrative Officer of the City with full responsibility for directing the activities of the City of Suisun City and is accountable to the City Council for the overall performance of the City in carrying out the City’s mission. This position is responsible for developing an organizational culture to ensure successful implementation of City programs and operations and for leading the City’s senior management team. This position provides policy guidance, advice, and counsel to the City Council regarding strategic policy and problem solving and assumes responsibility for implementing policy decisions made by the City Council:

REPRESENTATIVE DUTIES

The following duties are typical for this classification. Incumbents may not perform all of the listed duties and/or may be required to perform additional or different duties from those set forth below to address business needs and changing business practices.

1. Assumes full management responsibility for all City and Redevelopment Agency operations; assesses ongoing operational needs through department heads and determines best organizational structure to meet goals and objectives; develops, recommends, and administers policies and procedures.
2. Directs the development and implementation of the City’s goals, objectives, policies, and priorities.
3. Establishes, within City policy, appropriate service and staffing levels; monitors and evaluates the efficiency and effectiveness of service delivery methods and procedures; allocates resources accordingly.
4. Plans, directs, and coordinates, through department heads, the work plan for the City; assigns projects and programmatic areas of responsibility; reviews and evaluates work methods and procedures; meets with management staff to identify and resolve problems.
5. Assesses and monitors work load, administrative support systems, and internal reporting relationships; identifies opportunities for improvement and implements as appropriate; recommends organizational development plans to the City Council.
6. Selects, motivates, and evaluates personnel; resolves personnel concerns and issues.
7. Oversees the development and administration of the City budget; approves the forecast of funds needed for staffing, equipment, materials and supplies; approves expenditures and implements budgetary adjustments as appropriate and necessary; keeps Council advised of financial conditions, program progress, and present and future needs of the City.
8. Explains, justifies, and defends City programs, policies, and activities; negotiates and resolves sensitive and controversial issues.
9. Represents the City to all departments and outside agencies; coordinates City activities with those of other cities, counties, and outside agencies and organizations.
10. Provides staff assistance to the City Council; coordinates the preparation of the agenda for City

Council meetings; prepares and presents staff reports and other necessary correspondence; provides advice and consultation to the City Council on the development and implementation of City programs and services.

11. Represents the City Council to employees, community groups, individual members of the public, and other governmental agencies; responds to the most difficult and sensitive complaints and requests for information.

12. Confers with department heads and managers concerning administrative and operational problems, work plans, and strategic plans; makes appropriate decisions or recommendations; oversees the preparation and implementation of long range plans for the City.

13. Serves as a resource for the City Council, department personnel, City staff, other organizations, and the public; coordinates pertinent information, resources, and work teams necessary to support a positive and productive environment.

14. Performs all duties as may be prescribed by City Council action; directs the preparation of plans and specifications for work that the City Council orders.

15. Attends and participates in professional group meetings; stays abreast of new trends and innovations in the field of public administration.

16. Responds to media inquiries, City Council concerns and issues, and community needs.

17. Responds to and resolves difficult and sensitive citizen inquiries and complaints.

18. Performs related duties as required.

QUALIFICATIONS

The following generally describes the knowledge and ability required to enter the job and/or be learned within a short period of time in order to successfully perform the assigned duties.

Knowledge of:

Operations, services, and activities of a municipality.

Advanced principles and practices of public administration and local government administration.

Current social, political, and economic trends and operating characteristics/problems of municipal government.

Principles and practices of program development and administration. Government, council, and local and state legislative processes. Principles and practices of fiscal and strategic planning.

Methods of analyzing, evaluating, and modifying administrative procedures. Principles and practices of municipal finance and budget preparation and administration. Methods and techniques for goal setting and program evaluation.

Principles of supervision, training, and performance evaluation. Pertinent federal, state, and local laws, codes, and regulations.

Principles of effective public relations and interrelationships with community groups and agencies, the private sector, and other levels of government.

Ability to:

Manage, direct, and provide effective leadership and coordinate the activities of a large municipal organization, including redevelopment, economic development, and neighborhood preservation programs. Develop and administer sound City-wide goals, objectives, policies, work standards, internal controls, and methods for evaluating achievement and performance levels.

Plan, organize, and direct the work of staff. Select, supervise, train, and evaluate staff. Delegate authority and responsibility. Negotiate and resolve complex issues.

Identify and respond to sensitive community, organizational, and City Council issues, concerns, and needs.

Prepare clear and concise administrative and financial reports. Prepare and administer large and complex budgets.

Analyze problems, identify alternative solutions, project consequences of proposed actions, and implement recommendations in support of goals.

Research, analyze, and evaluate new service delivery methods and techniques. Interpret and apply federal, state, and local policies, laws, and regulations.
Respond to inquiries or complaints and explain regulations and procedures to the general public, members of the business community, and representatives of other agencies and organizations.
Effectively present information to top management, public groups, and/or boards of directors. Exercise sound, independent judgment within general policy guidelines.
Work with and coordinate the activities of administrative officials while encouraging their development as administrators.
Serve effectively as the administrative agent of the City Council
Represent the City Council to the general public and representatives of other agencies.
Facilitate group participation and consensus building Deal constructively with conflict and develop consensus.
Operate office equipment including computers and supporting word processing, spreadsheet, and database applications.
Communicate clearly and concisely, both orally and in writing.
Establish and maintain effective working relationships with those contacted in the course of work.

Education and Experience Guidelines - *Any combination of education and experience that would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities would be:*

Education/Training:

A Bachelor's degree from an accredited college or university with major course work in public administration, business administration, economics, or related field. A Master's degree is highly desirable.

Experience:

Ten years of progressively responsible experience in municipal government including five years of management and administrative experience.

License or Certificate:

Possession of an appropriate driver's license

PHYSICAL DEMANDS AND WORKING ENVIRONMENT

The conditions herein are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential job functions.

Environment: Work is performed primarily in a standard office environment with some travel to different sites; incumbents may be required to work extended hours including evenings and weekends and may be required to travel outside City boundaries to attend meetings.

Physical: Primary functions require sufficient physical ability and mobility to work in an office setting; to stand or sit for prolonged periods of time; to occasionally stoop, bend, kneel, crouch, reach, and twist; to lift, carry, push, and/or pull light to moderate amounts of weight; to operate office equipment requiring repetitive hand movement and fine coordination including use of a computer keyboard; to travel to other locations using various modes of private and commercial transportation; and to verbally communicate to exchange information.

Vision: See in the normal visual range with or without correction.

Hearing: Hear in the normal audio range with or without correction.

EXHIBIT "B"

AGREEMENT OF SEPARATION, SEVERANCE, AND GENERAL RELEASE

1. PARTIES

This Agreement of Separation, Severance, and General Release (hereinafter referred to as the "AGREEMENT") is entered into by and between the City of Suisun City, a general law city and municipal corporation (hereinafter referred to as "THE CITY"), and Bret Prebula, an individual (hereinafter referred to as "EMPLOYEE").

2. RECITALS

2.1. EMPLOYEE was hired by THE CITY as an at-will City Manager effective _____ serving at the pleasure of the City Council of THE CITY pursuant to a written contract, a copy of which is attached hereto as Exhibit "A" ("THE CONTRACT"). EMPLOYEE is currently ___ years old.

2.2. THE CITY and EMPLOYEE desire that EMPLOYEE resign and enter into a severance agreement whereby EMPLOYEE receives severance compensation in exchange for executing a general release and waiver of any and all claims that EMPLOYEE may have against THE CITY, including but not limited to its elected and non-elected officials, employees, attorneys, and agents. Accordingly, the parties hereto intend by this AGREEMENT to mutually conclude any and all employment relationships between THE CITY and EMPLOYEE by means of EMPLOYEE's voluntary separation as of _____, _____. This AGREEMENT sets forth the full and complete terms and conditions concluding EMPLOYEE's employment relationship with the CITY and any obligations related thereto, including any provided under THE CONTRACT.

2.3. In accordance with this AGREEMENT and with applicable state and federal laws, EMPLOYEE acknowledges that EMPLOYEE has been advised of EMPLOYEE's post-employment rights, including but not limited to, EMPLOYEE's rights under the Consolidated Omnibus Budget Reconciliation Act of 1985 ("COBRA"), the Employee Retirement Income Security Act of 1974 ("ERISA"), and the Health Insurance Portability and Accountability Act of 1996 ("HIPAA").

3. CONSIDERATION

3.1. EMPLOYEE shall receive payment to him at the time of his voluntary separation all earned salary, accrued fringe benefits as detailed in THE CONTRACT, and/or all other wage compensation/benefits owed to EMPLOYEE upon separation of employment, as required by law or THE CONTRACT or any other agreement with THE CITY.

3.2. In exchange for the waivers and releases set forth herein, THE CITY shall also cause to be paid to EMPLOYEE an additional compensatory payment by means of severance, settlement and release in the form of a lump sum amount of _____ and ___ cents (\$_____.00), as set forth in THE CONTRACT in the form of a check made payable to EMPLOYEE to be mailed to EMPLOYEE at EMPLOYEE's home address via certified mail return receipt requested within thirty (30) business days after the EFFECTIVE DATE (as defined below) of this AGREEMENT.

3.3 In exchange for the severance payment provided for herein, EMPLOYEE, and on behalf of EMPLOYEE's spouse, heirs, representatives, successors, and assigns, hereby releases, acquits, and forever discharges THE CITY, and each of its predecessors, successors, assigns, officials, employees, representatives, agents, insurers, attorneys, and all persons and entities acting by, through, under, or in concert with any of them, and each of them (hereinafter referred to as "THE CITY PARTIES"), from any and all claims, charges, complaints, contracts, understandings, liabilities, obligations, promises, benefits, agreements, controversies, costs, losses, debts, expenses, damages, actions, causes of action, suits, rights, and demands of any nature whatsoever, known or unknown, suspected or unsuspected, which EMPLOYEE now has or may acquire in the future, or which EMPLOYEE ever had, relating to or arising out of any act, omission, occurrence, condition, event, transaction, or thing which was done, omitted to be done, occurred or was in effect at anytime from the beginning of time up to and including _____, ____ (hereinafter referred to collectively as "CLAIMS"), without regard to whether such CLAIMS arise under the federal, state, or local constitutions, statutes, rules or regulations, or the common law. EMPLOYEE expressly acknowledges that the CLAIMS forever barred by this AGREEMENT specifically include, but are not limited to, claims based upon any alleged breach of THE CONTRACT or any other agreement of employment, any demand for wages, overtime or benefits, any claims of violation of the provisions of ERISA, COBRA or HIPAA, any alleged breach of any duty arising out of contract or tort, any alleged wrongful termination in violation of public policy, any alleged breach of any express or implied contract for continued employment, any alleged employment discrimination or unlawful discriminatory act, or any claim or cause of action including, but not limited to, any and all claims whether arising under any federal, state or local law prohibiting breach of employment contract, wrongful termination, or employment discrimination based upon age, race, color, sex, religion, handicap or disability, national origin or any other protected category or characteristic, and any and all rights or claims arising under the California Labor Code or Industrial Welfare Commission Wage Orders, the Federal Fair Labor Standards Act, the California Fair Employment and Housing Act, California Government Code §§12, 900 et seq., the Americans With Disabilities Act, Title VII of the Civil Rights Act of 1964, the Public Safety Officers Procedural Bill of Right Act, and any other federal, state, or local human rights, civil rights, or employment discrimination or employee rights statute, rule, or regulation.

4. **SPECIFIC ACKNOWLEDGMENT OF WAIVER OF CLAIMS UNDER ADEA AND OWBPA**

The Age Discrimination in Employment Act of 1967 (hereinafter referred to as the "ADEA") makes it illegal for an employer to discharge any individual or otherwise discriminate with respect to the nature and privileges of an individual's employment on the basis that the individual is age forty (40) or older. The Older Workers Benefit Protection Act (hereinafter referred to as the "OWBPA," 29 U.S.C. § 626 *et seq.*, Pub L 101-433, 104 Stat. 978 (1990)) further augments the ADEA and prohibits the waiver of any right or claim under the ADEA, **unless the waiver is knowing and voluntary**. By entering into this AGREEMENT, EMPLOYEE acknowledges that he knowingly and voluntarily, for just compensation in addition to anything of value to which EMPLOYEE was already entitled, waives and releases any rights he may have under the ADEA and/or OWBPA. EMPLOYEE further acknowledges that he has been advised and understands, pursuant to the provisions of the ADEA and OWBPA, that:

- (a) This waiver/release is written in a manner understood by EMPLOYEE;

(b) EMPLOYEE is aware of, and/or has been advised of, his rights under the ADEA and OWBPA, and of the legal significance of his waiver of any possible claims he currently may have under the ADEA, OWBPA and/or similar age discrimination laws;

(c) EMPLOYEE is entitled to a reasonable time of at least twenty-one (21) days within which to review and consider this AGREEMENT and the waiver and release of any rights he may have under the ADEA, the OWBPA and similar age discrimination laws; but may, in the exercise of his own discretion, sign or reject this AGREEMENT at any time before the expiration of the twenty-one (21) days;

(d) The waivers and releases set forth in this AGREEMENT shall not apply to any rights or claims that may arise under the ADEA and/or OWBPA **after** the EFFECTIVE DATE of this AGREEMENT;

(e) EMPLOYEE has been advised by this writing that he should consult with an attorney prior to executing this AGREEMENT;

(f) EMPLOYEE has discussed this waiver and release with, and been advised with respect thereto by, his counsel of choice, and that he does not need any additional time within which to review and consider this AGREEMENT;

(g) EMPLOYEE has **seven (7) days following his execution** of this AGREEMENT to revoke the AGREEMENT;

(h) Notice of revocation within the seven (7) day revocation period must be provided, in writing, to THE CITY pursuant to Paragraph 8.9 herein, and must state, "I hereby revoke my acceptance of our Agreement of Severance and General Release;" and

(i) This AGREEMENT shall not be effective until all parties have signed the AGREEMENT and ten (10) days have passed since EMPLOYEE's execution ("EFFECTIVE DATE").

5. UNKNOWN CLAIMS

In relation to the release provisions of Paragraphs 3 and 4 above, EMPLOYEE understands that California Civil Code section 1542 reads as follows:

"General Release--Claims Extinguished"

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

EMPLOYEE hereby waives the protection of California Civil Code section 1542.

6. WAIVER OF ADDITIONAL CLAIMS

EMPLOYEE hereby waives any provisions of state or federal law that might require a more detailed specification of the claims being released pursuant to the provisions of Paragraphs 3, 4, and 5 above.

7. REPRESENTATIONS AND WARRANTIES

Each of the parties to this AGREEMENT represents and warrants to, and agrees with, each other party as follows:

7.1. Advice of Counsel: The parties hereto have received independent legal advice from their respective attorneys concerning the advisability of entering into and executing this AGREEMENT or have been given the opportunity to obtain such advice. The parties acknowledge that they have been represented by counsel of their own choice in the negotiation of this AGREEMENT, that they have read this AGREEMENT; that they have had this AGREEMENT fully explained to them by such counsel, or have had such opportunity to do so and that they are fully aware of the contents of this AGREEMENT and of its legal effect.

7.2. No Fraud in Inducement: No party (nor any officer, agent, employee, representative, or attorney of or for any party) has made any statement or representation or failed to make any statement or representation to any other party regarding any fact relied upon in entering into this AGREEMENT, and neither party relies upon any statement, representation, omission or promise of any other party in executing this AGREEMENT, or in making the settlement provided for herein, except as expressly stated in this AGREEMENT.

7.3. Independent Investigation: Each party to this AGREEMENT has made such investigation of the facts pertaining to this settlement and this AGREEMENT and all the matters pertaining thereto, as it deems necessary.

7.4. Mistake Waived: In entering into this AGREEMENT, each party assumes the risk of any misrepresentation, concealment or mistake. If any party should subsequently discover that any fact relied upon by it in entering into this AGREEMENT was untrue, or that any fact was concealed from it, or that its understanding of the facts or of the law was incorrect, such party shall not be entitled to any relief in connection therewith, including without limitation on the generality of the foregoing any alleged right or claim to set aside or rescind this AGREEMENT. This AGREEMENT is intended to be, and is, final and binding between the parties, regardless of any claims of misrepresentation, promise made without the intent to perform, concealment of fact, mistake of fact or law, or any other circumstance whatsoever.

7.5. Later Discovery: The parties are aware that they may hereafter discover claims or facts in addition to or different from those they now know or believe to be true with respect to the matters related herein. Nevertheless, it is the intention of the parties that EMPLOYEE fully, finally and forever settle and release all such matters, and all claims relative thereto, which do now exist, may exist or have previously existed against THE CITY or THE CITY PARTIES. In furtherance of such intention, the releases given here shall be, and remain, in effect as full and complete releases of all such matters, notwithstanding the discovery or existence of any additional or different claims or facts relative thereto.

7.6. Indemnification: EMPLOYEE agrees to indemnify and hold harmless THE CITY or THE CITY PARTIES from, and against, any and all claims, damages, or liabilities sustained by them as a direct result of the violation or breach of the covenants, warranties, and representations

undertaken pursuant to the provisions of this AGREEMENT. EMPLOYEE understands and agrees that he shall be exclusively liable for the payment of all taxes for which he is responsible, if any, as a result of his receipt of the consideration referred to in Paragraph 3 of this AGREEMENT. In addition, EMPLOYEE agrees fully to indemnify and hold the CITY PARTIES harmless for payment of tax obligations as may be required by any federal, state or local taxing authority, at any time, as a result of the payment of the consideration set forth in Paragraph 3 of this AGREEMENT.

7.7. Future Cooperation & Consultation fees: EMPLOYEE shall execute all such further and additional documents as shall be reasonable, convenient, necessary or desirable to carry out the provisions of this AGREEMENT. EMPLOYEE shall provide THE CITY with consultation services (including deposition or trial testimony) in any litigation involving THE CITY which is reasonably related to acts or occurrences transpiring during his employment. Said services shall be provided as needed by THE CITY at a rate of \$100.00 per hour.

7.8. Return of Confidential Information and Property: Prior to the separation date, EMPLOYEE shall submit a written inventory of, and return to the City Clerk, all City keys, equipment, computer identification cards or codes, and other equipment or materials or confidential documents provided to or obtained by EMPLOYEE during the course of his employment with THE CITY.

7.9. No Pending Claims and/or Actions: EMPLOYEE represents that he has not filed any complaints or charges against THE CITY or THE CITY PARTIES with any local, state or federal agency or court; that he will not do so at any time hereafter for any claim arising up to and including the EFFECTIVE DATE of this AGREEMENT; and that if any such agency or court assumes jurisdiction of any such complaint or charge against THE CITY or THE CITY PARTIES on behalf of EMPLOYEE, whenever or where ever filed, he will request such agency or court to withdraw from the matter forthwith.

7.10. Ownership of Claims: EMPLOYEE represents and warrants as a material term of this AGREEMENT that EMPLOYEE has not heretofore assigned, transferred, released or granted, or purported to assign, transfer, release or grant, any of the CLAIMS disposed of by this AGREEMENT. In executing this AGREEMENT, EMPLOYEE further warrants and represents that none of the CLAIMS released by EMPLOYEE thereunder will in the future be assigned, conveyed, or transferred in any fashion to any other person and/or entity.

7.11. Enforcement Fees and Costs: Should any legal action be required to enforce the terms of this AGREEMENT, the prevailing party shall be entitled to reasonable attorneys' fees and costs in addition to any other relief to which that party may be entitled.

7.12. Authority: Each party represents to the other that it has the right to enter into this AGREEMENT, and that it is not violating the terms or conditions of any other AGREEMENT to which they are a party or by which they are bound by entering into this AGREEMENT. The parties represent that they will obtain all necessary approvals to execute this AGREEMENT. It is further represented and agreed that the individuals signing this AGREEMENT on behalf of the respective parties have actual authority to execute this AGREEMENT and, by doing so, bind the party on whose behalf this AGREEMENT has been signed.

8. MISCELLANEOUS

8.1. No Admission: Nothing contained herein shall be construed as an admission by THE CITY of any liability of any kind. THE CITY denies any liability in connection with any claim and intends hereby solely to avoid potential claims and/or litigation and buy its peace.

8.2. Governing Law: This AGREEMENT has been executed and delivered within the State of California, and the rights and obligations of the parties shall be construed and enforced in accordance with, and governed by, the laws of the State of California.

8.3. Full Integration: This AGREEMENT is the entire agreement between the parties with respect to the subject matter hereof and supersedes all prior and contemporaneous oral and written agreements and discussions. This AGREEMENT may be amended only by a further agreement in writing, signed by the parties hereto.

8.4. Continuing Benefit: This AGREEMENT is binding upon and shall inure to the benefit of the parties hereto, their respective agents, spouses, employees, representatives, officials, attorneys, assigns, heirs, and successors in interest.

8.5. Joint Drafting: Each party agrees that it has cooperated in the drafting and preparation of this AGREEMENT. Hence, in any construction to be made of this AGREEMENT, the parties agree that same shall not be construed against any party.

8.6. Severability: In the event that any term, covenant, condition, provision or agreement contained in this AGREEMENT is held to be invalid or void by any court of competent jurisdiction, the invalidity of any such term, covenant, condition, provision or agreement shall in no way affect any other term, covenant, condition, provision or agreement and the remainder of this AGREEMENT shall still be in full force and effect.

8.7. Titles: The titles included in this AGREEMENT are for reference only and are not part of its terms, nor do they in any way modify the terms of this AGREEMENT.

8.8. Counterparts: This AGREEMENT may be executed in counterparts, and when each party has signed and delivered at least one such counterpart, each counterpart shall be deemed an original, and, when taken together with other signed counterparts, shall constitute one AGREEMENT, which shall be binding upon and effective as to all parties.

8.9. Notice: Any and all notices given to any party under this AGREEMENT shall be given as provided in this paragraph. All notices given to either party shall be made by certified or registered United States mail, or personal delivery, at the noticing party's discretion, and addressed to the parties as set forth below. Notices shall be deemed, for all purposes, to have been given on the date of personal service or three (3) consecutive calendar days following deposit of the same in the United States mail.

As to EMPLOYEE:

At EMPLOYEE's home address on file with THE CITY.

As to THE CITY:

Mayor
City of Suisun City
701 Civic Center Blvd.
Suisun City, California 94585

IN WITNESS WHEREOF, THE CITY has caused this AGREEMENT to be signed and executed on its behalf by its Mayor and duly attested by its City Clerk, EMPLOYEE has signed and executed this Agreement, and the attorneys for THE CITY and EMPLOYEE, if any, have approved as to form as of the dates written below.

DATED: 2/26/24

EMPLOYEE Bret Pichula
By: [Signature]

THE CITY

DATED: _____

By: _____
Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

ALESHIRE & WYNDER, LLP

By: _____
_____, City Attorney

[EMPLOYEE's LAW FIRM]

By: _____
[Counsel]

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AGENDA TRANSMITTAL

MEETING DATE: March 12, 2024

AGENDA ITEM: PUBLIC HEARING: Appeal of the Planning Commission's January 30, 2024 Approval of Site Plan/Architectural Review Permit No. SP/AR 23/24-003 for the Almond Gardens Redevelopment Project Located at Assessor's Parcel Numbers 0032-101-420 and 0032-102-160:

- a. Council Adoption of Resolution No. 2024-___: A Resolution of the City Council of the City of Suisun City Council After Conducting a 'de novo' Public Hearing; Denying the Appeal of the Appellant and Affirming the Planning Commission's January 30, 2024 Approval of Site Plan/Architectural Review SP/AR 23/24-003 and Making a Finding of Consistency with California Environmental Quality Act (CEQA) Section 15183 for the Almond Gardens Redevelopment Project Located at Assessor's Parcel Numbers 0032-101-420 and 0032-102-160; or
- b. Council Adoption of Resolution No. 2024-___: A Resolution of the City Council of the City of Suisun City After Conducting a 'de novo' Public Hearing; Upholding the Appeal of the Appellant and Overturning the Planning Commission's January 30, 2024, Approval of Site Plan/Architectural Review SP/AR 23/24-003 for the Almond Gardens Redevelopment Project Located at Assessor's Parcel Numbers 0032-101-420 and 0032-102-160.

FISCAL IMPACT: The Project Sponsor is required to offset development impacts and increased municipal service costs including but not limited to: police services, fire services, landscape and facilities, storm drainage, and recreation through a variety of financial programs. These programs include but are not limited to: park fees, impact fees and annexation to a Community Facilities District No. 2 (CFD 2). Using the fiscal year 23/24 rate of \$382.53 per multi-family unit, this project would generate between \$23,000 and \$38,000 per year through the CFD No. 2.

STRATEGIC PLAN: Revitalize Downtown Waterfront District and Provide Good Governance.

BACKGROUND: The subject site is 3.19 acres and consists of two non-contiguous parcels which are on both sides of Almond Street between Civic Center Boulevard and Whispering Bay Lane. The current apartments are addressed as 707 through 815 Almond Street within the Waterfront District Specific Plan Area and designated as Residential High-Density (RHD).

At present, the Suisun City Housing Authority owns the property and utilizes a property management company to manage the day-to-day activities. The apartments were developed in 1962 and historically the property featured fifty-two units; but currently features thirty-eight rentable units, with fourteen uninhabitable units that have been found to not be financially feasible to cure and restore to a market typical and habitable condition.

The Suisun City Housing Authority Board first authorized a Disposition and Development Agreement (DDA) with the buyer/developer in 2021 and has chosen to extend the DDA a few times as the project has evolved and the buyer has continued due diligence work. Most recently, the DDA was extended in December 2023 through the end of 2025 to allow for pursuit of tax credit financing as the project is proposed as a completely affordable project. Further, following the release of a Request for Proposals

(RFP), Harbor Park LLC responded and was awarded 96 Project-Based Housing Vouchers in November 2023.

Good Neighbor Meeting

A required Good Neighbor public meeting was hosted by the applicant on Thursday January 4, 2024, and was well-attended by the public. Surrounding property owners were sent notice of the meeting by first class certified mail. The Good Neighbor meeting notice and presentation materials were posted on the Suisun City website as well as the City’s Facebook page. Consistent with the protocol of the Good Neighbor Policy, following the meeting City staff is provided a transcript of the meeting which includes all questions and answers. Staff has reviewed the transcript and feels the questions largely center around the proposed added height of the proposed construction as well as concerns relative to adjacency of the project to the single-family neighborhood to the north (Victorian Harbor) including privacy.

At the January 30, 2024 Planning Commission meeting, the Commission held a public hearing and approved the project by a vote of 4-0 with one absence. At the public hearing there were several public comments received, both in writing as well as in person. Public comments seemed to center around concerns of privacy, parking, and project notification. With their approval, the Commission added three conditions of approval (P-8 through P-10 - Attachment 1) in an effort to address concerns that had come up through the course of the public hearing. Following project approval, and within the required ten calendar days time frame, an appeal was filed with staff which suspended the project approval and requires City Council consideration.

City Council meeting notices to affected property owners were sent by first class mail on February 28, 2024, and the public hearing notice was published in the Daily Republic on March 1, 2024. As of the date of this staff report, no additional inquiries regarding this item have been received by City Staff.

STAFF REPORT: The City Council is being asked to hear the appeal filed on the February 9, 2024 regarding the Planning Commission's January 30, 2024 approval of the Almond Garden's Redevelopment Project. The hearing is considered 'de novo' meaning that a new public hearing is to be held in which the City Council hears all the evidence and takes an independent action of the Planning Commission.

Appellant	Applicant
Riza Feroz Khan 727 Driftwood Drive Suisun City, CA 94585	Harbor Park LLC 9700 Village Center Drive Granite Bay, CA 95746

Project Description

The proposed project will consist of a net increase of up to 47 units (maximum of 99 units) and would result in a three-story product. Five three-story buildings are proposed with a manager’s unit and an on-site maintenance shop. Of the proposed 99 units, 46 would be one-bedroom units (625 square feet each) and 53 would be two-bedroom units (825 square feet each). The units count may need to be flexed to a lower unit count as part of the tax credit financing process. The total number of bedrooms in the project will not exceed 152 bedrooms. Additionally, the proposed project would include various amenities such as rear parking, preserved and new landscaping, and a centralized play structure. The applicant intends to pursue Tax Increment financing at first convenience to allow redevelopment of the property.

Residential High-Density District

As defined in the Waterfront District Specific Plan, the Residential High-Density (RHD) district is applicable to parcels suited for more dense land uses such as apartment projects. Specifically, the allowable density of this district includes a range of 24.1 – 54 dwelling units per acre and are particularly appropriate in areas in close proximity to the Suisun-Fairfield Train Depot (project is approximately 1/3 of a mile away from).

Site Plan/Architectural Review

As shown on Sheet A1.1., Site Plan (Attachment 4), the proposed buildings have been brought forward toward Almond Street with vehicular access and parking (121 spaces) around the rear. This allows for a separation or buffer between the proposed project and the adjacent land uses.

Additionally, Sheets A3.1 and A3.2 (Attachment 4) show the proposed elevation of the project which falls well within the 55' maximum height allowance of the Waterfront District Specific Plan (Table 6.1: Residential Development Standards – Waterfront District Specific Plan).

Setback/Adjacency to Existing Land Uses

In reviewing a project and ultimately providing a recommendation for a project, staff is charged with considering not only the proposed project site, but also the land uses that immediately surround the property. One of the key considerations is to evaluate a project's compliance with setbacks or distance between any property line and proposed building. In this case, the property has surrounding land uses on each side including single- family homes to the North. As discussed, at the January 4 Good Neighbor Meeting there were concerns relative to the increased height relative to privacy. Following review the meeting's transcript, staff discussed the issue with the applicant and conducted a site visit to determine if there was indeed an issue.

As a result, the applicant has provided Sheet A3.0 (Attachment 4) which shows the proximity of the new apartment buildings to the existing Victorian Harbor residences. The exhibit shows an approximate distance of 89'5" to properties which have Accessory Dwelling Units (ADUs) above their garage and 138'7" to the primary residences. In comparison, the existing Victorian Harbor homes along Driftwood Drive are approximately 80' apart when measuring front to front and approximately 10-18' when measuring side to side. Following staff's due diligence, staff feels every attempt has been made to design the project in a way to minimize disturbance of the neighbors.

When considering development projects, staff must review a proposed project against all rules and regulations including any zoning standards. That analysis is then used by the decision-making body in their decision-making process as a project approval is considered. Below is a table staff has prepared which compares what the applicant has proposed to the standards of the Waterfront District Specific Plan. is found on Sheet A0.1 (Attachment 4):

	WDSP Standard	Proposed
Front Setback	0'-15'	10'
Side Setback	*0'-5'	10' to 60'
Rear Setback	5'	65'
Height	55'	35' to eave line
Private Open Space	No Standard	47 sq. ft. per residence
Public Open Space	No Standard	5,000 sq. ft. pocket park

*The project exceeds the maximum setback which has been found to be appropriate as the project is

adjacent to existing land uses.

Parking

In the same way as staff must analyze a project and make sure it is consistent with development standards such as setbacks, staff must also review a project’s proposed parking with specific parking regulations in place. The applicant’s proposal consists of 99 units with a mixture of one and two bedrooms. The Waterfront District Specific Plan calls for 1 parking space for a one-bedroom units, and 1.5 parking spaces for two units or more. On-street guest parking may be substituted for visitor parking where sufficient space parking is provided on the street adjacent to the development, which is applicable for this project.

The applicant is proposing to provide 121 spaces as a part of the project. Based on the bedroom allocation for a complete buildout of 99 units, the parking space requirement calls for 146 spaces. This is shown in a table on Sheet A1.1 in Attachment 4.

Below is a table that identifies the required parking spaces that are required per the Waterfront District Specific Plan. The table also compares city required parking spaces with parking reductions granted per state density bonus law for multifamily development projects. The state density bonus law allows for certain concessions to be granted by a jurisdiction if certain densities are achieved for a project. In this case, the applicant requested no concessions, but the information is provided for reference and comparison identifying parking reductions by applying the allotted reduction granted by the state for higher density projects. In addition to state reductions for multifamily projects, Assembly Bill 2097 (AB 2097) is a new California law that prohibits public agencies or cities from imposing a minimum automobile parking requirement on most development projects located within a half-mile radius of a major transit stop. The law became effective January 1, 2023, after being signed into law by Governor Newsom. While the parking analysis has been determined for the potential full build-out of 99 units, the applicant is applying for tax credit financing and has indicated that the project may be flexed to a lower unit count of 61-units. The "Parking Requirements" table includes a bottom row which illustrates how the project would compare with the city code as well as the state density bonus law in this scenario. In short, due to the location and nature of the proposed project, the City would not be allowed to uphold a minimum parking requirement for the project.

Parking Requirements (99 units)			
	Proposed Project	Waterfront District Specific Plan	State Density Bonus
1 bedroom		46	23
2 bedroom		80	53
Total Parking Spaces	121	146 (includes 20 guest spaces)	76
61-Units (Flexed Reduction 2+ bedrooms)	121	105	61

Relief through various state laws provides the applicant with significant flexibility when it comes to parking. The applicant has attempted to provide a more realistic approach given the number of units and mixture of bedrooms per unit to achieve an appropriate parking count. Further, field inspection indicates that in addition to the 121 on-site parking spaces, the applicant will pick up an additional 15 on-street parking spaces totaling 136 parking spaces. While this number is shy of the requirement per the Waterfront District Specific Plan (which new state law governs), staff has determined that the

Planning Commission condition requiring a parking management plan requiring the project to assess the parking usage and designate how spaces are distributed through a plan satisfies the parking requirement. A sample parking management plan has been included as Attachment 7 of this staff report. Furthermore, discussions indicate that it's very likely that the project will be flexed downward to possibly 61 units in the applicant's pursuit of tax credit financing. As illustrated in the table above, a reduced project would require less parking when applying the Waterfront District Specific Plan parking standards prior to accounting for state law requirements.

Site Plan/Architectural Review

The decisions of the Planning Commission (Commission) or in this case City Council (Council) regarding the Site Plan/Architectural Review should be considered in the context of the City's Strategic Plan. Goal 1. of the strategic plan includes these objectives:

- Improve the Downtown District and historic areas; and
- Maintain a clean and attractive Downtown area.

The redevelopment of the parcel under consideration, which has been slowly falling into disrepair for years, will significantly address these objectives by not only restoring the unit count, but also nearly doubling it while also improving street appeal and image of the property. Staff and the Planning Commission/City Council are tasked with implementing the Strategic Plan goals and objectives. Staff has determined that approval of the proposed project will be responsive to this charge.

The proposed project has been analyzed for consistency with the General Plan designation, zoning district, Municipal Code regulations, and other applicable codes and regulations. All City departments, as well as Suisun-Solano Water Authority (SSWA) have reviewed the project and provided staff with conditions of approval required by those departments/agencies.

For approval of Site Plan and Architectural Review, the Council must find that the proposed project complies with all development standards, other relevant city standards, and the uses and activities permitted in the zoning district. Upon application, as required by the zoning code, staff reviewed siting of structures; protection of other properties from nuisance; design and location of parking facilities; control of ingress and egress to minimize traffic hazards and ensure safety of pedestrians and bicyclists; landscaping; building elevations showing design, height, and function of proposed structures; proposed signage; and exterior lighting.

Plans Provided

Attachment 4, below, includes copies of the proposed site plan, exterior elevations, floor plan, landscaping plan, sight line plan, and preliminary civil plans for review by the Planning Commission. Staff has determined that the proposed plans conform to all relevant city standards and result in a site design that is both functional and suitable for its location. The plans have been reviewed by all necessary city departments. Conditions of approval have been included as part of the Resolution. Staff recommends that implementation of all proposed conditions of approval be required as a part of commission approval of the project.

Appeal Filed and Staff Responses

As stated earlier in the staff report, an appeal of the Planning Commission decision was properly filed with staff per Section 18.84.050 of the Suisun City Code. Below are the points raised in the filed appeal as well as responses by City Staff:

1. Privacy Violations - Citing Section 6.2.3 of the Waterfront District Specific Plan

The filed appeal states that the project violates Section of 6.2.3(A.2) of the Waterfront District Specific Plan by not addressing the loss of privacy of the adjoining neighbors as a result of the project. Staff has reviewed this section of the Waterfront District Specific Plan and feels it is important to point out that this language is a "guideline" in comparison to a "standard". This is evidenced by the use of the word "should". If it were a standard it would have been written with a word such as "shall" which you typically find in code language for items such as minimum setbacks or building height limits. Further, the applicant has made effort to minimize the impact of privacy loss by: maximizing the setbacks of the buildings, committing to plant columnar trees along the northern property line, and hiring a drone company to properly assess any impacts. Regarding the referenced drone letter, the applicant has provided a letter dated February 11, 2024 from Robert Becker whom operated the drone and flew the drone at heights of 21' and 31' looking north toward the Victorian Harbor Subdivision from Buildings 1 and 2. This letter is included in Attachment 5 of this staff report. Video of the drone footage, as it was presented to the Planning Commission, can be found at the following link: <https://media.avcaptureall.cloud/meeting/861ebcb5-768e-42e7-8d1f-e3781e8e4326> at the 1 hour 7-minute mark.

2. Inadequate Public Review

There was a stated concern within the appeal that the Planning Commission acted solely on the visual evidence provided/presented by the applicant and very little value was given to information by the residents. All public comments that were submitted prior to and during the public hearing were provided to the commissioners and made a part of the public record.

3. Inadequate Flood Risk Assessment

Inadequate flood risk assessment was also stated in the appeal as part of the project's analysis. When considering this issue, it is important to understand the when analysis is needed for a project. From submitted documentation, the project site is shown to have an elevation of approximately six feet with the required finished floor elevation required to be ten and half feet for new construction. This means that more than four feet of fill are required to be imported to the property site. With this said, an applicant is required to provide preliminary civil plans which show proposed site drainage and to further show there are no stormwater impacts on adjacent properties which the applicant has shown in the submitted project plans. Once the project submits for building permits then an applicant will be required to provide a geotechnical and the Building Division will make sure that proper finished floor elevations are achieved.

4. Parking Issues Unaddressed

The appellant felt that parking is not properly addressed with the existing project layout including the conditioned Parking Management Plan not going far enough to limit the shortage of proposed parking. First, as stated at the Planning Commission, the applicant has made a good faith effort to providing as much parking as possible within the property by maximizing both the available on and off-site parking area. Staff monitored the parking at different times through the past few weeks and concluded that the existing spaces for the units are available. At times, as much as half of the spaces are vacant. Within the parking analysis of this staff report, staff has provided a table comparing proposed parking to required spaces per the Waterfront District Specific Plan. Lastly, the City is bound by Assembly Bill 2097, which due to the nature of the project as well as its proximity to a major transit stop prohibits the City from requiring a minimum number of parking spaces.

5. Insufficient Review Time

The appeal raises concern over inadequate review time for the project including the Commission to consider the issues and possible solutions in a meaningful way. Staff has reviewed the timeline in which

the project was publicly noticed and found that compliance with state law was achieved. Public hearings are required to be noticed 10-days in advance of a public hearing and in this case, the Planning Commission notices were sent out January 17, 2024 and the notice was published in the Daily Republic newspaper on January 19, 2024.

Appeal - Inconsistencies/Misrepresentations

1. Non-Profit Partnership

The appellant raised concern over the ownership/management of the project and what involvement a non-profit may or may not have. Staff has confirmed with the applicant that Harbor Park LLC will need to partner with a non-profit in order to receive the tax credits, but this is not expected to occur until later in the process. Additionally, there will need to be a property management company but there is not requirement that entity be a non-profit.

2. Overlooked Resident Eligibility

The last point raised in the filed appeal was concern that the applicant lacked awareness of the current tenants of the property and the proposed project would not allow retention of those who wouldn't qualify. A resident of the project did speak at the January 30 hearing and stated they were not receiving any aid to live there. As of March 4, there are 13 vouchers being utilized for the property. However, the property has been managed as if it were a tax credit property over the past 30+ years by keeping the monthly rents on the lower end.

Housing Accountability Act

The Housing Accountability Act, Gov't Code § 65589.5(d), was enacted into law in 2018. It sets a high bar on disapproving new residential projects within a jurisdiction by narrowing its review authority. Importantly, even if the Council is unable to make the findings necessary to approve the site plan review, State Law requires the City Council to approve the Project under the Housing Accountability Act, unless it can make at least one the following findings (see Gov't Code § 65589.5(d)):

1. HCD has approved the City's Housing Element and all of the affordable housing units in the income categories included in the Project proposal have been permitted (i.e. are being constructed or are approved to be constructed).
2. The Project has a specific, adverse impact on public health and safety, and there is not feasible way to avoid that impact.
3. Denial is required to comply with specific state or federal law, and there is no feasible method to comply.
4. The Project will be built on land zoned for agriculture or having inadequate water or sewer.
5. The Project is inconsistent with both the zoning and the general plan, and the Project is not proposed on a site identified for housing in the housing element, and there are other sufficient sites to accommodate the RHNA requirements or zoning for emergency shelters.

There does not appear to be evidence in the record to support any of the above findings. Therefore, under State Law, the Project must be approved. Failure to approve the Project could result in fines of \$10,000 per unit.

Relocation Plan

The project will be constructed in three phases in accordance with the Davis Bacon Act. The project phasing is designed around creating the least disruption for the existing residents and constructed in three independent and successive phases. The first phase will consist of one three-story building that will house 20 units. The construction of this building may require the temporary relocation of three of the existing tenants. Once the building is completed, the relocated tenants will have the priority to return

to Almond Gardens. The existing tenants will then be offered the chance to occupy the remaining units. The completion of this phase and the transfer of the existing tenants to the new building will clear the path for the commencement of the second phase. The completion of the second phase in the same manner as the first phase will lead to the construction of third and last phase of the project. The existing tenants will receive relocation assistance in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970 (URA)(42 U.S.C. 4601-4655) and implementing regulations at 49 CFR Part 24. Furthermore, this project will observe and comply with HUD regulations in 24 CFR part 135 that implement Debarment as defined in 24 CFR Sections 5.1(c) and 24 CFR Part 24.

CEQA REVIEW

The City previously prepared and certified an Environmental Impact Report (EIR) for the 2035 General Plan, which was adopted in 2015, and which analyzed the impacts of development anticipated under the WDSP. The impacts associated with the type of development accommodated under the WDSP, including zoning, density, parking, and other development standards were previously analyzed in the 2035 General Plan EIR. Therefore, pursuant to CEQA and the CEQA Guidelines, the City, as the lead agency, intends to use the 2035 General Plan EIR as the CEQA document for the environmental impacts associated with the updated WDSP and CEQA Guidelines Section 15183 allows a streamlined environmental review process for projects that are consistent with the densities established by existing zoning, community plan or general plan policies for which an EIR was certified.

As stated earlier in this report, the proposed project falls within the allowable density range on an already developed property. The project will utilize existing street trees and strategically add site landscaping. Further, careful effort has gone into designing this infill redevelopment project in relation to each of the adjacent existing land uses.

City Council Options

The City Council has the following options available:

- Approve the project as submitted and deny the appeal;
- Approve the project with modifications and deny the appeal;
- Deny the project and uphold the appeal;
- Continue the item for further discussion.

Regardless of the option which the Council approves, it must be supported by appropriate findings.

STAFF RECOMMENDATION: Staff recommends the City Council:

1. Open the Public Hearing;
2. Take Public Comment;
3. Close Public Hearing;
4. Adopt Resolution No. 2024-__: A Resolution of the City Council of the City of Suisun City Council After Conducting a 'de novo' Public Hearing; Denying the Appeal of the Appellant and Affirming the Planning Commission's January 30, 2024 Approval of Site Plan/Architectural Review SP/AR 23/24-003 and Making a Finding of Consistency with California Environmental Quality Act (CEQA) Section 15183 for the Almond Gardens Redevelopment Project Located at Assessor's Parcel Numbers 0032-101-420 and 0032-102-160.

DOCUMENTS ATTACHED:

1. Resolution No. 2024-__: A Resolution of the City Council of the City of Suisun City Council After Conducting a 'de novo' Public Hearing; Denying the Appeal of the Appellant and Affirming the Planning Commission's January 30, 2024 Approval of Site Plan/Architectural Review SP/AR

23/24-003 and Making a Finding of Consistency with California Environmental Quality Act (CEQA) Section 15183 for the Almond Gardens Redevelopment Project Located at Assessor's Parcel Numbers 0032-101-420 and 0032-102-160.

2. Resolution No. 2024-___: A Resolution of the City Council of the City of Suisun City After Conducting a 'de novo' Public Hearing; Upholding the Appeal of the Appellant and Overturning the Planning Commission's January 30, 2024, Approval of Site Plan/Architectural Review SP/AR 23/24-003 for the Almond Gardens Redevelopment Project Located at Assessor's Parcel Numbers 0032-101-420 and 0032-102-160.
3. Appeal Filed February 9, 2024
4. Project Plans
5. Drone Letter submitted by Applicant
6. Housing Accountability Act
7. Sample Parking Management Plan
8. PowerPoint Presentation

PREPARED BY:

John Kearns, Principal Planner

REVIEWED BY:

Jim Bermudez, Development Services Director

APPROVED BY:

Aaron Roth, Interim City Manager

ATTACHMENTS:

1. Resolution - Affirming
2. Resolution - Overturning
3. Appeal Filed February 9
4. Project Plans
5. Drone Letter Submitted by Applicant
6. Housing Accountability Act
7. Sample Parking Management Plan
8. PowerPoint Presentation

RESOLUTION NO. 2024-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY AFTER CONDUCTING A ‘DE NOVO’ PUBLIC HEARING; DENYING THE APPEAL OF THE APPELLANT AND AFFIRMING THE PLANNING COMMISSION'S JANUARY 30, 2024 APPROVAL OF SITE PLAN/ARCHITECTURAL REVIEW SP/AR 23/24-003 AND MAKING A FINDING OF CONSISTENCY WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) SECTION 15183 FOR THE ALMOND GARDENS REDEVELOPMENT PROJECT LOCATED AT ASSESSOR’S PARCEL NUMBERS 0032-101-420 AND 0032-102-160

WHEREAS, Harbor Park LLC (hereinafter referred to as Applicant) filed an application with the City of Suisun City for the redevelopment of the Almond Gardens Apartment which are located on Assessor Parcel Numbers 0032-101-420 and 0032-102-160; and

WHEREAS, the Planning Commission did hold a public hearing on January 30, 2024 and did approve the Almond Gardens Redevelopment Project via Resolution PC24-01; and

WHEREAS, an appeal was filed consistent with Suisun City Code Section 18.84.050; and

WHEREAS, the City Council, per the Waterfront District Specific (WDSP) and Suisun City Zoning Code, is empowered to take action on the subject appeal of the development application; and

WHEREAS, the City Council of the City of Suisun City did hold a properly noticed public hearing on March 12, 2024 pursuant to Government Code Section 65090 and has considered all written and verbal testimony presented during the hearing.

NOW, THEREFORE, BE IT RESOLVED THE CITY COUNCIL OF THE CITY OF SUISUN CITY does hereby make the following findings and approvals.

1. The City Council determines that the Project has been adequately analyzed under the provisions of the California Environmental Quality Act (CEQA) and that no further review of the Project under CEQA is required or appropriate.

Analysis: The City previously prepared and certified an Environmental Impact Report (EIR) for the 2035 General Plan, which was adopted in 2015, and which analyzed the impacts of development anticipated under the WDSP. The impacts associated with the type of development accommodated under the WDSP, including zoning, density, parking, and other development standards were previously analyzed in the 2035 General Plan EIR. Therefore, pursuant to CEQA and the CEQA Guidelines, the City, as the lead agency, intends to use the 2035 General Plan EIR as the CEQA document for the environmental impacts associated with the updated WDSP and CEQA Guidelines Section 15183 allows a streamlined environmental review process for projects that are consistent with the densities established by existing zoning, community plan or general plan policies for which an EIR was certified.

2. That the proposed project is consistent with the Goals, Policies and Objectives of the Downtown Waterfront Land Use Element of the Suisun City General Plan:

Analysis: The density provided in the General Plan for the Downtown Waterfront Land Use Designation provides a range (24.1 – 54 units/acre) in which the project falls within. Further, the proposed project does not deviate from the alignment of roadways or other public improvements as shown in the General Plan.

3. That the proposed project is consistent with the Goals, Policies and Objectives of the Downtown Waterfront Specific Plan and Title 18 “Zoning” of the Suisun City Municipal Code including meeting all applicable development standards.

Analysis: The proposed project is consistent with the Residential High-Density designation of the Waterfront District Specific Plan District in that each of the development standards (Table 6.1 of the Waterfront District Specific Plan “WDSP”) is proposed to be met. Further, although the project does not entirely meet with parking requirements of the WDSP, it does benefit from Assembly Bill 2097 which indicates local jurisdictions cannot provide minimum parking requirements on projects in certain scenarios including those which are within a ½ mile of a major transit stop (Suisun-Fairfield Train Station).

4. The project will not, under the circumstances of the particular case, constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city, provided that if any proposed building or use is necessary for the public health, safety or general welfare, the finding shall be to that effect.

Analysis: The project proponent has consulted with the applicable public safety agencies to design a project which meets their needs of serving the project. Each of those agencies was provided an opportunity to review and comment on the project. These comments have been provided as conditions of approval which can be found as Exhibit A.

5. That adequate utilities, access roads, pedestrian and bicycle access, drainage, parking, and/or other necessary facilities have been or are being provided.

Analysis: The proposed project takes into consideration current existing circulation in and around the site as well as future access and utility improvements.

6. That the proposed use conforms with all relevant federal, state, and local laws and regulations.

Analysis: The proposed project is requesting the subject entitlements. Further, the project proponent will apply for all applicable permits through the City, County, and any other regulatory agency prior to commencing construction on-site. The City will not issue any permit until proper actions have been taken with the other relevant agencies.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUISUN CITY that the request for appeal of the Planning Commission decision to approve the Almond Gardens Redevelopment Project is hereby denied and the Almond Gardens Redevelopment Project approval is affirmed.

PASSED AND ADOPTED by a Regular Meeting of said City Council of the City of Suisun City duly held on Tuesday, the 12th of March 2024, by the following vote:

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

WITNESS my hand and the seal of the City of Suisun City this 12th day of March 2024.

Anita Skinner, City Clerk

EXHIBIT A: CONDITION OF APPROVAL

GENERAL

- G-1 The applicant or applicants successor in interest shall indemnify, defend and hold harmless the City of Suisun City it's agents, officers, and employees from any and all claims, actions or proceedings against the City of Suisun City, its agents, officers, and employees to attach, set aside, void or annul, any approval by the City of Suisun City and its advisory agency, appeal board, or legislative body concerning this application which action is brought within applicable statutes of limitations. The City of Suisun City shall promptly notify the applicant or applicant's successor in interest of any claim or proceedings and shall cooperate fully in the defense. If the City fails to do so, the applicant or applicant's successor in interest shall not thereafter be responsible to defend, indemnify or hold the City harmless. This condition may be placed on any plans, or other documents pertaining to this application.
- G-2 The use shall be constructed in accordance with the information presented (except as otherwise identified in the Conditions of Approval) and shall conform to all requirements of the City of Suisun City Code including but not limited to the Uniform Building Code as adopted by the City of Suisun City.
- G-3 Approval of this permit will be effective, provided no appeals are received within 10 calendar days of the Planning Commission meeting date of January 30, 2024 and that the property owner and the applicant signatures are obtained affirming that they have read and understand the Conditions of Approval for the Site Plan/Architectural Review Permit No. AR23/4-003 and agree to comply with the conditions.
- G-4 The applicant shall comply with all applicable Federal, State, and local codes including, but not limited to, the Uniform Building Code, Fire Code and County Health Department guidelines as interpreted by the County Health Inspectors.
- G-5 All the proposed improvements, including landscape installation shall be completed prior to issuance of any business license or Certificate of Occupancy.
- G-6 New development shall pay development impact fees set forth in Resolution 2017-02.

FIRE

- FIRE-1 Standpipes shall be installed on all buildings in accordance with NFPA 14, current edition.
- FIRE-2 Proposed and existing hydrants are subject to relocation, or the addition thereof, based on operational needs and / or fire department connection (FDC) locations.
- FIRE -3 Proposed curbs design at entries are subject to reconfiguration in order to accommodate fire apparatus turn radius.

PLANNING

- P-1 The applicant is to provide a final landscape plan for the review and approval of the Development Services Director (or his/her designee).
- P-2 Transformers, telephone switching boxes, utility poles, fire valves, trash enclosures, service areas as well as other utility or service functions shall be screened with landscape. The emphasis shall be on reducing or eliminating negative visual impacts on major public areas, high priority buildings, prominent architecture elements, and along primary roadways.

- P-3 The final color scheme and materials are to be approved by Development Services Director (or his/her designee).
- P-4 Final architectural plans, responding to any comments raised at the March 12, 2024 City Council meeting, need to be submitted and approved by the Development Services Director (or his/her designee).
- P-5 A final photometric/lighting plan shall be submitted and approved by the Development Services Director (or his/her designee) prior to building permit issuance.
- P-6 All exterior lighting shall be downcast.
- P-7 Construction of the project and use of the property shall be in substantial conformance with the approved plans including the project description. Any deviation will need to be submitted to the Development Services Director to determine whether further Planning Commission consideration is necessary.
- P-8 Additional columnar trees are to be added along the north property line between the project and Victorian Harbor Subdivision. Size and species of tree to be reviewed and approved by the Development Services Director.
- P-9 The construction masonry wall on top of a retaining wall to be continued along the northwest of the project to match design of the north property line.
- P-10 Developer to prepare and submit a Parking Management Plan for review and approval of the Development Services Director. Plan to specifically address use of parking spaces to assure each household has access to parking.

PUBLIC WORKS

- PW-1 All work performed shall conform to these conditions as well as to all City ordinances, rules, standard specifications and details, design standards, and any special requirements imposed by the City Engineer. The Public Works Department will provide inspection to ensure conformance. Any deviation from the aforementioned documents shall require review and written approval by the City Engineer. Deviations or exceptions to the design requirements in the listed documents for private improvements must be identified in the design guidelines or submitted to the City Engineer for approval.
- PW-2 The Applicant shall agree, with respect to the new public improvements on this project, to either establish a community facilities district (CFD) or annex such property to an existing community facilities district, as deemed appropriate by the Applicant and the City, for the purpose of financing the cost of providing the following public services to the project property(ies): maintenance of public street lighting, sanitary sewer, storm drains and public infrastructure. The rate and method of apportionment of special tax applicable to the property shall establish a special tax designed to offset public services per City Council Resolution 2005-70. The City shall not be obligated to issue certificates of occupancy with respect to the property until formation of the new community facilities district or annexation to an existing community facilities district is completed.
- PW-3 The Applicant shall dedicate any required right-of-way by Final Map or approved instrument prior to start of construction.
- PW-4 The City Engineer may approve and/or negotiate minor changes or exceptions to Public Works Department conditions of approval.
- PW-5 The Applicant shall designate a design professional as the main point of contact in submitting plans, reports and other documents to the City during the design and plan review phase. Submittals from any other person will not be accepted by the City.
- PW-6 The Improvement Plans shall include a General Note that: any revisions to the approved Improvement Plans and/or City Standards, including those due to field conditions, shall require review and written approval by the City Engineer. The Applicant shall have the revised plans prepared by the Project Professional Designer and shall have the revised plans

- submitted for review and approval by the City Engineer. Any revisions to the Improvement Plans resulting from these or other conditions contained herein shall be subject to written approval of the City Engineer.
- PW-7 The Improvement Plans shall include a Site Improvement Plan prepared by a registered Civil Engineer and shall comply with the requirements of the soils report for the project.
- PW-8 Building foundations shall comply with Suisun City's Ordinance No. 729 and the most current Building Code.
- PW-9 The Applicant shall pay all Public Works fees, including plan review and inspection fees, as established by the City Public Works Fee Schedule at the time of submittal of Improvement Plans.
- PW-10 The Applicant shall pay Suisun-Solano Water Authority (SSWA) plan check and inspection fees within 30 calendar days upon receipt of invoice from the Solano Irrigation District (SID). The invoice will be for actual expenses incurred by SSWA for providing plan checking and inspection services for the project.
- PW-11 Developer shall submit his Faithful Performance Bond and Labor & Materials Bond prior to the approval of Improvement Plans. Developer shall submit his One-Year Warranty Bond prior to the City's acceptance of the improvements. The amounts of the Faithful Performance Bond and Labor & Materials Bond shall each be 100% the cost estimate of the civil and landscape improvements, while the amount of the One-Year Warranty Bond shall be 20% of the cost estimate of the civil and landscape improvements.
- PW-12 The Applicant shall obtain all necessary permits from all applicable agencies prior to start of construction.
- PW-13 The Applicant shall dedicate, as required, on-site easements for new public utilities by Final Map or approved instrument prior to start of construction.
- PW-14 No structures such as trees and building foundations shall be installed within existing easements or easements required of the project. The civil and landscape plan sheets shall show the easements.
- PW-15 Construction dumpsters to be used during construction shall be dumpsters supplied by Republic Services. This is pursuant to the agreement between the City and Republic Services for all areas within Suisun City. Dumpsters shall be screened from public view by a City-approved method and shall be covered at all times after work hours.
- PW-16 All work within the public right-of-way, which is to be performed by the Applicant, the general contractor, and all subcontractors shall be included within a single City Encroachment Permit issued by the City Public Works Department. Issuance of the Encroachment Permit and payment of all appropriate fees shall be completed prior to commencement of work, and all work under the permit shall be completed prior to issuance of occupancy permit.
- PW-17 The Applicant shall have a superintendent present at all times at the job site. Superintendent shall provide the quality control for the Applicant; respond to the City's concerns; coordinate inspections with the City Inspector; make construction decisions on behalf of the Applicant; and coordinate work of the Applicant's subcontractors.
- PW-18 A sign shall be posted on the property in a manner consistent with the public hearing sign requirements, which shall identify the address and phone number of the Applicant and/or Applicant's representative for the purposes of responding to questions and complaints during the construction period. Said sign shall also indicate the hours of permissible construction work.
- PW-19 Prior to start of construction, a security fence with privacy screening, the height of which shall be the maximum permitted by the Zoning Ordinance, shall be installed and

- maintained around the perimeter of the lot. The lot shall be kept clear of all trash, weeds, and unusable construction material throughout the construction activity.
- PW-20 Unless otherwise approved by the City Engineer, all existing sidewalks shall be kept clear and passable during all phases of the project.
- PW-21 Any existing wells shall be abandoned per County of Solano Health Department standards prior to development of the property. Owner shall submit documentation to the Public Works Director that this condition has been satisfied prior to any construction on this project.
- PW-22 If any archaeological resources are found during the grading of the site or during performance of any work, work shall be halted, the City Engineer shall be notified and a certified archaeological firm shall be consulted for advice at Applicant's expense.
- PW-23 Any relocation or modification of any existing facilities necessary to accommodate subject project shall be at the Applicant's expense. It shall be the responsibility of the Applicant to coordinate all necessary utility relocations with the appropriate utility company.
- PW-24 Any existing frontage, or street, improvements, which in the opinion of the City Engineer, are currently damaged or become damaged as a part of the work shall be removed and replaced as required to the current City Standards, or as directed.
- PW-25 Visual obstructions over three feet in height will not be allowed within the driver's sight triangle near driveways and corners in order to allow an unobstructed view of oncoming traffic. Improvements at driveways and corners are subject to the review and approval of the City Engineer.
- PW-26 The project shall comply with the requirements of the most current Municipal Regional Permit (MRP) issued to the Fairfield-Suisun Urban Runoff Management Program and to the City's Stormwater C.3 Guidebook. This includes, but is not limited to, construction and post-construction Best Management Practices (BMPs); obtaining all necessary permits for storm water discharges; entering into a Stormwater Treatment Measures Maintenance Agreement; preparing a long-term maintenance plan for the Applicant's maintenance of the post-construction stormwater facilities; and contracting with a Qualified SWPPP Practitioner (QSP) to inspect and to ensure the implementation of all elements of the Storm Water Pollution Prevention Plan (SWPPP), including non-stormwater and stormwater visual observations, sampling, and analysis and preparation of Rain Event Action Plans (REAP). As part of the improvement plans, the ponding depths, pipe sizing, time of release, and storage for the bioretention facilities shall be calculated. The project shall not introduce any ponding nuisance and shall eliminate the possibility of flooding in the bioretention facilities.
- PW-27 Stormwater runoff shall not drain to the adjacent private parcels.
- PW-28 Trees shall not be planted within bioretention areas.
- PW-29 The project improvements shall include protection of the bioretention areas by installing perimeter barriers such as shrubs. In addition, "keep out" signs shall be placed within the bioretentions. Sign spacing shall be no more than 100 feet apart. Message on signs shall as follows or City approved equivalent: **BIORETENTION FACILITY – KEEP OUT – STORMWATER QUALITY MANAGEMENT AREA.**
- PW-30 Proposed trash enclosures are to comply with Detail SW-3 of the City's Stormwater C.3 Guidebook.
- PW-31 The Applicant shall secure buy-in from Republic Services on the proposed trash enclosure locations.
- PW-32 The project shall install full capture trash devices within drain inlets located within the project site.

- PW-33 All on-site drain inlets and catch basins along the project frontage shall be marked with “No Dumping – Flows to Bay” or equivalent information.
- PW-34 Dust control shall be in conformance with City Standards and Ordinances. Vehicles hauling dirt or other construction debris from the site shall cover any open load with a tarpaulin or other secure covering to minimize dust emissions.
- PW-35 During construction, street sweeping shall be regularly performed on a daily basis such that no evidence of tracking dirt shall be present on the public street. Moreover, contractor shall have a street sweeper at the project site at all times.
- PW-36 The project shall contract with a Qualified Storm Water Pollution Prevention Plan (SWPPP) Developer (QSD) and Preparer (QSP) to prepare SWPPP and to monitor construction activities to ensure compliance with the City’s clean stormwater permit, Municipal Regional Permit.
- PW-37 The landscaping and irrigation shall comply with the City’s water efficient landscaping ordinance.
- PW-38 The maximum allowable slope in landscape areas shall be 3:1, or as approved by City Engineer. Slopes steeper than the allowable slope would require the installation of retaining wall.
- PW-39 The landscape strip between the paved street and the existing sidewalk along the Almond Street frontage, including groundcover, shrubs, trees, and the associated irrigation shall be the Applicant’s responsibility to operate, maintain, repair, replace and rehabilitate.
- PW-40 All relocated facilities shall meet state and local separation standards. Separation between proposed water and sanitary sewer pipes shall meet the latest Suisun-Solano Water Authority (SSWA) Design Standards, Standard Specifications, and Standard Drawings.
- PW-41 Direct tapping of City or SSWA water mains is not permitted. Applicant shall install the required fittings in the existing or new main lines to accommodate the proposed water system. No existing water mains shall be shut down without specific permission of the City Engineer and the Solano Irrigation District.
- PW-42 Project improvements shall comply with ADA requirements.
- PW-43 All proposed metal fences shall be tubular metal fences and shall be welded. Minimum sizes and wall thickness/gauges for the tubular metal fence shall be as follows: 2-1/2” main posts(1/4” wall), 1” X 2” top and bottom rails (0.188” wall) , and 3/4 pickets (16 gauge).
- PW-44 The project shall rehabilitate the existing masonry walls along the northern and southern perimeter of the project site. Rehabilitation shall be to all sides of the walls and shall include, at the minimum, replacing damaged blocks that the City Engineer deems structurally unsound, patching cracks in the walls and blocks, and painting the walls.
- PW-45 All existing red and green curbs along Almond Street fronting the project shall be repainted.
- PW-46 The project shall provide “Fire Lane – Do Not Park” stenciling and painting where deemed necessary by the Suisun City Department.
- PW-47 All existing NO PARKING ANYTIME sign/sign post assemblies along Almond Street fronting project shall be replaced. The sheet for the new signs shall be High Intensity Prismatic Sheet. The new sign posts shall be Uni-Strut posts.
- PW-48 The project shall repaint all existing decorative acorn-type streetlights along the Almond Street frontage. Moreover, any repairs the City Engineer deems necessary shall be performed by the project.
- PW-49 The project shall provide digout repairs and asphalt rubber cape seal for the full width of Almond Street fronting the project site.

- PW-50 The project shall upgrade, via removal and replacement, all existing curb ramps fronting the project site to ADA-compliant curb ramps.
- PW-51 Each project driveway shall be controlled by STOP signs, bars and legends.
- PW-52 During the preparation of the Improvement Plans, the Applicant shall videotape the main sanitary sewer line and storm drain line on Almond Street and within the project site. Any deficiencies within those lines and associated manholes shall be repaired or replaced.
- PW-53 The existing north-south storm drain line under proposed Building 1 shall be removed, and a new north-south storm drain line shall be installed at a new location that is acceptable by the City Engineer. New pipe shall be Reinforced Concrete Pipe (RCP).
- PW-54 The project shall comply with CALGreen, Title 24, which requires that new construction and major alterations include EV charging stations at parking spaces as well as “EV capable” and “EV ready” parking spaces.
- PW-55 Prior to the issuance of Certificate of Occupancy, the Applicant shall submit to the Public Works Department “as-built” Improvement Plans in PDF format.

SOLANO IRRIGATION DISTRICT

- SID-1 The proposed development will require connections onto the existing domestic water stubs.
- SID-2 Improvement plans must show all existing facilities located within the project site, along with all proposed modifications that will be required to serve the property.
- SID-3 Any waterlines or public water facilities not installed within a public right-of-way will require an easement granted to SSWA for the operations and maintenance of the public facilities.
- SID-4 Per the SSWA Cross-Connection Control Resolution No. 99-01, all types of commercial buildings and landscape irrigation services are required to include an approved backflow prevention assembly, at the developer’s expense. The desired location, service size and flow-rate for the backflow prevention assembly must be submitted for approval. Based on the proposed commercial use, a Reduced Pressure Principle (RPP) Assembly will be required on each of the domestic water services.
- SID-5 The developer is required to provide and install freeze protection for all RPBFP’s and DCDC’s at the developer’s expense.
- SID-6 At the time the Building Permit is issued, the developer will be required to pay the appropriate SSWA Connection Fee and Meter Installation Fee at the City of Suisun City. These fees are determined by the size of the meter requested. All domestic water services will be metered.
- SID-7 We require that the District (on behalf of SSWA) review, approve and sign all Final and/or Parcel Maps, and that SSWA review, approve and sign the Improvement Plans of this development.
- SID-8 The SSWA Plan Review Fee applies and is due upon submittal of the maps and plans for review.
- SID-9 SSWA’s General Notes must be included in the Improvement Plans and all proposed water system appurtenances and waterlines shall be constructed per the latest SSWA Design Standards and Specification and Details.
- SID-10 Electronic AutoCAD files and .pdf files are required upon the completion of the project showing “as-builts” for electronic archiving.

RESOLUTION NO. 2024-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY AFTER CONDUCTING A ‘DE NOVO’ PUBLIC HEARING; UPHOLDING THE APPEAL OF THE APPELLANT AND OVERTURNING THE PLANNING COMMISSION'S JANUARY 30, 2024, APPROVAL OF SITE PLAN/ARCHITECTURAL REVIEW SP/AR 23/24-003 FOR THE ALMOND GARDENS REDEVELOPMENT PROJECT LOCATED AT ASSESSOR’S PARCEL NUMBERS 0032-101-420 AND 0032-102-160

WHEREAS, Harbor Park LLC (hereinafter referred to as Applicant) filed an application with the City of Suisun City for the redevelopment of the Almond Gardens Apartment which are located on Assessor Parcel Numbers 0032-101-420 and 0032-102-160; and

WHEREAS, the Planning Commission did hold a public hearing on January 30, 2024 and did approve the Almond Gardens Redevelopment Project via Resolution PC24-01; and

WHEREAS, an appeal was filed consistent with Suisun City Code Section 18.84.050; and

WHEREAS, the City Council, per the Waterfront District Specific Plan (WDSP) and Suisun City Zoning Code, is empowered to take action on the subject appeal of the development application; and

WHEREAS, the City Council of the City of Suisun City did hold a properly noticed public hearing on March 12, 2024 pursuant to Government Code Section 65090 and has considered all written and verbal testimony presented during the hearing.

NOW, THEREFORE, BE IT RESOLVED THE CITY COUNCIL OF THE CITY OF SUISUN CITY does hereby make the following findings and approvals.

1. The City Council determines that the Project has not been adequately analyzed under the provisions of the California Environmental Quality Act (CEQA) and that further review of the Project under CEQA is required or appropriate.
2. That the proposed project is not consistent with the Goals, Policies and Objectives of the Downtown Waterfront Land Use Element of the Suisun City General Plan.
3. That the proposed project is not consistent with the Goals, Policies and Objectives of the Downtown Waterfront Specific Plan and Title 18 “Zoning” of the Suisun City Municipal Code including meeting all applicable development standards.
4. The project will, under the circumstances of the particular case, constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city, provided that if any proposed building or use is necessary for the public health, safety or general welfare, the finding shall be to that effect.
5. That inadequate utilities, access roads, pedestrian and bicycle access, drainage, parking, and/or other necessary facilities have been or are being provided.
6. That the proposed use does not conform with all relevant federal, state, and local laws and regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUISUN CITY that the request for appeal of the Planning Commission decision to approve the Almond Gardens Redevelopment Project is hereby upheld and the Almond Gardens Redevelopment Project approval is overturned.

PASSED AND ADOPTED by a Regular Meeting of said City Council of the City of Suisun City duly held on Tuesday, the 12th of March 2024, by the following vote:

AYES: Councilmembers

NOES: Councilmembers

ABSTAIN: Councilmembers

ABSENT: Councilmembers

WITNESS my hand and the seal of the City of Suisun City this 12th day of March 2024.

Anita Skinner, City Clerk

Appeal No.: _____

Date Received: _____

**APPEAL
TO THE SUISUN CITY COUNCIL
TITLE 18 - ZONING**

Section 18.76.050 Appeal to the City Council. In case an applicant or any interested party is not satisfied with the decision of the planning commission, he or she may, within then days appeal in writing to the city council. A copy of the appeal shall be submitted to the planning commission. The city council shall consider the appeal and render its decision within sixty days after receipt of the appeal. (Ord. 549 § (Exbt. A(part), 1987: Ord. 529 §3, 1986: Ord. 379 §3200 (D) (part), 1974)

To: Suisun City Clerk

Name of Applicant RIZA FERAZ KHAN Phone 209-642-2829

Address 727 DRIFTWOOD DRIVE, SUISUN CITY 94585

Nature of Appeal: On request for a SITE PLAN / ARCHITECTURAL REVIEW

on Application No. SP/AR 23/24-003 (ALMOND GARDENS) Dated 1.30.24

State specifically wherein it is claimed that there was an error or abuse of discretion by the Planning Commission or wherein its decision is not supported by the evidence in the record.

Attached is my formal appeal against the approval of the Almond Gardens Redevelopment Project. This outlines significant concerns regarding privacy, public review, flood risk assessment, parking issues and procedural inconsistencies.

Additionally, I request a full refund of any fees associated with this appeal. If the developers fees were waived, I seek equal consideration for a fee waiver.

Enclosed you will also find a list of signatures supporting this appeal.


Signature of Applicant

City Council Action: _____

Council Meeting Date: _____

City Clerk Signature: _____

To: City of Suisun Planning Commission

RE: Appeal Against Approval of Almond Gardens Redevelopment Project

We, the undersigned, appeal the Planning Commission's approval of the Almond Gardens Redevelopment Project. We cite privacy violations, inadequate public review, and insufficient flood risk assessments as our main concerns.

Grounds for Appeal:

Privacy Violations: The project's design fails to protect the privacy of adjacent properties, violating the Downtown Waterfront Land Use Element of the Suisun City General Plan, Section 6.2.3. The proposed mitigations, such as additional landscaping, are inadequate, resulting in loss of property use.

Inadequate Public Review: The planning commission relied solely on visual evidence supplied by the developer, who has a vested interest in the project being completed and despite residents informing the commission that the drone footage was not accurate, used that as its primary evidence in making the determination. Visual evidence provided by the residents was not reviewed or acknowledged as reviewed by most of the Planning Commission prior to the public review meeting.

Insufficient Flood Risk Assessment: The project lacks detailed flood risk assessments and mitigation strategies, relying instead on verbal assurances from the developer, which is unacceptable.

Parking Issues Unaddressed: The approved parking management plan fails to address existing neighborhood parking issues, ignoring concerns about guest parking, limited street parking, and insufficient resident parking spaces for existing homes.

Insufficient Review Time: The developer indicated that in order to protect his investment, he would have to submit a funding proposal by February 13, 2024 and that he had missed prior deadlines due to the inefficiency of the City Administration. The lack of timely notification to citizens and the accelerated deadline of site plan approval ensured that there was insufficient time for community concerns and suggestions to be addressed or reviewed by the Commission in a meaningful way. The lack of efficiency of the city and the developer are not the responsibility of the affected residents.

Inconsistencies and Misrepresentations:

Non-Profit Partnership Misrepresentation: The application claims the development requires a partnership with a non-profit for management, yet the developer has named a for-profit entity as the property manager. This discrepancy questions the integrity of the project's commitments and its alignment with stated funding requirements.

Overlooked Resident Eligibility: Public comments, including a surprising revelation from a current resident about ineligibility for the new complex, highlight a significant oversight. The developer's unawareness of residents' qualifications suggests a lack of thorough review and consultation with existing tenants before planning. This oversight not only affects individual lives but also raises concerns about the project's inclusivity and fairness.

These instances underscore a troubling pattern of misinformation and lack of due diligence, warranting a comprehensive reassessment of the project's approval and oversight mechanisms.

Request for Action:

We urge a comprehensive re-evaluation of the project to address these issues and ensure transparency, compliance, and consideration of community welfare. We request the suspension of any further action until this appeal is resolved.

Attached are the names and signatures of stakeholders supporting this appeal.

We trust the City Council and Planning Commission will treat this matter with the urgency and seriousness it deserves, prioritizing compliance, community impact, and environmental responsibility.

	Name	City	State	Postal Code	Signed On
1	Riza Khan	Suisun City	CA	94585	2/2/2024
2	John Chiolero	Suisun City	CA	94585	2/2/2024
3	Lonnie Kutil	Suisun City	CA	94585	2/2/2024
4	Terry Nykoluk	Fairfield	CA	94533	2/2/2024
5	Susanne Quan	Fairfield	CA	94534	2/2/2024
6	jill angelichio	charlotte		28204	2/2/2024
7	Emily Khan	Suisun City	CA	94585	2/2/2024
8	Julia Smith	Suisun City	CA	94585	2/2/2024
9	Luke Beuselinck	Suisun City	CA	94585	2/2/2024
10	Andrew Decker	Suisun City	CA	94585	2/2/2024
11	Angelica Decker	Suisun City	CA	94585	2/2/2024
12	Jessica Martin	Suisun City	CA	94585	2/2/2024
13	Harriette Johnson	Suisun City	CA	94585	2/2/2024
14	Jennifer Peter	Fairfield	CA	94533	2/2/2024
15	Ryan Scaife	Vacaville	CA	95687	2/2/2024
16	Carolyn Rafferty	Delmar		12054	2/3/2024
17	Melisa Rodriguez	Fairfield	CA	94533	2/3/2024
18	Ronald Plunkett	Fairfield	CA	94534	2/3/2024
19	Kevin King	Hayward		94541	2/3/2024
20	Gabriela Mallo	New York		10029	2/3/2024
21	Mary Loyd Shell	Ridgecrest		93555	2/3/2024
22	Cesar Redoloso III	Suisun City	CA	94585	2/3/2024
23	Alicia Payne	Suisun City	CA	94585	2/3/2024
24	John Pierce	Suisun City	CA	94585	2/3/2024
25	Anna Mariel Mancenido	Suisun City	CA	94585	2/3/2024
26	Johenas Mancenido	Suisun City	CA	94585	2/3/2024
27	Brian Taylor	Suisun City	CA	94585	2/3/2024
28	Johannes Pareigis	Suisun City	CA	94585	2/3/2024
29	Cherelyn Hunt	Suisun City	CA	94585	2/3/2024
30	Adam Kaluba	Burleson		76028	2/4/2024
31	Lorraine Craib	Fairfield	CA	94533	2/4/2024
32	Jason Amdahl	Fairfield	CA	94533	2/4/2024
33	Stella Makin	Fairfield	CA	94533	2/4/2024
34	Robert Burkhart	Fairfield	CA	94533	2/4/2024
35	Peter Oquendo	Los Angeles	CA	90057	2/4/2024
36	Stephanie Smith	Oakland	CA	94605	2/4/2024
37	Dave Craib	Sacramento	CA	94204	2/4/2024
38	Alexander Leonard	Stockton	CA	95215	2/4/2024
39	Brandon Allen	Suisun City	CA	94585	2/4/2024
40	Stinn McDaniel	Suisun City	CA	94585	2/4/2024
41	John Makin	Suisun City	CA	94585	2/4/2024
42	Barbara Makin	Suisun City	CA	94585	2/4/2024
43	Charlotte Chiolero	Vallejo	CA	94591	2/4/2024
44	Melissa Bassi	Buena Park		90620	2/5/2024
45	Quintin Price	Fairfield	CA	94533	2/5/2024
46	Kirsty Burkhart	Fairfield	CA	94534	2/5/2024

47	Carol Black	Fremont	CA	94536	2/5/2024
48	Dave Chiolero	Fremont	CA	94536	2/5/2024
49	Jamie Atkinson	Napa	CA	94558	2/5/2024
50	Timothy Biggar	Oakland	CA	94605	2/5/2024
51	Danielle Mendez	San Bruno	CA	94066	2/5/2024
52	Chely Sanchez	San Jose	CA	94585	2/5/2024
53	Rene Steinhauer	Suisun City	CA	94585	2/5/2024
54	Jennifer Atkinson	Suisun City	CA	94585	2/5/2024
55	Alexia Atkinson	Suisun City	CA	94585	2/5/2024
56	Adrienne Thomas	Suisun City	CA	94585	2/5/2024
57	JERRICA BENEDIX	Vacaville	CA	95688	2/5/2024
58	Sheri Burrell	Whitethorn	CA	95589	2/5/2024
59	Lisa Myer	American Canyon	CA	94503	2/6/2024
60	Scott Myer	American Canyon	CA	94503	2/6/2024
61	Victor Garcia	American Canyon	CA	94503	2/6/2024
62	Jessica Garcia	American Canyon	CA	94503	2/6/2024
63	James Rundall	Benicia	CA	94510	2/6/2024
64	Karece Danczek	Fairfield	CA	94533	2/6/2024
65	Jakob Welch	Fairfield	CA	95215	2/6/2024
66	Gina Pastrick	Fairfield	CA	94533	2/6/2024
67	Kimberly Chiolero	Fremont	CA	94536	2/6/2024
68	Mehran Khan	Lodi	CA	95242	2/6/2024
69	Laura Welch	Oakland	CA	94612	2/6/2024
70	LAuren Reynolds	Pacifica	CA	94044	2/6/2024
71	Jasmine Wilson	Rincon	GA	31326	2/6/2024
72	Tommy Wilson	Rincon	GA	31326	2/6/2024
73	Noah Myer	San Bruno	CA	94066	2/6/2024
74	Rachael Williamson	San Leandro	CA	94578	2/6/2024
75	Brittney Archuleta	Santa Cruz	CA	95060	2/6/2024
76	Melissa Cromwell	Suisun City	CA	94585	2/6/2024
77	Andrew Floyd	Suisun City	CA	94585	2/6/2024
78	Charla Molina	Vacaville	CA	95688	2/6/2024
79	Jonathan Unson	Vallejo	CA	94589	2/6/2024
80	Gloria Soto	Vallejo	CA	94591	2/6/2024
81	Erika Rikhiram	Clermont		34711	2/7/2024
82	Isabella Norman	Fairfield	CA	94533	2/7/2024
83	James Walker	Fairfield	CA	94533	2/7/2024
84	Pat Thompson	Long Beach		90810	2/7/2024
85	Monkey 09	Philadelphia		19120	2/7/2024
86	Noriyoshi Inoue	Raleigh		27614	2/7/2024
87	Eli Bart	Suisun City	CA	94585	2/7/2024
88	Leilani Katen	Cedar Rapids		52404	2/9/2024



PROJECT TEAM	PLANNING INFORMATION	PROJECT DESCRIPTION	DRAWING INDEX
<p>PROJECT SPONSOR: Harbor Park, LLC 1024 IRON POINT ROAD, GRANITE BAY, CA 95784 CAMRAN NOJOMOII 916-746-1276</p> <p>RECORD ARCHITECT: ACE DESIGN, LLC 1024 IRON POINT ROAD, FOLSOM, CA 95630 702-423-7335 JASPAL SINGH SIDHU, P.E. PRINCIPAL</p> <p>CIVIL ENGINEERING ACE DESIGN, LLC 1024 IRON POINT ROAD, FOLSOM, CA 95630 702-423-7335 JASPAL SINGH SIDHU, P.E. PRINCIPAL</p> <p>DESIGN ARCHITECT: STUDIO FOF 1164 CRESCENTA COURT LAFAYETTE, CA 94549 F. CLAY FRY 925-765-2876 CLAVFRY@STUDIOFOF.COM</p>	<p>CONTRACTOR: SWANK CONSTRUCTION, INC. 222 BELLA VISTA ROAD VACAVILLE, CA 95687 707-446-8808 JACK SWANK, VICE PRESIDENT OF OPERATIONS</p> <p>GEOTECHNICAL ENGINEER: MTL DBA KC ENGINEERING CO. CENTRAL CALIFORNIA, BAY AREA: 865 COTTING LANE, SUITE A VACAVILLE, CA 95688 (707) 447-4025 DAVID CYMANSKI, G.E.</p> <p>LANDSCAPE ARCHITECT: MSLA LANDSCAPE ARCHITECTURE 2500 W. WALTONS DRIVE FOLSOM, CA 95630 916-889-9172 MICHAEL SHULAR</p>	<p>ZONING: RHD RESIDENTIAL HIGH DENSITY</p> <p>MINIMUM LOT SIZE: 1,200 SQ FT NORTH PARCEL: 60,888 SQ FT SOUTH PARCEL: 77,508 SQ FT 138,393 / 1200 = 115 DU 99 PROPOSED 99 AFFORDABLE (100%)</p> <p>25% PROPOSED MAXIMUM LOT COVERAGE: 80%</p> <p>MINIMUM LOT WIDTH REQUIRED: NONE 52% PROPOSED MINIMUM LOT DEPTH REQUIRED: NONE 12% PROPOSED FRONT SET BACK: 0-15' 10' PROPOSED</p> <p>SIDE SET BACK: 0' MIN - 5' MAX 10' PROPOSED AND BLDG. 3 60' AT OTHER BLDGS. REAR SETBACK: 5' 65' PROPOSED MAXIMUM HEIGHT: 55' 35' TO EXISTING PROPOSED PRIVATE OPEN SPACE PROVIDED: 47 SQ FT PER RESIDENCE PUBLIC OPEN SPACE PROVIDED: 5,000 SQ FT POCKET PARK</p>	<p>THE PROJECT CONSISTS OF 9 INDIVIDUAL, 3 STORY BUILDINGS AND A 1 STORY LEASING OFFICE MAINT SHOP. EACH BUILDING IS A 3 STORY WALK UP WITH AN OPEN AIR LOBBY. TOTAL UNIT COUNT IS 99 UNITS, ALL OF WHICH ARE AFFORDABLE. PARKING SHALL BE 122, WHICH IS GREATER THAN THE REQUIRED 99 UNITS. 23 UNITS REMAIN DEVELOPMENT SHORTFALL UNITS AND 99 UNITS FOR A PROJECT THAT PROVIDES ON SITE AFFORDABLE UNITS.</p> <p>ARCHITECTURAL A0.1 - COVER SHEET A1 - SITE PLAN A2.1 - 1ST FLOOR PLAN A2.2 - 2ND FLOOR PLAN (3RD SIMILAR) A2.3 - ROOF PLAN A3.1 - EXTERIOR ELEVATIONS A3.2 - EXTERIOR ELEVATIONS A4.1 - LADDER TRUCK EXHIBIT A4.2 - TRASH TRUCK EXHIBIT LANDSCAPE P1 - PRELIMINARY LANDSCAPE PLAN</p> <p>CIVIL C1 - CONCEPTUAL GRADING PLAN C2 - GRADING SECTIONS C3 - DEMOLITION PLAN C4 - CONCEPTUAL UTILITY PLAN C5 - WATER QUALITY MANAGEMENT PLAN</p> <p>SURVEY 1 - BOUNDARY AND TOPOGRAPHIC SURVEY 2 - BOUNDARY AND TOPOGRAPHIC SURVEY</p>

ALMOND GARDENS

ALMOND STREET
SUISUN CITY, CALIFORNIA

STUDIO f c t

F. Clay Fry, Architect Inc.
1164 Crescenta Court
Lafayette, CA 94549
925-765-2876

Ashria, LLC
8700 Village Green Dr.
Crestline, CA 91734
916-740-1276

CDTY SUBMITTAL:
FEBRUARY 28, 2022

COVER SHEET

A0.1

ORIGINAL: 24 X 36



F. CASHY ARCHITECTURE
1000 S. GARDEN ST.
LARKSPUR, CA 94026
925.852.8218

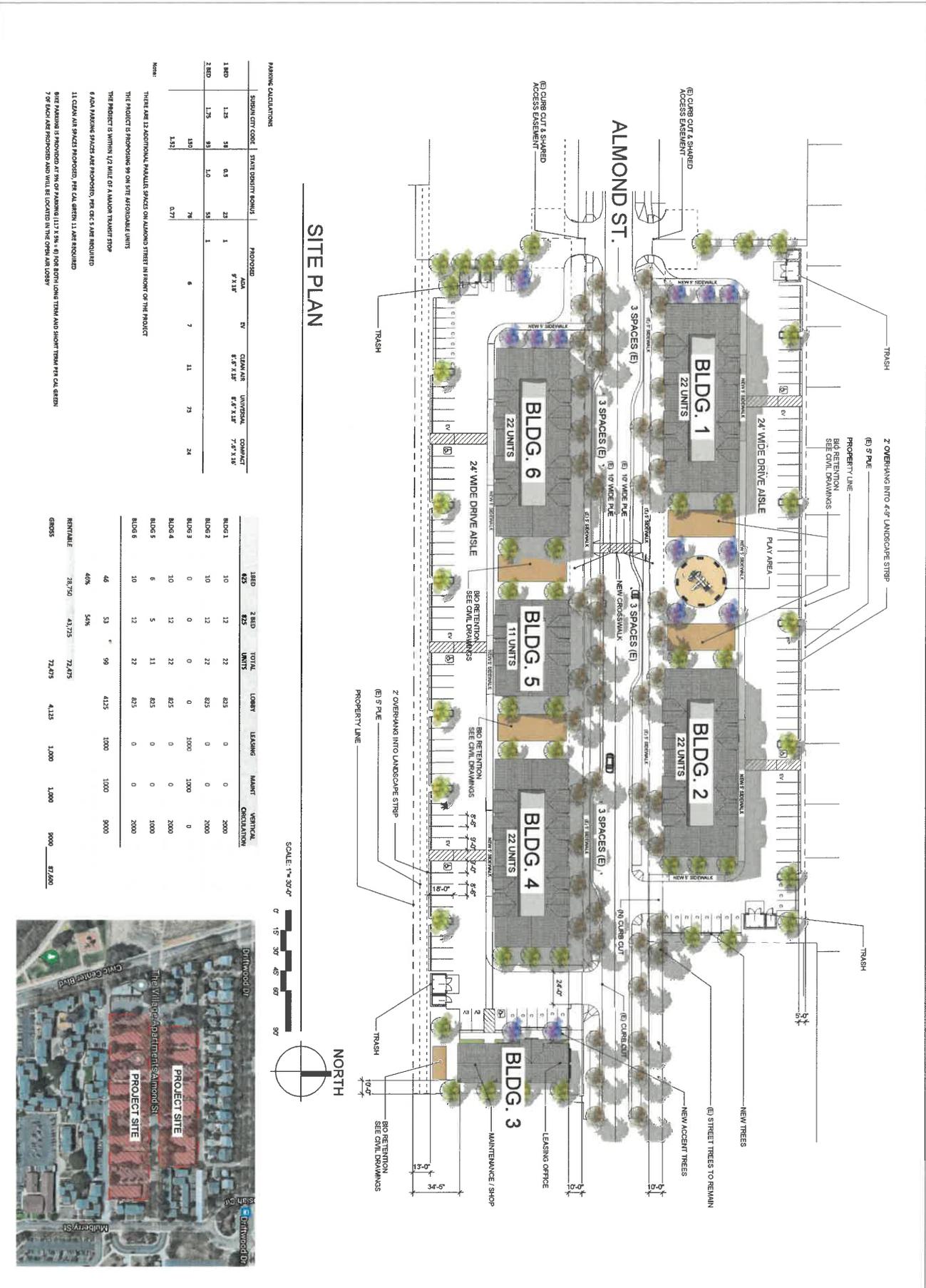
Ashtia, LLC
1700 17th Street
San Diego, CA 92161
619.444.2278

ALMOND GARDENS
ALMOND STREET
SUISUN CITY, CALIFORNIA

CITY SUBMITTAL:
FEBRUARY 24, 2022

SITE PLAN

ORIGINAL: 24 X 36
A1.1



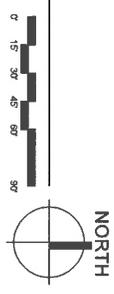
SITE PLAN

PLANNING CALCULATIONS

SUBMIT CITY CODE	STATE DENSITY BONUS	PROPOSED	ADJ	2V	CLAN MAX	UNIVERSAL	COMPACT
1 BUD	1.25	38	0.3	1	8' X 18'	8' X 18'	7' X 18'
2 BUD	1.75	93	1.0	31	8' X 18'	8' X 18'	7' X 18'
	1.50			76			
	1.32			0.71			

NOTE:
THREE ARE 12 ADDITIONAL, MAXIMUM SPACES ON ALMOND STREET IN FRONT OF THE PROJECT
THE PROJECT IS PROPOSING 99 ON SITE AFFORDABLE UNITS
THE PROJECT IS WITHIN 1/2 MILE OF A MAJOR THROUGH STOP
6 ADA PARKING SPACES ARE PROPOSED, PER CDC 5 ARE REQUIRED
11 CLAN MAX SPACES PROPOSED, PER CAL GREEN 11 ARE REQUIRED
BIKE PARKING IS PROPOSED AT 2% OF PARKING (11 X 7.5% = 81.008 ROUNDED DOWN) AND SUPPORT TEAM PER CAL GREEN
7 OF EACH ARE PROPOSED AND WILL BE LOCATED IN THE OPEN AIR LOBBY

1 BUD	2 BUD	TOTAL	LOBBY	LEASING	MAINT	VERTICAL
425	825	1250	425	0	0	2000
BLDG 1	10	12	22	0	0	2000
BLDG 2	10	12	22	0	0	2000
BLDG 3	0	0	0	1000	1000	0
BLDG 4	10	12	22	0	0	2000
BLDG 5	6	5	11	0	0	1000
BLDG 6	10	12	22	0	0	2000
46	53	99	425	1000	1000	9000
RENTABLE	28,250	41,275	72,475			
46%	54%					
GROSS	4,125	1,000	1,000	9,000		82,600





F. Clay P. Associates
 10000 Wilshire Blvd., Suite 1000
 Los Angeles, CA 90024
 323-755-5818

Ashra, LLC

7700 Wilshire Blvd., Suite 1200
 Los Angeles, CA 90048
 310-401-1210

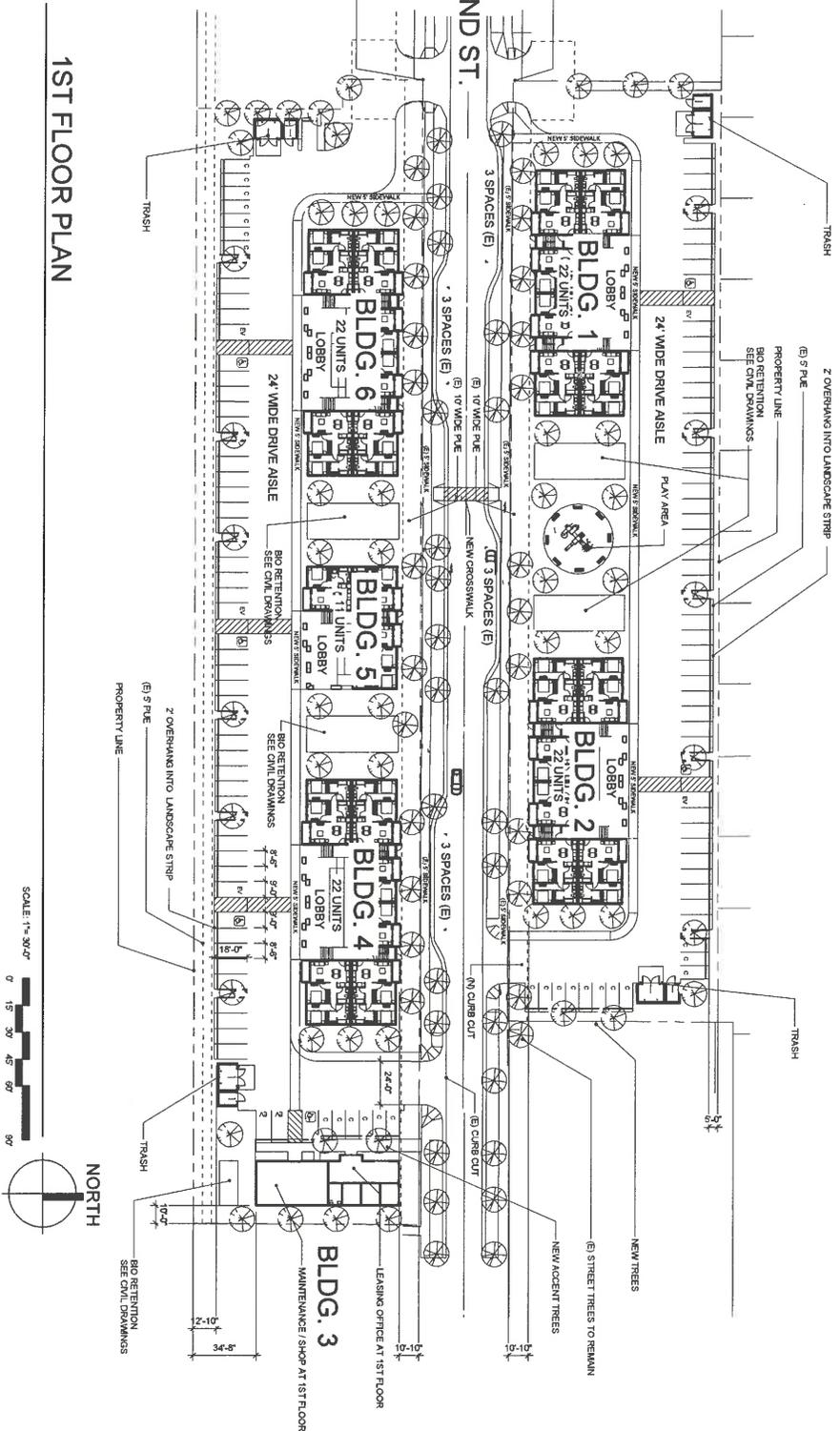
ALMOND GARDENS

ALMOND STREET
 SUISUN CITY, CALIFORNIA

CITY SUBMITTAL:
 FEBRUARY 28, 2022

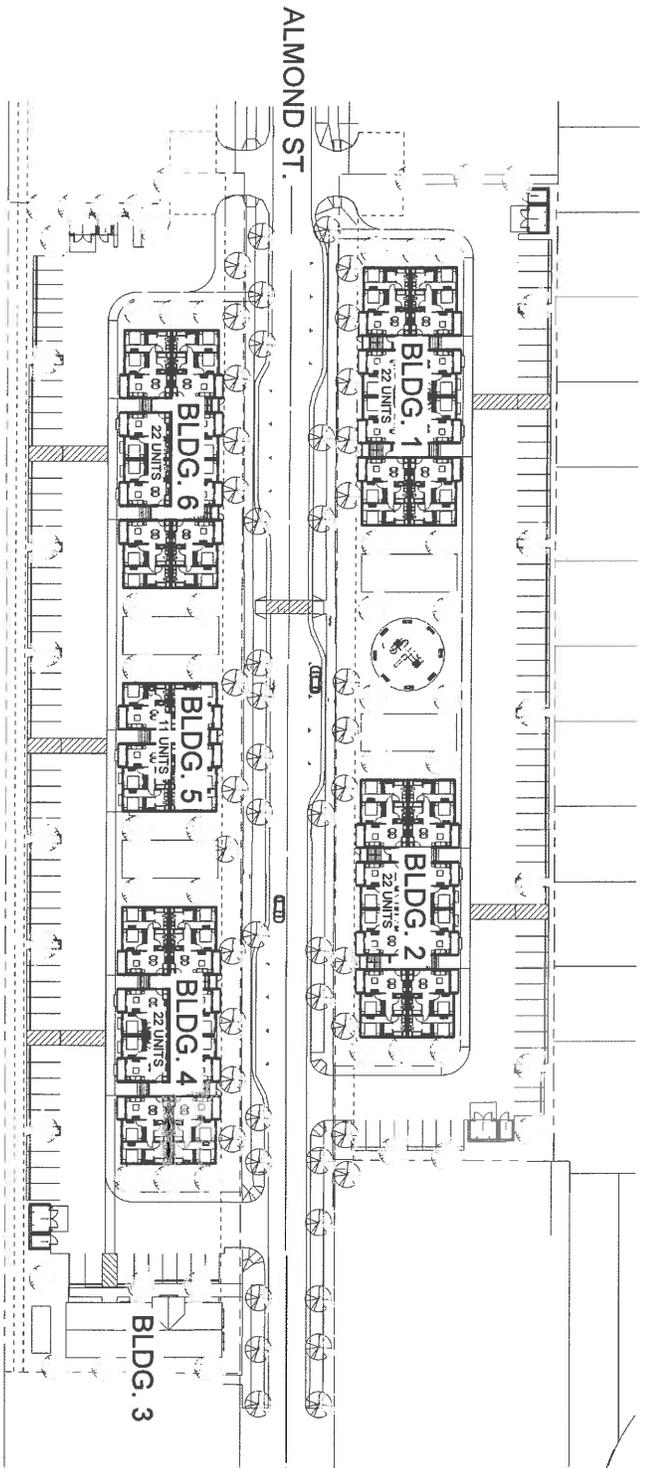
ORIGINAL: 24 X 36

A2.1

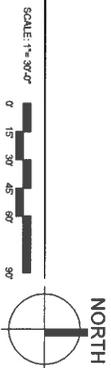


1ST FLOOR PLAN

1ST FLOOR PLAN



2ND FLOOR PLAN (3RD FLOOR SIMILAR)



ALMOND GARDENS

ALMOND STREET
SUISUN CITY, CALIFORNIA



F. Gary Anderson Inc.
Architect
Livermore, CA 94550
925-0525878

Ashria, LLC

4001 17th Street, 17th
Gravette Park, CA 94746
916-90-1210

CITY SUBMITTAL:
FEBRUARY 28, 2022

2ND FLOOR PLAN

ORIGINAL: 24 X 36

A2.2



F. C. & F. ARCHITECTS
LIMITED LIABILITY
CORPORATION
3250 65th Street
San Diego, CA 92121

Ashria, LLC

4001 La Jolla Village Drive
Suite 120
San Diego, CA 92161
312 461 1210

ALMOND GARDENS

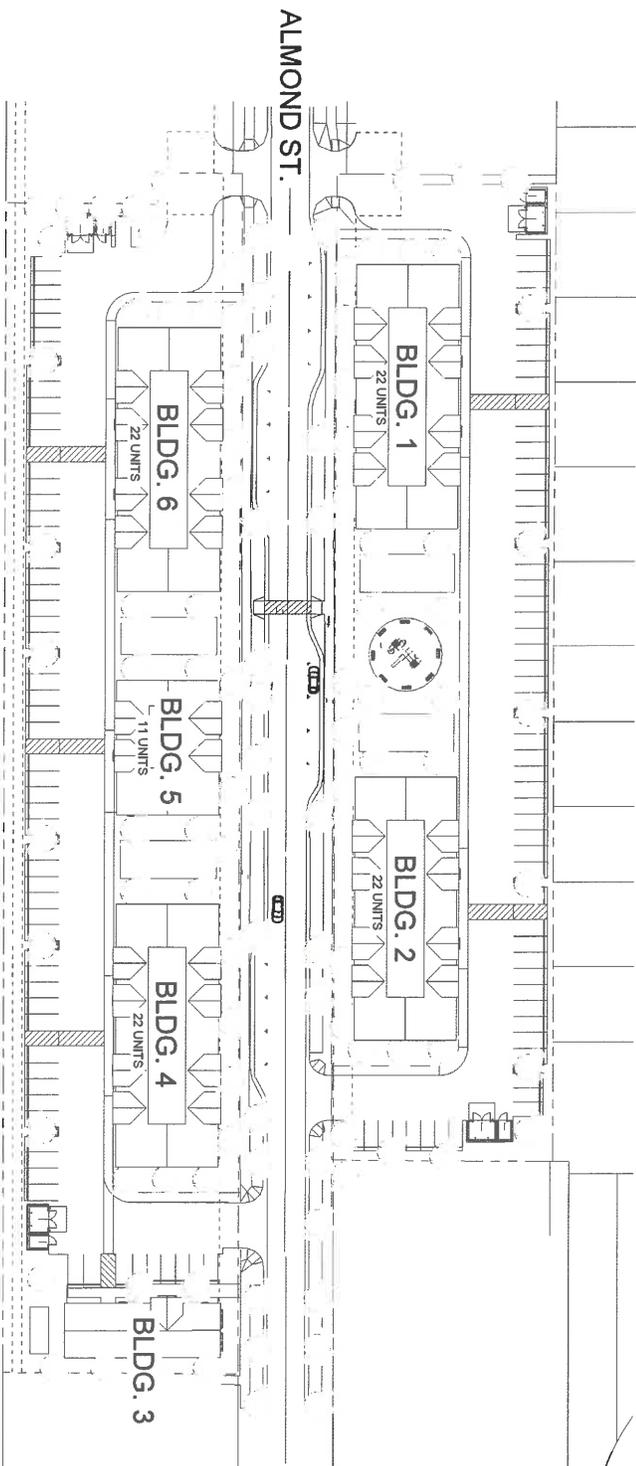
ALMOND STREET
SUISUN CITY, CALIFORNIA

CITY SUBMITTAL:
FEBRUARY 28, 2022

ROOF PLAN

A2.3

ORIGINAL: 24 X 36



ROOF PLAN

SCALE: 1" = 30'-0"



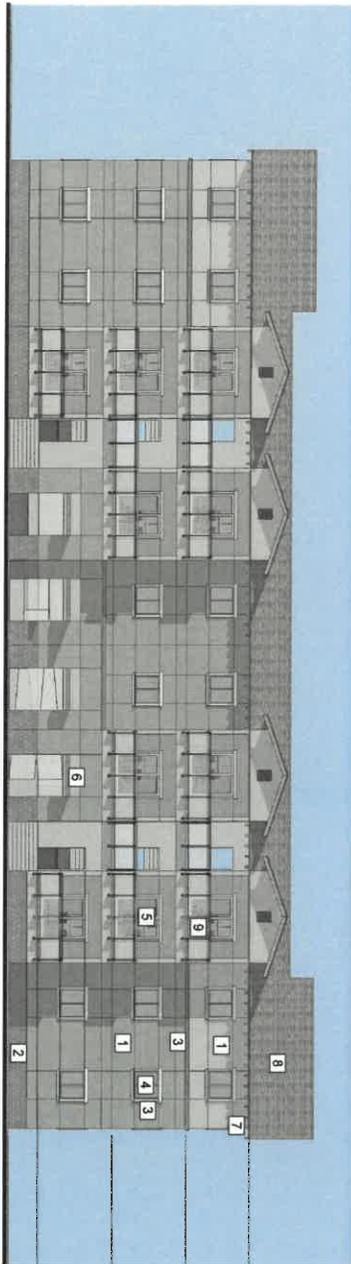


ALMOND ELEVATION LOOKING NORTH

BUILDING 1

PARK

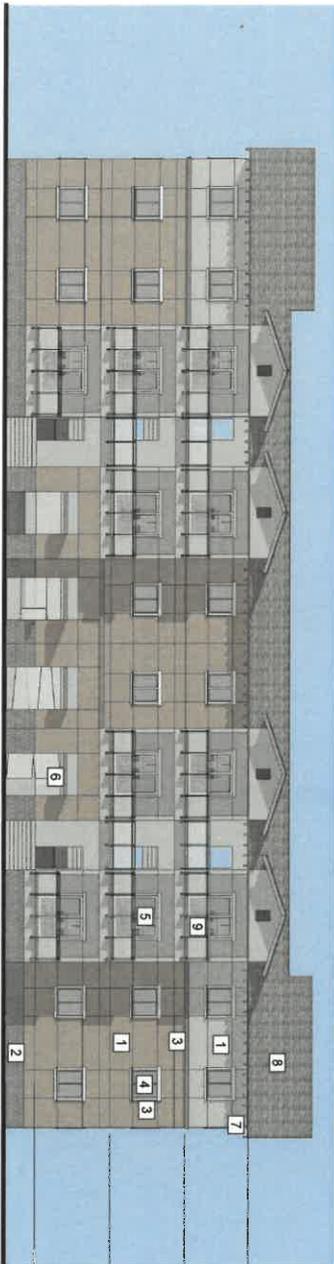
BUILDING 2



LOBBY ELEVATION BUILDINGS 1 & 4



- 1 CEMENT PLASTER - PAINTED
 - 2 SPLIT FACE CMU - CHARCOAL
 - 3 WOOD - TRIM PAINTED
 - 4 DOUBLE GLAZED WINDOWS - WHITE
 - 5 DOUBLE GLAZED PATIO DOORS - WHITE
 - 6 ALUMINUM AWNING
 - 7 GUTTER AND RAIL - PAINTED
 - 8 ASPHALT SHINGLES - CHARCOAL
 - 9 DECORATIVE METAL RAILINGS
- KELLY MOORE
DASHY WHITE
HL.S4295-1
- KELLY MOORE
ELLS BRONZE
HL.S4295-3
- KELLY MOORE
RUSKIN BRONZE
HL.S4221-5



LOBBY ELEVATION BUILDINGS 2 & 6



- 1 CEMENT PLASTER - PAINTED
 - 2 SPLIT FACE CMU - CHARCOAL
 - 3 WOOD - TRIM PAINTED
 - 4 DOUBLE GLAZED WINDOWS - WHITE
 - 5 DOUBLE GLAZED PATIO DOORS - WHITE
 - 6 ALUMINUM AWNING
 - 7 GUTTER AND RAIL - PAINTED
 - 8 ASPHALT SHINGLES - CHARCOAL
 - 9 DECORATIVE METAL RAILINGS
- KELLY MOORE
DASHY WHITE
HL.S4295-1
- KELLY MOORE
CROWN GOLD
HL.S4232-3
- KELLY MOORE
RUSKIN BRONZE
HL.S4221-5

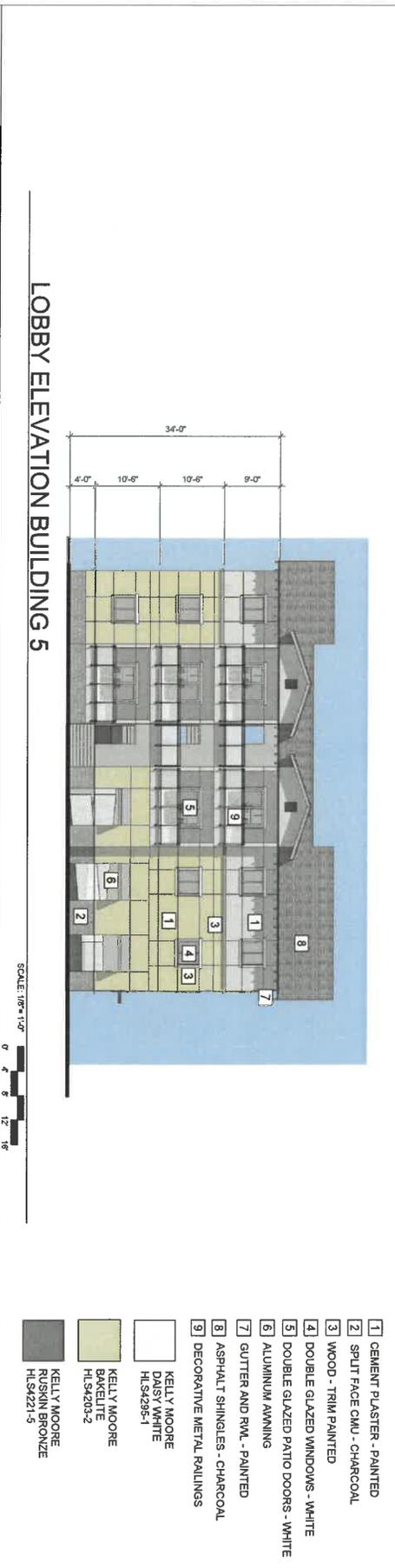


SOUTH ELEVATION BLDGS. 4, 5 & 6

STUDIO
f c i

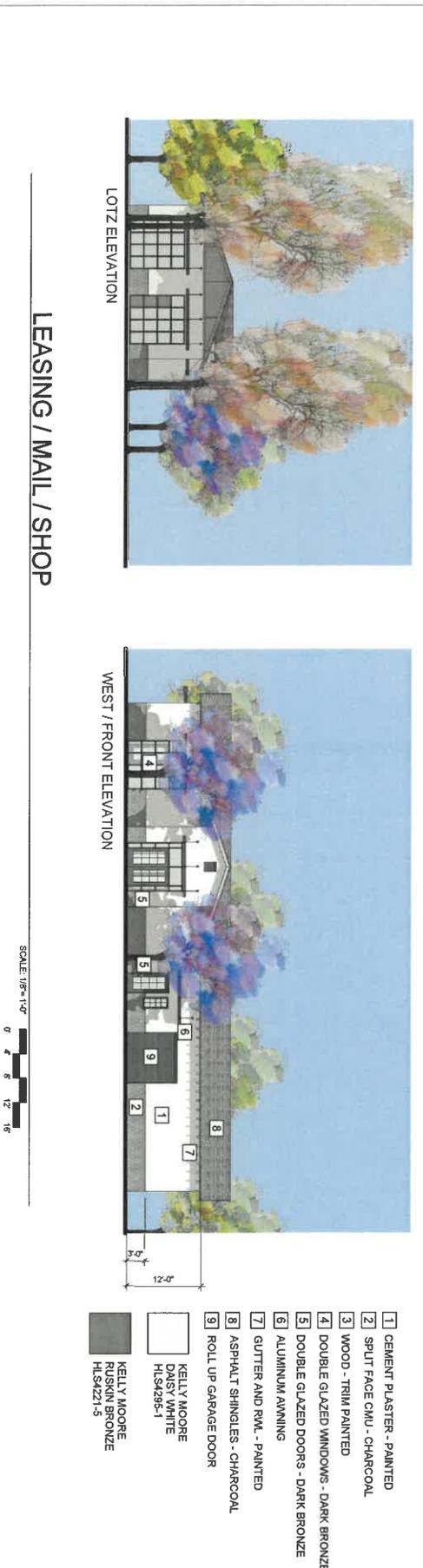
F. C. M. Fry Architects Inc.
10001 Wilshire Blvd., Suite 200
Los Angeles, CA 90024
323-852-5818

Ashria, LLC
9700 Wilshire Center Dr.
Gardena, CA 90247
310-401-1218



LOBBY ELEVATION BUILDING 5

ALMOND GARDENS
ALMOND STREET
SUISUN CITY, CALIFORNIA



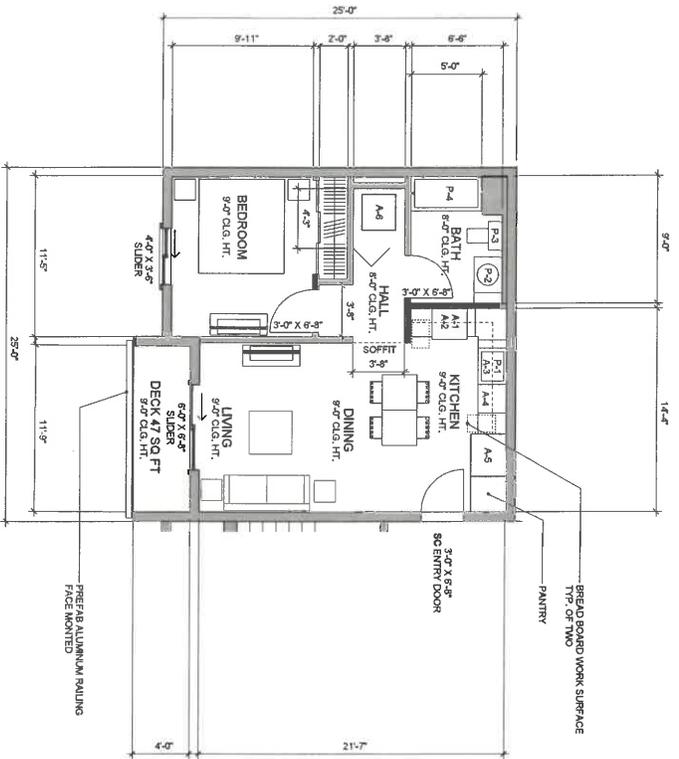
LEASING / MAIL / SHOP

ELEVATIONS

CITY SUBMITTAL:
FEBRUARY 28, 2022

ORIGINAL: 24 X 36

A3.2



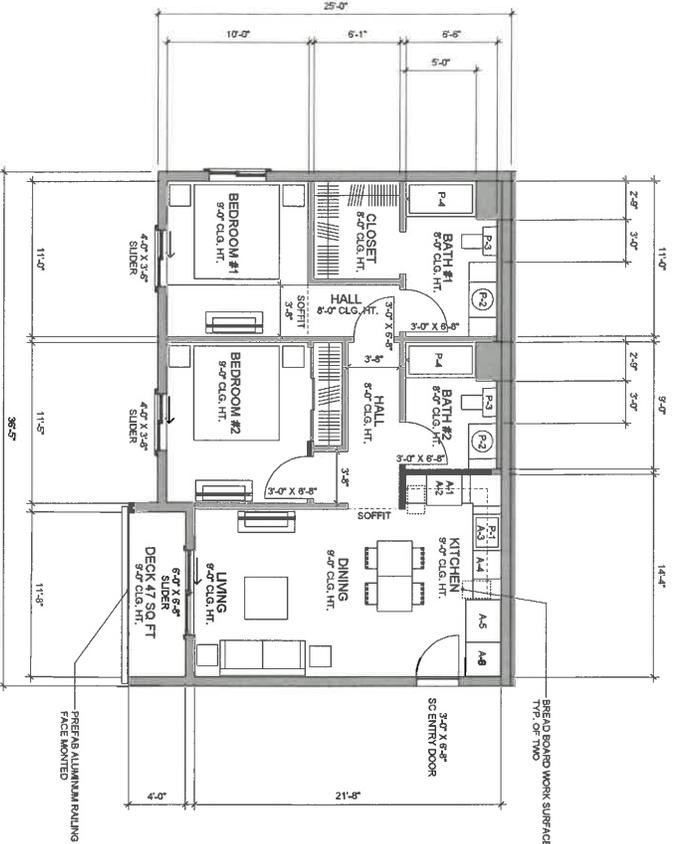
1 BEDROOM UNIT: TYPICAL OF 46 UNITS, 625 SQ FT

SCALE: 1/8" = 1'-0"



- APPLIANCES**
- A-1 30" OVEN RANGE
 - A-2 MICROWAVE HOOD, DUCTED TO EXTERIOR
 - A-3 GARBAGE DISPOSAL
 - A-4 24" DISHWASHER
 - A-5 36" REFRIGERATOR FREEZER
 - A-6 STACKED WASHER DRYER

- PLUMBING FIXTURES**
- P-1 KITCHEN SINK AND FAUCET
 - P-2 BATHROOM SINK AND FAUCET
 - P-3 TOILET
 - P-4 30" x 60" TUB / SHOWER W/ CONTROL VALVE, FAUCET AND SHOWER HEAD



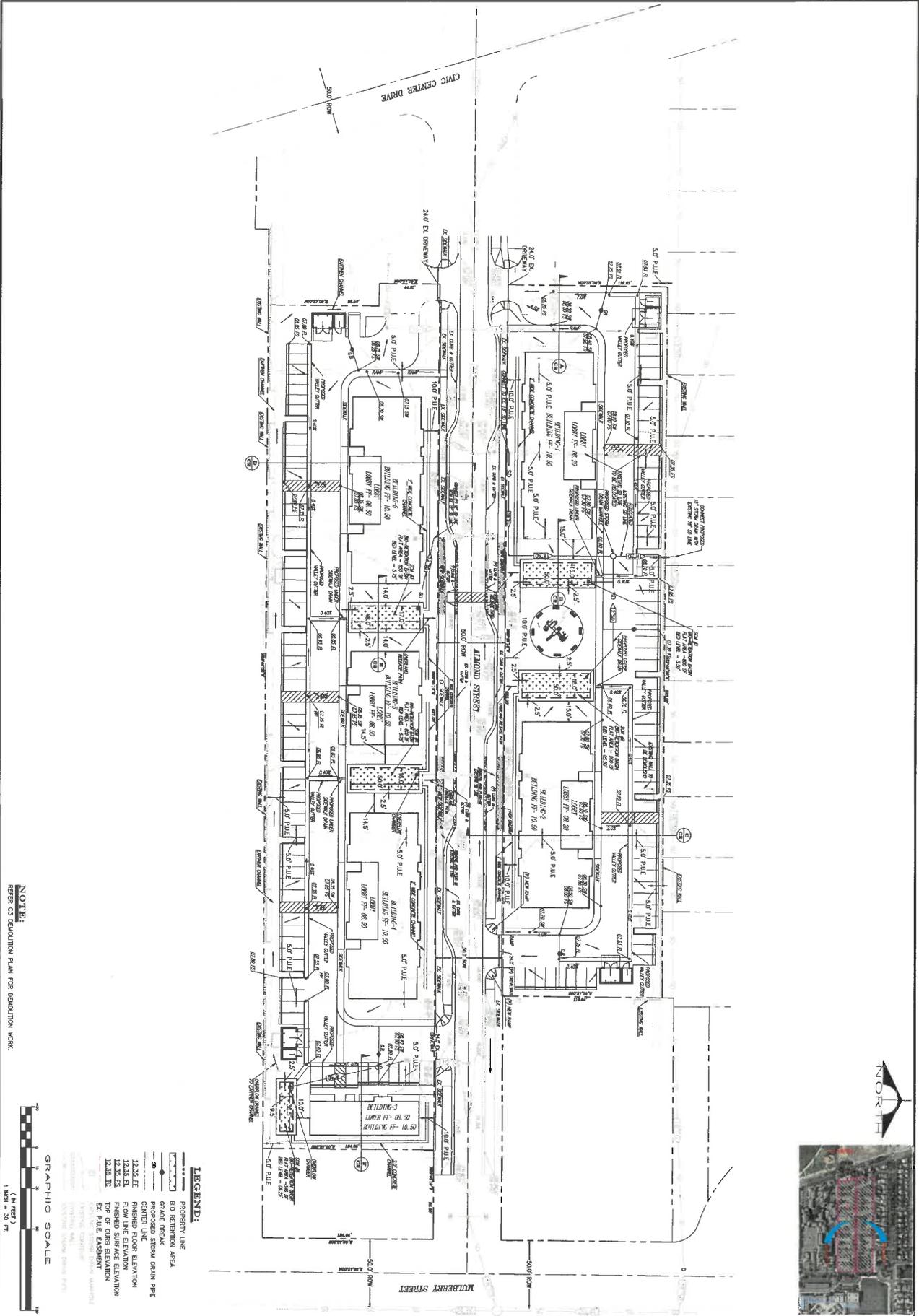
2 BEDROOM UNIT: TYPICAL OF 53 UNITS, 825 SQ FT

SCALE: 1/8" = 1'-0"

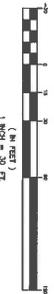


- APPLIANCES**
- A-1 30" OVEN RANGE
 - A-2 MICROWAVE HOOD, DUCTED TO EXTERIOR
 - A-3 GARBAGE DISPOSAL
 - A-4 24" DISHWASHER
 - A-5 36" REFRIGERATOR FREEZER
 - A-6 STACKED WASHER DRYER

- PLUMBING FIXTURES**
- P-1 KITCHEN SINK AND FAUCET
 - P-2 BATHROOM SINK AND FAUCET
 - P-3 TOILET
 - P-4 30" x 60" TUB / SHOWER W/ CONTROL VALVE, FAUCET AND SHOWER HEAD



NOTES:
REFER TO DEMOLITION PLAN FOR DEMOLITION WORK.



- LEGEND:**
- PROPERTY LINE
 - EXISTING FINISH FLOOR ELEVATION
 - PROPOSED STRIP/DRAIN PILE
 - CENTER LINE
 - FINISHED FLOOR ELEVATION
 - FINISHED FLOOR ELEVATION
 - TOP OF CURB ELEVATION
 - EX. PALE EASMENT

CONCEPTUAL GRADING PLAN
ALMOND GARDEN
ALMOND STREET
SUISUN CITY, CA

ACE Design LLC
1024 Iron Point Road, Suite 100
P.O. Box 100, Suisun City, CA 94586
Phone: (707) 392-5113 Fax: (707) 392-5115
www.ace-design.com

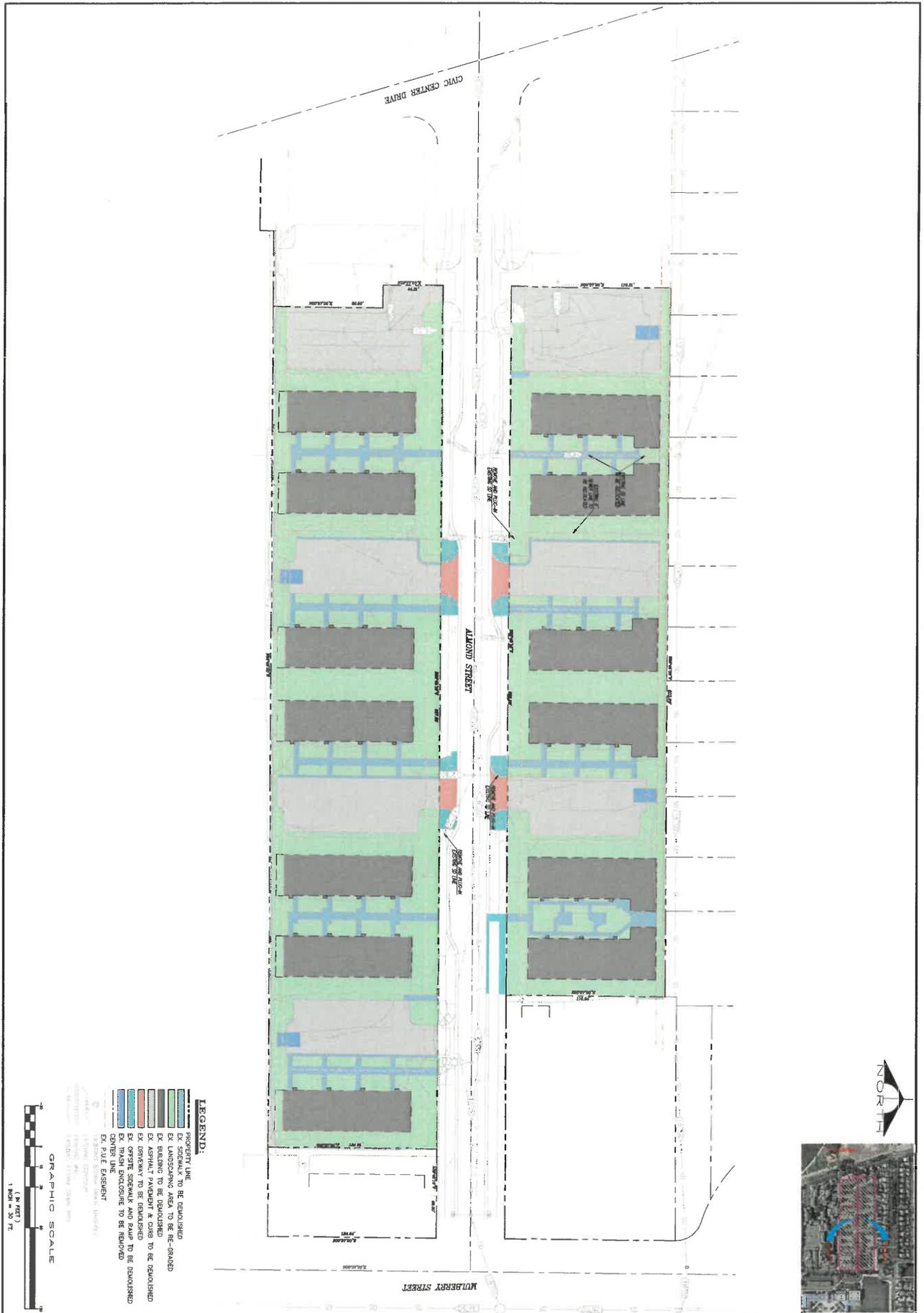
REVISIONS:	REVISION	ISSUE	DATED

DATE: 02/09/2022
DWG. BY: AK
CHK. BY: BS

TITLE: PROJECT

SHEET 1 OF 5

C1



LEGEND:

- PROPERTY LINE
- EX. STRUCTURE TO BE DEMOLISHED
- EX. LANDSCAPING AREA TO BE RE-GRADED
- EX. ASPHALT PAVEMENT & CURBS TO BE DEMOLISHED
- EX. DRIVEWAY TO BE DEMOLISHED
- EX. TRASH ENCLOSURE TO BE REMOVED
- EX. PAVE EASEMENT
- EX. SIDE EASEMENT
- EX. CENTER LINE

GRAPHIC SCALE
 1" = 30' FT

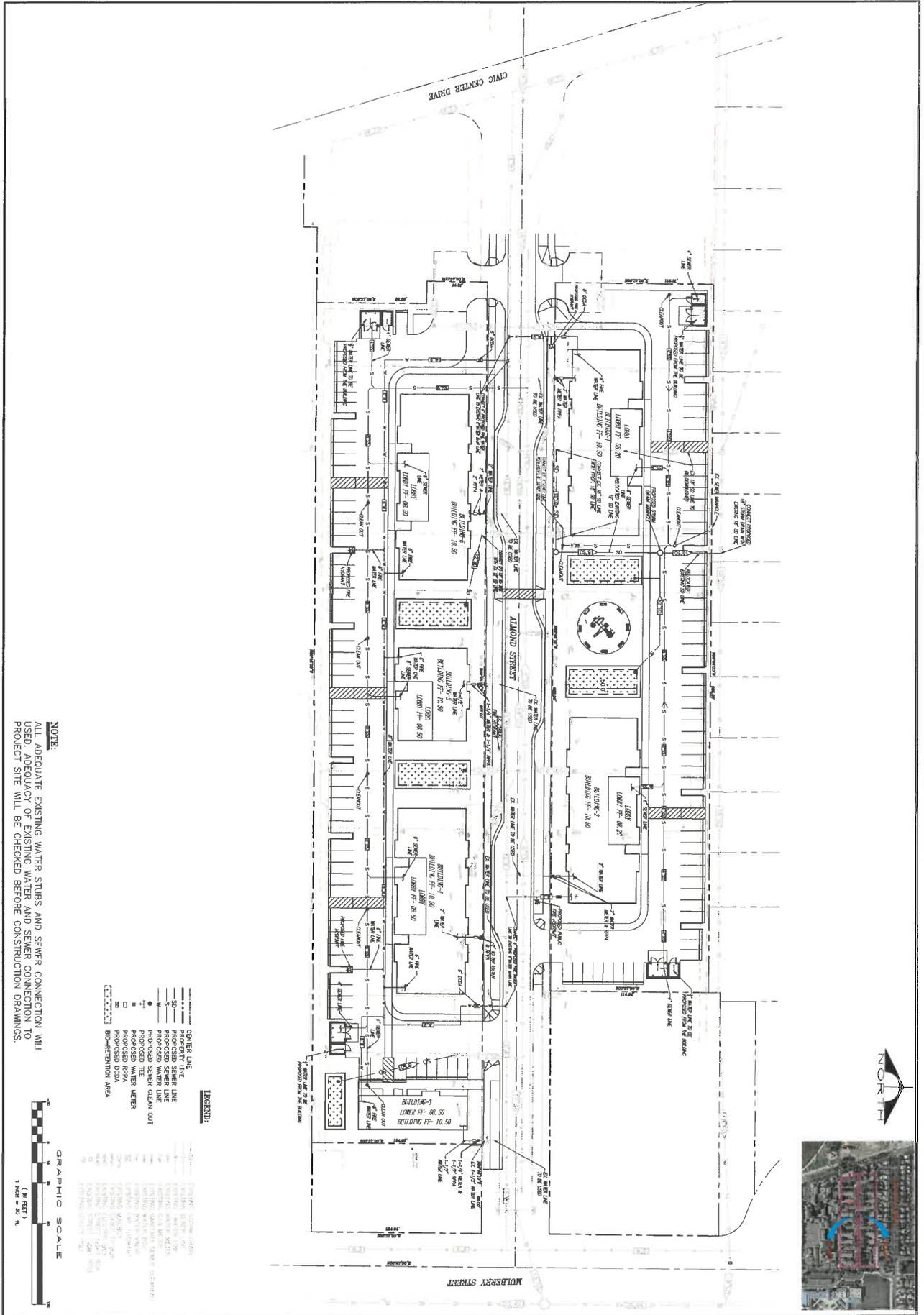
DATE: 02/26/2022
 DWG BY: JAC
 CHK BY: DS

REGISTERED PROFESSIONAL ENGINEER
 JAMES A. CANTRELL
 CIVIL ENGINEER
 No. 10000
 State of California

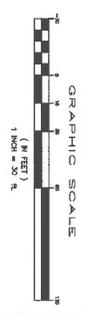
TITLE: DEMOLITION PLAN
 PROJECT: ALMOND GARDEN
 ALMOND STREET
 SUISUN CITY, CA

ACE Design LLC
 1024 Iron Point Road, Suite 105
 Fullerton, CA 92630
 Phone: (714) 394-5111 | Fax: (714) 394-0155
 Email: info@acedesign.com

REVISIONS	REVISOR	ISSUE	DATED



NOTE:
 ALL ADEQUATE EXISTING WATER STUBS AND SEWER CONNECTION WILL
 BE USED. ADEQUACY OF EXISTING WATER AND SEWER CONNECTION TO
 PROJECT SITE WILL BE CHECKED BEFORE CONSTRUCTION DYNAMICS.



- LEGEND:**
- CHUTE LINE
 - PROPERTY LINE
 - PROPOSED SEWER LINE
 - PROPOSED WATER LINE
 - PROPOSED CLEAN WATER LINE
 - PROPOSED WATER METER
 - PROPOSED RPPA
 - PROPOSED DOWA
 - PROHIBITION AREA

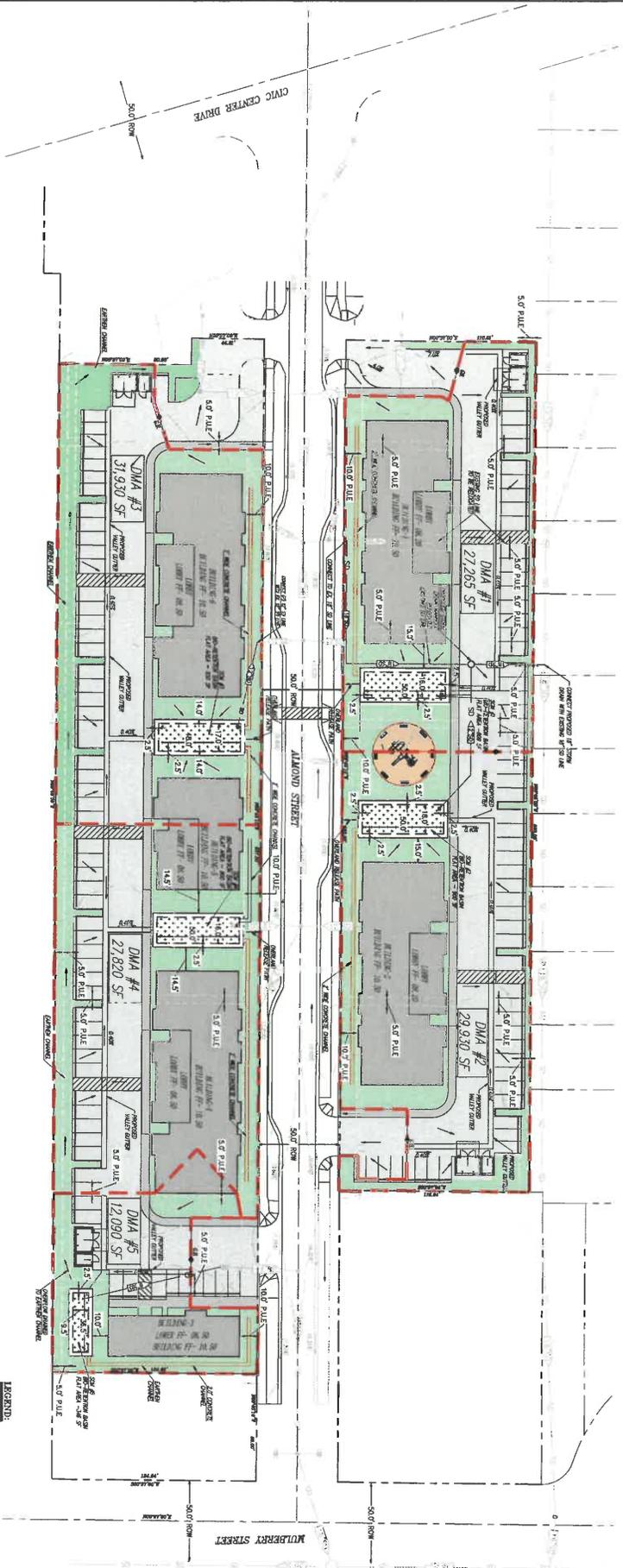
DATE: 07/20/2022
 DWG BY: AK
 CHK BY: DS

C4
 SHEET
 4 OF 5

CONCEPTUAL UTILITY PLAN
 ALMOND GARDEN
 ALMOND STREET
 SUISUN CITY, CA

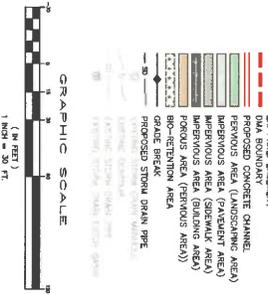
ACE Design LLC
 1024 Iron Point Blvd, Suite 104c
 Folsom, CA 95630
 Phone: (916) 951-5111 Fax: (916) 944-4151

REVISIONS:	REVISION ISSUE	DATED



Basin	Total area (in sq feet)	Impervious Area (in sq feet)	Area Required for Bio-retention (in sq feet)	% of Impervious Area Required as Bio-retention	Required Area in Square Feet	Provided Area in Square Feet	Depth of Substrate (feet)	Depth of Substrate (feet)
DMA #1	27,285	0.43	18,604	4.0%	744	801	1.5	2.5
DMA #2	29,930	0.47	20,300	4.0%	820	900	1.5	2.5
DMA #3	31,930	0.48	21,235	4.0%	849	889	1.5	2.5
DMA #4	27,820	0.44	18,900	4.0%	752	801	1.5	2.5
DMA #5	12,090	0.16	7,100	4.0%	287	346	1.5	2.5
Total Area	138,380.0	0.23	90,489					

Note: Bio-retention basins proposed with under drains.



DATE: 07/20/2022
DWG. BY: AK
CHECK BY: DS
PROJECT: WATER QUALITY MANAGEMENT PLAN
TITLE: ALMOND GARDEN
 ALMOND STREET
 SUISUN CITY, CA

ACE Design LLC
 1024 Iron Point Road, Suite 104
 Folsom, CA 95630
 Phone: (916) 791-1111 Fax: (916) 791-1155
 www.acedesign.com

REVISIONS:	REVISION	ISSUE	DATED

February 11, 2024

RE: Almond Gardens Drone video

I was contracted by Camran Nojoomi to produce video footage to show how neighboring properties could be seen from the proposed Almond Gardens development. The instructions as given to me by his architect Clay Fry were to show what would be seen from the windows of Buildings 1 and 2 of the proposed project on the second and third floors looking toward the alley behind Driftwood Drive homes.

The drone footage was taken at heights of approximately 21' and 31' above existing ground at a location that would be where the building wall is proposed. This would show how the window views looking out from the proposed development view the homes on the Driftwood Drive alley. The image below shows an overlay of the proposed development on a Google Earth image of the area. The red line is the path of the drone camera. To obtain the path correctly, existing rooflines were used to line up the correct location.



Sincerely,
Robert Becker

Cal. Gov. Code § 65589.5

Section 65589.5 - Housing Accountability Act

(a)

(1) The Legislature finds and declares all of the following:

(A) The lack of housing, including emergency shelters, is a critical problem that threatens the economic, environmental, and social quality of life in California.

(B) California housing has become the most expensive in the nation. The excessive cost of the state's housing supply is partially caused by activities and policies of many local governments that limit the approval of housing, increase the cost of land for housing, and require that high fees and exactions be paid by producers of housing.

(C) Among the consequences of those actions are discrimination against low-income and minority households, lack of housing to support employment growth, imbalance in jobs and housing, reduced mobility, urban sprawl, excessive commuting, and air quality deterioration.

(D) Many local governments do not give adequate attention to the economic, environmental, and social costs of decisions that result in disapproval of housing development projects, reduction in density of housing projects, and excessive standards for housing development projects.

(2) In enacting the amendments made to this section by the act adding this paragraph, the Legislature further finds and declares the following:

(A) California has a housing supply and affordability crisis of historic proportions. The consequences of failing to effectively and aggressively confront this crisis are hurting millions of Californians, robbing future generations of the chance to call California home, stifling economic opportunities for workers and businesses, worsening poverty and homelessness, and undermining the state's environmental and climate objectives.

(B) While the causes of this crisis are multiple and complex, the absence of meaningful and effective policy reforms to significantly enhance the approval and supply of housing affordable to Californians of all income levels is a key factor.

(C) The crisis has grown so acute in California that supply, demand, and affordability fundamentals are characterized in the negative: underserved demands, constrained supply, and protracted unaffordability.

(D) According to reports and data, California has accumulated an unmet housing backlog of nearly 2,000,000 units and must provide for at least 180,000 new units annually to keep pace with growth through 2025.

(E) California's overall home ownership rate is at its lowest level since the 1940s. The state ranks 49th out of the 50 states in home ownership rates as well as in the supply of

housing per capita. Only one-half of California's households are able to afford the cost of housing in their local regions.

(F) Lack of supply and rising costs are compounding inequality and limiting advancement opportunities for many Californians.

(G) The majority of California renters, more than 3,000,000 households, pay more than 30 percent of their income toward rent and nearly one-third, more than 1,500,000 households, pay more than 50 percent of their income toward rent.

(H) When Californians have access to safe and affordable housing, they have more money for food and health care; they are less likely to become homeless and in need of government-subsidized services; their children do better in school; and businesses have an easier time recruiting and retaining employees.

(I) An additional consequence of the state's cumulative housing shortage is a significant increase in greenhouse gas emissions caused by the displacement and redirection of populations to states with greater housing opportunities, particularly working- and middle-class households. California's cumulative housing shortfall therefore has not only national but international environmental consequences.

(J) California's housing picture has reached a crisis of historic proportions despite the fact that, for decades, the Legislature has enacted numerous statutes intended to significantly increase the approval, development, and affordability of housing for all income levels, including this section.

(K) The Legislature's intent in enacting this section in 1982 and in expanding its provisions since then was to significantly increase the approval and construction of new housing for all economic segments of California's communities by meaningfully and effectively curbing the capability of local governments to deny, reduce the density for, or render infeasible housing development projects and emergency shelters. That intent has not been fulfilled.

(L) It is the policy of the state that this section be interpreted and implemented in a manner to afford the fullest possible weight to the interest of, and the approval and provision of, housing.

(3) It is the intent of the Legislature that the conditions that would have a specific, adverse impact upon the public health and safety, as described in paragraph (2) of subdivision (d) and paragraph (1) of subdivision (j), arise infrequently.

(b) It is the policy of the state that a local government not reject or make infeasible housing development projects, including emergency shelters, that contribute to meeting the need determined pursuant to this article without a thorough analysis of the economic, social, and environmental effects of the action and without complying with subdivision (d).

(c) The Legislature also recognizes that premature and unnecessary development of agricultural lands for urban uses continues to have adverse effects on the availability of

those lands for food and fiber production and on the economy of the state. Furthermore, it is the policy of the state that development should be guided away from prime agricultural lands; therefore, in implementing this section, local jurisdictions should encourage, to the maximum extent practicable, in filling existing urban areas.

(d) A local agency shall not disapprove a housing development project, including farmworker housing as defined in subdivision (h) of Section 50199.7 of the Health and Safety Code, for very low, low-, or moderate-income households, or an emergency shelter, or condition approval in a manner that renders the housing development project infeasible for development for the use of very low, low-, or moderate-income households, or an emergency shelter, including through the use of design review standards, unless it makes written findings, based upon a preponderance of the evidence in the record, as to one of the following:

(1) The jurisdiction has adopted a housing element pursuant to this article that has been revised in accordance with Section 65588, is in substantial compliance with this article, and the jurisdiction has met or exceeded its share of the regional housing need allocation pursuant to Section 65584 for the planning period for the income category proposed for the housing development project, provided that any disapproval or conditional approval shall not be based on any of the reasons prohibited by Section 65008. If the housing development project includes a mix of income categories, and the jurisdiction has not met or exceeded its share of the regional housing need for one or more of those categories, then this paragraph shall not be used to disapprove or conditionally approve the housing development project. The share of the regional housing need met by the jurisdiction shall be calculated consistently with the forms and definitions that may be adopted by the Department of Housing and Community Development pursuant to Section 65400. In the case of an emergency shelter, the jurisdiction shall have met or exceeded the need for emergency shelter, as identified pursuant to paragraph (7) of subdivision (a) of Section 65583. Any disapproval or conditional approval pursuant to this paragraph shall be in accordance with applicable law, rule, or standards.

(2) The housing development project or emergency shelter as proposed would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact without rendering the development unaffordable to low- and moderate-income households or rendering the development of the emergency shelter financially infeasible. As used in this paragraph, a "specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete. The following shall not constitute a specific, adverse impact upon the public health or safety:

(A) Inconsistency with the zoning ordinance or general plan land use designation.

(B) The eligibility to claim a welfare exemption under subdivision (g) of Section 214 of the Revenue and Taxation Code.

(3) The denial of the housing development project or imposition of conditions is required in order to comply with specific state or federal law, and there is no feasible method to

comply without rendering the development unaffordable to low- and moderate-income households or rendering the development of the emergency shelter financially infeasible.

(4) The housing development project or emergency shelter is proposed on land zoned for agriculture or resource preservation that is surrounded on at least two sides by land being used for agricultural or resource preservation purposes, or which does not have adequate water or wastewater facilities to serve the project.

(5) The housing development project or emergency shelter is inconsistent with both the jurisdiction's zoning ordinance and general plan land use designation as specified in any element of the general plan as it existed on the date the application was deemed complete, and the jurisdiction has adopted a revised housing element in accordance with Section 65588 that is in substantial compliance with this article. For purposes of this section, a change to the zoning ordinance or general plan land use designation subsequent to the date the application was deemed complete shall not constitute a valid basis to disapprove or condition approval of the housing development project or emergency shelter.

(A) This paragraph cannot be utilized to disapprove or conditionally approve a housing development project if the housing development project is proposed on a site that is identified as suitable or available for very low, low-, or moderate-income households in the jurisdiction's housing element, and consistent with the density specified in the housing element, even though it is inconsistent with both the jurisdiction's zoning ordinance and general plan land use designation.

(B) If the local agency has failed to identify in the inventory of land in its housing element sites that can be developed for housing within the planning period and are sufficient to provide for the jurisdiction's share of the regional housing need for all income levels pursuant to Section 65584, then this paragraph shall not be utilized to disapprove or conditionally approve a housing development project proposed for a site designated in any element of the general plan for residential uses or designated in any element of the general plan for commercial uses if residential uses are permitted or conditionally permitted within commercial designations. In any action in court, the burden of proof shall be on the local agency to show that its housing element does identify adequate sites with appropriate zoning and development standards and with services and facilities to accommodate the local agency's share of the regional housing need for the very low, low-, and moderate-income categories.

(C) If the local agency has failed to identify a zone or zones where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit, has failed to demonstrate that the identified zone or zones include sufficient capacity to accommodate the need for emergency shelter identified in paragraph (7) of subdivision (a) of Section 65583, or has failed to demonstrate that the identified zone or zones can accommodate at least one emergency shelter, as required by paragraph (4) of subdivision (a) of Section 65583, then this paragraph shall not be utilized to disapprove or conditionally approve an emergency shelter proposed for a site designated in any element of the general plan for industrial, commercial, or multifamily residential uses. In any action in court, the burden of proof shall be on the local agency to show that its

housing element does satisfy the requirements of paragraph (4) of subdivision (a) of Section 65583.

(e) Nothing in this section shall be construed to relieve the local agency from complying with the congestion management program required by Chapter 2.6 (commencing with Section 65088) of Division 1 of Title 7 or the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code). Neither shall anything in this section be construed to relieve the local agency from making one or more of the findings required pursuant to Section 21081 of the Public Resources Code or otherwise complying with the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).

(f)

(1) Except as provided in subdivision (o), nothing in this section shall be construed to prohibit a local agency from requiring the housing development project to comply with objective, quantifiable, written development standards, conditions, and policies appropriate to, and consistent with, meeting the jurisdiction's share of the regional housing need pursuant to Section 65584. However, the development standards, conditions, and policies shall be applied to facilitate and accommodate development at the density permitted on the site and proposed by the development.

(2) Except as provided in subdivision (o), nothing in this section shall be construed to prohibit a local agency from requiring an emergency shelter project to comply with objective, quantifiable, written development standards, conditions, and policies that are consistent with paragraph (4) of subdivision (a) of Section 65583 and appropriate to, and consistent with, meeting the jurisdiction's need for emergency shelter, as identified pursuant to paragraph (7) of subdivision (a) of Section 65583. However, the development standards, conditions, and policies shall be applied by the local agency to facilitate and accommodate the development of the emergency shelter project.

(3) Except as provided in subdivision (o), nothing in this section shall be construed to prohibit a local agency from imposing fees and other exactions otherwise authorized by law that are essential to provide necessary public services and facilities to the housing development project or emergency shelter.

(4) For purposes of this section, a housing development project or emergency shelter shall be deemed consistent, compliant, and in conformity with an applicable plan, program, policy, ordinance, standard, requirement, or other similar provision if there is substantial evidence that would allow a reasonable person to conclude that the housing development project or emergency shelter is consistent, compliant, or in conformity.

(g) This section shall be applicable to charter cities because the Legislature finds that the lack of housing, including emergency shelter, is a critical statewide problem.

(h) The following definitions apply for the purposes of this section:

(1) "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

- (2)** "Housing development project" means a use consisting of any of the following:
- (A)** Residential units only.
 - (B)** Mixed-use developments consisting of residential and nonresidential uses with at least two-thirds of the square footage designated for residential use.
 - (C)** Transitional housing or supportive housing.
- (3)** "Housing for very low, low-, or moderate-income households" means that either **(A)** at least 20 percent of the total units shall be sold or rented to lower income households, as defined in Section 50079.5 of the Health and Safety Code, or **(B)** 100 percent of the units shall be sold or rented to persons and families of moderate income as defined in Section 50093 of the Health and Safety Code, or persons and families of middle income, as defined in Section 65008 of this code. Housing units targeted for lower income households shall be made available at a monthly housing cost that does not exceed 30 percent of 60 percent of area median income with adjustments for household size made in accordance with the adjustment factors on which the lower income eligibility limits are based. Housing units targeted for persons and families of moderate income shall be made available at a monthly housing cost that does not exceed 30 percent of 100 percent of area median income with adjustments for household size made in accordance with the adjustment factors on which the moderate-income eligibility limits are based.
- (4)** "Area median income" means area median income as periodically established by the Department of Housing and Community Development pursuant to Section 50093 of the Health and Safety Code. The developer shall provide sufficient legal commitments to ensure continued availability of units for very low or low-income households in accordance with the provisions of this subdivision for 30 years.
- (5)** Notwithstanding any other law, until January 1, 2030, "deemed complete" means that the applicant has submitted a preliminary application pursuant to Section 65941.1 or, if the applicant has not submitted a preliminary application, has submitted a complete application pursuant to Section 65943.
- (6)** "Disapprove the housing development project" includes any instance in which a local agency does any of the following:
- (A)** Votes on a proposed housing development project application and the application is disapproved, including any required land use approvals or entitlements necessary for the issuance of a building permit.
 - (B)** Fails to comply with the time periods specified in subdivision (a) of Section 65950. An extension of time pursuant to Article 5 (commencing with Section 65950) shall be deemed to be an extension of time pursuant to this paragraph.
 - (C)** Fails to meet the time limits specified in Section 65913.3.
 - (D)**

(i) Fails to make a determination of whether the project is exempt from the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code), or commits an abuse of discretion, as defined in this subparagraph, if all of the following conditions are satisfied:

(I) There is substantial evidence in the record before the local agency that the housing development project is not located in either of the following:

(ia) On a site specified in subparagraphs (A) to (C), inclusive, or subparagraphs (E) to (K), inclusive, of paragraph (6) of subdivision (a) of Section 65913.4.

(ib) Within a very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178, or within a high or very high fire hazard severity zone as indicated on maps adopted by the Department of Forestry and Fire Protection pursuant to Section 4202 of the Public Resources Code.

(II) The housing development project is located on a legal parcel or parcels within an urbanized area and meets one or more of the following criteria:

(ia) The housing development project is located within one-half mile walking distance to either a high-quality transit corridor or a major transit stop.

(ib) The housing development project is located in a very low vehicle travel area.

(ic) The housing development project is proximal to six or more amenities pursuant to subclause (IV) of clause (ii) as of the date of submission of the application for the project.

(id) Parcels that are developed with urban uses adjoin at least 75 percent of the perimeter of the project site or at least three sides of a foursided project site. For purposes of this clause, parcels that are only separated by a street or highway shall be considered to be adjoined.

(III) The density of the housing development project meets or exceeds 15 dwelling units per acre.

(IV) Both of the following criteria are met:

(ia) There is substantial evidence in the record before the local agency that the housing development project is eligible for an exemption sought by the applicant.

(ib) If the exemption sought by the applicant is subject to an exception under the Guidelines for Implementation of the California Environmental Quality Act (Chapter 3 (commencing with Section 15000) of Division 6 of Title 14 of the California Code of Regulations), there is substantial evidence in the record before the local agency that the application of that categorical exemption is not barred by one of the exceptions set forth in Section 15300.2 of those guidelines.

(V)

(ia) The applicant has given timely written notice to the local agency of the action or inaction that the applicant believes constitutes a failure to make a determination or an abuse of discretion, as defined in this subparagraph, and the local agency did not make a lawful determination within 90 days of the applicant's written notice.

The applicant's written notice shall contain all of the following:

(Ia) The information specified in paragraphs (1), (2), (5), and (6) of subdivision (a) of Section 15062 of Title 14 of the California Code of Regulations.

(Ib) A citation to the section of Title 14 of the California Code of Regulations or the statute under which the applicant asserts that the project is exempt.

(Ic) A brief statement of reasons supporting the assertion that the project is exempt.

(Id) A copy of the excerpts from the record constituting substantial evidence that the criteria of subclauses (I) to (IV), inclusive, are satisfied.

(ib) Within five working days of receiving the applicant's written notice required by sub-subclause (ia), the local agency shall file the notice with the county clerk of each county in which the project will be located. The county clerk shall post the notice and make it available for public inspection in the manner set forth in subdivision (c) of Section 21152 of the Public Resources Code. Compliance with this sub-subclause is not a condition that must be satisfied in order to find that the local agency has disapproved the housing development project under this subparagraph.

(ic) The local agency may, by providing a written response to the applicant within 90 additional days of the applicant's written notice, extend the time period to make a lawful determination by no more than 90 days if the extension is necessary to determine if there is substantial evidence in the record that the housing development project is eligible for the exemption sought by the applicant.

(id) If the local agency has given the applicant written notice of the local agency's determination that the project is not exempt, the applicant's notice shall be deemed timely if and only if it is delivered to the local agency within 35 days of the date that the local agency gave the applicant notice of the local agency's determination.

(ie) If the local agency has not given the applicant the written notice described in sub-subclause (id), the applicant's notice shall be deemed timely if given after 60 days from the date on which the project application has been received and accepted as complete by the lead agency, or 60 days from the date on which the project application has been determined or deemed to be complete within the meaning of Section 65943, whichever is earlier.

(ii) For purposes of this subparagraph, the following definitions apply:

(I) "Abuse of discretion" means that the conditions set forth in subclauses (I) to (IV), inclusive, of clause (i) are satisfied, but the local agency does not determine

that the project is exempt from the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code). This subclause sets forth the exclusive definition of "abuse of discretion" for purposes of this subparagraph.

(II) "High-quality transit corridor" has the same meaning defined in subdivision (b) of Section 21155 of the Public Resources Code.

(III) "Major transit stop" has the same meaning as defined in Section 21064.3 of the Public Resources Code.

(IV) "Proximal" to an amenity means either of the following:

(ia) Within one-half mile of either of the following amenities:

(Ia) A bus station.

(Ib) A ferry terminal.

(ib) Within one mile, or for a parcel in a rural area, as defined in Section 50199.21 of the Health and Safety Code, within two miles, of any of the following amenities:

(Ia) A supermarket or grocery store.

(Ib) A public park.

(Ic) A community center.

(Id) A pharmacy or drugstore.

(Ie) A medical clinic or hospital.

(If) A public library.

(Ig) A school that maintains a kindergarten or any of grades 1 to 12, inclusive.

(V) "Urbanized area" has the same meaning as defined in Section 21071 of the Public Resources Code.

(VI)

(ia) "Very low vehicle travel area" means an urbanized area, as designated by the United States Census Bureau, where the existing residential development generates vehicle miles traveled per capita that is below 85 percent of either regional vehicle miles traveled per capita or city vehicle miles traveled per capita.

(ib) For purposes of sub-subclause (ia), "area" may include a travel analysis zone, hexagon, or grid.

(ic) For the purposes of determining "regional vehicle miles traveled per capita" pursuant to sub-subclause (ia), a "region" is the entirety of incorporated and unincorporated areas governed by a multicounty or single-county metropolitan

planning organization, or the entirety of the incorporated and unincorporated areas of an individual county that is not part of a metropolitan planning organization.

(iii) This subparagraph shall not be construed to require a local agency to determine that a project is exempt if, on the record before the local agency, the project is not eligible for exemption.

(iv) This subparagraph shall become inoperative on January 1, 2031.

(E) Fails to adopt a negative declaration or addendum for the project, to certify an environmental impact report for the project, or to approve another comparable environmental document, such as a sustainable communities environmental assessment pursuant to Section 21155.2 of the Public Resources Code, as required pursuant to the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code), if all of the following conditions are satisfied:

(i) There is substantial evidence in the record before the local agency that the site of the housing development project is not located on either of the following:

(I) On a site specified in subparagraphs (A) to (C), inclusive, or subparagraphs (E) to (K), inclusive, of paragraph (6) of subdivision (a) of Section 65913.4.

(II) Within a very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178, or within a high or very high fire hazard severity zone as indicated on maps adopted by the Department of Forestry and Fire Protection pursuant to Section 4202 of the Public Resources Code.

(ii) The housing development project is located on a legal parcel or parcels within an urbanized area and meets one or more of the following criteria:

(I) The housing development project is located within one-half mile walking distance to either a high-quality transit corridor or a major transit stop.

(II) The housing development project is located in a very low vehicle travel area.

(III) The housing development project is proximal to six or more amenities pursuant to subclause (IV) of clause (vii) as of the date of submission of the application for the project.

(IV) Parcels that are developed with urban uses adjoin at least 75 percent of the perimeter of the project site or at least three sides of a four-sided project site. For purposes of this clause, parcels that are only separated by a street or highway shall be considered to be adjoined.

(iii) The density of the housing development project meets or exceeds 15 dwelling units per acre.

(iv) There has been prepared a negative declaration, addendum, environmental impact report, or comparable environmental review document that, if duly adopted, approved, or certified by the local agency, would satisfy the requirements of the California

Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) with respect to the project.

(v) The local agency or a body or official to which the agency has delegated authority to adopt, approve, or certify the negative declaration addendum, environmental impact report, or comparable environmental review document has held a meeting at which adoption, approval, or certification of the environmental review document was on the agenda and the environmental review document could have been adopted, approved, or certified, as applicable, but the agency did either of the following:

(I) Committed an abuse of discretion, as defined in this subparagraph.

(II) Failed to decide whether to require further study or to adopt, approve, or certify the environmental document.

(vi)

(I) The applicant has given timely written notice to the local agency of the action or inaction that the applicant believes constitutes a failure to decide or an abuse of discretion, and the local agency did not make a lawful determination about whether to adopt, approve, or certify the environmental review document within 90 days of the applicant's written notice. The applicant's written notice shall include a copy of those excerpts from the record that constitute substantial evidence that the criteria of clauses (i) to (iv), inclusive, are satisfied.

(II) If the local agency has voted to require further study, rather than adopting, approving, or certifying the negative declaration, addendum, environmental impact report, or comparable environmental review document in the form it was presented for the agency's consideration, the applicant's notice shall be deemed timely if and only if it is delivered to the local agency within 35 days of the date that the local agency gave written notice of its decision to the applicant.

(III) If the local agency has not voted to require further study, rather than adopting, approving, or certifying the negative declaration, addendum, environmental impact report, or comparable environmental review document in the form it was presented for the agency's consideration, the applicant's notice shall be deemed timely if given after the time period specified in Section 21151.5 of the Public Resources Code or another applicable provision of that code for completing the addendum, negative declaration, environmental impact report, or other comparable environmental review document, as applicable, has passed. If the Public Resources Code does not specifically describe the deadline to complete the applicable environmental document, a 180-day deadline is the applicable time period.

(vii) For purposes of this subparagraph, the following definitions apply:

(I)

(ia) "Abuse of discretion" means either of the following:

(Ia) If the local agency fails to adopt a negative declaration, "abuse of discretion" means that the agency, in bad faith or without substantial evidence in the record to support a fair argument that further environmental study is

necessary to identify or analyze potentially significant impacts on the physical environment, decided to require further environmental study rather than adopting the negative declaration.

(Ib) If the local agency fails to adopt an addendum for the project, certify an environmental impact report for the project, or approve another comparable environmental document, "abuse of discretion" means that the agency, in bad faith or without substantial evidence in the record that further environmental study is legally required to identify or analyze potentially significant impacts on the physical environment, decided to require further environmental study rather than adopting, approving, or certifying the environmental review document.

(ib) This subclause sets forth the exclusive definition of "abuse of discretion" for purposes of this subparagraph.

(II) "High-quality transit corridor" has the same meaning defined in subdivision (b) of Section 21155 of the Public Resources Code.

(III) "Major transit stop" has the same meaning as defined in Section 21064.3 of the Public Resources Code.

(IV) "Proximal" to an amenity means either of the following:

(ia) Within one-half mile of either of the following amenities:

(Ia) A bus station.

(Ib) A ferry terminal.

(ib) Within one mile, or for a parcel in a rural area, as defined in Section 50199.21 of the Health and Safety Code, within two miles, of any of the following amenities:

(Ia) A supermarket or grocery store.

(Ib) A public park.

(Ic) A community center.

(Id) A pharmacy or drugstore.

(Ie) A medical clinic or hospital.

(If) A public library.

(Ig) A school that maintains a kindergarten or any of grades 1 to 12, inclusive.

(V) "Urbanized area" has the same meaning as defined in Section 21071 of the Public Resources Code.

(VI)

(ia) "Very low vehicle travel area" means an urbanized area, as designated by the United States Census Bureau, where the existing residential development generates vehicle miles traveled per capita that is below 85 percent of either regional vehicle miles traveled per capita or city vehicle miles traveled per capita.

(ib) For purposes of sub-subclause (ia), "area" may include a travel analysis zone, hexagon, or grid.

(ic) For the purposes of determining "regional vehicle miles traveled per capita" pursuant to sub-subclause (ia), a "region" is the entirety of incorporated and unincorporated areas governed by a multicounty or single-county metropolitan planning organization, or the entirety of the incorporated and unincorporated areas of an individual county that is not part of a metropolitan planning organization.

(viii) This subparagraph shall become inoperative on January 1, 2031.

(7)

(A) For purposes of this section, "lawful determination" means any final decision about whether to approve or disapprove a statutory or categorical exemption or a negative declaration, addendum, environmental impact report, or comparable environmental review document under the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) that is not an abuse of discretion, as defined in clause (ii) of subparagraph (D) of paragraph (6) or clause (vii) of subparagraph (E) of paragraph (6).

(B) This paragraph shall become inoperative on January 1, 2031.

(8) "Lower density" includes any conditions that have the same effect or impact on the ability of the project to provide housing.

(9) Until January 1, 2030, "objective" means involving no personal or subjective judgment by a public official and being uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official.

(10) Notwithstanding any other law, until January 1, 2030, "determined to be complete" means that the applicant has submitted a complete application pursuant to Section 65943.

(i) If any city, county, or city and county denies approval or imposes conditions, including design changes, lower density, or a reduction of the percentage of a lot that may be occupied by a building or structure under the applicable planning and zoning in force at the time the housing development project's application is complete, that have a substantial adverse effect on the viability or affordability of a housing development for very low, low-, or moderate-income households, and the denial of the development or the imposition of conditions on the development is the subject of a court action which challenges the denial or the imposition of conditions, then the burden of proof shall be on the local legislative body to show that its decision is consistent with the findings as described in subdivision (d), and

that the findings are supported by a preponderance of the evidence in the record, and with the requirements of subdivision (o).

(j)

(1) When a proposed housing development project complies with applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the application was deemed complete, but the local agency proposes to disapprove the project or to impose a condition that the project be developed at a lower density, the local agency shall base its decision regarding the proposed housing development project upon written findings supported by a preponderance of the evidence on the record that both of the following conditions exist:

(A) The housing development project would have a specific, adverse impact upon the public health or safety unless the project is disapproved or approved upon the condition that the project be developed at a lower density. As used in this paragraph, a "specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

(B) There is no feasible method to satisfactorily mitigate or avoid the adverse impact identified pursuant to paragraph (1), other than the disapproval of the housing development project or the approval of the project upon the condition that it be developed at a lower density.

(2)

(A) If the local agency considers a proposed housing development project to be inconsistent, not in compliance, or not in conformity with an applicable plan, program, policy, ordinance, standard, requirement, or other similar provision as specified in this subdivision, it shall provide the applicant with written documentation identifying the provision or provisions, and an explanation of the reason or reasons it considers the housing development to be inconsistent, not in compliance, or not in conformity as follows:

(i) Within 30 days of the date that the application for the housing development project is determined to be complete, if the housing development project contains 150 or fewer housing units.

(ii) Within 60 days of the date that the application for the housing development project is determined to be complete, if the housing development project contains more than 150 units.

(B) If the local agency fails to provide the required documentation pursuant to subparagraph (A), the housing development project shall be deemed consistent, compliant, and in conformity with the applicable plan, program, policy, ordinance, standard, requirement, or other similar provision.

(3) For purposes of this section, the receipt of a density bonus, incentive, concession, waiver, or reduction of development standards pursuant to Section 65915 shall not constitute a valid basis on which to find a proposed housing development project is

inconsistent, not in compliance, or not in conformity, with an applicable plan, program, policy, ordinance, standard, requirement, or other similar provision specified in this subdivision.

(4) For purposes of this section, a proposed housing development project is not inconsistent with the applicable zoning standards and criteria, and shall not require a rezoning, if the housing development project is consistent with the objective general plan standards and criteria but the zoning for the project site is inconsistent with the general plan. If the local agency has complied with paragraph (2), the local agency may require the proposed housing development project to comply with the objective standards and criteria of the zoning which is consistent with the general plan, however, the standards and criteria shall be applied to facilitate and accommodate development at the density allowed on the site by the general plan and proposed by the proposed housing development project.

(k)

(1)

(A)

(i) The applicant, a person who would be eligible to apply for residency in the housing development project or emergency shelter, or a housing organization may bring an action to enforce this section. If, in any action brought to enforce this section, a court finds that any of the following are met, the court shall issue an order pursuant to clause (ii):

(I) The local agency, in violation of subdivision (d), disapproved a housing development project or conditioned its approval in a manner rendering it infeasible for the development of an emergency shelter, or housing for very low, low-, or moderate-income households, including farmworker housing, without making the findings required by this section or without making findings supported by a preponderance of the evidence.

(II) The local agency, in violation of subdivision (j), disapproved a housing development project complying with applicable, objective general plan and zoning standards and criteria, or imposed a condition that the project be developed at a lower density, without making the findings required by this section or without making findings supported by a preponderance of the evidence.

(III)

(ia) Subject to sub-subclause (ib), the local agency, in violation of subdivision (o), required or attempted to require a housing development project to comply with an ordinance, policy, or standard not adopted and in effect when a preliminary application was submitted.

(ib) This subclause shall become inoperative on January 1, 2030.

(ii) If the court finds that one of the conditions in clause (i) is met, the court shall issue an order or judgment compelling compliance with this section within 60 days, including, but not limited to, an order that the local agency take action on the housing

development project or emergency shelter. The court may issue an order or judgment directing the local agency to approve the housing development project or emergency shelter if the court finds that the local agency acted in bad faith when it disapproved or conditionally approved the housing development or emergency shelter in violation of this section. The court shall retain jurisdiction to ensure that its order or judgment is carried out and shall award reasonable attorney's fees and costs of suit to the plaintiff or petitioner, provided however, that the court shall not award attorney's fees in either of the following instances:

(I) The court finds, under extraordinary circumstances, that awarding fees would not further the purposes of this section.

(II)

(ia) In a case concerning a disapproval within the meaning of subparagraph (D) or (E) of paragraph (6) of subdivision (h), the court finds that the local agency acted in good faith and had reasonable cause to disapprove the housing development project due to the existence of a controlling question of law about the application of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) or implementing guidelines as to which there was a substantial ground for difference of opinion at the time of the disapproval.

(ib) This subclause shall become inoperative on January 1, 2031.

(B) Upon a determination that the local agency has failed to comply with the order or judgment compelling compliance with this section within 60 days issued pursuant to subparagraph (A), the court shall impose fines on a local agency that has violated this section and require the local agency to deposit any fine levied pursuant to this subdivision into a local housing trust fund. The local agency may elect to instead deposit the fine into the Building Homes and Jobs Trust Fund. The fine shall be in a minimum amount of ten thousand dollars (\$10,000) per housing unit in the housing development project on the date the application was deemed complete pursuant to Section 65943. In determining the amount of fine to impose, the court shall consider the local agency's progress in attaining its target allocation of the regional housing need pursuant to Section 65584 and any prior violations of this section. Fines shall not be paid out of funds already dedicated to affordable housing, including, but not limited to, Low and Moderate Income Housing Asset Funds, funds dedicated to housing for very low, low-, and moderate-income households, and federal HOME Investment Partnerships Program and Community Development Block Grant Program funds. The local agency shall commit and expend the money in the local housing trust fund within five years for the sole purpose of financing newly constructed housing units affordable to extremely low, very low, or low-income households. After five years, if the funds have not been expended, the money shall revert to the state and be deposited in the Building Homes and Jobs Trust Fund for the sole purpose of financing newly constructed housing units affordable to extremely low, very low, or low-income households.

(C) If the court determines that its order or judgment has not been carried out within 60 days, the court may issue further orders as provided by law to ensure that the purposes and policies of this section are fulfilled, including, but not limited to, an order to vacate the decision of the local agency and to approve the housing development project, in which case the application for the housing development project, as proposed by the applicant at the time the local agency took the initial action determined to be in violation of this section, along with any standard conditions determined by the court to be generally imposed by the local agency on similar projects, shall be deemed to be approved unless the applicant consents to a different decision or action by the local agency.

(2) For purposes of this subdivision, "housing organization" means a trade or industry group whose local members are primarily engaged in the construction or management of housing units or a nonprofit organization whose mission includes providing or advocating for increased access to housing for low-income households and have filed written or oral comments with the local agency prior to action on the housing development project. A housing organization may only file an action pursuant to this section to challenge the disapproval of a housing development by a local agency. A housing organization shall be entitled to reasonable attorney's fees and costs if it is the prevailing party in an action to enforce this section.

(l) If the court finds that the local agency (1) acted in bad faith when it disapproved or conditionally approved the housing development or emergency shelter in violation of this section and (2) failed to carry out the court's order or judgment within 60 days as described in subdivision (k), the court, in addition to any other remedies provided by this section, shall multiply the fine determined pursuant to subparagraph (B) of paragraph (1) of subdivision (k) by a factor of five. For purposes of this section, "bad faith" includes, but is not limited to, an action that is frivolous or otherwise entirely without merit.

(m)

(1) Any action brought to enforce the provisions of this section shall be brought pursuant to Section 1094.5 of the Code of Civil Procedure, and the local agency shall prepare and certify the record of proceedings in accordance with subdivision (c) of Section 1094.6 of the Code of Civil Procedure no later than 30 days after the petition is served, provided that the cost of preparation of the record shall be borne by the local agency, unless the petitioner elects to prepare the record as provided in subdivision (n) of this section. A petition to enforce the provisions of this section shall be filed and served no later than 90 days from the later of (1) the effective date of a decision of the local agency imposing conditions on, disapproving, or any other final action on a housing development project or (2) the expiration of the time periods specified in subparagraph (B) of paragraph (5) of subdivision (h). Upon entry of the trial court's order, a party may, in order to obtain appellate review of the order, file a petition within 20 days after service upon it of a written notice of the entry of the order, or within such further time not exceeding an additional 20 days as the trial court may for good cause allow, or may appeal the judgment or order of the trial court under Section 904.1 of the Code of Civil Procedure. If the local agency appeals the judgment of the trial court, the local agency shall post a bond,

in an amount to be determined by the court, to the benefit of the plaintiff if the plaintiff is the project applicant.

(2)

(A) A disapproval within the meaning of subparagraph (D) of paragraph (6) of subdivision (h) shall be final for purposes of this subdivision, if the local agency did not make a lawful determination within the time period set forth in subclause (V) of clause (i) of that subparagraph after the applicant's timely written notice.

(B) This paragraph shall become inoperative on January 1, 2031.

(3)

(A) A disapproval within the meaning of subparagraph (E) of paragraph (6) of subdivision (h) shall be final for purposes of this subdivision, if the local agency did not make a lawful determination within 90 days of the applicant's timely written notice.

(B) This paragraph shall become inoperative on January 1, 2031.

(n) In any action, the record of the proceedings before the local agency shall be filed as expeditiously as possible and, notwithstanding Section 1094.6 of the Code of Civil Procedure or subdivision (m) of this section, all or part of the record may be prepared (1) by the petitioner with the petition or petitioner's points and authorities, (2) by the respondent with respondent's points and authorities, (3) after payment of costs by the petitioner, or (4) as otherwise directed by the court. If the expense of preparing the record has been borne by the petitioner and the petitioner is the prevailing party, the expense shall be taxable as costs.

(o)

(1) Subject to paragraphs (2), (6), and (7), and subdivision (d) of Section 65941.1, a housing development project shall be subject only to the ordinances, policies, and standards adopted and in effect when a preliminary application including all of the information required by subdivision (a) of Section 65941.1 was submitted.

(2) Paragraph (1) shall not prohibit a housing development project from being subject to ordinances, policies, and standards adopted after the preliminary application was submitted pursuant to Section 65941.1 in the following circumstances:

(A) In the case of a fee, charge, or other monetary exaction, to an increase resulting from an automatic annual adjustment based on an independently published cost index that is referenced in the ordinance or resolution establishing the fee or other monetary exaction.

(B) A preponderance of the evidence in the record establishes that subjecting the housing development project to an ordinance, policy, or standard beyond those in effect when a preliminary application was submitted is necessary to mitigate or avoid a specific, adverse impact upon the public health or safety, as defined in subparagraph (A) of paragraph (1) of subdivision (j), and there is no feasible alternative method to satisfactorily mitigate or avoid the adverse impact.

(C) Subjecting the housing development project to an ordinance, policy, standard, or any other measure, beyond those in effect when a preliminary application was submitted is necessary to avoid or substantially lessen an impact of the project under the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).

(D) The housing development project has not commenced construction within two and one-half years, or three and one-half years for an affordable housing project, following the date that the project received final approval. For purposes of this subparagraph:

(i) "Affordable housing project" means a housing development that satisfies both of the following requirements:

(I) Units within the development are subject to a recorded affordability restriction for at least 55 years for rental housing and 45 years for owner-occupied housing, or the first purchaser of each unit participates in an equity sharing agreement as described in subparagraph (C) of paragraph (2) of subdivision (c) of Section 65915.

(II) All of the units within the development, excluding managers' units, are dedicated to lower income households, as defined by Section 50079.5 of the Health and Safety Code.

(ii) "Final approval" means that the housing development project has received all necessary approvals to be eligible to apply for, and obtain, a building permit or permits and either of the following is met:

(I) The expiration of all applicable appeal periods, petition periods, reconsideration periods, or statute of limitations for challenging that final approval without an appeal, petition, request for reconsideration, or legal challenge having been filed.

(II) If a challenge is filed, that challenge is fully resolved or settled in favor of the housing development project.

(E) The housing development project is revised following submittal of a preliminary application pursuant to Section 65941.1 such that the number of residential units or square footage of construction changes by 20 percent or more, exclusive of any increase resulting from the receipt of a density bonus, incentive, concession, waiver, or similar provision, including any other locally authorized program that offers additional density or other development bonuses when affordable housing is provided. For purposes of this subdivision, "square footage of construction" means the building area, as defined by the California Building Standards Code (Title 24 of the California Code of Regulations).

(3) This subdivision does not prevent a local agency from subjecting the additional units or square footage of construction that result from project revisions occurring after a preliminary application is submitted pursuant to Section 65941.1 to the ordinances, policies, and standards adopted and in effect when the preliminary application was submitted.

(4) For purposes of this subdivision, "ordinances, policies, and standards" includes general plan, community plan, specific plan, zoning, design review standards and criteria,

subdivision standards and criteria, and any other rules, regulations, requirements, and policies of a local agency, as defined in Section 66000, including those relating to development impact fees, capacity or connection fees or charges, permit or processing fees, and other exactions.

(5) This subdivision shall not be construed in a manner that would lessen the restrictions imposed on a local agency, or lessen the protections afforded to a housing development project, that are established by any other law, including any other part of this section.

(6) This subdivision shall not restrict the authority of a public agency or local agency to require mitigation measures to lessen the impacts of a housing development project under the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).

(7) With respect to completed residential units for which the project approval process is complete and a certificate of occupancy has been issued, nothing in this subdivision shall limit the application of later enacted ordinances, policies, and standards that regulate the use and occupancy of those residential units, such as ordinances relating to rental housing inspection, rent stabilization, restrictions on short-term renting, and business licensing requirements for owners of rental housing.

(8)

(A) This subdivision shall apply to a housing development project that submits a preliminary application pursuant to Section 65941.1 before January 1, 2030.

(B) This subdivision shall become inoperative on January 1, 2034.

(p)

(1) Upon any motion for an award of attorney's fees pursuant to Section 1021.5 of the Code of Civil Procedure, in a case challenging a local agency's approval of a housing development project, a court, in weighing whether a significant benefit has been conferred on the general public or a large class of persons and whether the necessity of private enforcement makes the award appropriate, shall give due weight to the degree to which the local agency's approval furthers policies of this section, including, but not limited to, subdivisions (a), (b), and (c), the suitability of the site for a housing development, and the reasonableness of the decision of the local agency. It is the intent of the Legislature that attorney's fees and costs shall rarely, if ever, be awarded if a local agency, acting in good faith, approved a housing development project that satisfies conditions established in subclauses (I), (II), and (III) of clause (i) of subparagraph (D) of paragraph (6) of subdivision (h) or clauses (i), (ii), and (iii) of subparagraph (E) of paragraph (6) of subdivision (h).

(2) This subdivision shall become inoperative on January 1, 2031.

(q) This section shall be known, and may be cited, as the Housing Accountability Act.

(r) The provisions of this section are severable. If any provision of this section or its application is held invalid, that invalidity shall not affect other provisions or applications

that can be given effect without the invalid provision or application.

Ca. Gov. Code § 65589.5

Amended by Stats 2023 ch 768 (AB 1633),s 2, eff. 1/1/2024.
Amended by Stats 2022 ch 651 (AB 2234),s 1, eff. 1/1/2023.
Amended by Stats 2022 ch 632 (SB 1252),s 2, eff. 1/1/2023.
Amended by Stats 2021 ch 360 (AB 1584),s 8, eff. 1/1/2022.
Amended by Stats 2021 ch 161 (SB 8),s 1, eff. 1/1/2022.
Amended by Stats 2020 ch 165 (SB 1030),s 5, eff. 9/25/2020.
Amended by Stats 2019 ch 665 (AB 1743),s 3.1, eff. 1/1/2020.
Amended by Stats 2019 ch 654 (SB 330),s 3, eff. 1/1/2020.
Amended by Stats 2018 ch 243 (AB 3194),s 1, eff. 1/1/2019.
Amended by Stats 2018 ch 92 (SB 1289),s 114, eff. 1/1/2019.
Amended by Stats 2017 ch 378 (AB 1515),s 1.5, eff. 1/1/2018.
Amended by Stats 2017 ch 373 (AB 678),s 1, eff. 1/1/2018.
Amended by Stats 2017 ch 368 (SB 167),s 1, eff. 1/1/2018.
Amended by Stats 2016 ch 420 (AB 2584),s 1, eff. 1/1/2017.
Amended by Stats 2015 ch 349 (AB 1516),s 2, eff. 1/1/2016.
Amended by Stats 2010 ch 610 (AB 2762),s 2, eff. 1/1/2011.
Amended by Stats 2007 ch 633 (SB 2),s 4, eff. 1/1/2008.
Amended by Stats 2006 ch 888 (AB 2511),s 5, eff. 1/1/2007.
Amended by Stats 2005 ch 601 (SB 575),s 1, eff. 1/1/2006
Amended by Stats 2004 ch 724 (AB 2348),s 4, eff. 1/1/2005
Amended by Stats 2003 ch 793 (SB 619), s 3, eff. 1/1/2004.
Amended by Stats 2002 ch 147 (SB 1721), s 1, eff. 1/1/2003.
Amended by Stats 2001 ch 237 (AB 369), s 1, eff. 1/1/2002.
Previously Amended October 10, 1999 (Bill Number: SB 948) (Chapter 968).

Aug 5, 2022

RECEIVED

Parking Management Plan for

Lago Fresca Apartments

4744 Hoen Avenue, Santa Rosa, CA 95405

Lago Fresca LLC, the Owner and Lessor/Landlord of Lago Fresca Apartments (“Premises”), is responsible for providing its tenants with high-quality, affordable, and safe apartment homes, which will include functional and desirable resident amenities and conveniences. Lago Fresca offers tenants sufficient parking options, including at least one on-site stall per unit and two designated covered tandem stalls for 24% of the units. This Parking Management Plan is crafted to fit the unique circumstances of the property and to minimize the concerns of prospective tenants, surrounding neighbors, and City of Santa Rosa officials.

PARKING GUIDELINES & ENFORCEMENT

All parking is reserved for Tenant use only (including for their co-signers and guests, as available and designated), and only with display of a Parking Permit Placard (“Placard”) provided to the Tenant by the Landlord. The Tenant agrees not to park in any area other than Tenant’s assigned parking stall(s). The Tenant acknowledges the number of parking permits they receive with their lease agreement, which is either zero (0) permits, one (1) permit, or two (2) permits. No tenant will be permitted to have more than two (2) parking permits. Co-Signers are not eligible to receive a parking permit separately from the permit(s) assigned to the Tenant. Parking stalls are unbundled and leased separately from the apartment dwelling at a separate rate in addition to the renting of the assigned residential unit.

Parking in designated fire lanes, no parking zones, or parking in a stall not assigned to Tenant shall result in a parking violation fee and/or towing of the vehicle at the Tenant’s expense. Vehicle and engine repairs are not allowed on the Premises. The Tenant agrees and understands they are responsible for ensuring that their guest(s) park outside of the designated Lago Fresca parking area, unless such guest(s) use the Placard assigned to the Tenant he/she is visiting. Tenant(s) and their guest(s) understand that their car may be towed if parked on the Premises without a Placard. The Tenant agrees to notify the Landlord’s on-site Agent of any illegal or unauthorized vehicles. Lago Fresca, its agents, and/or an authorized third-party will perform daily inspection rounds of the onsite premises to ensure proper compliance with the Lago Fresca rules and regulations regarding vehicle parking.

TENANT & GUEST PARKING OPTIONS

Each Tenant will be given the option at time of lease signing to be assigned one (1) parking stall. Should Tenant(s) reside in a higher occupancy unit (2+ bedrooms) and request more than one (1) parking stall, such Tenant(s) will be assigned a covered tandem spot, **subject to availability**. Should a Tenant desire to be assigned a Tandem spot, such Tenant will be required to purchase both spots in such Tandem stall. Under no circumstances will a Tenant be permitted to park more than two (2) vehicles on Premises. All other vehicles, Tenant or guest-owned or operated, must be parked off the Premises.

Should a Tenant be assigned one or more parking stalls, their assigned Placard is to be clearly displayed in the front of the vehicle facing outward and visible from the exterior at all times while parked on the Premises. Failure to have the Placard clearly displayed in the vehicle will be deemed a violation of the lease agreement and will result in the vehicle being towed at the vehicle owner’s expense. Should a Tenant require an accessible space, they will be permitted to use one of the three accessible spaces provided, at no

extra cost above the regular fee charged to all tenants who desire parking privileges at the Premises, provided Tenant shows a valid state-issued accessible placard.

Due to potential concerns regarding lack of available onsite parking, Lago Fresca commissioned a parking study, performed by W-Trans, of available offsite parking at multiple times throughout the day. Within .25 miles (an approximate walk of five minutes or less) of the entrance of Lago Fresca on Hoen Avenue, there are 84 public on-street parking spaces, based on an approximate vehicle length of 25 feet. Of the 84 spaces, 45 spaces are on the same side of Hoen Avenue as Lago Fresca, thus not requiring any resident and/or guest to cross Hoen Avenue. The remaining 39 spots are located on the North side of Hoen Avenue and would require those choosing to park there to cross the street, with two separate crosswalks being located within .15 miles of the Lago Fresca entrance.

Amongst these 84 spots analyzed during the W-Trans study, parking occupancy was determined during three-hour periods between 9:00 a.m. to 12:00 noon and again between 8:00 p.m. to 11:00 p.m. on November 2-4, 2021. The time periods were selected to include conditions when nearby offices were open in the morning and residents would be expected to be at home in the late evening, thus occupying the estimated maximum number of parking spaces. Based on these timeframes, it was found that there was a parking occupancy of 31 percent during the morning and 20 percent during the evening. This translates to at least **58 unoccupied parking spaces** in the morning and **67 unoccupied spaces** in the evening. Based on WTrans findings, the parking supply of Lago Fresca, coupled with the available on-street parking, would be more than adequate based on the ITE parking demand rates. Residents will be made aware and frequently reminded to follow all applicable parking rules set by the City of Santa Rosa should they choose to utilize the available offsite parking along Hoen Avenue.

ONSITE & NEARBY VEHICLE ALTERNATIVES

Lago Fresca is committed to providing alternative transportation options that can alleviate the potential need for residents to own and/or operate their own vehicles. As proposed, 44 units would have an outdoor storage closet in which to store bicycles. Additionally, two short-term bicycle racks with eight spaces would be located onsite, which is more than adequate to serve the remaining six units. Based upon resident interest, Lago Fresca is amenable to offering on-site bike rental programs, which would further alleviate vehicle parking demand.

Furthermore, Lago Fresca will devote at least one on-site parking stall to a car-share program, such as Getaround. Under such a program, residents can sign up to rent the on-site vehicle as needed via a smartphone application. According to Susan Shaheen, a UC Berkeley civil and environmental engineering professor who has been performing peer-reviewed car-share studies for more than 20 years, **each shared vehicle eliminates the need for nine to thirteen vehicles** (Professor Shaheen's peer-reviewed studies regarding carshare programs can be found here: <https://tsrc.berkeley.edu/publications>). Should Lago Fresca residents' demand for such carshare exceed the one onsite vehicle, Lago Fresca is committed to adding additional vehicles for such carshare program.

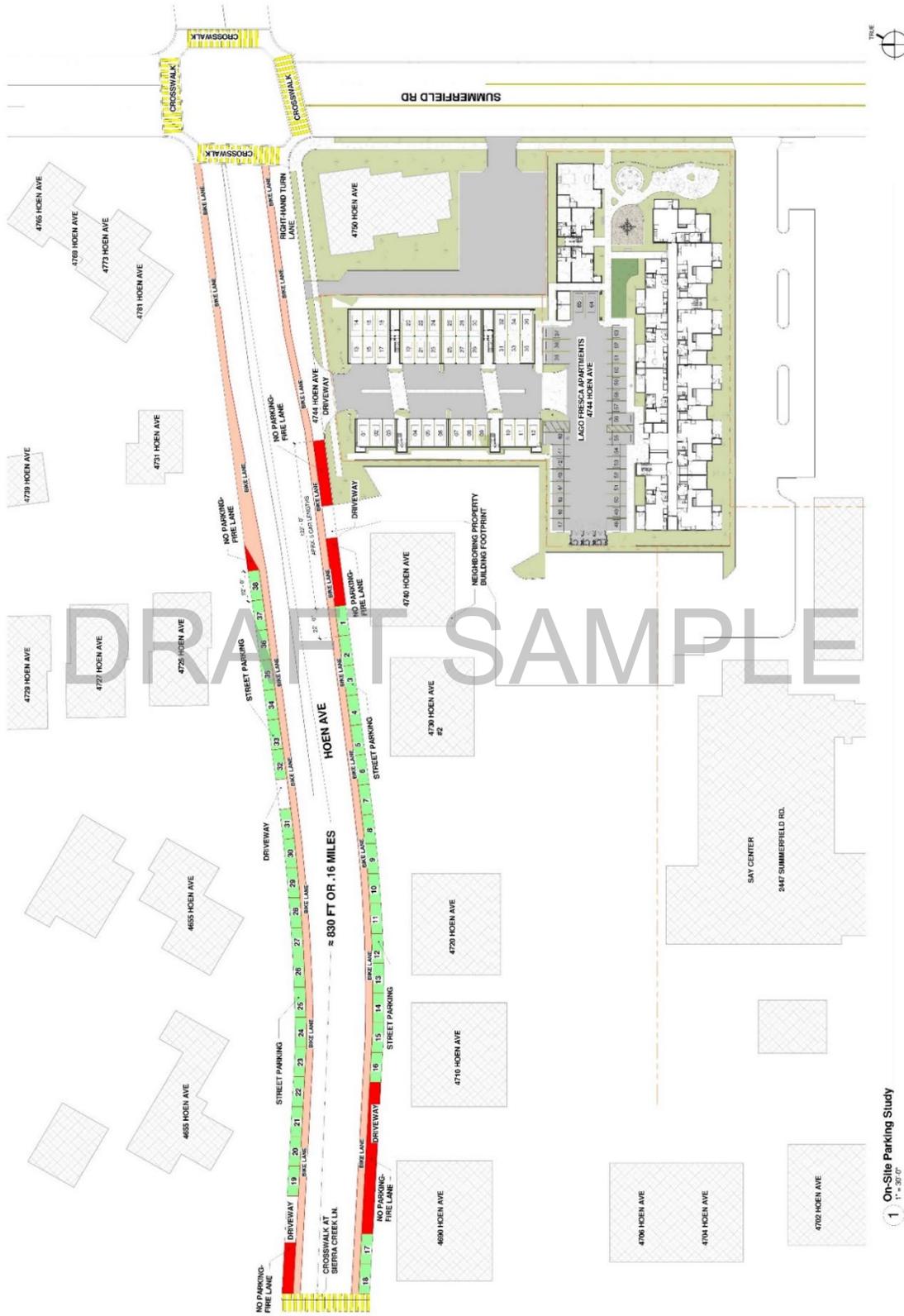
Finally, Lago Fresca is conveniently located along the Santa Rosa Citybus Route 8, with a bus stop directly outside the onsite community open space area along Summerfield Road. Route 8 provides service between eastern Santa Rosa and the Santa Rosa Transit Mall Terminal. Route 8 operates Monday through Friday with approximately half-hour headways between 6:00 a.m. and 7:30 p.m. On weekends, Route 8 operates with approximately half-hour headways between 10:30 a.m. and 4:30 p.m. Lago Fresca will offer discounted transit passes upon a resident's request.

CONCLUSION

As put forth above, Lago Fresca has performed significant analysis and expended substantial resources to ensure sufficient parking is available for its residents on and around the Premises. The W-Trans study confirmed that the Lago Fresca development will not have a significant impact on the available parking within the neighborhood. Moreover, Lago Fresca is committed to offering alternatives to its residents in the form of secured bicycle parking and storage, carshare services, and discounted transit passes, all of which will further alleviate the parking demands both onsite and offsite. Lago Fresca understands and anticipates that not all parking scenarios and potential issues can be fully prepared for prior to opening this much-needed residential community, and therefore, management will keenly monitor and adjust from this parking management plan in a timely manner should the need arise to best serve its residents and the surrounding neighborhood.

DRAFT SAMPLE

On Street Parking Diagram



DRAFT SAMPLE



Almond Gardens Apartments Redevelopment Project

CITY OF SUISUN CITY, CITY COUNCIL
MARCH 12, 2024

1



Road Map

- Staff Presentation
 - Background Including 1/30/24 PC Hearing
 - Project Description
 - Requested Entitlement
 - Filed appeal
- Council Questions
- Public Hearing – Developer and Community
- Council Deliberations and Action

2



Background

- Existing conditions of property.
- Harbor Park LLC Disposition and Development Agreement with Suisun City Housing Authority.
- January 30, 2024, Planning Commission Hearing and Approval.
- Filed appeal.

3



Project Description

- Construct 5 three-story buildings with a manager's unit and maintenance shop.
- Net increase of up to 47 units.
- Affordable units intended to be achieved via tax credit financing.
- Centralized play structure.
- Parking off the street at northern and southern perimeter of property.
- Relocation Plan of existing residents.

4



Requested Entitlements

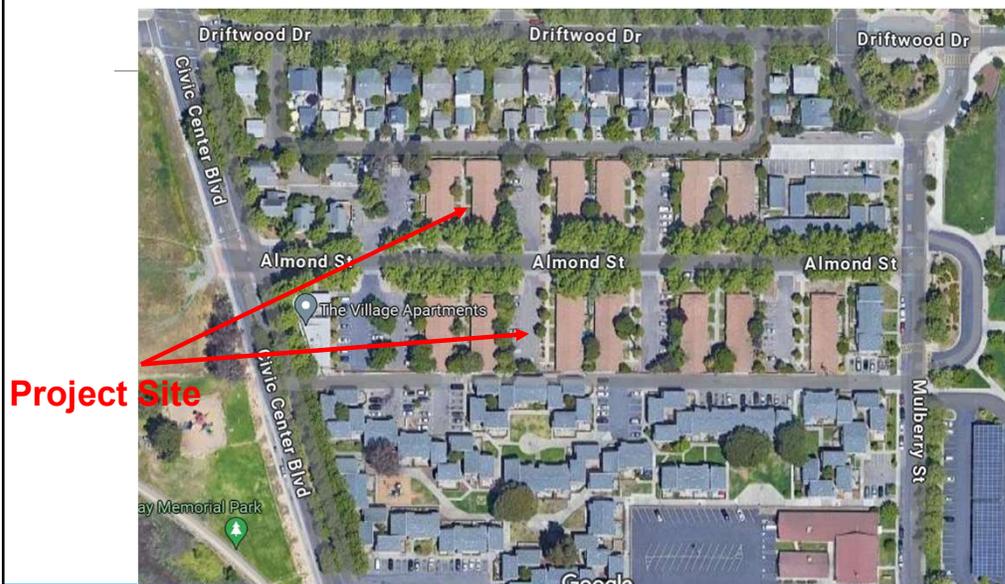
Site Plan / Architectural Review

- Consistency with General Plan and Waterfront District Specific Plan.
- AB 2097 application.
- Proposed Conditions of Approval.
- Required Findings of the Planning Commission.

5



Existing Conditions



6



Site Plan Overview – Project Characteristics



7

Development Standards

	WDSP Standard	Proposed
Front Setback	0' min – 15' max	10'
Side Setback	*0' min – 5' max	10' – 60'
Rear Setback	5'	65'
Height	55'	35' to eave line
Private Space	Open	No standard
Public Space	Open	No standard
		47 square feet per residence
		5,000 square ft pocket park

8

Development Standards Cont'd

Parking Requirements (99 Units)			
	Proposed Project	Waterfront District Specific Plan	State Density Bonus
1 bedroom		46	23
2 bedrooms		80	53
Total Parking Spaces	121	146 (includes 20 guest spaces)	76
61-units (flexed reduction) 2+bedroom	121	105	61

9




Architectural Review



ALMOND ELEVATION LOOKING NORTH



LOBBY ELEVATION BUILDINGS 1 & 4

- [1] CEMENT PLASTER - PAINTED
- [2] BRICK FACE CMU - UNPAINTED
- [3] WOOD - TRIM PAINTED
- [4] DOUBLE GLAZED WINDOWS - WHITE
- [5] DOUBLE GLAZED PATIO DOORS - WHITE
- [6] ALUMINUM AWNINGS
- [7] AUTTER AND PSL - PAINTED
- [8] ASPHALT SHINGLES - CHARCOAL
- [9] DECORATIVE METAL RAILINGS

- [10] SELLY MOORE PLASTER 1
- [11] SELLY MOORE PLASTER 2
- [12] SELLY MOORE PLASTER 3
- [13] SELLY MOORE PLASTER 4



LOBBY ELEVATION BUILDINGS 2 & 6

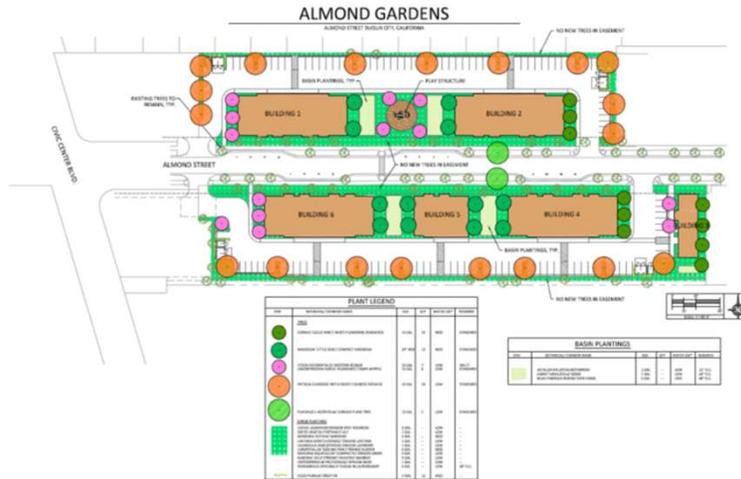
- [1] CEMENT PLASTER - PAINTED
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- [10] SELLY MOORE PLASTER 1
- [11] SELLY MOORE PLASTER 2
- [12] SELLY MOORE PLASTER 3
- [13] SELLY MOORE PLASTER 4

10



Project Landscaping



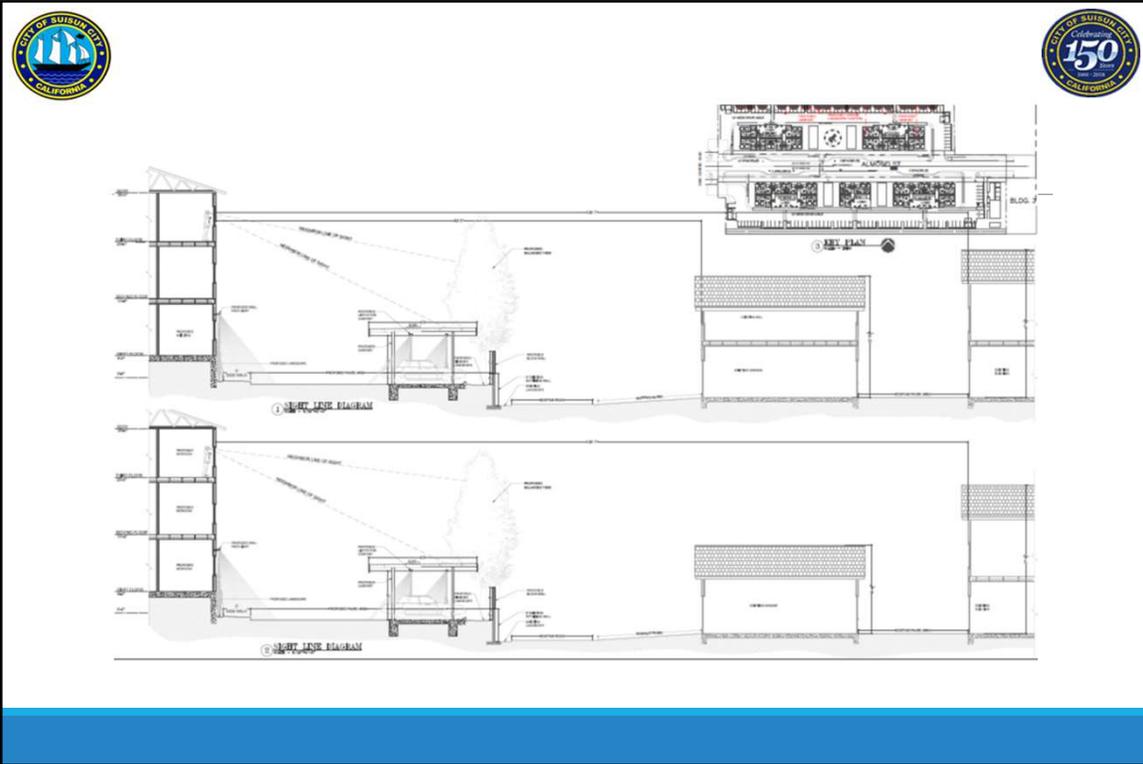
11



Good Neighbor Meeting

- January 4, 2024, via Zoom
- Notification
- Transcript and follow up

12



13




Appeal Filed

An appeal was filed on February 9, 2024, consistent with Suisun City Code Section 18.84.050, regarding the Planning Commission's Approval of the Almond Garden's Development Project on January 30, 2024.

The appeal raised the following concerns:

1. Privacy Violations
2. Inadequate Public Review
3. Insufficient Flood Risk Assessment
4. Parking Issues Unaddressed
5. Insufficient Review Time

Additionally, the appeal raised the following Inconsistencies/Misrepresentations:

1. Non-Profit Partnership Misrepresentation
2. Overlooked Resident Eligibility

14



Staff Responses

Appeal Concern 1:

- Section 6.2.3 of the Waterfront District Specific Plan is a guidelines versus a standard.
- Developer's efforts to maximize setbacks and agree to additional plantings.
- Drone video presentation.

Appeal Concern 2:

- The Planning Commission was provided all public comment materials received by staff at the January 30, 2024, meeting.
- Additionally, all public comments were made a part of the public record.



Staff Responses Continued

Appeal Concern 3:

- Site Plan review requirement with preliminary civil planning.
- Federal Emergency Management Agency/Building Code Requirement and timing of review.

Appeal Concern 4:

- Existing conditions and staff site visiting and monitoring.
- Assembly Bill 2097.

Appeal Concern 5:

- Compliance with Good Neighbor Policy.
- Compliance with Government Code.



Staff Responses Continued

Misrepresentation/Inconsistency Concern 1:

- The developer will be partnering with a non-profit to accept the tax credits.
- Property management company does not need to a non-profit.

Misrepresentation/Inconsistency Concern 2:

- The property does not have a regulatory agreement which restricts rents.
- 13 of the 38 units currently utilize Section 8 vouchers from the Housing Authority.
- The proposed project would have restricted rents and anyone living on the property presently would have preference to come back if they qualify.



Housing Accountability Act (Government Code § 65589.5)

Importantly, even if the Council is unable to make the findings necessary to approve the site plan review, State Law requires the City Council to approve the Project under the Housing Accountability Act, unless it can make at least one the following findings (see Gov't Code § 65589.5(d)):

1. HCD has approved the City's Housing Element and all of the affordable housing units in the income categories included in the Project proposal have been permitted (*i.e.* are being constructed or are approved to be constructed).
2. The Project has a specific, adverse impact on public health and safety, and there is not feasible way to avoid that impact.
3. Denial is required to comply with specific state or federal law, and there is no feasible method to comply.
4. The Project will be built on land zoned for agriculture or having inadequate water or sewer.
5. The Project is inconsistent with **both** the zoning and the general plan, and the Project is not proposed on a site identified for housing in the housing element, and there are other sufficient sites to accommodate the RHNA requirements or zoning for emergency shelters.

There does not appear to be evidence in the record to support any of the above findings. Therefore, under State Law, the Project *must* be approved. Failure to approve the Project could result in fines of \$10,000 per unit.



Staff Recommendation

Adopt Resolution No. PC24-____: A Resolution of the City Council of the City of Suisun City Council After Conducting a 'de novo' Public Hearing; Denying the Appeal of the Appellant and Affirming the Planning Commission's January 30, 2024 Approval of Site Plan/Architectural Review SP/AR 23/24-003 and Making a Finding of Consistency with California Environmental Quality Act (CEQA) Section 15183 for the Almond Gardens Redevelopment Project Located at Assessor's Parcel Numbers 0032-101-420 and 0032-102-160.

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AGENDA TRANSMITTAL

MEETING DATE: March 12, 2024

AGENDA ITEM: Discussion and Direction Regarding the Costs Associated with Sea Level Rise.

FISCAL IMPACT: Unknown and yet to be determined at this time. Costs referred to in this staff report are professional estimates. The Council’s direction to allocate additional time on this subject will assist with determining true costs to address sea level rise.

STRATEGIC PLAN: Provide Good Governance and Develop Sustainable Economy.

BACKGROUND: The Bay Area is defined by its relationship to water, with iconic beaches on the outer coasts, vast wetlands and diverse habitats, maritime culture and commerce, and diverse shoreline communities spanning across the Bay, the Delta, and the Outer Coast. Sea level rise adaptation in the Bay Area will require a vivid reimagining of our relationship with the Bay, the Pacific Coast, and the Delta. Critically though, adapting successfully to this uncertain future will require significant amounts of funding that are not available now, nor anticipated to emerge in the near future.

The San Francisco Bay Conservation and Development Commission, Metropolitan Transportation Commission, and Association of Bay Area Governments has developed the *Sea Level Rise Adaptation Funding and Investment Framework Final Report* (Attachment 1.) which is the regions first report solely devoted to quantifying the magnitude of the funding required to protect the bay’s shoreline from flooding due to sea level rise and storms by 2050. Fueled by the most robust data to date on what’s been built, what’s planned, and where the gaps are within the region. This report identifies some early steps to help further prepare the region for sea level rise adaptation and identifies some cities and counties that have started to commit dollars to planning, developing project concepts, and even delivering projects. However, recognizing the regional costs are in the billions, the consequences of sea level rise are significant, and the timeline is short. It is important that protections are in place before inundation occurs, and not rely on remediating potential social and economic damage.

STAFF REPORT: This past year the Environmental and Climate Committee has discussed the local impacts of sea level rise and what the City can do to build a resilient community. In response to their discussion, in August 2023, a broader discussion occurred with staff focusing on solutions such as amendments to development standards and evaluating the risk and cost to the City to address the consequences of sea level rise. It was determined by the Committee that absent a focused evaluation of risk coupled with the associated costs of this risk, it was very difficult to quantify the scope and costs to address this critical issue. Therefore, the Committee requested that staff spend more time assessing what a resiliency program would entail and as best of the limited information, determine costs.

Currently, the best estimation to address sea level rise is in the millions. Based on 29,500 feet or 5.6 miles of shorelines a cost estimate that is derived from the Kellogg Resiliency Project Cost/Budget serves the purpose of offering stakeholders an initial grasp of the potential financial implications associated with the project (Attachment 2.). It serves to facilitate funding acquisition, informs decision-making during project development, and ensuring alignment with budgetary constraints. Moreover, this estimate can also serve as a foundational point for more comprehensive and precise cost assessments.

The overall preliminary cost estimate by the engineer, in current monetary terms, stands at approximately \$250 million, encompassing the following components:

- Project Management
- Feasibility Analysis
- Preliminary Design
- Community Engagement
- Environmental Compliance
- Engineering Design
- Construction Management, Inspection, and Quality Control
- Construction Activities

Staff is requesting approval from the City Council to investigate and determine the cost required to address the issue of rising sea levels. This involves a small amount of staff time spent in contact with engineers and external agency officials. This action aims to explore and verify the costs associated with rising sea levels. It is important to note that taking action will not authorize funds to be redirected from the General Fund.

STAFF RECOMMENDATION: Staff is seeking City Council approval to explore and validate the costs associated with rising sea levels.

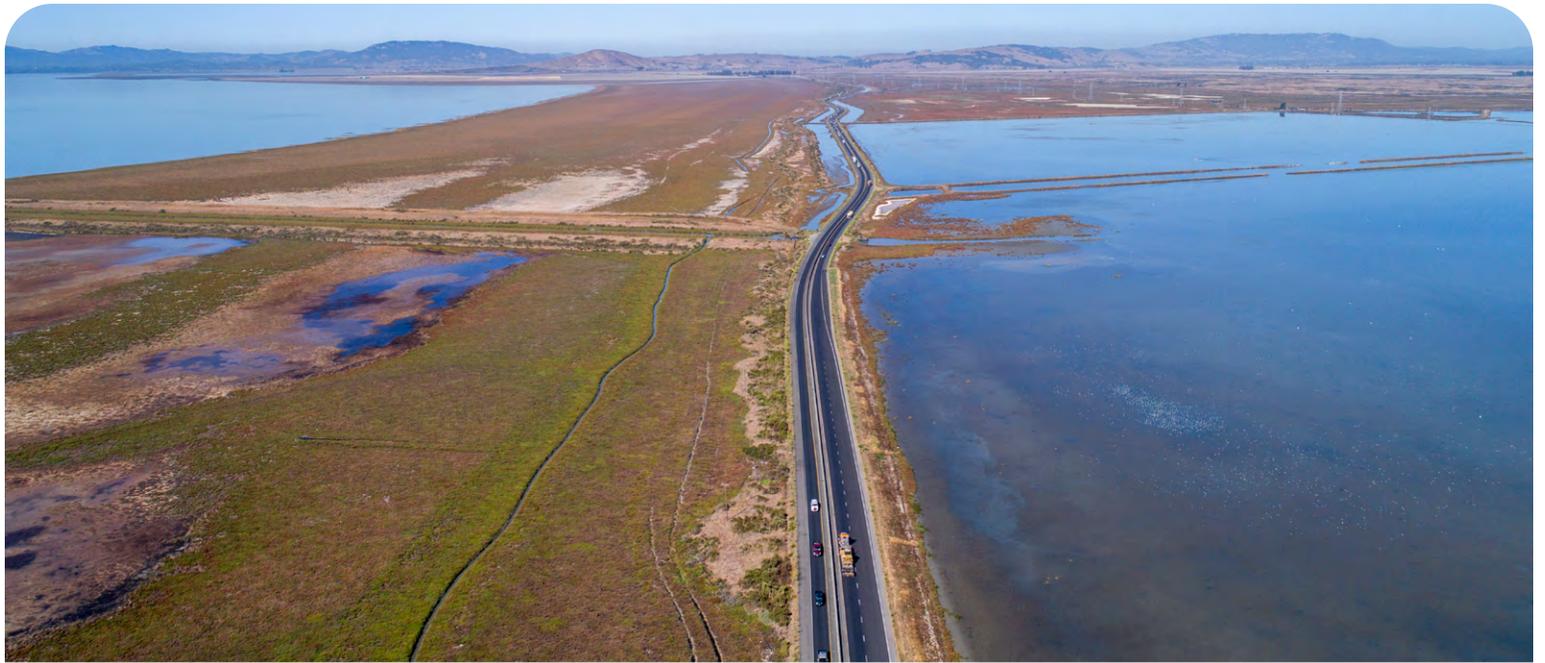
DOCUMENTS ATTACHED:

1. Sea Level Rise Adaptation Funding and Investment Framework Final Report.
2. Potential Sea Level Rise Construction Methods.
3. PowerPoint Presentation

PREPARED BY:	Jim Bermudez, Development Services Director
REVIEWED BY:	Aaron Roth, Interim City Manager
APPROVED BY:	Aaron Roth, Interim City Manager

ATTACHMENTS:

1. [Sea Level Rise Adaption Funding and Investment Framework Final Report](#)
2. [Potential Sea Level Rise Construction Methods.docx](#)
3. [PowerPoint Presentation](#)



Sea Level Rise Adaptation Funding and Investment Framework Final Report

Metropolitan Transportation Commission / Association of Bay Area Governments and the San Francisco Bay Conservation and Development Commission

July 2023

Sea Level Rise Adaptation Funding and Investment Framework Final Report Draft

July 2023

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Karl Nielsen, 2017



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Photo: Karl Nielsen, 2023

Executive Summary

Sea level rise adaptation in the Bay Area will require a vivid reimagining of our relationship with the Bay, the Pacific Coast, and the Delta. From our iconic beaches, urban shorelines, bustling ports, and vast wetlands, no part of our shoreline will remain unchanged. Critically though, adapting successfully to this uncertain future will require significant amounts of funding that are not available now, nor anticipated to emerge in the near future.

The Sea Level Rise Adaptation Funding and Investment Framework (Framework) has been jointly developed by the San Francisco Bay Conservation and Development Commission, Metropolitan Transportation Commission, and Association of Bay Area Governments. It is the region's first report solely devoted to quantifying the magnitude of the funding required to protect the bay's shoreline from flooding due to sea level rise and storms by 2050. Fueled by the most robust data to date on what's been built, what's planned, and where the gaps are, it ultimately yielded the following key findings:

- Protecting all portions of the shoreline that will experience sea level rise and storm surge by 2050 is estimated to **cost \$110 billion**. Some decisions may lower or raise the estimate, such as determining how the region prioritizes protection.
- Of that amount, Bay Area governments can account for **just over \$5 billion being available through existing federal, state, regional, and local funding programs**. This leaves a gap of **approximately \$105 billion** to fill in the next decades.
- While the cost of tackling this regional challenge is significant, failing to adapt would result in a much larger deficit. Even a partial estimate of the cost of inaction is anticipated to be **over \$230 billion**.
- Some counties will experience more flooding sooner than others, meaning that adaptation **costs are not evenly distributed**. Some counties have planned and developed projects more than others, leading to questions about where new funding should go.
- Filling the funding gap will **require a mix of funding types and amounts**. There is no single “magic bullet” that can fill a \$105 billion gap. Parcel taxes and ad-valorem taxes may be feasible options at the regional or county level, but both would need further study to advance equitable outcomes.
- **Developing equitable adaptation is paramount**. How we fill the funding gap can either exacerbate or maintain existing environmental injustices instead of ameliorating them. From who pays to who benefits, some solutions are simply more equitable than others.
- **A regional approach is critical**. Differences among counties in terms of vulnerability and planning indicate the need for a regional approach for funding and project development to ensure no one is left behind.

Despite these challenges, the Framework identifies some early steps to help further prepare the region for sea level rise adaptation, and many cities and counties have started to commit dollars to planning, developing project concepts, and even delivering projects. However, the challenge is significant, and the timeline is short. It is important that protections are in place *before* inundation occurs, and not rely on remediating potential social and economic damage.

In the months and years ahead, the following next steps are proposed to tackle this major regional challenge:

- **Prioritize sea level rise investments** through upcoming regional planning efforts by MTC/ABAG and BCDC, determining which areas require early action.
- **Explore opportunities to advance resilience through planned housing and transportation ballot measures**. To the extent possible, integrate policies and programs to support sea level rise adaptation.
- **Collect and maintain project data** through supporting the development of BCDC's Shoreline Adaptation Project Mapping Program.
- **Accelerate advocacy efforts**. Use updated data to pursue a larger share of state and federal dollars to protect people, places, and the environment.
- **Define lead roles to fund plans and projects**. There is no one clear agency tasked with securing and distributing funding, which means that this is not occurring in a timely and organized manner.
- **Support local and private efforts** to develop funding and financing tools.

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0. Introduction



Photo: Karl Nielsen, 2020

0.1 Context

The Bay Area is defined by its relationship to water, with iconic beaches on the outer coasts, vast wetlands and diverse habitats, maritime culture and commerce, and diverse shoreline communities spanning across the Bay, the Delta, and the Outer Coast. Transportation and infrastructure networks wind across the region's shoreline, connecting us to one another and supporting the region's vitality.

However, rising sea levels put the region at risk. The Bay Area is already experiencing the early impacts of rising sea level, including more extensive coastal flooding during storms, periodic tidal flooding, and increased coastal erosion. The California Ocean Protection Council estimates that the region may experience up to 1.4 feet of permanent sea level rise inundation by 2050, with 3.4-4.4 feet projected by 2100, dependent on global emissions¹, on top of storm-induced flooding. The impacts to the Bay Area will be significant - while the Bay Area accounts for a third of the California shoreline, two-thirds of the state's sea level rise impacts are anticipated to be felt in the region².

1 Based on the San Francisco projection for 5% exceedance. Ocean Protection Council. (2018). *State of California Sea-Level Rise Guidance: 2018 Update*. Page 18. https://www.opc.ca.gov/webmaster/ftp/pdf/agenda_items/20180314/Item3_Exhibit-A_OPC_SLR_Guidance-rd3.pdf

2 Barnard, P., Erikson, L., Foxgrover, A., et al. (2019). Dynamic Flood Modeling Essential to Assess the Coastal Impacts of Climate Change. *Scientific Reports*, 9, 4309. <https://doi.org/10.1038/s41598-019-40742-z>

The estimated impacts to the Bay Area through 2050 will be felt throughout the region (see Figure 2). Over 75,000 households are estimated to be directly at risk from sea level rise impacts, including over 12,000 in the region’s most socially vulnerable communities³, including households in communities like East Palo Alto, San Rafael’s Canal District, and the Alviso neighborhood of San Jose. In addition, an estimated 200,000 jobs are anticipated to be at risk, affecting industries in Benicia, small businesses along the Marin County shorelines, the bustling tourism economy of San Francisco’s Embarcadero, and internationally significant technology campuses lining the San Mateo County shore – among many others.

In addition, over 20,000 acres of the region’s rich wetlands and other critical ecosystems are also at risk of inundation. As the sea levels rise, many habitats will not have the time or space to migrate upland and adapt. As a result, habitat for nearly a million migratory birds, nurseries for fish and shellfish, and other diverse species may all be affected. In addition, the wetlands help to mitigate flood impacts, enhance water quality, sequester carbon, and provide important recreational opportunities⁴.

While there are cost estimates for some potential impacts, much of the impact of sea level rise is difficult to quantify. For example, the assessed value described below is not available as a market value, meaning that the true cost to parcels at risk in the region cannot currently be quantified. Other impacts are difficult to quantify in terms of dollars at all. For example, it is difficult to put a value on the region’s diverse cultures, communities, and dynamic ecosystems. As such, the “cost of inaction” summaries in the Framework only captures a subset of the potential sea level rise impacts for the Bay Area.

Assets at risk of SLR flooding⁵:

75k total households, including **12k** in the most vulnerable communities.

200k total jobs, and **15k** total businesses.

20k vulnerable acres at risk, including depressional wetlands, lagoons, and tidal marshes⁶.

Estimates of a Subset of Assets at Risk:

(in 2022 dollars)

\$85 billion

Estimated assessed value of parcels at risk.

\$151 billion

Estimated value of major roadways at risk⁷.

3 Defined as moderate, high, or highest social vulnerability by BCDC’s Community Vulnerability Data, which categorizes areas using a number of vulnerability indicators, such as income and race. <https://data-bcdc.opendata.arcgis.com/datasets/BCDC::community-vulnerability-bcdc-2020/about>

4 California State Coastal Conservancy. (2015). *The Baylands and Climate Change What We Can Do: Baylands Ecosystem Habitat Goals Science Update 2015*. Page xxiii. https://www.sfei.org/sites/default/files/biblio_files/Baylands_Complete_Report.pdf

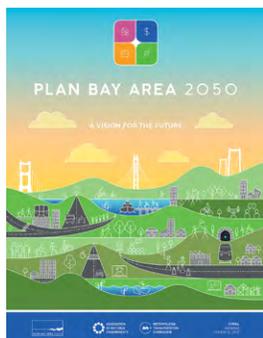
5 Based on 4.9 feet of inundation. For additional information on the inundation assumption, please see Identifying Vulnerability.

6 BCDC and MTC/ABAG. (2020). *Adapting To Rising Tides Bay Area: Short Report Summary of Regional Sea Level Rise Vulnerability and Adaptation Study*. Page 11. https://www.adaptingtorisingtides.org/wp-content/uploads/2020/07/ARTBayArea_Short_Report_Final_March2020_ADA.pdf.

7 Calculated based on 230 miles of vulnerable major class roadways, using a median transportation adaptation cost of \$125,000 per foot. Adaptation assumes only elevation or realignment and not protection in place or multi-benefit solutions. For additional cost assumptions, please see Estimating Regional Adaptation Needs Through 2050.

0.2 Regional and Local Planning Efforts

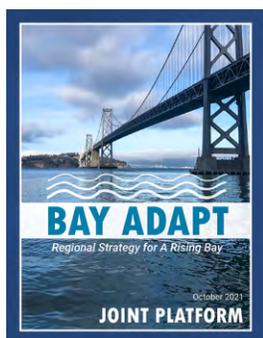
Regional agencies, including the Metropolitan Transportation Commission and the Association of Bay Area Governments (MTC/ABAG), the San Francisco Bay Conservation and Development Commission (BCDC), have strengthened the regional focus on sea level rise in recent years, building off long-standing regional efforts from California State Coastal Conservancy, the San Francisco Estuary Institute, the San Francisco Estuary Partnership (SFEP), and others. In 2021 and 2022, major regional planning efforts from MTC/ABAG, BCDC, and SFEP worked closely to align regional priorities on sea level rise.



Metropolitan Transportation Commission and Association of Bay Area Governments **Plan Bay Area 2050 Implementation Plan**

2021

A multifaced regional plan that addresses housing, transportation, economic, and environmental challenges. “Adapt to Sea Level Rise” is one of 35 strategies in the Plan.



San Francisco Bay Conservation and Development Commission **Bay Adapt Joint Platform**

2021

A Joint Platform of priority actions to advance long-term sea level rise adaptation in the Bay Area. The Joint Platform is made up of nearly two dozen priority actions, and is now advanced to implementation.



San Francisco Estuary Partnership **San Francisco Estuary Blueprint**

2022

The Estuary Blueprint is a regional plan to achieve a healthy and resilient San Francisco Estuary. Sea level rise adaptation is embedded in the 25 identified actions.

Local efforts are more varied across the region. A 2021 regional survey on Bay Area Sea Level Rise Adaptation Progress, Gaps, and Needs focused on shoreline jurisdictions reported that 92 percent of respondents indicated they have insufficient resources to adequately plan and prepare for sea level rise, while 45 percent of respondents did not have an adaptation plan at all⁸. The local planning disparities emphasize the need for a regional approach. Without regional coordination and support, local jurisdictions with less capacity may not have the resources to either plan for or adapt to sea level rise.

⁸ BCDC, BayCAN, MTC/ABAG, BARC, SFEI, SFEP. (2021). *Sea Level Rise Adaptation Progress, Gaps & Needs Survey: 2021 Survey of Sea Level Rise Adaptation in the Bay Area*. Page 4. https://www.adaptingtorisingtides.org/wp-content/uploads/2021/11/2021-Progress-Gaps-Needs-Survey-Report_final_ADA.pdf

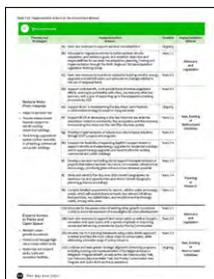
0.3 Regional Adaptation Funding

The recent regional efforts collaboratively identified a number of priority actions for sea level rise, spanning topics from planning to implementation. However, all three efforts identified a high priority action to pursue a regional sea level rise adaptation funding plan.

The action was identified in response to regional analysis, including the Plan Bay Area 2050 Sea Level Rise Needs and Revenue Assessment and BCDC's Bridging the Gap: Funding Sea Level Rise Adaptation in the Bay Area. Plan Bay Area 2050 estimated that the region may need \$19 billion to adapt to two feet of permanent inundation, estimating a \$16 billion gap when accounting for projected existing revenue sources⁹. Bridging the Gap summarized sea level rise damage estimates for the region, including the Plan Bay Area 2050 estimate and a study by the University of California at Berkeley. The analysis resulted in an estimated regional funding gap of roughly \$315 million to \$570 million per year to protect against two feet of permanent inundation, with higher estimates projected through 2100¹⁰.

However, previous regional studies had not accounted for current and planned adaptation projects, nor thoroughly analyzed potential new revenue sources. In addition, state guidance on planning for sea level rise inundation was updated after the regional studies were completed (for more information on updated state guidance, see 1.1 Identifying Vulnerability).

In response to the regional call to action identified in major regional planning efforts, MTC/ABAG and BCDC collaboratively kicked off the Sea Level Rise Adaptation Funding and Investment Framework (Framework) in December 2021.



Metropolitan Transportation Commission and Association of Bay Area Governments Plan Bay Area 2050 Implementation Plan

2021

Action 9. “Develop a sea level rise funding plan to support the implementation of projects that reduce sea level rise risks to communities, infrastructure and ecology, prioritizing green infrastructure wherever possible.”



San Francisco Bay Conservation and Development Commission Bay Adapt Joint Platform

2021

Task 6.1 “Expand understanding of the financial costs and revenue associated with regional adaptation.”

Task 6.2 “Establish a framework for funding plans and projects.”



San Francisco Estuary Partnership

San Francisco Estuary Blueprint

2022

Task 3-6 “Milestone – A sea level rise adaptation funding and investment framework for the San Francisco Bay Area.”

⁹ MTC/ABAG. (2021). *Technical Assumptions Report – Technical Assumptions for the Environmental Element*. https://www.planbayarea.org/sites/default/files/documents/Plan_Bay_Area_2050_Technical_Assumptions_Report_October_2021.pdf

¹⁰ BCDC. (2021). *Bridging the Gap: Funding Sea Level Rise Adaptation in the Bay Area*. https://www.adaptingtorisingtides.org/wp-content/uploads/2021/12/ART_FundingFinancingPaper2021.12.20.pdf

0.4 What is the Framework?



Photo: Ben Botkin, 2020

The Framework is a joint effort from MTC/ABAG and BCDC. The Framework was created to help the region prepare for near-term adaptation funding opportunities by improving our advocacy for additional state and federal sources, while informing future discussions for long term adaptation funding approaches at the local and regional scales. The study area includes all nine Bay Area counties, including the San Francisco Bay (Bay), the California Outer Coast (Outer Coast), and the Sacramento-San Joaquin Delta (Delta).

The Framework is centered on regional partnership. Local and regional engagement took place throughout the project to support the development of a regional adaptation project inventory, and to share goals and outcomes. A Technical Advisory Group (TAG) made up of local, regional, and state stakeholders also supported the analysis with local knowledge and subject matter expertise throughout the project.

The Framework has three focus areas, each of which is detailed as a section in this report:



FOCUS AREAS

FA1. Update and improve regional accounting of planned, anticipated, and potential sea level rise adaptation projects.

FA2. Update and characterize existing revenue sources for sea level rise adaptation.

FA3. Study how new revenues for sea level rise adaptation needs can be raised most equitably.



OUTCOMES

- Update prior regional analysis with local projects from recent planning efforts.
- Estimate the regional sea level rise adaptation needs through 2050.

- Inventory and forecast revenues for new state and federal funding programs.
- Characterize how existing adaptation funds are dispersed and for what purpose.

- Analyze a range of possible revenue measures (parcel taxes, ad-valorem property taxes, and assessment districts) at different scales to understand equitable approaches to close the sea level rise funding gap.



KEY FINDINGS

\$110 billion - Estimated cost of sea level rise adaptation through 2050 (in Year of Expenditure dollars)

\$ 5.5 billion - Estimated existing revenue forecast through 2050 (in Year of Expenditure dollars)

- Regional and/or local measures will not be capable of closing the funding gap.
- For geographic equity, using multiple types of funding measures would help to balance the tax burden.
- Parcel taxes are less socially equitable than an ad-valorem tax, as they place a higher burden on socially vulnerable areas.

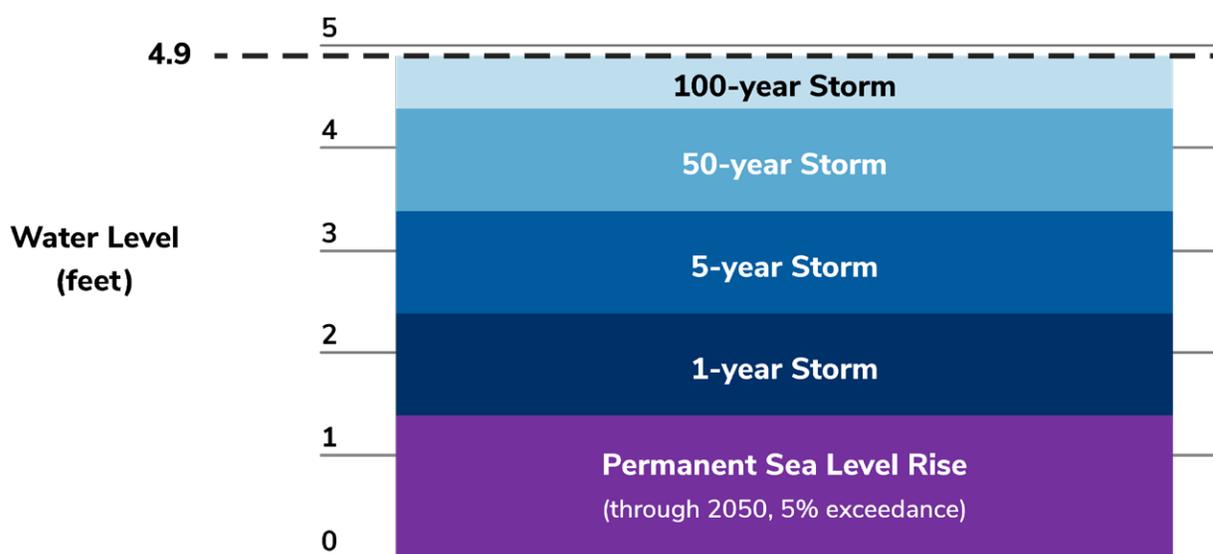
In addition to the report, details on Framework assumptions and methodologies can be found in the **Technical Appendix**. Connections to the Technical Appendix are referenced under relevant headings throughout the report. Not every heading has a related section in the Technical Appendix.

1. Update and Improve Regional Accounting of Anticipated Sea Level Rise Adaptation Projects

1.1 Identifying Vulnerability

The Framework assumed a threshold adaptation height to determine the scope of the analysis. The assumption focused on near-term inundation to align with other planning efforts. As such, the Framework relied on 2050 projections for permanent inundation by the California Ocean Protection Council published in 2018¹¹, plus an extreme storm surge scenario to meet state guidance recommendations to “Ensure California’s coast is resilient to at least 3.5 feet of sea level rise by 2050¹²” and to coincide with many local planning efforts¹³. The Framework uses **4.9 feet of Total Water Level (TWL)** to identify adaptation vulnerability and protection.

Figure 1. Diagram Summarizing 4.9ft of Inundation



BCDC formally adopted the Ocean Protection Council Guidance in 2018 and it is currently considered “best available science” for regional sea level rise scenarios. The Ocean Protection Council recommended projections for 2050 range from 1.1-2.7 feet. The Framework also used regional precedents to support the inundation assumption. In Plan Bay Area 2050, one, two, and three feet of inundation were studied before a final two foot assumption for permanent inundation was used for the final plan. However, the state released updated guidance to plan for a minimum of 3.5 feet of sea level rise after initial Plan assumptions were set.

Supported by the TAG, the project team determined an approach to sum two values: a sea level rise projection height for the 2050 horizon year and additional height to account for temporary flooding risk from storms. The Framework used the 2018 Ocean Protection Council’s 5% probability for 2050, which projects 1.4 feet of permanent inundation from sea level rise, combined with a 100 year storm, which is estimated to add 3.5 feet above MHW. The combined projected permanent inundation plus a 100 year storm is 4.9 feet TWL. While the sea level rise and storm impacts can at times be separately assessed, the Framework considers shoreline impacts as a whole, recognizing that short term inundation from storms overlaps with long term inundation from sea level rise over time.

11 Ocean Protection Council. (2018). *State of California Sea Level Rise Guidance: 2018 Update*. Page 18. https://www.opc.ca.gov/webmaster/ftp/pdf/agenda_items/20180314/Item3_Exhibit-A_OPC_SLR_Guidance-rd3.pdf

12 Ocean Protection Council. (2020). *Strategic Plan to Protect California’s Coast and Ocean 2020-2025*. Page 7. http://www.opc.ca.gov/webmaster/ftp/pdf/agenda_items/20200226/OPC-2020-2025-Strategic-Plan-FINAL-20200228.pdf

13 The guidance was reinforced in: Sea-Level Rise Leadership Team. (2022). *State Agency Sea-Level Rise Action Plan for California*. https://www.opc.ca.gov/webmaster/media_library/2022/08/SLR-Action-Plan-2022-508.pdf

The 4.9 foot assumption also allowed the Framework to align with currently available flood data layers. The 150 cm (or 4.9 foot) layer in United States Geological Survey Coastal Storm Modeling System mapping data was selected as the best available layer to study vulnerability in the Bay and Outer Coast. The dataset was selected based on how widely it was used in the industry, analytical ease, extensive availability of inundation heights, data resolution, and geographic coverage across the Bay and Outer Coast. Delta Adapts Flood Hazard data from the Delta Stewardship Council was used to represent Delta inundation due to its distinct hydrology. While depth of projected inundation varies in the Delta models due to its hydrology, the Framework used the mapping scenario that had inundation averages closest to the overall 4.9 foot inundation assumption.

The Framework analysis focuses on shoreline inundation from sea level rise and storm surge, but does not include stormwater, precipitation, and groundwater rise impacts. However, freshwater inflows from rivers and tributaries are estimated in some locations¹⁴. Groundwater mapping was not available at the regional level at the time of the analysis, though groundwater is accounted for in some local projects analyzed by the Framework. For additional information on sea level rise data assumptions, please see the **Technical Appendix**.

1.2 Creating a Shoreline Adaptation Inventory

The Framework created a shoreline adaptation project inventory to develop high-level cost estimates for regional adaptation, and to identify adaptation project implementation gaps.

Staff developed a draft inventory from two different sources:

- **Locally identified projects:** BCDC’s Shoreline Adaptation Project Map (SAPMap) includes regionally identified adaptation projects that are in progress and mapped in the regional database, EcoAtlas¹⁵.
- **Local project concepts:** identified by Framework project staff within local planning documents (e.g. General Plans, Vulnerability Assessments, Climate Adaptation Plans, Local Hazard Mitigation Plans) or through engagement with local jurisdictions. In addition to projects in progress, some early-stage adaptation concepts were also included¹⁶. Local project concepts were collected to find projects not yet identified in the SAPMap.
 - **Local studies** were defined as early-stage project concepts, and were represented separately due to the lack of definition in the project footprints, which would have inflated cost estimates.

BCDC’s Shoreline Adaptation Project Mapping Program

The Shoreline Adaptation Project Map (SAPMap) identifies projects that have a nexus with sea level rise adaptation in the San Francisco Bay. The SAPMap is mapped within the EcoAtlas Project Tracker, a state-wide resource built to provide resources for wetland management. The SAPMap expands the scope of EcoAtlas to include adaptation activities that manage the shoreline, reduce flooding, or adapt to sea level rise, and may include gray, hybrid, or green design adaptation activities. The SAPMap was developed in coordination with the Framework, and will be maintained as a regional resource into the future to support the region’s needs to track progress toward shoreline resilience goals.

The inventory projects span from nearshore, subtidal restoration projects to upland and developed flood protection projects, including some projects along stream channels where the head of tide has influence. Projects were selected based on sufficient design information, including a defined geography, identified adaptation activities (spanning green, hybrid, and gray activities, such as marsh restoration, ecotone levees, and seawalls, respectively), sea level rise design details, and project status. Adaptation activities were also sorted into generalized activity categories, or “archetypes”, to help with estimating unknown costs later in the process. Projects that were too early in the planning stages to meet these data thresholds were generally not included in the inventory.

14 Our Coast Our Future. (2014). *San Francisco Bay – CoSMoS v.2.x Frequently Asked Questions*. https://ourcoastourfuture.org/wp-content/uploads/2022/02/San-Francisco-Bay_FAQ_2014.pdf

15 EcoAtlas: San Francisco Bay Adaptation Group. (2022, December). *San Francisco Bay Adaptation*. <https://www.ecoatlas.org/groups/303>

16 Local adaptation plans by utilities were not included in the scope of the analysis.

Figure 2. (Top to Bottom) Examples of Green, Hybrid, and Gray Infrastructure**Green Infrastructure Example**

Marsh Restoration: rehabilitating or re-establishing a marsh area to return its natural functions and restore wetland habitat; 100,000 acres of marsh restoration is a goal for the region.

Photo: Kingmond Young

**Hybrid Infrastructure Example**

Ecotone Levees: creating a gently sloped levee, which can attenuate waves, ecotone levees provide a wetland-upland transition zone habitat and allow marshland to migrate upslope.

Photo: Noah Berger

**Gray Infrastructure Example**

Seawalls: constructing physical barriers of human-engineered materials in the case of sea walls to deter erosion and inundation¹⁷.

Photo: Mike Gifford, Flickr

When available, cost and funding information was also collected, in addition to design conditions related to sea level rise height and extreme storm events to determine level of protection. In addition to projects, local studies were included when identified by a local jurisdiction.

Outreach on the draft inventory to local agencies was conducted in fall 2022 to verify the details of each project and to identify additional projects, starting and concluding with regional outreach meetings. To review the inventory, interviews were done with local staff across all nine Bay Area counties, including over 90 local contacts, including county staff, local staff, or staff at other agencies that led projects. The outreach began in September 2022 and was completed in December 2022. With local assistance, the project team was able to update two-thirds of the existing inventory with additional or updated project details, while adding 47 additional projects. In total, approximately 200 projects and study areas were identified, many with multiple sites or adaptation activities.

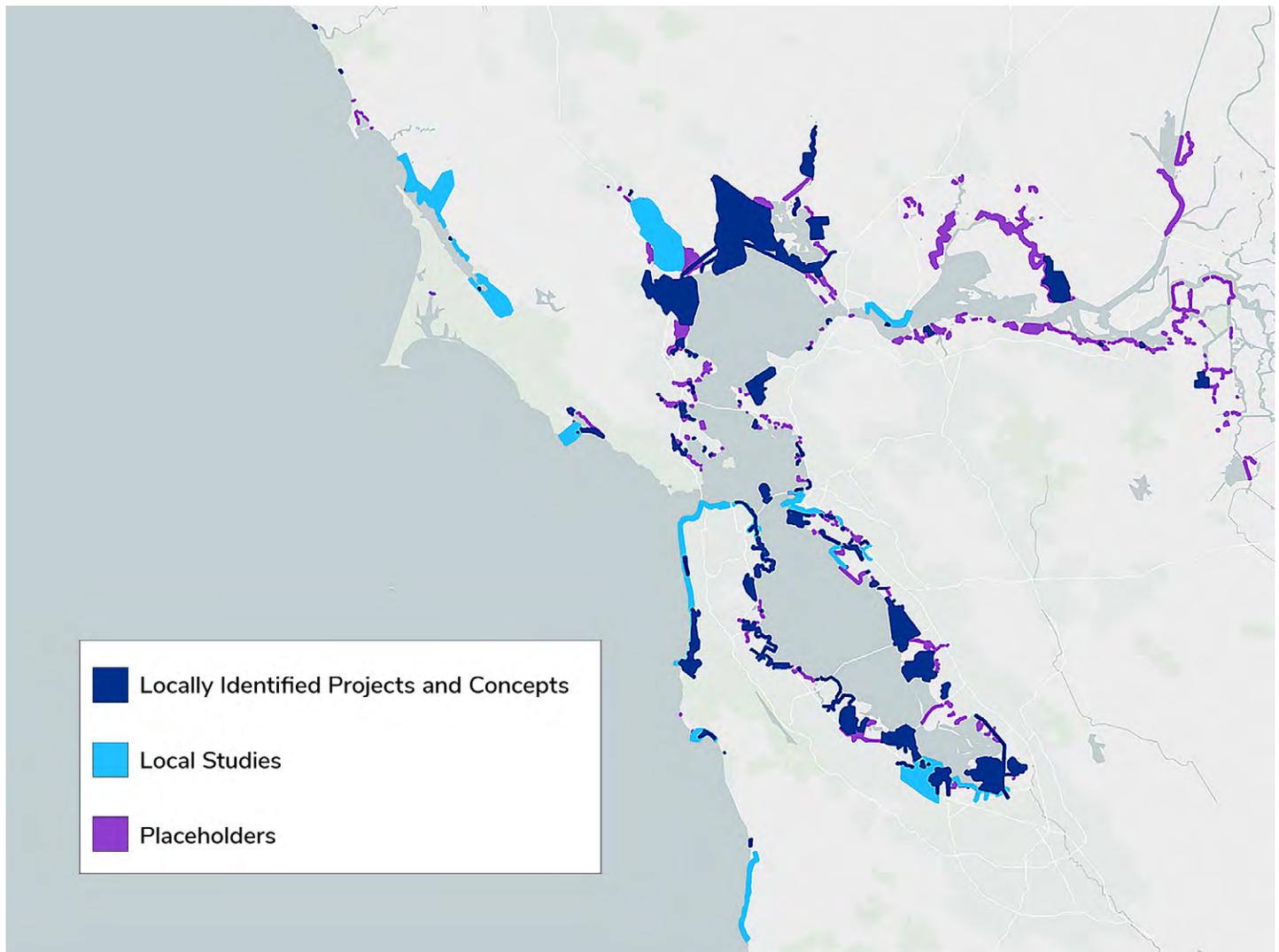
The Framework assumed the protection of all vulnerable segments of the shoreline in place through 4.9ft TWL of inundation, including low density areas and agricultural land. Based on the inventory, certain vulnerable shoreline segments were identified as not yet having sufficient project plans in place to provide adequate sea level rise protection. For example, projects that increased sea level rise resilience through means other than direct flood protection, such as providing wave attenuation, sediment accretion, erosion control and groundwater infiltration were kept in the inventory when identified due to their indirect benefits. However, additional flood protection was assumed to protect the developed edge of the shoreline.

To understand the regional funding need, the Framework needed to account for costs in areas with less advanced project planning or implementation. To this end, staff created **placeholders** to estimate adaptation costs in significantly inundated areas by assuming the protection of the shoreline in place. Placeholders were added in areas with no known project plans, local study areas, and areas where a project was not confirmed to provide sufficient protection to 4.9 feet TWL, such as the projects with indirect benefits described above, or projects built to withstand a lower inundation height. As such, they may overlap with inventory projects in some locations. Placeholders were developed by determining locations with overtopping and significant flooding. Vulnerable locations were then assigned an appropriate activity archetype by comparing the area to the San Francisco Estuary Institute's Adaptation Atlas suitability analysis, and the levee information from the Delta Stewardship Council. Green archetypes were assumed wherever possible within the suitability analysis. The placeholders were drawn to address the overtopping

17 MTC/ABAG. (2021). *Plan Bay Area 2050*. Page 100. <https://www.planbayarea.org/finalplan2050>

and inundation as it related to the shoreline, emphasizing protection in lieu of other regional goals, such as restoration. To this end, placeholders were identified that could have activity archetype costs applied. For additional information on the placeholder development, please see the Technical Report.

Figure 3. Final Framework Inventory



The Framework inventory uses local projects and study areas along with placeholders to estimate regional adaptation costs. It is not intended to recommend specific adaptation activities in any given location, to prioritize one adaptation area over another, or to supersede or contradict ongoing local adaptation planning. The inventory also does not include managed retreat, or other approaches that strategically plan to not protect the shoreline in place. Inventory projects referenced by the Framework were developed by local jurisdictions and project proponents independently, not by MTC/ABAG or BCDC. However, inventory projects often lacked critical project details; for example, 49 percent of the projects in the inventory did not have flood protection data available from local project sponsors and 20 percent were missing a locally identified project cost. In these circumstances, the project team filled data gaps by estimating or approximating details such as project cost, project type, and flood protection. In addition, the Framework acknowledges that information on inventory projects will change as projects proceed through advanced planning, local engagement, and implementation.

Additionally, the Framework acknowledges that placeholders do not represent recommended projects, and that they were created for the sole purpose of estimating regional adaptation costs. The placeholders have not been proposed, have not undergone local reviews, or been analyzed for consistency with BCDC laws and policies. In future efforts, it is anticipated that placeholders will be replaced by locally identified projects or land use plans.

1.3 Estimating Regional Adaptation Needs Through 2050

The Framework uses the inventory to develop a regional cost estimate for sea level rise adaptation. Staff utilized two different methods of cost estimation:

- **Known costs:** project costs identified by local staff or the SAPMap. Known costs were prioritized for inclusion if available.
- **Activity Archetype estimates:** costs estimated if no known project cost data was provided, and for placeholders.

Activity archetype cost estimates were developed based on the adaptation activity, including horizontal levees, marsh restoration, seawalls, or other adaptations and the dimensions, including area or length. The Framework analysis builds on work done in Plan Bay Area 2050, which identified initial activity archetype cost estimates to develop a \$19 billion estimate for regional adaptation need. The Framework expanded the Plan Bay Area 2050 activity archetype estimates by adding additional archetypes common to the Bay Area, incorporating recent constructed project costs, and seeking guidance from the TAG to expand and improve activity archetype cost estimates. The final estimates are summarized in Table 2. Additional detail on the final cost estimates is available in the **Technical Appendix**.

Table 1. Archetype Cost Estimates for Adaptation Activity Types (in 2022 dollars)

Adaptation Activity Archetype	Adaptation Type	Units	Lower Estimate	Mid-Point Estimate	Higher Estimate
Elevated Roadway	Gray	/foot	\$65,000	\$125,000	\$199,000
Tidal Gate	Gray	/unit	\$7,351,000	\$14,175,000	\$23,775,000
Seawall	Gray	/foot	\$9,000	\$18,000	\$35,000
Riprap	Gray	/foot	\$6,000	\$11,000	\$19,000
Traditional Levee	Gray	/foot	\$3,000	\$6,000	\$11,000
Ecotone Levee	Hybrid	/foot	\$13,000	\$18,000	\$23,000
Marsh Restoration	Green	/acre	\$36,000	\$43,000	\$50,000
Marsh Sediment Management	Green	/acre	\$39,000	\$191,000	\$342,000
Beach Restoration	Green	/acre	\$295,000	\$590,000	\$1,180,000
Beach Sediment Management	Green	/acre	\$407,000	\$815,000	\$1,629,000
Upland and Creek Restoration	Green	/acre	\$594,000	\$601,000	\$608,000
Polder Restoration	Green	/acre	\$20,000	\$25,000	\$56,000
Restoration Submerged Vegetation	Green	/acre	\$67,000	\$189,000	\$310,000

Activity archetype costs were used to fill cost gaps in the inventory and to assign costs to placeholders, and then summarized along with known costs to develop a regional cost estimate for sea level rise adaptation. When a range of costs was identified for a project for both known or activity archetype costs, staff used the median or mid-point value to summarize regionally¹⁸. An assumed regional cost was also added to account for additional sediment management needs to maintain and manage existing and planned tidal marsh habitat restoration.

¹⁸ Studies were not included in the cost estimate unless a known cost was identified.

The final regional estimate is represented in year-of-expenditure dollars through 2050. Construction dates were unknown for most projects; as such, the estimate was created by assuming that an equal number of projects will be constructed each year, followed by assuming a 3 percent escalation rate year over year. Partially spent funding, where known, was subtracted from the regional cost estimate, though there may be additional projects with partial funding that were not known at the time of the analysis. Other adaptation strategies not estimated or assumed within the Framework analysis would likely change regional estimates, including adaptation activities without protection (including managed retreat), building code changes, or other local land use policy adjustments that may change a community's ability to adapt to sea level rise. In addition, future analysis will need to include riverine and groundwater data as it becomes regionally available, as well as additional adaptation project plans, such as those made by utilities.

The total regional cost estimate for sea level rise adaptation **through 2050 is \$110 billion** using the median estimate for all projects. Using the assumptions in Table 1 for gaps and any known project cost ranges, total regional cost estimates were also developed using low and high estimate levels, as shown in Table 2.

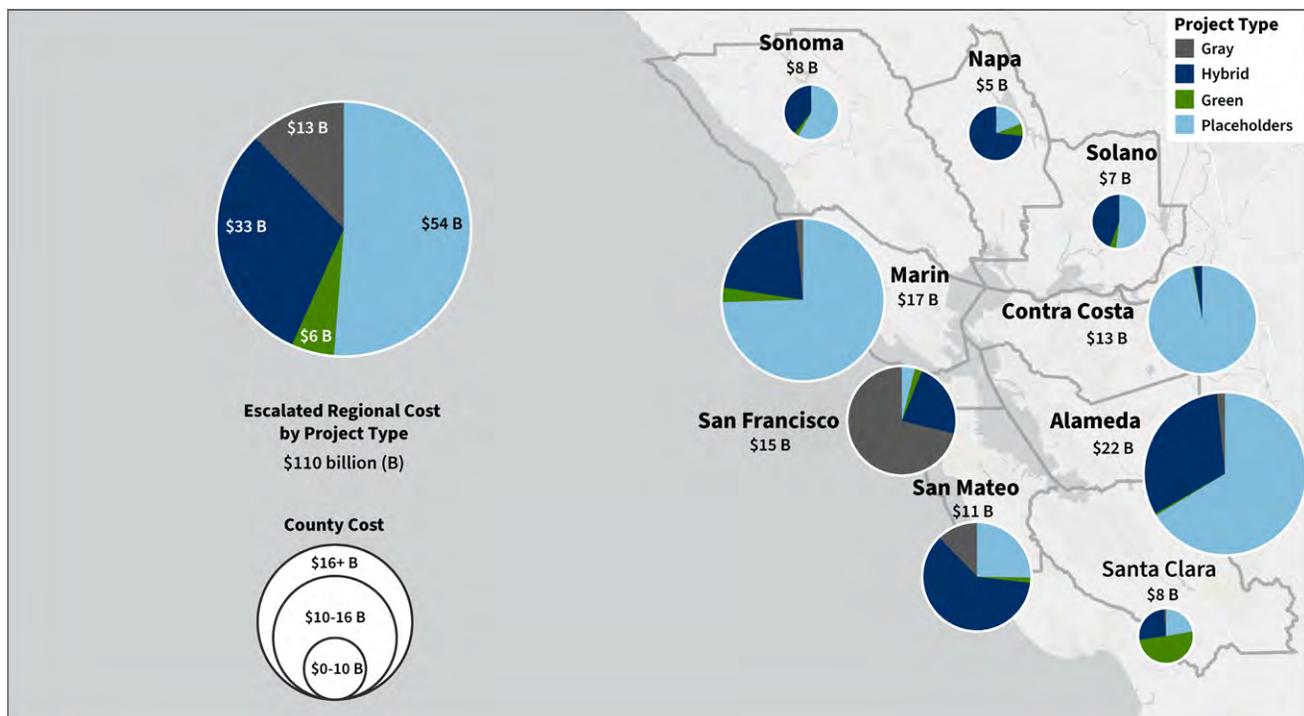
Table 2. Range of Total Regional Cost Estimates (year-of-expenditure dollars)

Low Estimate	Median/Mid-Point Estimate	High Estimate
\$ 81 billion	\$110 billion	\$ 147 billion

However, this value does not necessarily represent the actual amount of revenues required to adapt. As mentioned previously, the Framework utilizes the conservative assumption of protecting the entirety of the vulnerable shoreline in place, and assumes 4.9 feet of inundation within the study period, which is significantly higher than 2050 projections for permanent inundation. In addition, many of the projects and placeholders included in the Framework required project costs to be estimated: 63 percent of the total cost estimate came from activity archetype costs, 51 percent of which represented placeholders. Actual project costs may be lower or higher than the estimated costs. The inventory is also snapshot of a moment in time, and adaptation efforts and their costs will continue to develop or shift, especially for projects that are in the early planning or conceptual stages.

1.4 Additional Findings

Figure 4. County Need Estimates by Project Type

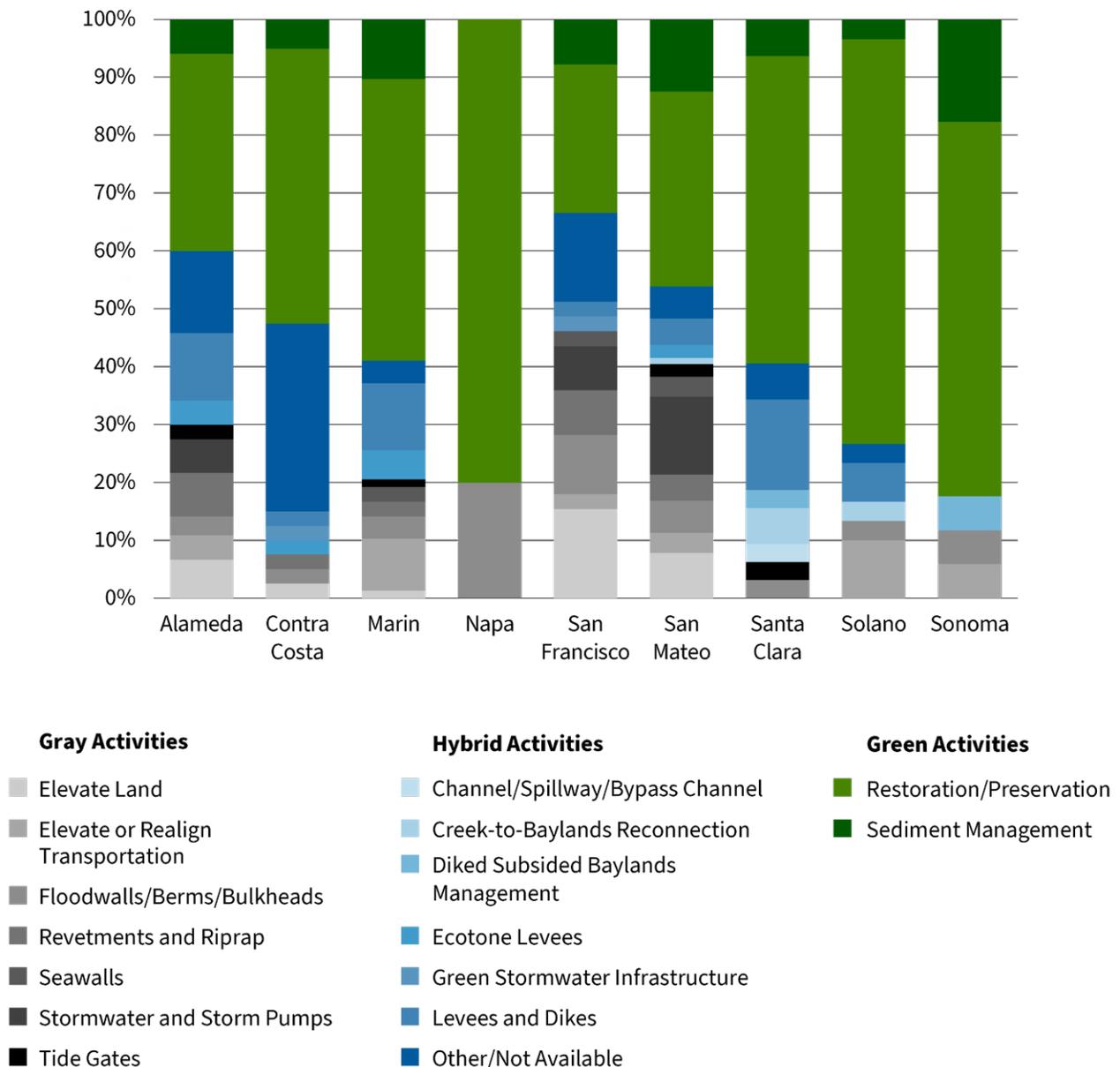


Project Types: Green, Gray, and Hybrid

The analysis has shown that most of the planned projects are “hybrid” in nature, as seen in Figure 4, representing a regional focus on multiple benefits, such as levees paired with marsh restoration. For the purposes of the Framework, the term “hybrid” includes projects that have at least one green and one Gray adaptation activity, without consideration of the percent of the project that uses the activity types. As such, the multiple benefits of hybrid projects may be over-represented in the inventory.

However, Figure 5 illustrates a regional trend toward green, or nature-based projects. When accounting for number of projects, restoration and sediment management activities collectively make up the majority of activities in most counties, as shown. Alameda, San Francisco, and San Mateo counties have a mix of Gray, hybrid, and green projects currently planned, while Marin, Santa Clara, and the North Bay have a greater proportion of green activities. This distinction aligns with the constraints on green projects due to shoreline development in the highly urbanized counties. Additionally, many of Contra Costa and San Francisco’s projects are identified as “Other,” which can represent adaptation activities that are non-physical in nature such as education and capacity building, combinations of activities, or singular activities that the Framework did not categorize as an activity, such as replacing wharfs or docks.

Figure 5. Share of Inventory Projects by Activity by County (Excluding Placeholders)

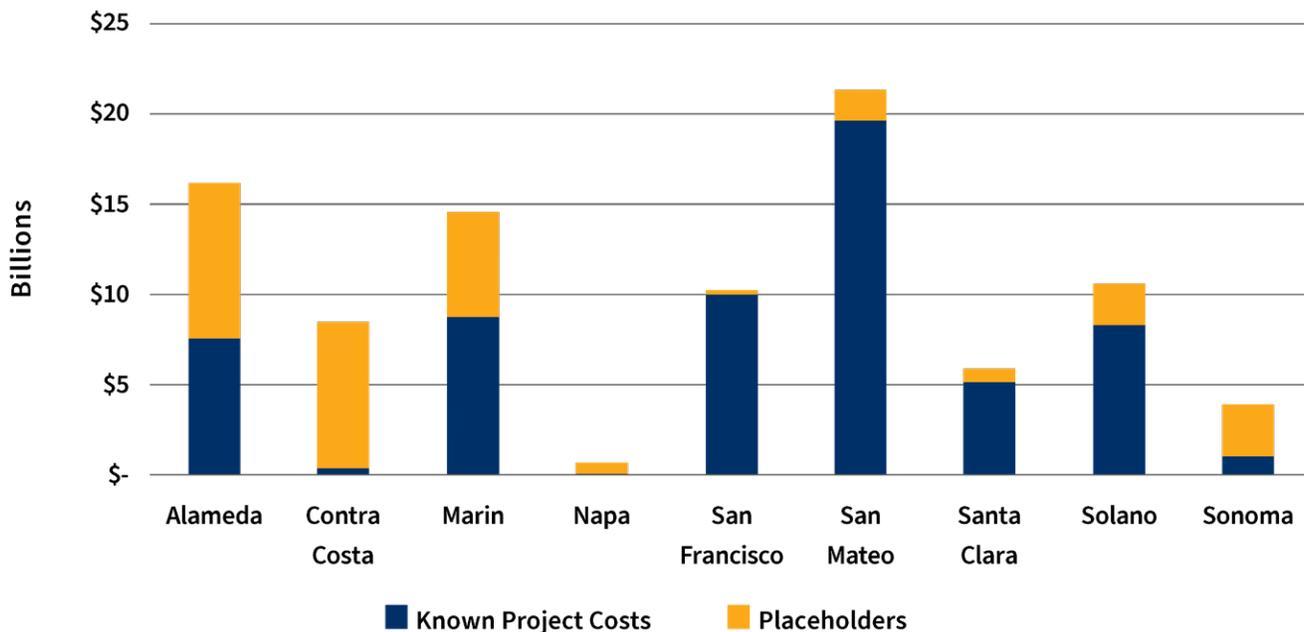


Implementation Gaps

Looking across the nine counties (Figure 6), Alameda and Marin counties have the highest cost estimates based on the information gathered. Notably, approximately half of the estimated value across the full Bay Area region comes from “placeholders” created to develop cost estimates, with significant project implementation gaps identified in Alameda, Contra Costa, and Marin counties. Figure 6 illustrates the variance from county to county. However, while identifying project implementation gaps is helpful in identifying where projects are still needed, project implementation gaps alone obscure a key nuance between counties. For example, while Marin County appears to have significant project implementation gaps where placeholders have been identified, the county has relatively few planning gaps when accounting for identified studies, meaning they are closer to developing adaptation solutions. By contrast, in Contra Costa County, the placeholder value represents a significant project implementation and planning gap and will require more resources to get to project development.

The differences in level of preparedness across the Bay Area, as illustrated by the level of implementation solutions, will continue to shift over time. The differences can help the region identify where additional support and capacity building may be needed to advance adaptation plans and projects. However, initiatives are already underway which can help ensure that cities and counties are advancing their adaptation efforts in consistent and effective ways, such as BCDC’s Regional Shoreline Adaptation Plan. The Regional Shoreline Adaptation Plan will develop common sea level rise planning guidelines to facilitate regional coordination across planning efforts and to simplify local planning. It will also provide technical assistance to ensure that the entire Bay Area shoreline has the resources to adapt to sea level rise.

Figure 6. Estimated Cost by Source and by Majority County Share: Locally Identified Projects and Placeholders (in year-of-expenditure dollars through 2050)



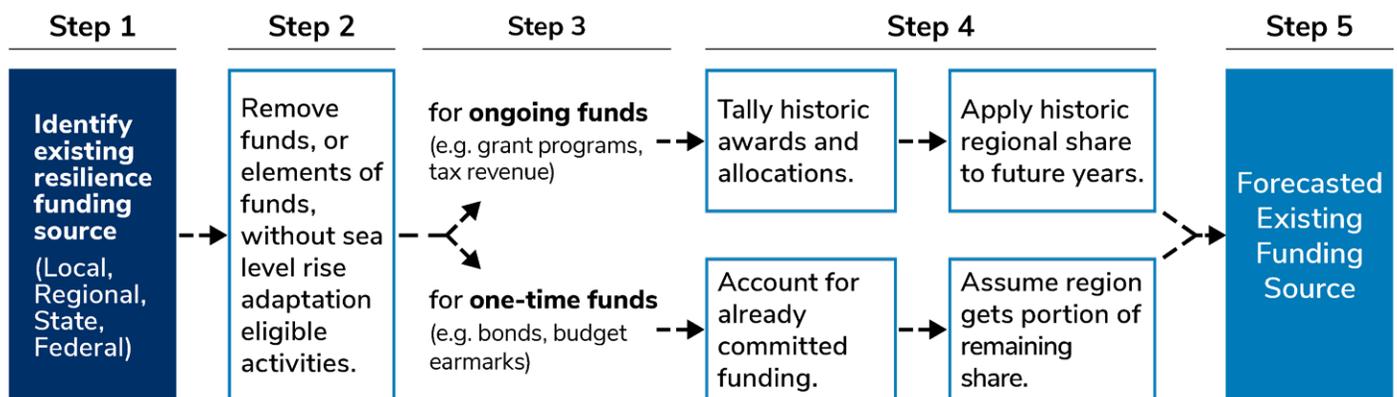
2. Update and Characterize Existing Revenue Sources for Sea Level Rise Adaptation

2.1 Updating Existing Public Revenue Estimates

The Framework developed a revenue forecast of existing sources that are funding sea level rise adaptation to estimate how much revenue the region can anticipate through 2050. The Framework built upon past research as part of Plan Bay Area 2050 Sea Level Rise Needs and Revenue Assessment and BCDC's Bridging the Gap: Funding Sea Level Rise Adaptation in the Bay Area.

The existing revenue forecast identified likely sources of sea level rise adaptation funding at the local, regional, state, and federal levels that exist today, and used a methodology to estimate how much revenue from those sources is expected through the year 2050. It also estimated how much of that revenue is likely to flow to the nine-county Bay Area, and how much is likely to be eligible for sea level rise needs. The process to develop the existing revenue forecast is illustrated in Figure 7.

Figure 7. Process to forecast existing revenues for each sea level rise funding source.



Step 1: Identify existing resilience fund sources

The analysis revisited previously identified funding sources, updated the forecast for those funds, and added over 30 new sources created by 2021 and 2022 Federal and State legislation and budget making. In total, the Framework identified 58 local, regional, state, and federal funding sources that may support sea level rise adaptation planning and implementation.

Step 2: Determine approach to forecast each funding source

Each funding source was split into ongoing funds or one-time funds. The forecast approach followed the same steps for each category, but the methodology differed to reflect differences in information available as well as how the funding is likely to be raised.

Step 3a: Account for committed funding and understand historic Bay Area awards

For **one-time funds**, administering agency budget documents were used to determine how much money, if any, had already been obligated. For state bonds, annual budget reports were used to confirm remaining funding. A majority of the IIJA, IRA, and California budget actions were one time increases or creations of new programs over the next one to five fiscal years. In those cases, because so much of that funding has yet to be spent, the total value of the program was used.

For **ongoing funds**, historic awards and allocations to the Bay Area were collected as far back as was possible. The total received by year was then escalated to 2022 dollars. The average across past years, in 2022 dollars, was used to forecast future years. If the funding trend changed significantly at any point, at times a rate of increase was reflected.

Ongoing funding programs that receive annual allocations were forecasted through the year 2050, or in the case of Measure AA, are forecasted through their approval year.

Step 3b: Determine share of funding for the Bay Area

The Framework assumes that the Bay Area only receives a share of State and Federal funding. For some ongoing fund sources, the past Bay Area share was used to assume the region's future share. For some one-time fund sources, there were specific callouts to Bay Area projects, or Bay Area specific programs which resulted in special assumptions on the Bay Area share. Otherwise, the share of the funding assumed for the Bay Area was calculated using population share in two different ways.

If the funding source specifically focused on sea level rise, coastal, or ocean actions, it was assumed that the Bay Area would receive a share comparable to the nine-county population share of California coastal counties, or comparable to the nine-county population share of US coastal states. The nine county Bay Area accounts for 29.1 percent of the State of California's coastal county population, and is 3.7 percent of the US coastal state population.

If the funding source was more general (e.g. focused on climate adaptation), it was assumed that the Bay Area would receive a share comparable to the nine-county population share of the California state population, or comparable to the nine-county population share of the United States. The nine County Bay Area accounts for 19.3 percent of the State of California's population, and 2.3 percent of the US population.

Step 4: Determine share of funding for sea level rise adaptation

Funding amounts were reduced to reflect how much of the overall funding is likely to be awarded to sea level rise adaptation. Many fund sources have broad eligibility. For example, many FEMA programs are focused on reducing risks from any climate impact or natural hazard. The Framework does not assume that all FEMA funds are spent toward sea level rise adaptation, but rather a percentage of funding. In other cases, a fund source, like bonds, may have programmatic categories with specific funding amounts of different goals. For each funding source a sea level rise share was assumed. For flexible funds with very broad programming goals, or funds for which a non-sea level rise adaptation was listed as the primary goal of the program, small shares of overall funding were assumed. For some fund sources with access to historic funding awards in the region, the assumption of the share of sea level rise was informed by past awards.

Step 5: Forecast existing funding sources

For most ongoing programs, it was assumed that the fund source would grow over time to track with inflation. This is not the case for all ongoing funding programs like Measure AA that are a uniform amount over time, or annual allocations that are defined by a flat value. For other ongoing programs, it was assumed that each year the value would increase at a rate of 3 percent, as established in **1.3 Estimating Regional Adaptation Needs Through 2050**.

The **total estimate for existing public sea level rise revenues is \$5.5 billion** through 2050, detailed in Table 3. Additional detail will be available in the Existing Revenue Sources Spreadsheet.

Table 3. Existing Revenue Estimate by Funding Source

Funding Level	Funding Source	Estimated Funding Timeline	Revenue Estimate (in millions Year of Expenditure)
Local	Local Adaptation Bonds	One-time	\$520
Local	Committed Project Funding Estimate	One-time	\$980
Regional	Measure AA	Through 2037	\$430
State	State Bonds	One-time	\$90
State	2021 and 2022 State Budgets	One-time	\$600
Federal	NOAA	Through 2050	\$70
Federal	EPA	Through 2050	\$110
Federal	FEMA	Through 2050	\$970
Federal	U.S. Army Corps of Engineers	Through 2050	\$1,590
Federal	Infrastructure Investment and Jobs Act (IIJA)	One-time	\$70
Federal	Inflation Reduction Act (IRA)	One-time	\$30
Various	Other State and Federal Sources	Various	\$60
		Total	\$5,500

2.2 Characterizing the Funding Landscape

In addition to forecasting total public funding sources, the Framework sought to understand the characteristics of the money as a next step. To this end, the Framework created a “periodic table” of funding sources to help identify patterns, and to support future conversations about how the region can complement and build on existing fund sources. The periodic table visualizes fund sources along with additional characteristics such as the agency, amount forecasted, funding nexus, and other factors, designed as a resource that can be referenced quickly and easily.

The 58 funding sources that made up the \$5.55 billion were characterized by 7 factors.

- **Fund name** describes the grant name or fund source name.
- **Agency** that administers or awards funds.
- **Amount forecasted** for sea level rise adaptation in the Bay Area. Importantly, this value built off of assumptions in the revenue forecast, as outlined in **2.1 Updating Existing Public Revenue Estimates**. Whether a fund is ongoing or one-time was also included and denoted by an asterisk.



Poto: Karl Nielsen, 2021

- **Equity priority** determined if the funds have an equity requirement, equity priority, or no equity component. For newer fund sources (e.g. 2022 state budget line items), the assumption is based on early program descriptions rather than formal guidelines. The search for each funding source explored whether disadvantaged or environmental justice communities were specifically named in program requirements or priority.
- **Funding focus** was characterized in different ways and determined based on available fund guidelines. Many fund sources are a result of new 2021 and 2022 state and federal action, and as such, there was limited information. When funding guidelines were not available, legislative language was used to understand the anticipated nexus for each fund. In some cases, a fund source description had broad eligibility, but historic fund awards suggested a narrower focus of the funding program.
 - **Eligible adaptation types** described if funds lean green, hybrid, or Gray. The hybrid tag was used for funds that could apply to any adaptation type.
 - **Eligible activities** described if the funding is weighted more toward planning or construction. Planning encompasses other activities like capacity building and engagement. Construction encompasses any implementation phase of a project. Engineering, design, and environmental phases between planning and construction were not explicitly identified. In general, O&M was not often an eligible expense, except in some cases with the United States Army Corps of Engineers (USACE).
 - **Targeted asset class** identified if there is an essential focus for the funds (e.g. transportation asset protected, habitat improved, communities adapted).

After collecting this information for each fund source, the information was compiled together to visualize the overall funding landscape, as shown in Figure 8. The “periodic table” design of the figure is in part to organize information in a quick reference table.

The characterization of funding uncovers a number of key takeaways.

- **There are almost no funding sources specific to sea level adaptation.** Most funding sources have sea level rise adaptation as only a component of how funds can be used, in contrast to other hazards such as wildfire. As such, fund sources have been filtered down significantly to account for sea level rise specifically.
- **In the past few years there have been many changes.** The number of federal agencies with funding has doubled, and many state agencies now have funding to support adaptation. However, new fund sources such as the IJA and IRA have broad programming goals, which limits the amount of funding that the region can expect to receive.
- **Only a portion of fund sources have equity goals.** No green or Gray fund sources have equity goals identified, but they are a part of many identified hybrid programs. However, most equity goals are a part of one-time fund sources or smaller programs such as NOAA’s National Coastal Resilience Fund and OPR’s Adaptation Planning Grants. FEMA’s Building Resilient Infrastructure and Communities program is a promising exception of a large new funding source with embedded equity goals.
- **The largest regional fund sources are federal programs from FEMA and the USACE.** As summarized in Table 4, the USACE and FEMA are estimated to provide approximately half of the region’s forecasted existing revenue through 2050, with the most significant support identified from USACE. It is also important to recognize that FEMA’s Building Resilient Infrastructure and Communities program is relatively new, and as such has a more uncertain long term funding outlook.
- **The biggest funding sources tend to fund “gray” adaptation.** However, programs such as FEMA’S BRIC program have recently been supporting more hybrid projects. Regional fund sources from Measure AA and the California State Coastal Conservancy also provide significant funding for green adaptation in the Bay Area.

The table is designed to set up future conversations around the properties of existing (and future/desired) funding sources and facilitate an understanding of the relationship between sources that lead to easy or challenging funding combinations. For example, programs with limited funding might be harder to get and less likely to be able to blend with other fund sources, while larger programs may be more accessible for use in adaptation project funding portfolios. Understanding which programs blend well with each fund source, as well as which ones do not, is helpful in understanding the existing landscape and considering desirable attributes for future funding sources and/or a Framework to help organize strategic and coordinated pairings.

Other information about some of these fund sources has been collected by the California Office of Planning and Research (OPR¹⁹) and the Bay Area Climate Adaptation Network (BayCAN²⁰) and include attributes that would be beneficial for individuals/staff interested in advancing funding proposals in the short term. Attributes include maximum award size, match requirements, applicant eligibility, schedules, and deadlines.

19 Office of Planning and Research, State Resilience Funding Program Timeline Chart, July 2022. https://opr.ca.gov/climate/icarp/tac/meetings/2022-07-18/docs/20220718-Gantt_Chart_Universal.pdf

20 Bay Area Climate Adaptation Network, Funding Tracker, Accessed April 2023. <https://www.baycanadapt.org/fundingtracker>

Figure 8. Sources of Potential Sea Level Rise Funding

		Lean Green Projects					
		A	B	C	D		
Regional Funds	1			SFBRA \$428 Measure AA C ^P E			
	2	SCC \$186* Nature-Based Sea Level Rise Solutions C ^P TBD	SCC \$42* Climate Ready Sea Level Rise C ^P TBD	CNRA + OPC \$27* Nature-Based Coastal Adaptation Projects and Efforts C ^P TBD	CNRA \$4 Environmental Enhancement and Mitigation Program C ^P		
State Funds	3	SCC \$8* San Francisco Bay Wetlands Support PC E	DCS \$27* Wetlands Restoration in the Delta C E	DWR \$10* Habitat Restoration C ^P	SCC \$72* Climate Resilience C ^P		
	4	USFAWS \$1 Funding for the U.S. Fish and Wildlife Service to Address Weather Events C	EPA \$110 San Francisco Bay Water Quality Improvement Fund C E	USDA \$1* NRCS Watershed Program C	NOAA \$79 National Coastal Resilience Fund C ^P E		
Federal Funds	5	BLM/NPS \$1 National Parks, Public Lands Conservation and Ecosystem Resotration C TBD	BLM \$1 National Park and Public Lands Conservation and Resilience C	DOI-BIA <\$1* Tribal Climate Resilience C ^P E	EPA \$6* Environmental and Climate Justice Block Grant C ^P E		
Legend	Agency \$ in Millions		Fund Source Name				
	Project Focus		Equity				
	<p>Fund amount, in millions, represents estimated portion likely for sea level rise projects in the San Francisco Bay Area.</p> <p>* Next to fund value designates one-time funds.</p> <p>Gray boxes/text have broad program goals and/or have smaller amounts anticipated for sea level rise adaptation.</p>						

						Lean Gray Projects	
E		F		G		H	
Caltrans	\$49*	Caltrans	\$8*	SGC	\$1*	OPR	\$16*
State Transportation Infrastructure Climate Adaptation Program		Transportation Infrastructure Climate Adaptation Planning Program		Regional Climate Collaboratives		ICARP - Regional Resilience Planning and Implementation	
C	TBD	P		P	E	P^c	E
DWR/SFEP	\$29*	CTC	\$39*	OPC/SCC	\$9*	OPR	\$2
Prop 1 (2014)		Local Transportation Infrastructure Climate Adaptation Program		Prop 68 (2018)		ICARP - Adaptation Planning Grants	
C		C^P	E	C^P	E	P	E
NOAA	\$3*	FEMA	\$691	FEMA	\$6*		
Community Based Restoration Project		BRIC		STORM			
C^P		C^P	E	C			
FHWA	\$16*	USACE	\$1,586	FEMA	\$300		
PROTECT (Competitive)		Flood Risk Management Program		HMA HMGP/FMA			
C^P		C^P		C^P			

E = Delineates programs with equity priority requirements

C = Anticipate 100% of the focus is construction

P = Anticipate 100% of the focus is planning

C^P = Anticipate >50% of the focus is construction, but not all

P^c = Anticipate >50% of the focus is planning, but not all



Photo: Karl Nielsen, 2021

3. Study How New Revenues for Sea Level Rise Adaptation Needs Can Be Raised Most Equitably

3.1 The Funding Gap

The Framework analysis has also found that estimate for adaptation need pales in comparison to what is at risk. Even just a partial estimate of the cost of inaction of over \$200 billion, not including a number of assets that have not been fiscally quantified, shows that with an estimated \$110 in estimated adaptation need, regional adaptation actions will be a worthwhile investment.

However, the Framework analysis has identified a significant funding gap of over \$104 billion using median estimates, reflecting \$110 billion is estimated adaptation need and \$5.5 billion in estimated existing revenue sources through 2050. The funding gap will require a number of funding, financing, and planning strategies to fill or reduce it.

The region will need to focus on project prioritization to identify which areas should be adapted first, and which areas are suitable for alternative adaptation strategies. Prioritizing adaptation projects regionally will help to ensure that areas with more risk and less resources are protected, and developing priority guidelines for local projects will also be an important step toward long term adaptation goals.

The region will also need to pursue strategies to minimize the impacts of sea level rise, such as discouraging or adapting new developments in highly vulnerable areas to reduce the need for future shoreline protection, facilitating faster permitting and construction of adaptation projects, and identifying alternative strategies for adaptation, such as adaptation without protection.

Finally, increasing regional revenue sources will also be critical, including advocating for additional funds from state and federal sources, leveraging private investment, as well as exploring potential new revenue sources at the local or regional levels.

3.2 Exploring Potential Revenue Sources

The Framework analyzed the potential of three local and regional revenue sources at a high, exploratory level to provide a starting point for future research on potential new revenue sources at the local and regional levels. While many revenue-generating mechanisms were considered for this analysis, which are summarized in in Figure 9, the Framework focused on three that that seemed feasible based on regional precedence. These include parcel taxes, ad valorem (AV) property taxes/general obligation bonds, and assessment districts. Descriptions of each of these revenue-generating mechanisms are provided in Figure 10.

Figure 9. Types of revenue measures considered by the Framework²¹



²¹ Other Districts includes value capture mechanisms such as Community Facility Districts and Tax Increment Financing.

In support of the Framework goals, the analysis of the three revenue-generating mechanisms focused on revenue generation potential, bond issuance potential, and the initial equity implications for “who pays?”. Parcel and AV property taxes were analyzed at both the county and regional scales, whereas assessment districts were analyzed at the district scale using hypothetical case studies across the region. This section provides a summary of findings from this analysis, while further details are provided in the Technical Appendix.

Figure 10. Funding Sources Explored by the Framework

Scale: County and Regional

Regional and county taxes distribute tax burden across wider base

Parcel Tax

- Typically, a flat rate property tax: each parcel charged the same amount
- Does not account for value or size of the property

Ad Valorem Property Tax/GO Bond

- Property-related tax that
- can be progressive: higher assessed properties pay more
- Subject to Prop 13 limitations

Scale: District-based (sub-local)

Regional and county taxes distribute tax burden across wider base

Assessment District

- Directly tied to specific benefits
- Most feasible in areas with greater resources and/or more direct impacts of SLR

3.3. Revenue and Bonding Potential

This analysis found that, based on local and regional precedence over the last 10 years, none of these potential revenue measures would likely be capable of addressing the funding gap alone. For example, a hypothetical 30-year regional parcel tax of \$25 per parcel has potential to earn an annual revenue of \$55 billion per year, which has the potential to support \$750 million in bond issuance. Meanwhile, precedent research suggests that Bay Area voters may support a regional general obligation bond issuance between \$7 and \$13 billion, which would result in an average annual tax of \$55 per parcel²². However, while the parcel tax and AV property tax are each unlikely to be capable of covering a significant portion of the region-wide funding gap, their bonding potentials would still be able to fund many impactful projects. Both parcel taxes and AV property taxes require a two-thirds approval rate to pass, requiring significant public outreach and support.

An assessment district is different than the parcel and AV property taxes in that it would be formed at a sub-local level. In other words, it would not cover an entire city, county, or region; instead, only a portion of parcels within an area. Other similar types of districts, such as Community Facilities Districts, were not studied within the scope of the Framework due to their more flexible design and variable analysis results. To develop an assessment district, parcel owners would self-organize and vote on whether to pay for an additional property-related assessment that would fund specific improvements or services within their self-defined district. In the context of adaptation, an assessment district could be formed to fund the implementation of an adaptation project (or suite of projects) which would primarily benefit the district itself. As a revenue-generating mechanism, it is a tool that can be deployed at the hyper local level to fund site-specific interventions. Rather than comparing it to a parcel tax or an AV property tax, it may be beneficial to consider the assessment district as a revenue-generating tool that may be paired with a local or regional tax.

²² General obligation bonds are backed by ad valorem taxes, which are a tax on assessed value of a property. The actual tax rate would be between \$5 and \$14 per \$100,000 of assessed value. The estimated average tax rate of \$55 per parcel is based on the regional median single-family home value.

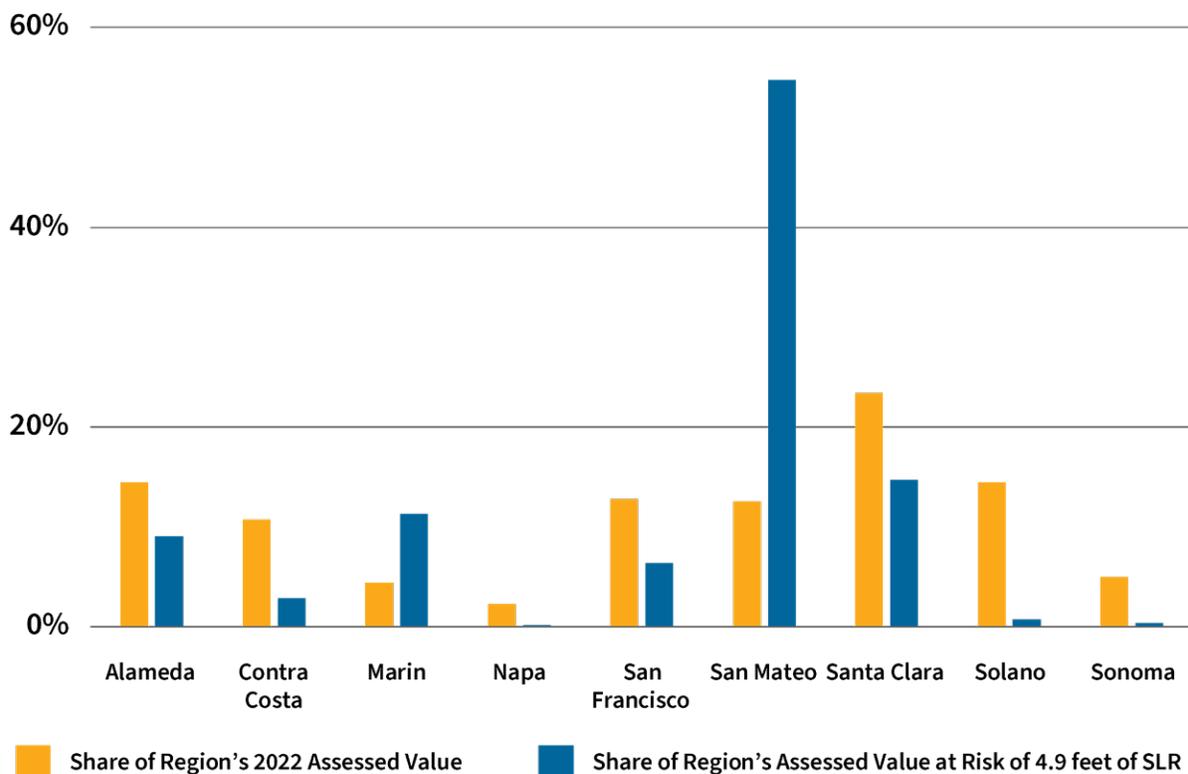
3.4 “Who Pays?”: Initial Understandings of Geographic Balance and Social Equity

Both MTC/ABAG and BCDC are committed to advancing social equity in sea level rise adaptation. As such, the Framework generated initial equity findings related to begin to understand “who pays?” in terms of both geographic balance and social equity. The findings are focused on AV property taxes and parcel taxes, as they are scaled to the county and regional levels and impact entire counties. For AV property taxes and parcel taxes, revenues are expected to be higher, and benefits will be dispersed throughout the county or region. Assessment districts generally occur at the sub-local level and only impact a small subset of parcels that have primarily self-selected to participate. The self-organized nature of assessment districts makes it difficult to assess equity implications, as they are specific to the community or district in question. As such, the Framework does not include them in this initial, high-level equity analysis.

Geographic Balance

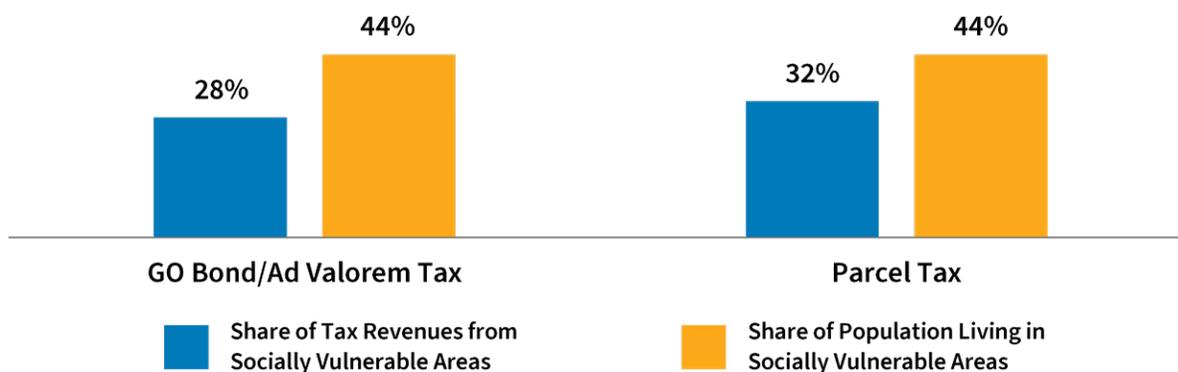
The geographic analysis sought to understand the relationship of local revenue contribution through AV property tax potential, and the risk of sea level rise inundation. With regards to geographic balance, local revenue contribution and SLR flood risk are not distributed evenly throughout the region. For example, as shown in Figure 11, Alameda, San Francisco, and Santa Clara Counties have the largest property tax base (based on assessed value), indicating that these counties would proportionally contribute more revenue to a regional AV property tax. Findings for a parcel tax are slightly different, because a parcel tax generally applies the same rate to all properties. As such, the number of tax-paying parcels would be more indicative of regional contribution than assessed value.

Figure 11. Geographic Balance for Ad-Valorem Property Taxes by County



With both AV property taxes and property taxes, San Mateo and Marin counties have a disproportionate share of regional property value at risk. A regional tax measure provides the opportunity to distribute the costs of paying for SLR adaptation throughout the Bay Area. This ability to distribute costs is particularly important given that SLR will not only impact property owners, but will also impact major regional assets, such as highways, train lines, business districts, ports, etc. Protecting these regional assets will benefit everyone, regardless of whether they live in Contra Costa or San Mateo counties. A key finding of the Framework is that **using multiple funding measures, such as AV property taxes or parcel taxes, would help to balance the tax burden geographically.**

Figure 12. Social Vulnerability for Parcel and Ad-Valorem Property Taxes at the Regional Level



Social Vulnerability

In terms of social equity, socially vulnerable areas were defined using BCDC’s Community Vulnerability data, which categorizes a community’s ability to plan for, respond to, or recover from natural disasters using a number of vulnerability indicators, such as income and race²³. The analysis sought to understand if socially vulnerable communities would pay a disproportionate share of the tax burden, and to compare those findings across AV property taxes and parcel taxes. As illustrated in Figure 12, the analysis found that **with both AV property and parcel taxes, households within socially vulnerable areas would contribute less to a regional tax than their regional share of the population, therefore distributing costs across low socially vulnerable areas and advancing equity. Additionally, parcel taxes were found to be comparatively less equitably than AV property taxes, as they place a higher tax burden on socially vulnerable areas**²⁴. The trend was consistent at both the regional and county scales.

The Framework only studied initial, high-level findings for “who pays?” with regards to geographic and social equity. If a local jurisdiction or the region were to pursue a tax measure to support adaptation, additional research and analysis should be conducted, particularly to ensure that revenue-generation strategies ensure equitable outcomes. With consideration for equity, other important factors to consider are tax design (e.g., exemptions for certain households), the existing local tax burden, and distribution of funding (e.g., which projects are funded and who they benefit).

23 Social vulnerability defined by medium, high, and highest levels of BCDC’s Community Vulnerability Data. <https://data-bcdc.opendata.arcgis.com/datasets/BCDC::community-vulnerability-bcdc-2020/about>

24 A parcel tax is, generally, a flat tax on all parcels regardless of value, whereas an AV tax is based on assessed value and increases (or decreases) based on property value. By design, higher value properties pay more.

4. Next Steps

The Framework builds off of and advances several major regional efforts, and serves as a stepping stone for other local and regional efforts in the future. While specific outputs such as the shoreline project inventory, revenue forecasts, and analysis findings may all inform future work, the Framework has identified six specific next steps for both MTC/ABAG and BCDC, and the region at large.

Cross-Agency Efforts

Better define lead agency roles for sea level rise funding efforts in the Bay Area. While tackling sea level rise requires robust partnerships, the lack of a lead agency to secure additional funding and distribute it equitably hinders the Bay Area's ability to mitigate climate impacts. Regional agencies currently lack the resources needed to lead in the funding space, and thus they will need the support of elected officials to both identify and support the development of regional leadership in this area.

Engage, educate, and mobilize elected officials to accelerate advocacy at the state and federal levels to secure more funding for the Bay Area by messaging the magnitude of need. The Framework analysis indicated that based on regional precedent, it is unlikely that any single fund source at the local or regional level will be able to close the regional funding gap. As such, the region will need additional funding from the state and federal levels to support sea level rise adaptation. The region has an opportunity to advocate for a larger share of sea level rise adaptation funding due to its relatively high vulnerability and the significance of the potential impacts, as referenced in X.1 Context.

Through regional plans, prioritize sea level rise investments to reduce the funding gap and better align local and regional planning. MTC/ABAG's Plan Bay Area 2050+ and BCDC's Regional Shoreline Adaptation Plan are opportunities to explore which resilience projects require early action and which low-density areas might be more appropriate for lower-cost adaptation activities. Plan Bay Area 2050+ will be focused on the initial prioritization of projects, while the Regional Shoreline Adaptation Plan is expected to develop future prioritization goals through the creation of regional guidelines that encourage local sea level rise adaptation planning and project prioritization within a regional framework. The Regional Shoreline Adaptation Plan is anticipated to support the development of prioritized adaptation projects at the local scale, complementing Plan Bay Area 2050+'s efforts to prioritize the identified inventory projects at the regional scale.

Support cities, counties, and the private sector to develop funding and financing tools at multiple scales. In addition to new or increased state and federal funding, private or philanthropic funding, and the potential financing tools identified by the Framework, there are other opportunities for other local revenue sources that can fill the gap. While some jurisdictions have developed measures in this space, such as 2018 bond measures in San Francisco and Foster City to support local infrastructure, communities with less resources will need support to develop appropriate funding tools. These tools can be facilitated by regionally available assistance, information, and support.

MTC/ABAG

Explore how envisioned regional measures can make communities and transportation more resilient. With no regional sea level rise measure on the horizon, it is critical to explore how planned measures for affordable housing and transportation could, to the extent possible, integrate policies or programs to advance more resilient outcomes. With expenditure plans likely to be developed in the coming months for both measures, resilience will be a key lens to consider.

BCDC

Complete and maintain the development of the Shoreline Adaptation Project Mapping Program to ensure that the region has access to the best possible inventory data. The Framework has illustrated the utility of having an inventory of shoreline projects. In addition to assisting with regional cost estimates, inventory data can help the region to understand planning and implementation gaps, to share and learn from best practices, and more.

4.1 Additional Sources

Additional details on Framework assumptions and methodologies can be found in the **Technical Appendix**.

Other Framework resources are also available for local and regional use, including:

Framework Shoreline Project Inventory Interactive Map: an interactive GIS webmap of the Shoreline Project Inventory including select attributes used in the analysis such as cost, adaptation activity, and project status. Corresponds with the spreadsheet.

- Framework Shoreline Project Inventory Interactive Map: an interactive GIS webmap of the Shoreline Project Inventory including select attributes used in the analysis such as cost, adaptation activity, and project status. Corresponds with the spreadsheet.
- Framework Shoreline Project Inventory Spreadsheet: a list of the project inventory and placeholders, including select attributes used in the analysis such as cost, adaptation activity, and project status. Corresponds with the interactive map.
- Estimating Activity Archetype Costs Spreadsheet: a resource of the full activity archetype cost assumptions.
- Existing Revenue Sources Spreadsheet: a resource of the full existing revenue sources identified, and the assumptions used in the analysis.

Poten?al Sea Level Rise Construc?on Methods



BUILDING A RESILIENT COMMUNITY

Suisun City, City Council
March 12, 2024



1

What is Resilience?

Resilience

The ability to plan for, withstand, and recover from severe events- without suffering permanent loss of functions, devastating damage, diminished productivity or decreased quality of life.

Engineers, planners and staff are encouraged to proactively assist their communities to better understand and reduce the frequency of flooding by addressing the causes of flooding, flood risk, and emergency response and recovery.



2

2



Why Plan for future storm events

- To lessen their impact
- To protect critical resources
- To reduce the potential for injury and loss of life
- To shorten the time to recovery

3



Flooding Challenges

- Urban flooding occurs when precipitation overwhelms existing systems, insufficient or degraded stormwater or wastewater infrastructure.
- Many communities are in low-lying areas or near bodies of water. Frequent flooding and damage to homes that discourage economic development and create public health risks.
- Disinvested urban neighborhoods often have a concentration of impervious surfaces, abandoned buildings and lack of green spaces that could absorb flood water.
- Vulnerable communities do not always receive the aid and relief funding they need to recover from flood events.

4



What is the path forward

- Limited information/data
- *Sea Level Rise Adaption Funding and Investment Framework Final Report (ABAG/MTC)*
- Discovery – what do we need
- Limited staff time and funding

5



Costs Estimates

- 29,500 feet , limited information/data
- 5.6 miles of shoreline
- \$250 million, encompassing the following components:
 - Project Management
 - Feasibility Analysis
 - Preliminary Design
 - Community Engagement
 - Environmental Compliance
 - Engineering Design
 - Construction Management, Inspection, and Quality Control
 - Construction Activities



6

Questions and Direction

